

## MINUTES - REGULAR MEETING

June 8, 2022 - 7:00 PM

The Virtual Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Don Fetzer at 7:07 PM on Wednesday, May 11, 2022. Mayor Fetzer asked for a moment of silence; he then led those participating in the Pledge of Allegiance.

The Borough Clerk read the compliance statement: This meeting is called pursuant to the provisions of the Open Public Meetings Act, Chapter 231, P.L.1975: adequate notice of this meeting has been given by posting the Notice on the Borough's Bulletin Board and by transmitting the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star*, as required by law

### 1. ROLL CALL

	Present	Absent
Mayor Fetzer	X	
Councilman Clemmenssen	X	
Councilman Perry	X	
Councilman Zakin	X	
Council President Anthony	X	
Councilman Downey	X	
Councilwoman Richman	X	

### 2. PRESENTATION

- Sea Girt Conservancy Strategic Landscape Plan – Councilman Zakin introduced Mike Matthews whom presented that the Sea Girt Conservancy is exploring the development of a Strategic Landscape Plan that would include all open spaces in the Borough.
- Friends of Crescent Park - Kim Paterson, Megan Pacetti, Susan Sharp and Henry Bossett responded to the presentation made by Mr. D'Altrui at the May 23, 2022 Recreation Meeting; the group does not support a Second Platform Paddle Court in Crescent Park; they request to stop the project or place on ballot.
- 2022 Budget Presentation – Jim Gant and Amy Spera –The budget presentation can be found on our website: [www.seagirtboro.com](http://www.seagirtboro.com). Questions and answers were received from the public on the budget presentation.

### 3. CONSENT AGENDA - UPON MOTION of Councilman Clemmenssen, seconded by Councilman Perry, carried, that the following Resolutions be and the same is hereby adopted:

- **R-92-2022: Authorize an Off Premise Raffle License for The Sea Girt Elementary School Parent-Teacher Organization**

**WHEREAS**, the Sea Girt Elementary School Parent-Teacher Organization has made application to the Borough Council for a license to conduct an Off Premise Raffle License at Sea Girt Elementary School for the benefit of the Sea Girt Elementary School on November 5, 2022 at 3:00 PM (rain date 11/6/22).

**WHEREAS**, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

**NOW, THEREFORE, BE IT RESOLVED**, that the license requested be granted.

- **R-93-2022: Authorize Seasonal Lifeguard Crew for 2022 Season**

**WHEREAS**, the Beach Utility is in need of lifeguard staff to fill the positions necessary to operate the Borough Beach during the 2022 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 2022 beach season:

2022 Sea Girt Beach Department Roster & Hourly Wages – Attached Schedule attached these minutes.

- **R-94-2022: Authorize Additional/Removal of Gate Guards**

**WHEREAS**, the Beach Manager has advised that there are changes to staff for the 2022 season as noted below.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the following changes to beach staff be and the same are hereby approved:

Added Staff Members: Gimena Hernandez, Kevin Hamilton, Stan Palomba, Ben Larson, Christopher McNamara and Tara Phalin; \$11.90/hour respectively;

Remove: Stephen Bird, Shayden Sipple, Izabel Franc and Bridget McCormick.

- **R-95-2022: Approve State Contract #T2776, Purchase of 2022 Ford Explorer 4wd Utility Vehicle for Sea Girt Police Department**

**WHEREAS**, the Sea Girt Police Department is in need of an AWD utility vehicle to replace a marked AWD police vehicle which was damaged in a motor vehicle crash; reimbursement claim from Monmouth County Joint Insurance Fund will cover the cost of the new vehicle; and

**WHEREAS**, the State Procurement Bureau has advised that there is a State Contract, #T2776, available, under the provisions of which the vehicle and certain accessories can be acquired at a pre-negotiated price of \$39,236.15; and,

**WHEREAS**, the State Procurement Bureau rules now require the adoption of a Resolution of the governing body for certain purchases; and,

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the purchase of a 2022 Ford Explorer AWD Utility Vehicle, respectively, in the total amount of \$39,236.15, be and the same is hereby authorized.

