

MINUTES - REGULAR MEETING
June 9, 2021

NOTICE IS HEREBY GIVEN THAT THE BOROUGH COUNCIL MEETING SCHEDULED FOR JUNE 9, 2021 WILL BE A VIRTUAL MEETING; THE MEETING WILL COMMENCE AT 7:00 PM. PLEASE USE THE FOLLOWING INFORMATION, INCLUDING THE PASSCODE SHOWN BELOW, TO LOG IN TO THE MEETING:

Borough Council Regular Meeting
June 9, 2021 07:00 PM Eastern Time

Join Zoom Meeting:
<https://us02web.zoom.us/j/81618060909>

Passcode: 318359

Or One tap mobile :

US: +13017158592,,81618060909## or +13126266799,,81618060909#

1. **MOMENT OF SILENCE**
2. **SALUTE TO THE FLAG**
3. **COMPLIANCE STATEMENT:**

This meeting is called pursuant to the provisions of the Open Public Meetings Act, C.231, P.L.1975: adequate notice of this meeting has been given by posting a notice on the Borough's website and official bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star* as required by law.

4. **ROLL CALL:**

	Present	Absent
Mayor Farrell	X	
Councilman Clemmensen	X	
Councilman Perry	X	
Councilman Begley	X	
Council President Fetzer	X	
Councilwoman Giegerich	X	
Councilwoman Anthony	X	

5. **CONSENT AGENDA -**

UPON MOTION of Council President Fetzer, seconded by Councilperson Anthony, carried, that the following Resolutions be and the same are hereby adopted:

- a. **Resolution No. 103-2021:** Special Event Application; Wall High School Swim Club, One Mile Ocean Swim, August 8, 2021, 6:00 AM

WHEREAS, the Wall Township High School Swim Team Parent Association has requested permission to hold their annual Ocean Mile Swim event on the Sea Girt Beach on August 8, 2021, beginning at 6:00 AM to approximately 10:00 AM, and the Association has submitted the required Special Event application and fee of \$40.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the request of the Wall Township High School Swim Team Parent Association for permission to hold their annual Ocean Mile Swim event on the Sea Girt Beach on August 8, 2021 from 6:00 AM to approximately 10:00 AM be and the same is hereby approved, subject to any restrictions that may be

imposed on the location in the event any endangered or threatened species are present and the submission of a Certificate of Insurance with the required limits and naming the Borough of Sea Girt as an additional insured not later than August 1, 2021.

BE IT FURTHER RESOLVED that set-up and clean-up of the area is the responsibility of the event sponsors.

b. **Resolution No. 104- 2021:** Appoint Beach Personnel and Set Salaries

WHEREAS, the Beach Utility is in need of personnel to fill the various staff positions necessary to operate the Borough Beach during the 2021 season; and,

WHEREAS, the Beach Manager has recommended the persons listed below for employment with the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following named individuals are hereby appointed as seasonal staff members to be employed in the positions noted at the season or hourly rates listed for the 2020 beach season:

2021 Sea Girt Beach Department
Roster & Hourly Wages
Office, Gateguards, Beach Crew

(*) names listed in **bold** type are new hires

Bold Names are New Hires for 2021

Office: 291

Jim Freda - Beach Manager	23,000
Michel Emmons - Assist Cashier	14.00
Carol Hanley – Assist. Cashier	14.00
Doug Megill – Office Assistant	14.00
Patricia Summers – Head Cashier	15.00
Jean Trimble – Assist. Cashier	14.00

Gateguards 293

Brianna Bals	12.00
Carol Bals	12.00
Chloe Bird	11.10
Grace Blauvelt	11.10
Dan Brennan	11.10
Samantha Certo	11.10
Meg Cody	11.10
Daemen Den Bleyker	11.50
Robin Forish	11.50
Hunter Funkhouser	11.10
Debbie Gallo	11.10
Paul Gaynor Jr	11.10
Helen Goss	13.00

Gimena Hernadez	11.10
Charlie Kane	11.50
Jeff Kelly Sr	11.10
Sandy Lattimer	11.50
Nicholas Libertucci	11.10

Marilyn Magliacane	11.10
Katie Murray	11.10
Alek Polesky	11.10
Michael Prodeline	11.10
Patty Raffetto	11.50
Sal Sarno	11.50
Ron Scotto	12.00
Morgan Sheehan	11.10
Michelle Stecky	11.10
Lauren Tarigo	11.10
Reagan Tripucka	11.10
Alex Walenjusz	11.10
Maggie Weeks	11.10

Beach Crew : 294

Stephen Bird	11.10
Hannah Blauvelt	11.10
Jase Davenport	11.10
Luke Giegerich	11.10
Liam Marriott	11.10
Owen Mehring	11.10
Dylan Paritz	11.10
Brennan Sodanno	11.10
Justin Wright	11.10

Restroom Attendant

Norman Goss	15.00
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c. **Resolution No. 105- 2021:** Set 2021 Salaries- Lifeguards

WHEREAS, the Beach Utility is in need of lifeguard staff to fill the positions necessary to operate the Borough Beach during the 2021 season; and,

WHEREAS, the Lifeguard Chief has recommended the persons named on the attached listing for employment with the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following persons are hereby appointed as seasonal staff members to be employed as Lifeguards at the season or hourly rates listed for the 2021 beach season:

Timothy Harmon, Lifeguard Captain, \$21,800.00 (including NGTC fee)

2021 Sea Girt Beach Department Roster & Hourly Wages – per Attached Schedule (attached)

d. **Resolution No. 106-2021:** Set 2021 Salaries/Wages – Employees

SECTION 1. The following officers and employment designations are hereby confirmed and the rate of compensation of each officer and non-union employee of the Borough of Sea Girt, whose compensation shall be on an annual or hourly basis, is not to exceed:

MAYOR: F.K. Farrell

COUNCIL MEMBERS: Donald E. Fetzer, Matthew Begley,

SALARY
\$4,500.00

Mark Clemmensen, Melissa Giegerich, , Diane Anthony, Bryan Perry	\$3,500.00
PLANNING/ZONING BOARD SECRETARY: Karen Brisben	\$3,249
BUSINESS ADMINISTRATOR: James Gant	\$140,000
UTILITY COLLECTOR: Brooke Koegel	\$23,500
MUNICIPAL CLERK: Dawn Harriman	\$71,500
DEPUTY BOROUGH CLERK/REGISTRAR: Vacant	\$40,000
SECRETARY/RECEPTIONIST: Vacant	\$35,000 - \$45,000
OTHER HOURLY EMPLOYEES BOROUGH HALL: JANITOR:	\$11.00 -\$30.00 per hour Not to exceed \$17.50 per hour
ASST. FINANCE OFFICER: Jane Hunnewell	\$62,584
ASST. FINANCE CLERK: Richard Lyster	\$42,700
TAX COLLECTOR: Karen S. Brisben	\$22.45 per hour not to exceed \$15,000.00
DEPUTY TAX COLLECTOR: Brooke Koegel	\$23,500
TAX ASSESSOR: Scott Kineavy	Shared Services- Aberdeen Twp.
PART-TIME CLERK, ASSESSOR’S OFFICE	\$30.00-\$50.00 per hour
LIBRARIAN: Lisa Luke	\$22.74/hour, 25 hours/week, 50 weeks
ASSISTANT LIBRARIAN: JoAnne Johnson	\$17.36 /hour, 17 hours/week, 50 weeks
FIRE PREVENTION OFFICER: Christopher Willms	\$10,200
ZONING/ CODE ENF. OFFICER: Christopher Willms	\$71,920
BRIELLE CODE SHARED SERVICE: Christopher Willms	\$27.50 Per Inspection
FIRE OFFICIAL, PART-TIME	\$20.40/hour
RECREATION DIRECTOR – FALL/WINTER/SPRING: Patricia A. Peterson	\$22,689
OEM COORDINATOR: Tim Harmon	\$4,705
OEM COORDINATOR Hazard Pay (not to exceed \$5,000)	\$5,000.00
DIR. OF BEACHFRONT OPERATIONS AND SPECIAL PROJECTS: Tim Harmon	\$72,000
PUBLIC WORKS MANAGER: Michael McArthur	\$107,712
PUBLIC WORKS ASSISTANT MANAGER: Trevor Palmer	\$97,308
RECYCLING COORDINATOR: Brielle Borough	Shared Services- Brielle Borough
PUBLIC WORKS ASSISTANT: Joseph Amberg	\$17.94 per hour
PART-TIME PUBLIC WORKS LABORER:	Up to \$25.00 per hour
PART-TIME PUBLIC WORKS LABORER: William Holt	\$20.65 per hour
CLERK/TYPIST DPW, Tara Vermillion	\$41,820
CHIEF OF POLICE: Justin Macko	\$148,340
CAPTAIN, SEA GIRT POLIC DEPARTMENT: Vacant	\$100,000 - \$145,000
SPECIAL OFFICER, CLASS I, 1 st Year: James Belknap, Robert Broehl, Derek Carmignani, Gabrielle DeGroat, Thomas Murtha, Joseph Piscopo, Nicholas Stephan, Valerie Vacchiano, Courtney Wright	\$12.00
SPECIAL OFFICER, CLASS I, 2 nd Year: Christopher Gall, William Spector	\$12.50
SPECIAL OFFICER, CLASS I, 3 rd Year: James Pignataro	\$13.00
SPECIAL OFFICER, CLASS I, 4 th Year: Ryan Bradford	\$13.50
SPECIAL OFFICER, CLASS I, 5 th Year	\$14.00
SPECIAL OFFICER, CLASS I, 6 th Year	\$14.50
SPECIAL OFFICER, CLASS II, 1 ST Year: Courtney Pearce, Randolph Maccanico IV, Anthony Giannico, Michael Columbo, Kristina Stevens, Sara Koch	\$15.00
SPECIAL OFFICER, CLASS II, 2 nd Year: Corey Gerard, Connor	

Maliff	\$16.00
SPECIAL OFFICER, CLASS II, 3 rd Year: James Szewczuk	\$17.00
SPECIAL OFFICER, CLASS II, 4 th Year	\$18.00
SPECIAL OFFICER – CLASS II – 5 th Year:	\$19.00 per hour
SPECIAL OFFICER – CLASS II – 6 th Year and above:	\$20.00 per hour
POLICE RECORDS OFFICER/CONFIDENTIAL ASST.: Jennifer Fary	\$43,074
POLICE MATRON: Grace DeBoer, Sandra Bolchune, Dawn Sherman	\$8.50-\$25.00 per hour
SCHOOL CROSSING GUARD (5 th year and above): Sandra Bolchune ; Grace DeBoer; Dawn Sherman; Carol Hanley	\$18.21 per hour
DRUNK DRIVING ENFORCEMENT OFFICER	\$50.00 per hour
MUNICIPAL COURT JUDGE: Paul Capotorto	\$20,000.00
MUNICIPAL PROSECUTOR: James Carton	\$16,000.00

SECTION 2. Other appointees may be employed as designated and the following compensation is hereby authorized: Municipal Court Judge: Paul Capotorto and Municipal Prosecutor: James Carton (per DUI court session), \$350.00

SECTION 3. The salaries and hourly wages as specified in Section 1 and Section 2 hereof shall be effective retroactively to January 1, 2021 or date of appointment, whichever is later, and shall continue in effect until further action is authorized.

e. **Resolution No. 107-2021:** Appoint Class 1 Special Law Enforcement Officer (SLEO)

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of a Class I Special Law Enforcement Officers for the period June 9 through December 31, 2021, inclusive; and,

WHEREAS, the Chief of the Sea Girt Police Department has recommended Ryan Bradford (year 4); and,

NOW, THEREFORE, BE IT RESOLVED that Ryan Bradford be appointed as Class I Special Law Enforcement Officers for the period June 9 through December 31, 2021, inclusive, at the hourly rate of \$13.50 per hour for hours worked.

f. **Resolution No. 108-2021:** Appoint Summer Recreation Volleyball Staff

WHEREAS, the Borough of Sea Girt is in need of the services an instructors for the Recreation Volleyball Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Girt that the following appointments be approved at the hourly rates shown below for no more than 3.0 hours per session for 12 sessions for instruction for the volleyball programs:

Camp Director: Alison Maser, at the rate of \$25.00 per hour;

Volleyball Instructor: Jack Geiger and Matt Kelley, at the rate of \$23.00 per hour;

Assistants Instructors: John Rigney, at the rate of \$16.00 per hour

Volunteer Instructor: Mark Leddy

g. **Resolution No. 109-2021:** Authorize Agreement Monmouth County Open Space Grant – Improvements to Edgemere Park Phase 1

**The County of Monmouth
Municipal Open Space Program
Grant Agreement**

BETWEEN the Borough of Sea Girt, having official offices at, 321 Baltimore Boulevard Sea Girt, NJ 08750, hereinafter “Grantee,” and the Monmouth County Board of County Commissioners, Hall of Records Annex, One East Main Street, P.O. Box 1255, Freehold, New Jersey 07728, hereinafter “County.”