- **R-96-2022: Authorize Amy Spera, CFO to Open an Additional Bank Account for Disbursements**

**BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the Chief Financial Officer is hereby authorized to open an additional bank account for disbursements at Manasquan Savings Bank, Manasquan, NJ.

**NOW THEREFORE BE IT RESOLVED** that a certified copy of this Resolution shall be submitted to Manasquan Savings Bank and Chief Financial Officer her information and files.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

**4. APPROVE MINUTES**

- **R-97-2022:** Approve Minutes, May 11, 2022 – Regular/Virtual Meeting

**UPON MOTION** of Councilman Perry, seconded by Councilman Zakin, carried, that the Minutes of the Virtual Regular Meeting held May 11, 2022 be and the same are hereby approved.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony				X
Councilman Downey	X			
Councilwoman Richman	X			

- 5. OPEN DISCUSSION** – Mayor Fetzer congratulated council and county committee members on their election; he thanked the many volunteers involved for their efforts with the Boy Scout Jamboree; July and August attire is smart casual for council meetings.

**6. UNFINISHED BUSINESS -**

**A. 2022 Municipal Budget –Amy Spera presented the budget to the council and to the audience.**

- The Mayor to advise that the Budget was advertised by summary in The Coast Star on May 5, 2022, available on the Borough's website on the same date and that the public hearing was held as scheduled on June 8th, 2022.
- **R-98-2022: Budget Read by Title – Amy Spera**

**UPON MOTION** of Councilman Perry, seconded by Councilman Zakin, carried, that the following resolution be adopted:

**WHEREAS**, the 2022 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 2022 budget be read by its title.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-99- 2022: Certification – Budget Available for Review**

**UPON MOTION** of Councilman Perry, seconded by Council President Anthony, 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 2022 Approved Budget of the Borough of Sea Girt has been available for public review in the Municipal Office since April 25 2022 and available on the Borough of Sea Girt website, [www.seagirtboro.com](http://www.seagirtboro.com), since April 25, 2022.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-100-2022: Adopt 2022 Municipal Budget**

**UPON MOTION** of Councilman Perry, seconded by Councilman Clemmensen, 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 \$7,943,161.90 for municipal purposes.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

**B. Ordinances – Public hearing/possible adoption**

## 1. Ordinance No. 06-2022:

AN ORDINANCE BY THE BOROUGH COUNCIL AMENDING THE BOROUGH OF SEA GIRT CODE OF ORDINANCES TO REPEAL CHAPTER 14 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 14 FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

*Due to the size of this Ordinance, please find full a version on our website or a copy is also available at the Borough Hall.*

Peter Avakian, Engineer explained the Ordinance to council and the audience. He noted since 1976 the Borough has been a participant of the National Flood Insurance Program which allows the Borough residents to avail themselves to flood insurance at low rates compared to the private sector. He further explained the ordinance.

**UPON MOTION** of Councilman Clemmensen, seconded by Council President Anthony, carried, that the meeting be opened to the public for comments on the said Ordinance only. Mrs. Kregg, Brooklyn Boulevard asked about seasonal dunes; Peter Avakian explained the process to council and the audience.

There were no further comments from the public participating and **UPON MOTION** of Councilman Zakin, seconded by Councilwoman Richman, carried, the public hearing was closed. **UPON MOTION** of Councilman Zakin, seconded by Councilman Downey, carried, that the said Ordinance No. 06-2022 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 Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

## 7. NEW BUSINESS

- **R-100-2022: Authorize Special Event Application – Wall High School Ocean Mile Swim; August 7<sup>th</sup> beginning 6:00 am – 10:00 am.**

**UPON MOTION** of Councilman Zakin, seconded by Councilman Perry, carried, that the following resolution be adopted:

**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 7, 2022, 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 7, 2022 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, 2022.

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

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-101-2022: Authorize Special Event Application – Use of Baltimore Park July 10<sup>th</sup> – 10:00 am – noon.**

**UPON MOTION** of Councilman Zakin, seconded by Councilman Clemmensen, carried, that the following resolution be adopted:

**WHEREAS**, Mr. and Mrs. Vinci has requested permission to hold a 3<sup>rd</sup> Birthday Party on July 10, 2022 from 9:00 am to 12:00 pm in Baltimore Park, and they have 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 to hold a 3<sup>rd</sup> Birthday Party on July 10, 2022 from 9:00 am to 12:00 pm in Baltimore Park be and the same is hereby approved; and

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

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

**ABC License Renewal:**

The following resolutions were open for public comment; there were no comments from the public present; Police Chief Macko commented all inspections were completed at the establishments and there were no issues with any of the following liquor licenses:

1. **R-102-2022:** Emerald Shore, Inc. t/a Harrigan's Pub, Plenary Retail Consumption License #1344-33-001-004, July 1, 2022 through June 30, 2023, inclusive

**UPON MOTION** of Council President Anthony, seconded by Councilman Perry, 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 for renewal for the period July 1, 2022 to June 30, 2023, inclusive.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

2. **R-103-2022:** Jo-Yo, LLC t/a Egan's Sea Girt Wine and Liquors, Plenary Retail Distribution License #1344-44-005-007, July 1, 2022 through June 30, 2023, inclusive.

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

**WHEREAS**, an application for renewal of Plenary Retail Distribution License #1344-44-005-007 has been submitted by JO YO, LLC t/a Egan's Sea Girt Wines And Liquors 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 \$1,288.94 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 #1344-44-004-007, issued to JO YO, LLC t/a Egan's Sea Girt Wines And Liquors, for the premises located at 527 Washington Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2022 through June 30, 2023, inclusive.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

3. **R-104-2022-** Rod's Olde Irish Inn, Plenary Retail Consumption License #1344-33-002-005, July 1, 2022 through June 30, 2023, inclusive.

**UPON MOTION** of Councilwoman Richman, seconded by Councilman Downey 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, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sea Girt 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, 2022 to June 30, 2023, inclusive, subject to the following **SPECIAL CONDITIONS** that were consented to by the Licensee before the Sea Girt Borough Planning Board 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 Restaurant 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.
  - 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.
  - No portion of the 2<sup>nd</sup> floor of the Restaurant shall be utilized by patrons or accessed by patrons. Rather, the 2<sup>nd</sup> 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 (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.
- b. The Applicant's representatives shall comply with all Prevailing Municipal Regulations regarding hours of operation.
- c. The Applicant shall comply with all Prevailing ADA Requirements.
- d. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

4. **R-105-2022:** CG Jersey, Inc. t/a Fratello's, Plenary Retail Distribution License #1344-33-003-013-, July 1, 2022 through June 30, 2023, inclusive

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

**WHEREAS**, an application for renewal of Plenary Retail Consumption License #1344-33-003-014 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, 2022 to June 30, 2023, inclusive.

**Recorded Vote:**

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

5. **R-106-2022:** Avon Hotel Corporation t/a The Parker House, Seasonal Plenary Retail Consumption License #1344-34-006-004, July 1 through November 14, 2022 and May 1 through June 30, 2023, respectively.