This Agreement was entered into by the Monmouth County Board of County Commissioners on:

Date: _____

WITNESSETH:

WHEREAS, Grantee has made application to the County for financial assistance under the Municipal Open Space Program hereinafter “Program”; and

WHEREAS, the County has reviewed said application and has found it to be in conformance with the scope and intent of the Program and has approved Grantee’s request for funding;

NOW, THEREFORE, in consideration of the award of funding, and in accordance with the application heretofore filed, the County and Grantee agree to perform in accordance with the terms and conditions set forth in this agreement.

1. The Grantee agrees to perform Improvements to Edgemere Park Phase I in the manner set forth in this agreement and Exhibit 1 – Approved Project Description for the consideration stated herein.
2. The period of performance under this Agreement is specified as thirty months from the project selection, for which period, funds are available and allotted. There shall be no obligation on the part of the County to renew or extend this time period.
3. The amount of the award to be provided by the County under this subcontract is \$20,000. The County award is based upon the Grantee’s application #20-04 to the County for financial assistance dated September 16, 2020 and as supplemented. In the event that the anticipated amount of the Grantee’s contribution as provided for in the Program Grant Application decreases, then the County’s obligation to provide the award set forth in this paragraph shall be void by the County and at the County’s option.
4. The Grantee agrees to provide all funds necessary for completion of the Approved Project (Exhibit 1) and to complete the Approved Project in accordance with this Agreement and the conditions, specifications, plans, estimates, project proposals and maps submitted to the County and incorporated herein by reference.
5. Program funds shall be dispersed on a reimbursement basis after the satisfactory completion of the project.
6. Grantee agrees that any Program funds received from the County shall be used only for the purposes described herein.
7. Costs eligible for assistance shall be limited to those eligible costs listed in the Policy and Procedures Manual for the Program. The County award of funding specifically does not include financial assistance for any soft costs, including but not limited to, any costs for title searches, title insurance, surveys, attorney fees, recording fees, and real estate taxes.

8. The Grantee shall furnish and deliver all necessary documentation within the timeframe and in the manner requested by the County and shall grant County personnel and any authorized representatives of the County reasonable access to all records related to the Approved Project.
9. Grantee shall maintain and preserve all land and improvements described herein and provide such police protection as may be necessary.
10. Grantee shall execute and donate to the County of Monmouth at no charge a Deed of Open Space Easement, pursuant to P.L. 1979, c.378 (C) 13:8B-1 et seq. on any land to be (acquired/developed) using funds received from the Monmouth County Open Space and Farmland Preservation, Recreation and Conservation and Historic Preservation Trust Fund (N.J.S.A. 40:14-19(d)(5)), which easement shall include the following language.
 - a. It is the purpose of this Easement to guarantee that the Property will be retained forever for public park, recreation and open space uses and to prevent any use of the Property that will significantly impair or interfere with the park and open space values of the Property.
 - b. The property shall be held in trust in perpetuity and used exclusively for the purposes authorized by the Open Space and Farmland Preservation, Recreation and Conservation and Historic Preservation Act, as may be amended from time to time (N.J.S.A. 40:12-15.6b).
 - c. The Borough of Sea Girt agrees to make and keep the open space accessible to the public, unless the municipality and County determines that public accessibility would be detrimental to the lands, waters or improvements thereon, or to any natural resources associated therewith (N.J.S.A. 40:12-15.6d(3)).
 - d. The Borough of Sea Girt agrees not to lease, sell, exchange or donate the property described herein which is being acquired pursuant to P.L. 1997 c. 24, NJSA 40:12-15.6(A) except upon approval of the Monmouth County Board of County Commissioners and upon such conditions as the Monmouth County Board of County Commissioners may establish (N.J.S.A. 40:12-15.6d(4)), including but not limited to replacement with land of no less or greater utility , acreage, and value.
11. Grantee shall provide a copy of the deed of record to the Program Administrator in care of the Monmouth County Park System for recordkeeping purposes.
12. Grantee shall display a sign on the property reflecting the use of County Open Space funds for purchase of or improvement to the property, which sign shall be provided by the Program Administrator.
13. Grantee shall cause the funded property to be listed on the Municipal Recreation and Open Space Inventory at the time it is filed with the New Jersey Green Acres Program or its successor.
14. Grantee shall provide access to the facility/property for County staff to conduct an annual inspection.
15. No official or employee of the Grantee who is authorized in his/her official capacity to negotiate, make, accept or approve, or take part in such decisions regarding a contract or subcontract in connection with the Approved Project shall have any financial or other personal interest in any such contract or subcontract.

16. In the event Grantee does not perform any of the services, obligations, or responsibilities provided for under this Agreement, or in the event that the services do not attain the objectives set forth in the initial application or this agreement to the sole satisfaction of the County, then the County may withhold all, or a portion of, any payment to be made under this agreement, and in addition, may declare this subcontract null and void. In the event of termination, the County shall have no further liability to the Grantee and in no event will the County be liable to pay for services not actually rendered.
17. The County will provide a Program Administrator for the program that will advise the Grantee in performance of the required services. Contact:

Monmouth County Park System
Attn: Acquisition & Design Department
805 Newman Springs Road
Lincroft, NJ 07728-1695
732-842-4000

18. The Grantee, at the request of the County, may be required to prepare a progress report and submit to the County within 30 calendar days after the date requested. The report shall include a narrative description of the status of the Approved Project and the date on which the Approved Project will be completed.
19. The Grantee now complies with all applicable State and Federal Laws in connection with its business and activities related to the services to be provided including, without limitation, any applicable Federal or State Civil Rights Law, order or regulation.
20. The execution of this Agreement has been authorized by the Grantee’s governing body and the Monmouth County Board of County Commissioners.
21. The Grantee shall indemnify and hold the County of Monmouth harmless from any and all loss, damages, suits, penalties, expenses, including but not limited to reasonable investigation and legal expenses, arising out of the operation of the program, or arising out of, or under this Agreement. The Grantee further agrees to indemnify the County of Monmouth from suits or actions of every nature or description brought against it, or damages received or sustained by any party or parties, by or from any of the acts of the Grantee or of the Grantee’s, Director’s employees, agents or volunteers.
22. The Grantee shall procure and maintain at its own expense, liability insurance for any personal injury or property damage to be reviewed and accepted by the County of Monmouth caused by the Grantee in its normal and usual course of business. The Grantee expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Grantee’s obligations assumed in this Agreement and shall not be construed to relieve the Grantee from liability in excess of such coverage.

IN WITNESS WHEREOF, the parties have executed this contract as of the day and year first above written.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			

Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

h. Resolution No. 110-2021: Approve Revised Councilmatic Committees

BE IT RESOLVED that attached list of the Councilmatic Committees, Special Committees, at-will Employees and Boards and Commission members be and the same are hereby confirmed.

2021 COUNCILMATIC COMMITTEES

PUBLIC SAFETY	
Chair	Mark Clemmensen
Member	Matthew Begley
Member	<i>Donald Fetzer</i>
Police	Mark Clemmensen
Fire	<i>Donald Fetzer</i>
Zoning-Code Enforcement	Matthew Begley
PERSONNEL/ADMINISTRATION	
Chair	Melissa Giegerich
Member	Mark Clemmensen
Member	Diane Anthony
PUBLIC BUILDINGS/GROUNDS/LANDSCAPING	
Chair	Diane Anthony
Member	Melissa Giegerich
Member	<i>Bryan Perry</i>
PUBLIC WORKS	
Chair	Mark Clemmensen
Member	Diane Anthony
Member	Donald Fetzer
WATER/SEWER DEPARTMENT	
Chair	Donald Fetzer
Member	Mark Clemmensen
Member	<i>Bryan Perry</i>
BEACHFRONT MANAGEMENT	
Chair	Melissa Giegerich
Member	Diane Anthony
Member	<i>Bryan Perry</i>
RECREATION	
Chair	<i>Bryan Perry</i>
Member	Matthew Begley
Member	Diane Anthony

LIBRARY	
Chair	Melissa Giegerich
Member	Diane Anthony
Member	<i>Bryan Perry</i>
ENVIRONMENTAL/WETLANDS CONSERVATION	
Chair	Diane Anthony
Member	Donald Fetzer
Member	Melissa Giegerich
INSURANCE/LABOR NEGOTIATIONS	
Chair	Donald Fetzer
Member	Matthew Begley
Member	Mark Clemmensen
FINANCE/CAPITAL IMPROVEMENTS/EQUIPMENT	
Chair	Matthew Begley
Member	Ken Farrell
Member	Donald Fetzer
SPECIAL COMMITTEES:	
JIF SAFETY COMMITTEE	
Administration	James Gant
Police Department	Justin Macko
Fire Department	William Loughran
Public Works Department	Michael McArthur
Beach Department	James Freda
EMERGENCY MANAGEMENT COUNCIL	
Mayor and Director	F. Ken Farrell
Public Safety	Mark Clemmensen
Member	<i>Donald Fetzer</i>
Emergency Management Coordinator	Timothy Harmon
Deputy Emergency Management Coordinator	Chief Justin Macko
Administration Representative	James Gant
Finance Representative	Matthew Begley
Law Enforcement Representative	Chief Justin Macko
Fire Department Representative/Safety Officer	William Loughran
EMS Representative	Michael Lauber (Manasquan First Aid)
Public Works Representative	Michael McArthur
Oceanfront Water Ops	James Freda
Health Department Representative	Diane Anthony
Sea Girt School Representative	Rick Papera
MONMOUTH MUNICIPAL JOINT INSURANCE FUND	
Fund Commissioner	James Gant
Alternate Fund Commissioner	Jane Hunnewell
APPOINTMENTS AFFIRMED BY COUNCIL:	
ADA Coordinator/Alternate	James Gant/Michael McArthur