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

**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, 2022 through June 30, 2023, 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, 2022 through June 30, 2023 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.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

• **R-107-2022: Authorize Change Order; Improvements to Second Avenue**

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

**WHEREAS**, the Borough of Sea Girt awarded a contract in the amount of \$352,953.10 to Black Rock Enterprises, LLC, Old Bridge, NJ for the Project known as Improvements to Second Avenue on December, 2020; and,

**WHEREAS**, field changes resulted in a net increase in the contract in the amount of \$6,110.90 to the project resulting in the new contract total of \$359,064.00; and,

**WHEREAS**, the Project is completed and the Contractor has submitted the Request for Final Payment in the amount of \$50,589.96 and the required Maintenance Bond of \$89,766.00 that has been reviewed by the Project Engineer and found to be correct.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Sea Girt as follows:

1. That Change Order and Supplemental Agreement representing a net increase to the contract of \$6,110.90; for a new contract total of \$359,064.00 be and the same is hereby approved; that Final Payment in the amount of \$50,589.96 be and the same is hereby approved

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-108-2022: Authorize Change Order; Bell Place Bike Path Improvements**

**UPON MOTION** of Council President Anthony, seconded by Councilman Downey, carried, that the following Resolution be and the same is hereby adopted:

**WHEREAS**, the Borough of Sea Girt awarded a contract in the amount of \$157,870.00 to Precision Construction, Inc., Freehold, NJ for the Project known as Bell Place Bike Path Improvements on January 6, 2021; and,

**WHEREAS**, field changes resulted in a net decrease in the contract in the amount of -\$9,818.83 to the project; resulting in the new contract total of \$148,051.17; and,

**WHEREAS**, the Project is completed and the Contractor has submitted the Request for Final Payment in the amount of \$72,625.47 and the required Maintenance Bond of \$37,012.79 that has been reviewed by the Project Engineer and found to be correct.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Sea Girt as follows:

1. That Change Order and Supplemental Agreement representing a net decrease to the contract of - \$9,818.83 to a new contract total of \$148,051.17 be and the same is hereby approved;
2. That Final Payment in the amount of \$72,625.47 be and the same is hereby approved;

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-109-2022: Authorize the Bid of Mark S. Cure to Operate the Boardwalk Concession at the Sea Girt Beach for the 2022 Season with the Option To Renew For An Additional Two Seasons (2023, 2024 Respectively)**

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

**WHEREAS**, the Borough of Sea Girt advertised for bidders to operate the Boardwalk Concession at the Sea Girt Beach on May 10, 2022, with the receipt of bids scheduled for May 20, 2022 for the 2022 season, with option years 2023 and 2024; and,

**WHEREAS**, one bid was submitted by the date and time specified from Mark S. Cure, Toms Rivers, New Jersey, in the amount of \$43,000.00 for the 2022 season; and,

**WHEREAS**, the bid documents were reviewed by the QPA and Borough Attorney and found to be in compliance with the Bid Specifications and the Local Public Contracts Law, *N.J.S.A. 40A:11-1*, et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt that the bid of Mark S. Cure be and the same is hereby accepted to operate the Boardwalk Concession at the Sea Girt Beach for the 2022 season, with option years 2023 and 2024 respectively at the bid price of \$43,000.00.

**BE IT FURTHER RESOLVED** that, pursuant to the Bid Specifications, the lease to operate the Boardwalk Concession shall be executed by the principals of Mark S. Cure within twenty-one (21) days of the date of this award and returned to the Municipal Clerk with the required security deposit of \$4,300.00.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk be and they are hereby authorized to execute the lease document pursuant to the Bid Specifications.

**Recorded Vote:**

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-110-2022: Authorize Shared Service Agreement for Emergency Management Services (EMS)**

*Mayor Fetzer requested to take exception to paragraph C number 2 on page 4 from the agreement.*

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

**WHEREAS**, Borough of Sea Girt and the Boroughs of Lake Como, Belmar and Manasquan desire to share facilities, equipment and office staff, in accordance with the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1*, et seq. and *N.J.S.A. 2B:12-1(c)*, in order to conserve resources and to provide for a more efficient and more economically sound dispatching services; and

**WHEREAS**, the Borough Councils of all four towns find that it would be in the best interest of all parties to regionalize Emergency Medical services, under the terms and conditions referenced in said agreement (attached hereto as Schedule A); and

**WHEREAS**, the term of this Agreement shall commence July 1, 2022, shall continue until December 31, 2024, and may be extended for additional terms.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Girt, County of Monmouth that the Mayor and Borough Administrator are hereby authorized to execute and deliver the attached Shared Service Agreement and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Shared Service Agreement.

**Recorded Vote:**

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

- **R-111-2022: Authorize Improvements to Crescent Park for a Racquet Sports Recreation Area to Include a Second Platform Tennis Court**

Peter Avakian, Borough Engineer explained to council and the audience the proposed construction plans for a second platform tennis court.

Councilman Clemmensen commented his disappointment in the community's behavior and lack of disrespect towards councilmembers and residents. Councilwoman Anthony noted the need for human interaction, and physical recreation; she hopes the community can focus on the positive aspects and come together as a community. Councilwoman Richman commented she supports both active and passive recreation and was listening to all comments.

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

**WHEREAS**, the Sea Girt Recreation Commission has proposed the construction of a second platform tennis court for location in the northeast section of Crescent Park (also known as Cornelius Park), adjacent to the existing platform tennis court and three tennis courts; and,

**WHEREAS**, the Recreation Commission has revised said plan in response to public input and comments, including the elimination of a proposed viewing area; and

**WHEREAS**, The Crescent Park Stewardship Plan was amended to include acknowledgment and support for the pre-existing active recreational use to which the north end of the park has been dedicated for decades; and

**WHEREAS**, the governing body desires to expand recreational opportunities for Borough residents and their guests by placing a second platform tennis court in this pre-existing, dedicated area for active recreational activity; and

**WHEREAS**, to address residents' concerns regarding the removal of trees from the area adjacent to the existing and proposed platform tennis court, as proposed in the first submission for a platform tennis court, the Sea Girt Recreation Commission has modified the plan by moving it east of the original submission so as to avoid the loss of many of the trees under that proposal; and

**WHEREAS**, The Borough Council supports the Recreation Commission proposal to construct a second Platform Tennis Court adjacent to the existing platform tennis court and tennis courts; and

**WHEREAS**, the governing body seeks to assure that any addition or modification to this existing active recreational section of the park be done in a manner consistent with environmental and green space concerns as expressed by residents and the council; and

**WHEREAS**, Sea Girt Recreation Commission has developed a plan for the engineering, design, and construction of a second platform tennis court in the northeast quadrant of Crescent Park adjacent to the three existing tennis courts and platform tennis court, for which it would provide all funding, ; and

**WHEREAS**, the Borough council reaffirms its desire to preserve the health of the park and conditions approval on the requirement, inter alia, that if a tree or trees have to be removed to accommodate the proposed platform tennis court that the Borough Council will require that the Recreation Commission work with the Borough Shade Tree Commission to plant two replacement trees for every one tree removed and take measures to assure a healthy understory, where existing or where it may be impacted by same; and

**WHEREAS**, The Borough Council seeks to assure that the placement of the new platform tennis court in a manner that minimizes disruption to nearby property owners to Crescent Park and has considered proposed noise and light mitigation measures proposed by the Recreation Commission; and

**WHEREAS**, in reviewing the revised platform tennis court location proposed and approved by the Recreation Commission, William Brash, the Borough's Forester, provided a Crescent Park Tree Assessment Report which concluded that "... there should be no reservations about moving the platform tennis court to this preferred location..."; and

**WHEREAS**, the Recreation Commission shall submit the revised Platform Tennis plan to the Borough Planning Board for a courtesy review.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Sea Girt that:

1. The Recreation Commission's plan for placement of a second platform tennis court in the north end of Crescent Park, and replacement of trees and tending to understory as proposed, is hereby approved with the following conditions: a. the platform tennis court shall be placed in the location set forth in the revised plan presented to the council and approved by the Recreation Commission at its May meeting; b. the revised plan shall be presented to the Borough Planning Board for a courtesy review and comment; c. after finalization of the plans and verification of available funds, the Plan shall be put out to bid.
2. The Recreation Commission shall be responsible for all costs and fees associated with the project.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

**8. COUNCIL REPORTS:** There were no reports from Councilpersons Clemmensen, Zakin, Downey.

Councilman Perry reported Big Bank Sentimental Journey is performing June 18<sup>th</sup> at 6:30 pm at the Plaza; Summer Recreation begins June 27<sup>th</sup> thru July 29<sup>th</sup>; please visit our website for more events.