Assistant, Finance Office	Jane Hunnewell
CDBG Representative/Alternate	James Gant/Jane Hunnewell
Chief Finance Officer	Amy Spera
Clean Communities Coordinator	Michael McArthur/Trevor Palmer
Deputy Borough Clerk/Registrar	Dawn Harriman
Deputy Tax Collector	Linda McGeehan
Designated Employer Representative-(Drug/Alcohol Testing)	Richard Lyster
Emergency Management Coordinator	Timothy Harmon
Deputy Emergency Management Coordinator	Justin Macko
Fire Official	Christopher Willms
Librarian	Lisa Luke
Assistant Librarian	JoAnn Johnson
Assistant Librarian/Children’s Librarian	Patricia Peterson
DPW Manager/Licensed Water Plant Operator	Michael McArthur
DPW Asst. Manager/Asst. Licensed Water Plant Operator	Trevor Palmer
Police Chief	Justin Macko
Police Captain	OPEN
Public Works Agency Compliance Officer (PACO)	James Gant
Public Works Assistant Manager	Trevor Palmer
Qualified Purchasing Agent	Amy Spera
Recycling Coordinator	Carol Baren (Brielle)
SMMUA Representative/Alternate	James Gant/Michael McArthur
SMRSA Representative (5 year term)	F. Ken Farrell
Utility Collector	Linda McGeehan
Zoning Official/Code Enforcement Officer	Christopher Willms
Assistant Code Enforcement Officers	Michael McArthur
Board of Education Liaison	Melissa Giegerich

BOARDS AND COMMISSIONS:		
PLANNING/ZONING BOARD		
Class I - Mayor	F. Ken Farrell	December 31, 2021
Class II - (1 year term)	Karen Brisben	December 31, 2021
Class III – (1year term)	Diane Anthony	December 31, 2021
Class IV – 4 year term	Carla Abrahamson	December 31, 2024
Class IV – 4year term -	Jake Casey	December 31, 2024
Class IV – 4 year term	Norman Hall	December 31, 2021
Class IV – 4 year term	Eileen Laszlo	December 31, 2024
Class IV- 4 year term	Ray Petronko	December 31, 2022
Class IV – 4 year term	John Ward	December 31, 2024
Alternate #1 – 2 year term	Robert Walker	December 31, 2022
Alternate #2 – 2 year term	Stan Koreyva	December 31, 2021

BOARD OF HEALTH		
Chairman	Diane Anthony	December 31,2021
Member	James Gant	December 31,2021

Member	Dawn Harriman	December 31,2021
BOARD OF RECREATION COMMISSIONER		
Chairman	Michael D’Altrui	December 31,2024
Member	Mark Leddy	December 31,2021
Member	Jennifer Perry	December 31, 2024
Member	Lori Loughlin	December 31,2024
Member	Kevin Reid	December 31,2021
SHADE TREE COMMISSION		
Chairman	Robert Strang-Wolf	December 31, 2021
Member	Bill Drew	December 31, 2021
Member	Alex Fatenko	December 31, 2021
Member	Kerri Walsifer	December 31, 2022
Member	Conrad Yauch	December 31, 2021
SHORE COMMUNITY ALLIANCE		
Member	Diane Anthony	December 31,2021
Member	Chief Justin Macko	December 31,2021
Member	Rick Papera	December 31,2021

- i. **Resolution No. __2021:** Appoint Tim Harmon, Director of Beachfront Operations and Project Manager – *Council President Fetzer respectfully requested to postpone the appointment of Tim Harmon for personnel discussion during executive session; action could be taken when council returns to regular session.*
- j. **Resolution No. 112-2021:** Capital Budget Amendment

FROM CAPITAL BUDGET (CURRENT YEAR ACTION) 2021								
Planned Funding Services for Current Year 2021								
Project	Estimated Total Cost	Amounts Reserved in Prior Years	2021 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	To Be Funded in Future Years
Beach Equipment	\$ 41,500	\$	\$	\$ 41,500	\$	\$	\$	\$
West Bike Path	\$ 144,000			\$ 24,000		\$ 120,000		
Total All Projects	\$ 2,770,020	\$	\$	\$ 477,370	\$	\$ 120,000	\$ 2,172,650	\$

TO
CAPITAL BUDGET (CURRENT YEAR ACTION)
2021

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2021					To Be Funded in Future Years
			2021 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	
Public Works Vehicle	\$ 50,000	\$	\$	\$ 2,500	\$	\$	\$ 47,500	\$
Administration Vehicle	35,000			1,750			33,250	
Beach Equipment	57,000			57,000				
West Bike Path	150,000			30,000		120,000		
Total All Funds	\$ 2,876,520	\$	\$	503,120		120,000	2,253,400	

3 YEAR CAPITAL PROGRAM 2021 - 2023
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2021	2022	2023	2024	2025	2026
Public Works Vehicle	\$ 50,000		\$ 50,000	\$	\$	\$	\$	\$
Administration Vehicle	35,000		35,000					
Beach Equipment	57,000		57,000					
West Bike Path	150,000		150,000					
Total All Funds	\$ 2,876,520		\$ 2,876,520	\$	\$	\$	\$	\$

TO
3 YEAR CAPITAL PROGRAM 2021 - 2023
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Budget Appropriations		Capital Improvement Fund	Capital Surplus	Grants in-Aid and Other Funds	Bonds and Notes	
		Current Year 2021	Future Years				General	Self-Liquidating
Public Works Vehicle	\$ 50,000	\$	\$	\$ 2,500	\$	\$	\$ 47,500	\$
Administration Vehicle	35,000			1,750			33,250	
Beach Equipment	57,000			57,000				
West Bike Path	150,000			30,000		120,000		
Total All Funds	\$ 2,876,520	\$	\$	\$ 503,120	\$	\$ 120,000	\$ 2,253,400	\$

k. **Resolution No. 113-2021:** Request for Waiver from 205 Ocean Avenue Road Opening Moratorium

WHEREAS, the Borough Council of Sea Girt received a request for a waiver from the five-year moratorium on Ocean Avenue road openings from Patricia Knapp pending review of the request by the Borough Engineer; and,

WHEREAS, the Borough Engineer has provided the following emergency condition information in response to the review requested by Council:

1. The purpose of the street opening was to replace an existing aged underground fuel heating oil tank with new natural gas service; this represents an emergency condition as it affects public health and safe utilization of the property;
2. The Street Opening Permit Ordinance also states that: “if a permit is issued pursuant hereto to open any repaved street less than five (5) old, an enhanced restoration may be required for said opening permit at the discretion of the Borough Engineer.”
3. Work proposed by the Gas Company is excavation of one 3ft x 3 ft. opening on Ocean Avenue the pavement 175 feet north of Brooklyn Boulevard (see attached application form and sketch). The purpose of this opening is to provide new natural gas service to the existing dwelling.

NOW, THEREFORE, BE IT RESOLVED that the moratorium waiver be and the same is hereby approved with the following conditions:

1. Under the conditions described above, our office recommends issuance of a Street Opening Permit as presented in the NJNG application, with restoration made in compliance with an attached “Specification for Trench and Infrared Asphalt Repair.”
2. All fees associated with the Engineer’s review of plans, pre- and post-opening inspection and the restoration process are the responsibility of the property owner and shall be secured with an escrow deposit in the amount of \$1,000;
3. A bond in the balance of the full cost of the restoration (adjusted for the amount of the escrow deposit) shall be submitted to the Borough of Sea Girt prior to the commencement of any work associated with this waiver.
4. This approval shall expire as of August 30, 2021 if work has not been completed. The Zoning Official may extend this deadline if work is progressing but not completed for up to one year upon quarterly application of the contractor.

1. **Resolution No. 114-2021:** Pay Bills.

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill Lists dated May 26 and June 4, 2021 in the totals as follows:

CURRENT FUND	\$	226,784.59
WATER/SEWER OPERATING FUND	\$	61,696.00
BEACH OPERATING FUND	\$	72,637.18
RECREATION TRUST FUND	\$	1,520.22
TRUST FUND	\$	741.50
POLICE ESCROW FUND	\$	1,387.00
GENERAL CAPITAL	\$	196,231.48
WATER CAPITAL	\$	434.52

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

6. **APPROVE MINUTES**

- a. **Resolution No. __2021:** Approve Minutes, May 12, 2021 Regular Meeting – Virtual.

The Clerk advised the minutes from May 12, 2021 meeting are not completed at this time for action.

7. **OPEN DISCUSSION:**

Councilman Clemmensen congratulated Council President Fetzer and Mr. Zakin on the primary election and wished them well; he also thanked the residents for voting.

8. **UNFINISHED BUSINESS:**

A. **2021 Municipal Budget**

- The Mayor to advise that the Budget was advertised by summary in The Coast Star on April 22, 2021, available on the Borough’s website on the same date and that the public hearing was held as scheduled on June 9th, 2021;
- The Council wished to amend the budget as introduced (the amendment to be read in full).
- **Resolution No. 115-2021:** Budget Read by Title

UPON MOTION of Council President Fetzer, seconded by Councilman Clemmensen, carried, that the following resolution be adopted:

WHEREAS, the 2021 approved budget of the Borough of Sea Girt, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing, and

WHEREAS, a copy of the same has been made available to each person requesting it during said week and during the public hearing.

THEREFORE, BE IT RESOLVED that having conformed to the conditions set forth in N.J.S.A.40A:4-8. The 2021 budget be read by its title.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

- **Resolution No. 116-2021:** Certification – Budget Available for Review

UPON MOTION of Councilman Begley, seconded by Councilman Clemmensen, carried, that the following Resolution be and the same is hereby adopted:

NOW, THEREFORE, BE IT RESOLVED that I, Dawn Harriman, Clerk of the Borough of Sea Girt, do hereby certify that the 2021 Approved Budget of the Borough of Sea Girt has been available for public review in the Municipal Office since April 22, 2021 and available on the Borough of Sea Girt website, www.seagirtboro.com, since April 22, 2021.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

- **Resolution No. 117-2021:** Amend 2021 Municipal Budget

BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH

WHEREAS, the local municipal budget for the year 2021 was approved on the 9th of June, 2021, and

WHEREAS, the public hearing on said budget has been advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, that the following amendments to the approved budget of 2021 be made

Recorded Vote

(Insert Last Names)

(Clemmensen	((
(Perry	(Abstain		(
(Begley	(
Ayes (Fetzer	Nays (
(Giegerich	((
(Anthony	(Absent		(
	(
		<u>From</u>		<u>To</u>	

Current Fund

Anticipated Revenues

(C) Minimum Library Tax	\$ 818,000.00	818,728.73
Total Amount to be Raised by Taxes		

for Support of Municipal Budget	5,687,239.30	5,687,968.03
Total General Revenues	8,152,315.89	8,153,044.62
<u>Appropriations</u>		
Operations Excluded from "CAPS"		
Library:		
Other Expenses	743,000.00	743,728.73
Total Operations Excluded from "CAPS"	1,106,768.89	1,107,497.62
(O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"		
	2,093,919.89	2,094,648.62
(L) Subtotal General Appropriations	7,583,091.39	7,583,820.12
Total General Appropriations	8,152,315.89	8,153,044.62

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 9th day of June, 2021.

- o **Resolution No. 118-2021:** Adopt 2021 Municipal Budget, as amended

Councilwoman Anthony thanked the Finance Committee for their efforts put forth on the budget. Mr. Gant noted the budget presentation is also available on our website to view.

UPON MOTION of Councilwoman Anthony, seconded by Council President Fetzer, carried, that the following resolution be adopted:

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$8,153,044.62 for municipal purposes.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to:

1. Division of Local Government Services
2. County Tax Administrator
3. Chief Financial Officer for his further action.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

- A. **Ordinance No. 07-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on May 20, 2021:

ORDINANCE NO. 07-2021

AN ORDINANCE OF THE BOROUGH COUNCIL OF SEA GIRT
PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS
BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND
AMENDING CHAPTER XVII OF THE SEA GIRT CODE

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, consisting of:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer

WHEREAS, Section 31a of the Act authorizes municipalities to adopt by ordinance regulations governing the number of (1) cannabis establishments (as defined in Section 3 of this Act), (2) cannabis

distributors and (3) cannabis delivery services, or to prohibit same, as well as the local licensing endorsement, location, manner and times of operation of cannabis establishments and cannabis distributors, and the location and manner of cannabis delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities to prohibit by ordinance the operation of any one, or more, or all classes of cannabis establishments, distributors, or delivery services anywhere in the municipality, except for the delivery of cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 21, 2021); and

WHEREAS, the Borough Council of Sea Girt has determined that, due to the detrimental impacts that permitting one or more classes of cannabis business might have on New Jersey municipalities in general, and on our community in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Sea Girt’s residents and members of the public who visit, travel, or conduct business in the Borough, to amend the Borough’s regulations to prohibit all manner of cannabis/marijuana-related sale, distribution or delivery service within the geographic boundaries of the Borough of Sea Girt.

WHEREAS, due to the small geographic size of the Borough of Sea Girt, it is not possible to ensure a business or facility selling or distributing cannabis or cannabis related products, including, although not necessarily limited to marijuana, hashish or paraphernalia for use of same, to be an adequate distance from a school, playground, church, beach, recreational or sports facility, or residential neighborhood.

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of Sea Girt, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. Chapter XVII, of the Borough Code of the Borough of Sea Girt, entitled “Zoning”, at section 17-1.4 entitled “Prohibited Uses” is hereby amended to read as follows:

§ a. Definitions.

For purposes of this Chapter, the following definitions shall apply:

“Cannabis” means all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. “Cannabis” does not include: medical cannabis dispensed to registered qualifying patients pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the “New Jersey Hemp Farming

Act,” P.L.2019, c.238 (C.4:28-6 et al.).

“Cannabis cultivator” means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

“Cannabis delivery service” means any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

“Cannabis distributor” means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

“Cannabis establishment” means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

“Cannabis manufacturer” means any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

“Cannabis retailer” means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off- premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

“Cannabis wholesaler” means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

§ b. Cannabis establishments, distributors and delivery services prohibited.

- i. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Sea Girt, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Borough of Sea Girt.
- ii. Section 17-1.4 is hereby amended by adding to the list of prohibited uses, the following: “All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the

delivery of cannabis items and related supplies by a licensed delivery service from outside the Borough of Sea Girt.”

SECTION 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect upon publication in an official newspaper of the Borough and as otherwise in accordance with the law.

SECTION 5. A copy of this Ordinance shall be filed with the Borough of Sea Girt Planning Board for review pursuant to N.J.S.A. 40:55D-64, and shall be filed with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

UPON MOTION of Council President Fetzer, seconded by Councilwoman Giegerich, carried, that the meeting be opened to the public for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, the public hearing was closed.

UPON MOTION of Councilwoman Anthony, seconded by Councilman Clemmensen, carried, that the said Ordinance No. 07-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

- B. **Ordinance No. 08-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on May 20, 2021:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV, PARAGRAPH 4-10 TAXIS, AUTOCABS AND VEHICLES HIRED FOR CARRYING PASSENGERS AND CHAPTER VII, TRAFFIC, PARAGRAPH 7-37 LOADING ZONE AND 7-38 TAXI STAND OF THE BOROUGH CODE OF SEA GIRT, MONMOUTH COUNTY

BE IT ORDAINED by the Borough Council of the Borough of Sea Girt as follows:

§ 7-37 DELIVERY AND LOADING ZONE

[Ord. No. 12-2018; Ord. No. 15-2018; amended 6-26-2019 by Ord. No. 07-2019; 6-24-2020 by Ord. No. 09-2020]

The location described in this section is hereby designated as the delivery zone. No person shall park a vehicle in this location during the times indicated other than for the delivery of goods and materials. (Ord. No. 12-2018). During delivery, any delivery vehicle shall have its rear hazard warning flashers engaged (Ord. No. 15-2018), and at least two of its emergency warning triangles placed at the rear of said vehicle, on the east shoulder of First Avenue. Said vehicle shall be temporarily parked as far to the right as practicable so as not to obstruct traffic, but not on the adjacent sidewalk. The vehicle shall remain at this location for only so long as necessary to deliver its goods or materials. The time of deliveries and location are as follows:

Name of Street	Time	Side	Location
First Avenue	9:00 a.m. to 2:00 p.m., Monday through Friday; 10:00 a.m. to 2:00 p.m. Saturday	East side	Beginning at a point 25 feet from the southern crosswalk at Beacon Boulevard south for a distance of 96 feet

(Note: Minimum length for all loading zones is 50 feet. No loading zone may be established in any area where it is prohibited to stand or park by statute. N.J.S.A. 39:4-138.)

§ 7-38 TAXI PARKING/ RIDE SHARE DROPOFF AND PICKUP ZONE

[Ord. No. 739 § h.; New; Ord. No. 06-2013; amended 6-24-2020 by Ord. No. 09-2020]

The locations described are hereby designated as taxi parking/ride share dropoff and pick up zones. No vehicle other than a taxi or a registered ride share vehicle shall be permitted to occupy these locations during the times indicated.

Name of Street	Side(s)	No. of Spaces	Location	Hours
Beacon Boulevard			South side for a distance of 140 feet east from the easterly curblineline of First Avenue for taxi and ride share vehicles	Between 3:00 p.m. and 12:00 midnight Friday through Sunday, May 15 to September 15
First Avenue	East Side		From the effective date of this ordinance until September 30, 2021. East side of First Avenue, adjacent to Parker House property beginning 25 feet south of the north west curb of Beacon Blvd. running 96 feet south. This designated space shall be for the operation of 19 foot taxi vans with right side exit and entrance only.	Friday from 6:00 p.m. through midnight; Saturday 2:00 p.m. through midnight; Sundays of holiday weekends 2:00 p.m. – midnight.

§ 4-10.19 TAXI STANDS; RIDE SHARE DROPOFF OR PICKUP ZONE

[Ord. No. 13-2009 § 18; Ord. No. 17-2011 § 6; amended 6-24-2020 by Ord. No. 09-2020]

a. No person shall sit, idle, park, or operate in a designated taxi stand/ride share zone for any other purpose except to pick up or discharge passengers. A designated taxi stand may be occupied by a taxi/autocab and driver licensed by the Borough and/or a registered ride share vehicle and driver in accordance with this section. No person shall leave any vehicle unoccupied in any designated taxi stand/ride share zone. The taxi stand/ride share dropoff zone shall be utilized strictly for the discharge of passengers during hours as approved annually by the Borough Council. Therefore no taxi/ride share vehicle shall sit, idle or park in a taxi stand/ride share zone during those hours unless patrons are waiting for transportation. No taxi or ride share vehicle shall sit, idle or park in a taxi stand/ride share zone for longer than 10 minutes. A taxi stand/ride share zone shall allow a person the opportunity to find transportation services in an expeditious, unbiased, nondiscriminatory, and courteous manner.

b. TEMPORARY TAXI STAND/RIDE SHARE DROPOFF OR PICKUP ZONE

1.

In the event of an emergency, or circumstance as described in Subsection b2, the Chief of Police, or highest ranking police officer on duty in his absence, may designate, on a temporary basis not to exceed 24 hours after said emergency or circumstance arises, the location and size of any taxi stand/ride share dropoff or pickup zone in accordance with state law.

2.

The ranking or senior Borough police officer on duty may, in the event the number of people at any location seeking transportation from taxi/autocabs or ride share vehicles creates or may create a safety concern and/or may create a disturbance of the peace, establish a temporary taxi stand/ride share zone at any public location, such temporary taxi stand ride share dropoff or pickup zone to be designated by temporary traffic signs or other traffic devices identifying the temporary taxi stand/ride share drop-off or pickup zone. The provisions of this section applicable to taxi stand/ride share dropoff or pickup zone shall be applicable to temporary taxi stand/ride share drop-off or pickup zone.

3.

In the event that a temporary alternate pickup/drop-off zone is designated consistent with Subsection b1 or 2, the Chief or ranking officer shall report said emergency or circumstance to the Mayor and Council, and the basis for said action no later than 24 hours after doing so.

UPON MOTION of Councilman Begley, seconded by Council President Fetzer, carried, that the meeting be opened to the public for comments on the said Ordinance only.

Tom Schnurr, Beacon Boulevard, commends the efforts made on the proposal for First Avenue; he questioned the use of First Avenue timeframe not paralling to Beacon Boulevard. Mr. Gant explained this is a pilot use and not permanent. He also asked why the usage periods aren't the same. Mr. Bogan responded because of the trial period, there was a designated time period agreed to allow for some pressure taken off adjacent neighborhoods; this will also allow the Police to observe this trial run efficiently and will evaluate at the close of summer.

UPON MOTION of Councilman Clemmensen, seconded by Councilwoman Anthony, carried, the public hearing was closed, and **UPON MOTION** of Councilman Begley, seconded by Councilman Clemmensen, carried, that the said Ordinance No. 08-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

C. **Ordinance No. 09-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on May 20, 2021.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 5, TRAFFIC, SECTION 7-12 PARKING TIME LIMITED ON CERTAIN STREETS, SECTION 7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, SECTION 7-15.1 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS FROM MAY 15 TO SEPTEMBER 15, SECTION 7-18 ANGLE PARKING, SECTION

7-39.1 HANDICAPPED PARKING ON STREETS, SECTION 7-40.4 REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PARK PROPERTY OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

New text is double underlined, text to be deleted is ~~struck through~~

§ 7-12PARKING TIME LIMITED ON CERTAIN STREETS.

[Ord. No. 567 § IV; Ord. No. 13-2010 § 1]

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described, except where other parking regulations have been provided for.

Name of Street	Sides	Time Limit	Hours	Location
The Plaza	East	15 minutes	8:00 a.m. - 5:00 p.m.	Between Crescent Parkway and a point 65 feet south of Crescent Parkway
Baltimore Boulevard	North	<u>30 Minutes</u>	8:00 a.m. - 5:00 p.m.	Beginning at a point 93 feet east of the easterly curblineline of Fourth Avenue and extending to a point 38 feet east thereof
Fourth Avenue	East	<u>30 Minutes</u>	8:00 a.m. - 5:00 p.m.	Beginning at a point 35 feet north of the northerly curblineline of Baltimore Boulevard and extending to a point 48 feet north thereof

§ 7-14PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

[Ord. No. 567 § III; Ord. No. 820 §§ 2, 3]

No person shall park a vehicle at any time upon any streets or parts thereof described, except where other parking regulations have been provided for.