Councilwoman Richman provided a beach report; BOE had their spring concert today, art show followed; then council meeting; she thanked the school for their efforts; June 15<sup>th</sup> is graduation.

Council President Anthony reported The Sea Girt Conservancy received a generous donation through the Monmouth Conservation Foundation for the Polynesian Garden at Edgemere Park.

Mayor Fetzer reported PBA negotiations are ongoing; Planning Board will provide updates soon on their land use ordinances; contact Norm Hall if interested in participating on their committee.



**9. ADMINISTRATOR REPORT** – No report from Mr. Gant.

**10. R-112-2022: PAY BILLS**

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the bills be paid as appearing on the attached bill lists dated May 25, 2022, May 17, 2022 and June 8, 2022 in the totals as follows:

CURRENT FUND	\$ 484,372.80
WATER/SEWER OPERATING FUND	\$ 103,264.80
BEACH OPERATING FUND	\$ 35,105.98
RECREATION TRUST FUND	\$ 7,245.18
GENERAL CAPITAL	\$ 80,760.97
TRUST	\$ 10,751.00
DOG TRUST FUND	\$ 3.60
WATER CAPITAL	\$ 2,170.00

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey	X			
Councilwoman Richman	X			

**11. PUBLIC PARTICIPATION ON ANY SUBJECT:**

Mike Meixsell, Chicago Boulevard commented on the implication of Ms. Hoffman's involvement between Recreation Commission and The Sea Girt Conservancy.

Mrs. Kregg, Baltimore Boulevard commented she didn't feel discussions were available on improvements to Crescent Park.

Tom Crawley, Brooklyn Boulevard thanked councilmembers for improvements to Edgemere Park; he is concerned with school safety; he hopes to see enhancements such as cameras throughout the school; he looks forwarding to seeing a detailed implementation plan on the EMS Services.

Jerry Ferrante, Second Avenue thanked council for their service and on their efforts preparing the municipal budget.

Laura D'Avalla, Neptune Place encourages civility; she opposes improvements to Crescent Park.

Herb Kunz, New York Boulevard supports additional platform tennis court.

Scott Cowley, Boston Boulevard thanked council for their service.

Megan Paccetti, Washington Boulevard opposes construction of a second platform tennis court in Crescent Park.

Lynn Ward, Trenton Boulevard commented that there were not discussions on among the community regarding the additional platform tennis court in Crescent Park; concerned the fees don't pay for the maintenance of the courts.



Eileen Laszlo, Philadelphia Boulevard opposes additional platform tennis court in Crescent Park.

Susan Sharp, Stockton Boulevard opposes additional platform tennis court in Crescent Park.

Mike D'Altrui, Brooklyn Boulevard thanked councilmembers for their time on this process; he congratulated elected officials in the primary election

Geraldine O'Keefe, Seaside Place opposes construction of a second platform tennis court in Crescent Park.

Todd Leonhardt, Boston Boulevard commented the importance of children, facility and staff who come first all year long.

Henry Bossett, Chicago Boulevard commented on volunteers in the community; he opposes construction of a second platform tennis court in Crescent Park.

**UPON MOTION** of Council President Anthony, seconded by Councilwoman Richman, carried, that the meeting be finally and immediately adjourned at 10:20 PM.

*Dawn Harriman*

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Dawn Harriman, RMC  
Municipal

**NEXT SCHEDULED MEETING IS JULY 13th, 2022**