Name of Street	Sides	Location
Bell Place	East	Between Boston Boulevard and Philadelphia Boulevard
Crescent Parkway except on the respective right hand sides of each of the divided portions of the roadway	Both	Entire length
Eighth Avenue	East	Between Sea Girt Avenue and Crescent Place

Name of Street	Sides	Location
Fifth Avenue	West	Between Crescent Parkway and Washington Boulevard
First Avenue	West <u>Both</u>	Between the Terrace and Philadelphia Boulevard
Sea Girt Avenue	North	Between the easterly end of Sea Girt Avenue and Eighth Avenue
Sea Girt Avenue	South	Between First Avenue and Ocean Avenue
Sea Girt Avenue	North	Commencing at Utility Pole JC 159 and running to a point 100 feet east of such pole
<u>Sea Girt Avenue</u>	<u>South</u>	<u>Between First Avenue and the easterly end of the roadway</u>
<u>The Terrace</u>	<u>North</u>	<u>Between First Avenue and Fifth Avenue</u>
<u>The Terrace</u>	<u>South</u>	<u>Between Second and Third Avenue</u>
<u>The Terrace</u>	<u>Both</u>	<u>From the East End to a point 60 feet west therefrom</u>
<u>Baltimore Boulevard</u>	<u>Both</u>	<u>From the East End to a point 40 feet west therefrom</u>
<u>Neptune Boulevard</u>	<u>Both</u>	<u>From the East End to a point 90 feet west therefrom</u>
<u>Neptune Boulevard</u>	<u>North</u>	<u>Between First Avenue and Morven Terrace</u>
<u>Philadelphia Boulevard</u>	<u>Both</u>	<u>From the East End to a point 80 feet west therefrom</u>
<u>Seaside Place</u>	<u>Both</u>	<u>From the East End to a point 107 feet west therefrom</u>
<u>Seaside Place</u>	<u>North</u>	<u>Between First Avenue to the easterly end of the roadway</u>
<u>Trenton Boulevard</u>	<u>South</u>	<u>From Morven Terrace to the easterly end of the roadway</u>
<u>The Crescent</u>	<u>East</u>	<u>From Philadelphia Boulevard to Trenton Boulevard</u>
<u>The Crescent</u>	<u>West</u>	<u>From Philadelphia Boulevard to Washington Boulevard</u>

Name of Street	Sides	Location
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The Plaza

In the area ~~west of the Plaza and east~~ of the Sea Girt Library:

a. Parking is prohibited along the north, ~~west, and south~~ perimeter of the parking area. Vehicles are to be parked only within the marked parking lines.

b. ~~Six~~ Four parking spaces on the easterly side of the parking ~~island~~ area shall be restricted and designated for the use of library personnel and patron use only during library hours. The ~~six~~ four spaces to be so designated commence at a distance of ~~12.8~~ 25 feet ~~northerly~~ south of the ~~southerly~~ north parking area curb ending and end ~~54.2~~ 55 feet from such point. During business hours of the library

[§ 7-15.1 Parking Prohibited during Certain Hours on Certain Streets from May 15 to September 15.](#)

[Ord. No. 567 § III; Ord. No. 739 § I [III g]; New; Ord. No. 20-2013; Ord. No. 09-2016 § 1]

No person shall park a vehicle during the period commencing on May 15 and terminating on September 15 upon any of the following streets or parts of streets.

Name of Street	Side(s)	Hours	Location
Baltimore Boulevard	Both	At all times	From the east end to a point 150 feet west therefrom
First Avenue	East	At all times	Between The Terrace and Philadelphia Boulevard
Fourth Avenue	East	8:00 a.m. to 3:00 p.m.	From the southeasterly curblines of Baltimore Boulevard to a point 150 feet south therefrom
Neptune Boulevard [Ord. No. 09-2016]	Both	At all times	From the east end to point 90 feet west therefrom
Philadelphia Boulevard	Both	At all times	From the east end to a point 150 feet west therefrom
Sea Girt Avenue	Both	At all times	From the east end to a point 150 feet west therefrom

Name of Street	Side(s)	Hours	Location
Seaside Place [Ord. No. 09-2016]	Both	At all times	From the east end to a point 107 feet west therefrom
Second Avenue	East	At all times	Between the Terrace and Crescent Parkway
The Terrace [Ord. No. 09-2016]	Both	At all times	From the east end to a point 60 feet west therefrom
The Terrace	North	At all times	Between First Avenue and Fifth Avenue
The Terrace	South	At all times	Between Second Avenue and Third Avenue
Third Avenue	East	At all times	Between Beacon Boulevard and The Terrace
Trenton Boulevard	Both	At all times	From the east end to a point 150 west therefrom

§ 7-18 ANGLE PARKING.

[Ord. No. 567 § VI; Ord. No. 624 § 3; Ord. No. 2006-02A § 2; Ord. No. 13-2010 § 3; Ord. No. 09-2016]

The following streets or parts of streets are hereby established as Angle Parking at an angle so indicated below.

Name of Street	Side(s)	Angle	Location
Ocean Avenue	Both	45°	Between Beacon Boulevard and New York Boulevard
The Plaza	East <u>Both</u>	45°	From Washington Boulevard to Crescent Parkway
The Terrace [Deleted by Ord. No. 09-2016]			
Trenton Boulevard	Both	45°	From First Avenue to Ocean Avenue except no parking on

Name of Street	Side(s)	Angle	Location
			the south side with 35 feet of Morven Terrace
Washington Boulevard	Both	45°	From Fifth Avenue to The Plaza

[§ 7-39.1 Handicapped Parking on Streets.](#)

[Ord. No. 567; Ord. No. 861; Ord. No. 13-2010 § 2; Ord. No. 12-2018]

In accordance with the provisions of N.J.S.A. 39:4-197, the following on street locations are designated as handicapped parking places. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Name of Street	Side(s)	No. of Spaces	Location
Baltimore Boulevard	South	1	Beginning at a point 300 <u>40</u> feet east <u>west</u> of the easterly <u>end of the roadway of First Avenue</u> and extending to a point 22 feet east thereof
<u>Baltimore Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 40 feet west of the easterly end of the roadway and extending to a point 22 feet east thereof</u>
Baltimore Boulevard	North	1	Beginning at a point 71 feet east of the easterly curblines of Fourth Avenue and extending to a point 22 feet east thereof
Crescent Parkway	North	2	Beginning at a point 138 feet east of the easterly curblines of Third Avenue and extending to a point 44 feet east thereof
Morven Terrace	East	1	Beginning at a point 65 feet north of the northerly curblines of Neptune Place and extending to a point 22 feet south thereof
Morven Terrace	West	1	Beginning at a point 35 feet south of the southerly curblines of Trenton Boulevard and extending to a point 22 feet south thereof
New York Boulevard	South	1-2	Beginning at a point 300 feet east of the easterly curblines of First Avenue and extending to a point 22 feet east thereof <u>Beginning at a point at the western crosswalk marking of Ocean Ave and extending to a point 45 feet west thereof</u>

Name of Street	Side(s)	No. of Spaces	Location
Ocean Avenue	West	2	Beginning at a point 35 feet north of the northerly curb line of Beacon Boulevard and extending to a point 24 feet north thereof, angle parking
Ocean Avenue [Ord. No. 12-2018]	East	1	Beginning at a point 25 feet south of the southern crosswalk marking of Beacon Boulevard and extending to a point 11 feet south thereof, angle parking
Ocean Avenue [Added 6-26-2019 by Ord. No. 07-2019]	East	2 <u>3</u>	Beginning at a point 26 <u>44</u> feet north of the northern crosswalk marking of Beacon <u>Chicago</u> Boulevard and extending to a point 36 feet north thereof
Philadelphia Boulevard [Added 5-1-2019 by Ord. No. 13-2019]	North	2	24 hours per day, beginning at a point 85 feet east of the easterly curb line of Third Avenue for a distance of 55 feet
Philadelphia Boulevard	South <u>North</u>	2	Beginning at a point 300 <u>40</u> feet east <u>west</u> of the easterly curbline of First Avenue <u>eastern end of the roadway</u> and extending to a point 22 <u>40</u> feet east <u>west</u> thereof
Third Avenue	East	2	Beginning at a point 69 feet north of the northerly curbline of Philadelphia Boulevard and extending to a point 44 feet north thereof
<u>Trenton Boulevard</u>	<u>North</u>	<u>4</u>	<u>Beginning at a point 40 feet from the eastern end of the roadway to a point 45 feet west therefrom</u>
<u>Beacon Boulevard</u>	<u>North</u>	<u>2</u>	<u>Beginning at a point 39 feet of the easterly curb line of Ocean Ave and extending to a point 44 feet west thereof</u>
<u>Ocean Ave</u>	<u>East</u>	<u>1</u>	<u>Beginning at a point 30 feet of the northern crosswalk marking of Brooklyn Blvd and extending to a point 10 feet north thereof</u>
<u>Brooklyn Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 25 feet of the western crosswalk marking of</u>

Name of Street	Side(s)	No. of Spaces	Location
			<u>Ocean Ave and extending to a point 30 feet west thereof</u>
<u>Washington Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 32 feet of the westerly curb line of Fifth Ave and extending 17 feet west thereof</u>
<u>Washington Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 226 feet of the westerly curb line of Fifth Ave and extending 18 feet west thereof</u>
<u>Washington Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 210 feet of the easterly curb line of The Plaza and extending 17 feet east thereof</u>
<u>Washington Boulevard</u>	<u>North</u>	<u>1</u>	<u>Beginning at a point 42 feet of the easterly curb line of The Plaza and extending 18 feet east thereof</u>
<u>Washington Boulevard</u>	<u>South</u>	<u>2</u>	<u>Beginning at a point 60 feet of the easterly curb line of The Plaza and extending 26 feet east thereof</u>
<u>Washington Boulevard</u>	<u>South</u>	<u>2</u>	<u>Beginning at a point 386 feet of the easterly curb line of The Plaza and extending 31 feet east thereof</u>
<u>Washington Boulevard</u>	<u>South</u>	<u>1</u>	<u>Beginning at a point 95 feet of the westerly curb line of Fifth Ave and extending 20 feet west thereof</u>
<u>The Plaza Parking Area</u>	<u>West</u>	<u>2</u>	<u>Beginning at a point 79 feet from the north curb line of the parking area to a point 23 feet south thereof</u>
<u>The Plaza Parking Area</u>	<u>East</u>	<u>1</u>	<u>Beginning at a point 79 feet from the north curbline of the parking area to a point 18 feet south thereof</u>

7-40.4 Regulation for the Movement and the Parking of Traffic on Municipal Park Property.

7-40.4.a.4 Parking

<u>Name of Roadway</u>	<u>Side</u>	<u>Limits</u>
<u>Carriage Way</u>	<u>East</u>	<u>Entire length</u>

UPON MOTION of Councilwoman Anthony, seconded by Councilman Begley, carried, that the meeting be opened to the public for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, the public hearing was closed.

UPON MOTION of Councilman Clemmensen, seconded by Councilman Begley, carried, that the said Ordinance No. 09-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

9. NEW BUSINESS:

A. **Ordinance No. 10-2021:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 10-2021

BEACH ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS BEACH EQUIPMENT IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND APPROPRIATING \$57,000

WHEREAS, the Mayor and Council of the Borough of Sea Girt in the County of Monmouth, New Jersey have determined that the purchase of various beach equipment is necessary and

WHEREAS, the Borough has in excess of \$57,000 in its Beach Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sea Girt, in the County of Monmouth, State of New Jersey, as follows:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as beach capital improvement to be undertaken in and by the Borough of Sea Girt, in the County of Monmouth, New Jersey. For the improvements or purposes described in Section 2, there is hereby appropriated \$57,000. Said sum being inclusive of \$57,000 from the Beach Capital Improvement Fund.

Section 2. The improvement hereby authorized to be undertaken consist of the purchase of a Rescue Personal Watercraft, the purchase and installation of a new HVAC unit for the Beach Pavilion, and the purchase of shower stations, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2021 capital budget of the Borough will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government services is on file with the Borough Clerk

and is available there for public inspection.

Section 4. The Borough Officials and representatives are hereby authorized to do all things necessary to accomplish the purpose of the appropriation made herein.

Section 5. This ordinance shall take effect as provided by law.

UPON MOTION of Councilman Perry, seconded by Councilwoman Giegerich, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as July 14, 2021.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

B. **Ordinance No. 11-2021:** The Mayor to read the said Ordinance by Title:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, ARTICLE 7-15.1, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS FROM MAY 15 TO SEPTEMBER 15; ARTICLE 7-18, ANGLE PARKING; ARTICLE 7-25, VEHICLES OVER DESIGNATED WEIGHT EXCLUDED FROM CERTAIN STREETS; ARTICLE 7-33, SPEED LIMITS AND ARTICLE 7-40.4, REGULATION FOR THE MOVEMENT AND PARKING OF TRAFFIC ON MUNICIPAL PARK PROPERTY OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

New text is double underlined.

BE IT ORDAINED by the Council of the Borough of Sea Girt as follows:

Section 1. Article 7-18 ANGLE PARKING is hereby revised by deleting The Terrace, south side of the street, from the schedule of street or parts of streets established as Angle Parking.

Section 2. Article 7-25 VEHICLES OVER DESIGNATED WEIGHT EXCLUDED FROM CERTAIN STREETS, is hereby revised and supplemented as follows:

Vehicles over the registered gross weight are hereby excluded from the streets or parts of streets described except for the pick-up and delivery of materials on such street, or the use of emergency vehicles on such street.

<i>Name of Street</i>	<i>Tons</i>	<i>Location</i>
Carriage Way	10	Between Trenton Boulevard and Philadelphia Boulevard

The Terrace	10	Between First and Fifth Avenues
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Section 3. Article 7-33 SPEED LIMITS is hereby revised as follows:

- a. The speed limits for both direction of traffic along the streets of parts thereof described below and made a part of this chapter, are hereby established at the rate of speed indicated.
- b. Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits. (Ord. No. 417; Ord. No. 915 § 1)

<i>Name of Street</i>	<i>MPH</i>	<i>Limits</i>	<i>Approval Date</i>
The Terrace	10	Between First Avenue and Fifth Avenue	
<u>Ocean Avenue</u>	<u>15</u>	<u>Between Beacon Boulevard and New York Boulevard</u>	

Section 4. Article 7-40.4 REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PARK PROPERTY, §2, Speed Limits, is hereby revised as follows:

<i>Name of Street</i>	<i>MPH</i>	<i>Limits</i>	<i>Approval Date</i>
Carriage Way	10	Entire length	

Section 5. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 6. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

Chief Macko commented that he and The Public Safety Committee feel the speed limit should be lowered for the safety of our residents and the patrons who use the beach. President Fetzer commented the lower weight limitation of 10 tons will remain permanent on The Terrace and Carriage Way.

UPON MOTION of Council President Fetzer, seconded by Councilman Clemmensen, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as July 14, 2021.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

C. **Ordinance No. 12-2021:** The Mayor to read the said Ordinance by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$728,040 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$692,520 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Sea Girt, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$728,040, which sum includes \$35,520 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$728,040 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$692,520 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$692,520 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Public Works</u> – Acquisition Of Non-Passenger Vehicles And Equipment Including, But Not Limited To, A Sanitation Truck, Wheel Loader And Mini-Excavator; And	\$504,000	\$480,000	\$24,000	10.31 years
(ii) <u>Police Department</u> – Acquisition, And Installation, As Applicable, Of Non-Passenger Vehicles And Various Equipment Including, But Not Limited To, Body Cameras, A Camera For The Interview Room, and Firearms; And	\$161,040	\$152,520	\$8,520	6.17 years
(iii) <u>Administration</u> – Acquisition Of A Non-Passenger Vehicle For The Code Enforcement Office; Improvements To Borough Facilities Including, But Not Limited To, Acquisition and Installation, As Applicable, Of Security Cameras; Access Door And Records	\$63,000	\$60,000	\$3,000	5.83 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Management Improvements Including, But Not Limited To, Acquisition and Installation, As Applicable, Of Computer Hardware And Software.				
TOTALS	<u>\$728,040</u>	<u>\$692,520</u>	<u>\$35,520</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$692,520.

(d) The estimated cost of said improvement or purpose is \$728,040, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$35,520, is the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of

Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.01 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$692,520 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$110,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

UPON MOTION of Councilman Begley, seconded by Councilman Clemmensen, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as July 14, 2021.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry				X
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

D. Ordinance No. 13-2021: The Mayor to read the said Ordinance by Title:

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BELL PLACE PARK, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR (INCLUDING A GRANT EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Sea Girt, in the County of Monmouth, State of New Jersey (the “Borough”) as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$150,000, which is inclusive of a grant expected to be received from the New Jersey Department of Transportation in the amount of \$120,000 (the “Grant”). Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the improvement or purpose set forth in Section 3 hereof, as a portion of such project is expected to be funded by the Grant.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$150,000 appropriation and until said Grant is received, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$150,000 pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$150,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. Upon the Borough’s receipt of the Grant, the bonds and notes authorized by this Section 2 hereof shall be reduced by the Grant in accordance with Section 4 hereof.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to Bell Place Park, including, but not limited to, the construction of an asphalt and/or paver bike path, concrete sidewalks, the acquisition and installation, as applicable, of lighting and an irrigation system; and also including, but not limited to, as applicable, site clearing, excavation and any other associated site work, landscaping improvements and traffic control.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$150,000. Upon the Borough’s receipt of the Grant, the maximum amount of bonds or notes issued for said improvements or purposes shall be reduced by such amounts in accordance with Section 4 hereof.

(c) The estimated cost of said improvements or purposes is \$150,000.

(d) All such improvements or purposes set forth in Section 3(a) shall also include, but shall not be limited to, as applicable, engineering and design work, surveying, construction planning, preparation of plans

and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, including the Grant, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, including the Grant, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purposes.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$522,500 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

UPON MOTION of Councilwoman Anthony, seconded by Councilman Clemmensen, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as July 14, 2021.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry				X
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

A. ABC License Renewals: Plenary Retail Consumption Licenses:

Borough Attorney, Ray Bogan advised that all persons testifying will be administered an oath by the Clerk, Mrs. Harriman.

1. Resolution No. 119-2021: CG Jersey, Inc. t/a Fratello’s, License #1344-33-003-014

Police Chief Macko commented there are no issues with this license renewal. There were no comments from the public present.

UPON MOTION of Councilman Clemmensen, seconded by Councilwoman Giegerich, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-003-014 has been submitted by CG Jersey, Inc. t/a Fratello’s to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the Applicant has also remitted the required Municipal fee of \$2,500; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFORE BE IT RESOLVED that the Plenary Retail Consumption License #1344-33-003-014, issued to CG Jersey, Inc. t/a Fratello’s for the premises located at 810 The Plaza, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2021 to June 30, 2022, inclusive.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be submitted to the State of New Jersey and supplied to the applicant for its information and files.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

2. **Resolution No. 120-2021:** Emerald Shore, Inc. t/a Harrigan’s, License #1344-33-001-004

Chief Macko commented there was one outdoor noise complaint reported, but there are no issues with this license renewal. **UPON MOTION** of Councilman Perry, seconded by Councilwoman Anthony, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public present, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Perry, carried, the public hearing was closed.

UPON MOTION of Councilman Clemmensen, seconded by Council President Fetzer, carried, that the following Resolution be and the same hereby adopted:

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-001-004 has been submitted by Emerald Shore, Inc. t/a Harrigan’s Pub to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the applicant has remitted the required Municipal fee of \$2,500.00 to the Borough of Sea Girt; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFOE BE IT RESOLVED that the Plenary Retail Consumption License #1344-33-001-004, issued to Emerald Shore, Inc. t/a Harrigan’s Pub for the premises located at 703 Baltimore Boulevard, Sea Girt, New Jersey be and the same is hereby approved as amended for renewal for the period July 1, 2021 to June 30, 2022, inclusive.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be submitted to the State of New Jersey and supplied to the applicant for its information and files

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

3. **Resolution No. 121-2021: Rod’s Olde Irish Ale House, License #1344-33-002-006**

Chief Macko commented they were closed during the calendar year; there are no issues with this license renewal. Council President Fetzer asked for clarification on the license terms. Mr. Bogan responded because of some new ownership with Chef’s International, LLC, there is an expansion application with conditions upon re-opening as part of the land use application; he added there has been a public hearing held during a Planning Board meeting where conditions were placed on the license by The Planning Board and consented by the applicant.

UPON MOTION of Councilman Clemmensen, seconded by Councilwoman Anthony, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public present, and **UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, the public hearing was closed.

UPON MOTION of Councilman Perry, seconded by Councilwoman Anthony, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-002-006 has been submitted by Rods Olde Irish Ale House, Inc. to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the applicant has remitted the required Municipal fee of \$500.00 (person-to-person/place-to-place liquor license application) to the Borough of Sea Girt; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFOE BE IT RESOLVED that the Plenary Retail Consumption License #1344-33-002-005, issued to Rods Olde Irish Ale House, Inc. for the premises located at 507 Washington Blvd., Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2021 to June 30, 2022, inclusive.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that this license is hereby renewed for the term beginning July 1, 2021 through June 30, 2022 inclusive, subject to the following **SPECIAL CONDITIONS** that have been consented to by the license holder and are deemed necessary and proper to secure compliance by the license holder with the provisions of the Alcoholic Beverage Control Act, State Regulations that have been adopted by the Division of Alcoholic Beverage Control and Ordinances adopted by the Borough governing the sale of Alcoholic Beverages:

SPECIAL CONDITIONS on the license:

- a. The Applicant’s representatives shall comply with all promises, commitments, and representations made at or during the Public Hearing Process.
- b. The Applicant’s representatives shall comply with the terms and conditions of the Leon S. Avakian, Inc. Engineering Review Memorandum, dated November 25, 2020, revised January 12, 2021 (A-10).
- c. The Plans shall be revised, so as to reflect, and the expanded Restaurant approved herein shall operate in accordance with the following restrictions / limitations / conditions:
 - The maximum number of patrons at the expanded facility shall not exceed 259 persons at any one time (unless the Borough’s Fire Marshall or other appropriate representatives establish a lower capacity (in conjunction with Prevailing Building / Construction / Fire / Occupancy Standards).
 - There shall be no live music / entertainment / DJ / band / amplified music, or other sound amplification on or in the open air / outside deck / outside dining areas approved herein.
 - The Applicant shall comply with the Prevailing Borough Noise Ordinance.
 - Notwithstanding anything contained herein to the contrary, the Applicant’s representatives shall comply with all Prevailing Noise Ordinances / Regulations, as established by the Borough of Sea Girt, the County of Monmouth, the State of New Jersey, the United States of America, and / or any other Agency having jurisdiction over the matter.
 - There shall be no live music, band, entertainers, entertainment, amplified music in the outside dining areas. Rather, in the outside dining areas, there shall only be background ambient music consistent with the high-end casual dining experience.
 - Loading / unloading of deliveries for the Restaurant facility shall occur in the morning hours (in the absence of some unusual / unplanned / emergent condition).
 - Garbage / recycling associated with the Restaurant shall be collected from a private hauler, in accordance with prevailing municipal policy.
 - The grease trap shall be serviced / maintained by a licensed hauler (in accordance with Prevailing Standards).
 - The landscaping at the site shall be perpetually maintained / replaced / replanted, as necessary, so as to perpetually preserve

the aesthetic beauty associated with the same, and so as to perpetually preserve the visual / noise buffer provided by the same.

- No portion of the 2nd floor of the Restaurant shall be utilized by patrons, or accessed by patrons, to be liberally construed. Rather, per the testimony presented, the 2nd floor of the Restaurant is limited to office use / support staff use / storage.
 - When any type of live music / live entertainment / bands / DJs (and other similar performers / performances) are performing in the interior portion of the Restaurant, the sliding / folding glass doors (located between the outside dining area and the inside dining area) shall be totally closed (so as to further prevent / minimize the nature / extent of any noise emanating from the site).
 - There shall always be a manager on duty (on site) while the Restaurant is open to the public, who can manage / direct operations, and who can facilitate / trouble-shoot / correct / cure / address any open / pressing problems / concerns, particularly vis-a-vis the quality-of-life concerns of the nearby residential uses.
 - Per Prevailing Borough Ordinance, the Restaurant shall close no later than 12:00 midnight.
- d. The Applicant's representatives shall cause the Plans to be revised so as to portray and confirm the following:
- Confirmation that the noise absorbing wall (on the eastern outside dining deck) will be extended the entire length of the deck (i.e. approximately 36ft).
 - Confirmation that there shall be a double stack of arbor vitae planted along the property lines, so as to further enhance the visual/noise buffer. (The details shall be review and approved by the Board Engineer.).
 - The inclusion of a grease trap, the details of which shall be reviewed and approved by the Board Engineer, the Zoning Officer, and / or the Board of Health (as necessary).
 - The inclusion of additional landscaping/plantings along the property lines (the details of which shall be reviewed and approved by the Board Engineer. Additionally, the said landscaping, and all landscaping at the site, shall be perpetually replaced / replanted / maintained, as necessary, given the important aesthetic / buffering benefits provided by the landscaping.

- The inclusion of an additional / supplemental landscape buffering details, as identified in the Board Engineer’s Review Memorandum (A-10).
 - Confirmation that there shall be no adverse light spillover onto adjacent residential uses.
- e. The Applicant’s representatives shall comply with all Prevailing Municipal Regulations regarding hours of operation, unless more restrictive time / hours were presented during the Public Hearing process. (The Applicant’s representatives recognize that the Sea Girt Planning Board has no authority / jurisdiction to grant relief from any such non-zoning regulation.)
- f. Upon completion of the renovation / construction project, the renovated structure shall, per the testimony and evidence presented, be physically / architecturally, and aesthetically consistent with the illustrated rendering, prepared by Sonnenfeld and Trocchia Architects, dated February 8, 2021, and introduced into the record as A-11.
- g. There shall be no enclosure of any outside deck / outside dining area, absent further / formal approval of the Sea Girt Planning Board.
- h. Grading / drainage details shall be reviewed and approved by the Board Engineer.
- i. The Applicant’s representatives shall comply with the Fire Marshall / Bureau of Fire Prevention concerns, as set forth in the communication dated January 12, 2021, introduced into Evidence as A-3.
- j. The Applicant’s representatives shall comply with all Prevailing decibel regulations / noise regulations as the Borough / County / State / Country may require.
- k. The details of the sound absorbing wall (7 ft. tall by approximately 36 ft. long) on the eastern deck shall be reviewed and approved by the Board Engineer, and the said details shall confirm that the aforesaid wall will absorb noise, and not just reflect the same.
- l. The sound absorbing wall on the eastern portion of the property, as referenced above, shall be installed / maintained / repaired / serviced in accordance with manufacturing and industry standards.
- m. The aforesaid sound absorbing wall (on the eastern deck) shall serve as a visual and noise buffer between the restaurant and adjacent residential uses and, as such, the said wall is to be perpetually maintained / replaced / restored / repaired / rebuilt, as necessary, so that the important buffering services will continue, in perpetuity.
- n. In the event the Applicant secures any outside approvals, and any such outside approvals materially change the nature of the Application approved herein, then,

- in that event, the Applicant shall, upon notice to all affected property owners, return to the Sea Girt Planning Board for further / amended relief.
- o. 4 sets of Revised plans (incorporating the within) shall be presented to the Board Secretary.
 - p. There shall be no further expansion / intensification of the Restaurant use at the site, absent further / formal approval of the Sea Girt Planning Board.
 - q. The Applicant shall comply with any on-site construction / management regulations as required by the Borough of Sea Girt, the County of Monmouth, the State of New Jersey, and any other Agency having jurisdiction over the matter.
 - r. In accordance with past practice, the Applicant's representatives shall perpetually, in good faith, work with adjacent residential neighbors and the Borough of Sea Girt to reasonably address any legitimate quality-of-life concerns / issues regarding the operation of a Restaurant at the site, and good faith efforts to reasonably address/cure/minimize noise issues detrimentally affecting the adjacent residential uses. The within obligation is a continuing and perpetual obligation, and shall be binding on the Applicant, as well as any successor owner / operator / tenant / manager, etc. (to be liberally construed). The Applicant's representatives shall have an affirmative obligation to relay such good faith obligations to any successor owner / operator / tenant / manager, etc. **NOTE:** The failure of the Applicant, or any successor Applicant, to relay the within obligation to future owners / operators / tenants shall not in any way obviate the continued legitimacy and / or enforcement of the within obligation / condition.
 - s. The Applicant shall comply with any and all Prevailing ADA Requirements.
 - t. Any maximum occupancy level at the Restaurant (not to exceed what was testified to during the Public Hearing) shall comply with Prevailing Building Code Requirements, Construction Code Requirements, and Fire Sub-Code Requirements.
 - u. The Applicant shall secure private garbage / recycling pick up at the site. Additionally, the Applicant's representatives shall arrange for more frequent garbage / recycling pick up at the site, if deemed necessary by the Applicant, the Borough of Sea Girt, the Borough's Department of Public Works, and / or any other Agency of the Borough.
 - v. The Applicant shall apply for, and obtain, any and all applicable / necessary liquor license (or expanded liquor license) approval from the Borough of Sea Girt, the State of New Jersey, and any other Agency having jurisdiction over the matter. The Applicant shall also comply with any conditions / restrictions on the liquor license which may be imposed by the Borough of Sea Girt, the State of New Jersey, or any other Agency having jurisdiction over the matter. (The Applicant is aware that the Sea Girt Planning Board has no jurisdiction over ABC / liquor license-related matters).

- w. The Applicant shall obtain any and all necessary approvals from the Board of Health (and any other Agency having jurisdiction over the matter) for the food / drink aspect of the expanded Restaurant.
- x. The Board Members solicited extensive testimony regarding the nature / extent of the expanded Restaurant Use (and the outdoor dining) at the site – and – and, in response, the Applicant’s representatives testified as to the general number of employees who would be on the Site for any sustained period of time, the standard amount of deliveries associated with the expanded Restaurant Use, the type of activities associated with the expanded Restaurant Use, etc. The Planning Board finds that subject to the conditions contained herein, such an expanded Restaurant Use (as testified to) (and with outside dining) will not be out of character for the area, and the same will not have an adverse impact upon the Borough’s Master Plan, the subject Zone, or the adjoining neighborhood. Moreover, it is submitted that because of the associated factors, a more intense Restaurant, or an expanded Restaurant which did not comply with the Conditions set forth herein may not have been approved. Thus, the Board specifically notes that any material intensification of the expanded Restaurant Use (outdoor dining) approved herein, which appreciably deviates from the testimony / evidence presented herein, will require further / formal approval from the Planning Board.
- y. The conditions and restrictions associated with the within approval shall run with the land, as well as be binding upon any successor owners, tenants, operators, managers / users, etc.
- z. The Applicant shall comply with and satisfy any and all affordable housing related obligations / directives / contributions as mandated by the State of New Jersey, the Borough of Sea Girt, and any other Agency having jurisdiction over the matter. Additionally, the Applicant’s representatives shall submit any Affordable Housing Non-Residential Fee as may be required.
- aa. The Borough’s Building Department shall review and approve the Plans for ADA Compliance, as necessary / applicable.
- bb. The Development shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. Additionally, the development / construction shall comply with Prevailing Provisions of the Uniform Construction Code.
- cc. Unless otherwise waived by the Board Engineer, the Applicant shall obtain any and all necessary approvals (or Letters of No Interest) from applicable outside agencies – including, but not limited to, the State of New Jersey, the New Jersey Department of Environmental Protection, the New Jersey Department of Transportation, the Monmouth County Planning Board, the Borough’s Fire Official, the Borough’s Police Department, the Borough’s Building Department, Department of Water and Sewer, the Freehold Soil Conservation District, the Borough’s Department of Public Works, and any other Agency having jurisdiction over the matter.
- dd. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

- ee. If required by the Board Engineer, or as otherwise required by law, the Applicant shall submit appropriate performance guarantees in favor of the Borough of Sea Girt.
- ff. Unless otherwise agreed by the Planning Board, the within approval shall be deemed abandoned, unless, within 36 months from adoption of the within Resolution (or any agreed upon extension), the Applicant obtains a Certificate of Occupancy for the development approved herein.

The approval granted herein is specifically dependent upon the accuracy and correctness of the testimony and information presented, and the accuracy of the Plans submitted and approved by the Board. The Applicant is advised that there can be no deviation from the Plans approved herein, except those conditions specifically set forth or otherwise referenced herein. In the event post-approval conditions at the site are different than what was presented to the Board, or different from what was otherwise known, or in the event post-approval conditions are not necessarily structurally sound, the Applicant and its representatives are not permitted to unilaterally deviate or build beyond the scope of the Board Approval. Thus, for instance, if the Board grants an Application for an existing building / structure to remain, the same cannot be unilaterally demolished (without formal Borough / Board consent), regardless of the many fine construction reasons which may exist for doing so. That is, the bases for the Board’s decision to grant Zoning relief may be impacted by the aforesaid change of conditions. As a result, Applicants and their representatives are not to assume that post-approval deviations can be effectuated. To the contrary, post-approval deviations can and will cause problems. Specifically, any post-approval unilateral action, inconsistent with the testimony / plans presented / approved, which does not have advanced Borough / Board approval, will compromise the Applicant’s approval, will compromise the Applicant’s building process, will create uncertainty, will create stress, will delay construction, will potentially void the Board Approval, and the same will result in the Applicant incurring additional legal / engineering / architectural costs. Applicants are encouraged to be mindful of the within – and the Borough of Sea Girt, and the Sea Girt Planning Board, are not responsible for any such unilateral actions which are not referenced in the testimony presented to the Board, and / or the Plans approved by the Board. Moreover, Applicants are to be mindful that the Applicants are ultimately responsible for the actions of the Applicants’, their Agents, their representatives, their employees, their contractors, their engineers, their architects, their builders, their lawyers, and other 3rd parties.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be submitted to the State of New Jersey and supplied to the applicant for its information and files

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich				X
Councilwoman Anthony	X			

B. ABC License Renewal: Plenary Retail Distribution License

1. **Resolution No. 122-2021:** Jo Yo, LLC t/a Egan’s Sea Girt Wines/Liquors, License

#1344-44-005-007

Chief Macko commented there are no issues with this license renewal. **UPON MOTION** of Council President Fetzer, seconded by Councilman Clemmensen, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public present, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Begley, carried, the public hearing was closed.

UPON MOTION of Councilwoman Giegerich, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

C. ABC License Renewal: Seasonal Retail Consumption License

1. Resolution No. 123-2021: Avon Hotel Corporation t/a The Parker House, License #1344-34-006-004

Chief Macko commented The Parker House was closed last season; he has met with The Parker House Management and residents to address their concerns. **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, carried, that the meeting be opened to the public for comments on the said resolution only.

The following participants spoke in opposition to the adoption of the renewal of the liquor license:

Marc Schwartz, Beacon Boulevard; Dr. Gary Lynn, Beacon Boulevard; Barbara Lynn, Beacon Boulevard; Henry Bossett, Chicago Boulevard Greg Lynn, Beacon Boulevard; Angelo Genova.

The following participants spoke in favor to the adoption of the renewal of the liquor license:

Parker Stansbury, Ocean Avenue, Kaitlyn Eknoian, Ocean Avenue; John Ekonian, Ocean Avenue, Ryan Campi, Kelly D’Emilia, Chicago Boulevard; Laura DiPetro, 407 Boston Boulevard; Joe Martini, Chicago Boulevard; Roger McLaughlin; Hilary DiFeo, New York Boulevard.

Ray Bogan addressed a letter he received submitted by Mr. Genova to Councilmembers dated June 8, 2021 and sought to be included in the record; he noted what will not stand is a statement to the Mayor and Councilmembers that they have not put work into addressing this renewal.

There were no further comments from the public present. Council President Fetzer asked if the special conditions are the same as last year; Mr. Gant responded they are the same. Councilwoman Anthony asked Chief Macko to further explain the implementation of the decibel monitors. Chief Macko responded there are ongoing discussions to change the noise ordinance; the Borough purchased noise meters; five officers have been trained thus far; noise ordinance may be modified in the future. Mr. Bogan commented that the need for these monitors is to address the concerns of residents. Council

President Fetzer noted the special conditions should remain as is and see how they work this season. **UPON MOTION** of Councilwoman Anthony, seconded by Councilman Begley, carried, the public hearing was closed.

UPON MOTION of Councilman Begley, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted with special conditions set forth:

WHEREAS, the **AVON HOTEL CORPORATION**, holder of Seasonal Retail Consumption License No. **1344-34-006-004**, has applied to the **BOROUGH OF SEA GIRT** to renew the license for the term of July 1, 2021 through June 30, 2022, inclusive; and,

WHEREAS, the **AVON HOTEL CORPORATION (also called the license holder in this Resolution)** has paid the required Borough fee of \$1,875.00, submitted the required State fee of \$200.00 and received a Tax Clearance Certificate from the New Jersey Division of taxation for license renewal; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that this license is hereby renewed for the term beginning July 1, 2021 through June 30, 2022 inclusive, subject to the following **SPECIAL CONDITIONS** that have been consented to by the license holder and are deemed necessary and proper to secure compliance by the license holder with the provisions of the Alcoholic Beverage Control Act, State Regulations that have been adopted by the Division of Alcoholic Beverage Control and Ordinances adopted by the Borough governing the sale of Alcoholic Beverages:

SPECIAL CONDITIONS on the license:

1. The sale or service of alcoholic beverages to patrons in the area designated as the “back porch” by the Sea Girt Bureau of Fire Prevention shall cease at eleven- thirty (11:30 PM). All alcoholic beverage containers shall be cleared from the bar and the tables on the “back porch” immediately after eleven-thirty (11:30) PM.
2. The license holder shall not permit overcrowding in or upon the licensed premises. Occupancy within the licensed premise shall not exceed the maximum permitted occupancy levels set by the Borough of Sea Girt’s Bureau of Fire Prevention. Those levels are 334 standing persons in the Main Floor Bar Area when there is no floor space occupied by tables and chairs; 141 standing persons on the Back Porch when there is no floor space occupied by tables and chairs; 517 standing persons in the Ground floor Bar when there is no floor space occupied by tables and chairs and; 208 persons in the restaurant.
3. The license holder shall not violate any provision of the Alcoholic Beverage Control Act and shall comply with all regulations adopted by the Division of Alcoholic Beverage Control.
4. The license holder shall not violate any ordinance adopted by the Borough of Sea Girt pertaining to the sale, service and delivery of alcoholic beverages by persons licensed by the Borough to do so.
5. The license holder shall not sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage, directly or indirectly, to any person actually or apparently intoxicated, or permit or suffer the consumption of any alcoholic beverage by any such person in or upon the licensed premises. A violation of this condition may result in revocation of the license.
6. The license holder shall operate its business in an orderly and lawful fashion, so as not to constitute a nuisance. The license holder is responsible for the conduct of employees and patrons, if such conduct is contrary to the public health, safety and welfare. A violation of this condition may result in revocation of the license.
7. The license holder shall require all employees who sell and/or serve alcoholic beverages to be trained in the techniques of alcohol management by the New Jersey Licensed Beverage

Association, with emphasis on identifying apparently intoxicated patrons and refusing to serve alcoholic beverages to such patrons.

8. As modified in 2018 by the Director of the Division of Alcohol Beverage Control and consented to by the parties, CCTV recorders shall be placed in various locations throughout the licensed premises where alcoholic beverages are sold/served to video all areas of ingress to and egress from the premises. Such locations shall be approved by the Borough Police Department and shall record the activities of patrons within the premises when it is open for business. Those recordings shall be maintained for at least thirty (30) days and made available to the Police as requested.
9. The license holder shall remove trash within a four block radius of the licensed premises immediately after closing at night and prior to opening for the day.
10. The license holder shall post a security employee among the persons waiting to enter to reduce passing identification documents from one patron to another. The license holder shall post crowd control security employees on the exterior of the licensed premises on Fridays, Saturdays and holiday Sundays from 9:00 PM until all patrons have left the premises, so as to insure that patrons leave the premises in an orderly fashion. The licensee shall require all employees including security employees to wear shirts clearly identifying them as “Parker House Staff”.
11. Patrons waiting outside the premises for admission shall be required by the license holder to wait in a single line, quietly and in an orderly fashion.
12. The license holder shall maintain plexiglass covers installed over the windows on the west side of the lower level of the licensed premises.
13. The license holder shall maintain a plexiglass, double-door enclosure system installed at the west side, lower level entry.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be supplied to:

1. The Division of Alcoholic Beverage Control
2. The Borough Police, Chief Macko
3. The Avon Hotel Corporation
4. Ray Bogan, Esq. Borough Attorney

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich				X
Councilwoman Anthony	X			

CFO, Amy Spera notified Mr. Gant of a clerical error on Bond Ordinance No. 12-2021. Mr. Gant brought this to the attention of the Mayor and Councilmembers. Mrs. Spera noted the Ordinance No. 12-2021 currently reads the appropriating amount as \$728,040.00, therefore and authorizing the issuance of \$692,520.00 Bonds or Notes. The correct appropriation is \$692,520.00 and authorizing \$657,000 of bonds or notes. **UPON MOTION** of Councilman Begley, seconded by Councilwoman Anthony, carried that Bond Ordinance 12-2021, be and the same is hereby adopted as *amended*.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry				X
Councilman Begley	X			
Council President Fetzer	X			

Councilwoman Giegerich	X			
Councilwoman Anthony	X			

10. COUNCIL REPORTS:

Councilman Clemmensen reported as follows:

- Commended the Police Department on their efforts, professionalism and their tolerance of the weather over Memorial Day Weekend; The Public Safety Committee is constantly working to improve the situation at The Parker House;
- Grants allowed for two additional Body Cam Cameras.

Councilman Begley thanked Amy Spera and Jim Gant for their efforts being up to speed on the budget.

Councilman Perry reported as follows:

- Encouraged residents of all ages to take advantage of our recreation programs which can be found on our website www.seagirtboro.com;
- First Sea Girt Stroll is June 10th;
- Register for all summer recreation programs on our website under Community Pass.

Councilwoman Anthony reported as follows:

- Thanked The Holly Club for their efforts continuing to beautify the town; she thanked them for their donations of the planters on the boardwalk and the planters on Washington Boulevard and The Plaza; she also thanked DPW for the plumbing to provide watering.
- She thanked DPW and The Beach Committee for their efforts on the public safety path on the eastside of the boardwalk (westside of the dunes).

Councilwoman Giegerich reported as follows:

- Memorial Day weekend weather was rough; Tim Harmon and his staff did a great job digging out the entrances; beach is again in good condition;
- Beach sales to date have been successful;
- Story time returns to the boardwalk on Wednesdays in July and August at 2:30 at the picnic tables near the Pavilion; no registration necessary; June 16th and 30th returns Mommy and Me on Wednesdays between 3:30 - 4:00 on the Boston Green; no registration necessary.

Council President Fetzer reported as follows:

- Water is running well despite today’s power outages and please continue to conserve water during the summer months;
- He thanked Mrs. Loughran and The Parade Committee for coordinating a Memorial Day Parade; it was a great event.

Mayor Farrell reported sewerage flows last year were at 4.22% and through May 2021 we are at 3.18%; he contributed this to the lining of the pipes.

11. ADMINISTRATOR REPORT:

Mr. Gant reminded the public that on Saturday, June 12th at 9:00 am is the Memorial Monument Ceremony at the Plaza; it's a great event to honor Sea Girt residents and their contributions.

12. PUBLIC PARTICIPATION ON ANY SUBJECT:

Mark Schwartz, Beacon Boulevard, commented he is disappointed with The Parker House renewal, but will keep an open mind that a ride share on First Avenue will be productive. He noted he has not ever filed a tax appeal; he provided councilmembers a link to the website which states The Parker House has not repaid their PPP loan.

John Jackson provided a power point presentation introducing Chef's International Inc. and the changes to Rod's Ale House; Chef's Sea Girt LLC will become the majority owner of the ABC license as well as the Manager/Operator.

There being no further comments from the public participating and by consensus, the public comment period was closed. Mayor Farrell advised that Council has matters to discuss in Executive Session, and requested a motion to adjourn for purposes of the discussion; he further noted that action may be taken by Council upon return to public session and that the public may remain in the virtual meeting until Council returns to public session. **UPON MOTION** of Council President Fetzer, seconded by Councilwoman Anthony, carried, that the following **Resolution No. 124-2021** be and the same is hereby adopted:

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter(s) to be discussed is litigation, including, but not limited to:
 - a. Denis Lauzon and Candice Kadimik v. the Borough of Sea Girt and the Avon Hotel Corp. t/a The Parker House;
 - b. Denis Lauzon v. Borough of Sea Girt;
 - c. Potential Litigation;
 - d. Personnel;
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
4. This Resolution shall take effect immediately.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			

Councilwoman Anthony	X			
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UPON MOTION of Council President Fetzer, seconded by, Councilwoman Giegerich, the Council returned to public session at 11:00 PM. The Clerk advised that Council had discussed the matters noted above in Executive Session and agreed to take action as follows:

- m. **Resolution No. 111-2021:** Appoint Tim Harmon, Director of Beachfront Operations and Project Manager

UPON MOTION of Council President Fetzer, seconded by Councilwoman Giegerich, carried, that the following Resolution be adopted:

WHEREAS, the Borough of Sea Girt is in need of the services of a Director of Beachfront Operations and Project Manager; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Timothy Harmon be and he is hereby appointed to serve in the position of Director of Beachfront Operations and Project Manager, effective from July 1, 2021.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Mr. Harmon and shall be retained on file in his personnel file.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Begley, carried, that the meeting be finally and immediately adjourned at 11:05 PM.

Dawn Harriman

Dawn Harriman, Municipal Clerk