

MINUTES - REGULAR MEETING
October 12, 2022 - 7:00 PM

The Regular/virtual Meeting of the Borough of Sea Girt Council was called to order by Mayor Don Fetzer at 7:07 PM on Wednesday, October 12, 2022. Mayor Fetzer asked for a moment of silence; he then led those participating in the Pledge of Allegiance.

The Borough Administrator 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 Clemmensen	X	
Councilman Perry	X	
Councilman Zakin	X	
Council President Anthony	X	
Councilman Downey		X
Councilwoman Richman	X	

2. CONSENT AGENDA – UPON MOTION of Councilman Clemmensen, seconded by Councilman Zakin, carried, that the following Resolutions be and the same are hereby adopted:

- **R-162-2022: Authorize Application for Raffle License, PTO Elementary School, November 5, 2022 at 4:00 pm**

WHEREAS, the Sea Girt Elementary School Parent-Teacher Organization has made application to the Borough Council for a license to conduct a merchandise raffle for the benefit of the Sea Girt Elementary School, on November 5, 2022 (rain date November 6) at 4:00 PM.

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

- **R-163-2022: Authorizing a Donation of Two Adult 2022 Season Beach Badges to The Sea Girt Elementary School Craft Market**

WHEREAS, The Sea Girt Elementary School Third Grade Class has requested the donation of two 2022 adult season beach badges to be awarded at the Sea Girt Elementary School Craft Fair to be held at the Sea Girt Elementary School in November 2022.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Sea Girt that the donation of two 2022 adult season beach badges be and the same is hereby approved.

- **R-164-2022: Authorize Halloween Curfew**

WHEREAS, the Borough Council of the Borough of Sea Girt feels it would be in the best interests of the citizens of the Borough of Sea Girt to enact a curfew for the evenings of October 30th and 31st, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that a curfew be enacted beginning at 8:00 PM on October 30th through 7:00 AM on October 31, inclusive, and beginning at 9:00 PM on October 31 through 7:00 AM on November 1, inclusive, for all children under the age of 17, unless accompanied by an adult.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilwoman Richman			X	
Councilman Downey	X			

3. APPROVE MINUTES

- **R-165-2022:** Approve Minutes, October 12, 2022 – Regular/Virtual Meeting

UPON MOTION of Councilman Zakin, seconded by Councilman Clemmensen, carried, that the Minutes of the Virtual Regular Meeting held October 12, 2022 be and the same are hereby approved.

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-166-2022:** Approve Executive Session Minutes, October 12, 2022

UPON MOTION of Councilman Zakin, seconded by Council President Anthony, carried, that the Minutes of the Virtual Regular Meeting held October 12, 2022 be and the same are hereby approved.

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			

Borough Attorney arrived to the meeting at 7:15 pm.

4. OPEN DISCUSSION

Council President Anthony thanked the Sea Girt Conservancy for their efforts hosting their “Celebrate our Environment” on September 24th. Mayor Fetzner commented it was a terrific event; they both thanked DPW for their efforts at all the events. Council President Anthony read a public response to the Sea Girt Planning Board resolution opposing the additional Paddle Ball Court in Crescent Park (response is attached to these minutes).

Councilman Zakin commented the Sea Girt Library hosted a car show this past weekend; it was well attended and displayed our community spirit; he thanked everyone for a great event.

Mayor Fetzner commented there will be a Coffee with the Mayor on Saturday, October 22nd 10am-12pm at the Fire House.

5. UNFINISHED BUSINESS – none

6. NEW BUSINESS

- **R-167-2022: Authorize Amended Agreement with Sea Girt Elementary School for Maintenance of the Bell Place Tennis Courts**

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

WHEREAS, the Borough and the Sea Girt Board of Education wish to enter into a *five-year* license agreement for the purposes of providing the Sea Girt Elementary Tennis team access to the Bell Place tennis courts from March 15th – June 15th during the hours of 3:00pm – 6:00pm; and

WHEREAS, the agreement is effective for *5 years* from the date of signing; and

WHEREAS, the Board of Education agrees to reimburse the Borough for the cost of resurfacing the existing courts within thirty days of completion; and

WHEREAS, the Borough and Board of Education recognize that this agreement replaces any previous or current agreements for the use of the Bell Place Tennis facilities.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Girt hereby authorizes the Mayor and Borough Clerk to execute the License Agreement between the Borough of Sea Girt and Sea Girt Board of Education for the use of Bell Place tennis courts.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilwoman Richman			X	
Councilman Downey	X			

- **R-168-2022: Purchase Equipment for DPW – Mini Excavator**

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

WHEREAS, pursuant to N.J.S.A 52:34-6.2(b)(3) The Borough of Sea Girt as authorized the use of Sourcewell Co-Op, previously known as National Joint Powers Alliance or NJPA, to contract with various vendors for goods and services; and

WHEREAS, N.J.S.A 52:34-6(b)(3) permits the award of a contract without the necessity of competitive bidding; and

WHEREAS, The Borough of Sea Girt is in need of a Mini Excavator; and

WHEREAS, Cherry Valley Tractors Sales, Inc. is an authorized vendor under the Sourcewell CO-OP #040319-KBA and ESCNJ CO-OP #18/19-22 AND 18/19-25; and

WHEREAS, the Supervisor of Public Works recommends award of a contract to Cherry Valley Tractor Sales, Inc. in the amount of \$84,740.18; and

WHEREAS, The Chief Financial Officer has certified funds in the amount of \$84,740.18 Appropriation No. C-04-55-565-504 for the Mini Excavator; and

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Sea Girt, hereby authorizes the purchase of one (1) Kubota Mini Excavator from Cherry Valley Tractor Sales, Inc. under Sourcewell CO-OP #040319-KBA and one (1) Paladin Auger under the ESCNJ CO-OP# 18/19-22 AND 18/19-25 for a total expenditure of \$84,740.18 is hereby approved, subject to the issuance of the appropriate purchase orders to Cherry Valley Tractor Sales, Inc., 35 W Route 70, Marlton, NJ 08053

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmenssen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilwoman Richman			X	
Councilman Downey	X			

• **R-169-2022: Purchase Equipment for DPW – Track Loader**

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

WHEREAS, pursuant to N.J.S.A 52:34-6.2(b)(3) The Borough of Sea Girt as authorized the use of ESCNJ Co-Op, to contract with various vendors for goods and services; and

WHEREAS, N.J.S.A 52:34-6(b)(3) permits the award of a contract without the necessity of competitive bidding; and

WHEREAS, The Borough of Sea Girt is in need of a Compact Track Loader along with pertinent attachments; and

WHEREAS, Cherry Valley Tractors Sales, Inc. is an authorized vendor under the ESCNJ CO-OP #18/19-22 and 18/19-25; and

WHEREAS, the Supervisor of Public Works recommends award of a contract to Cherry Valley Tractor Sales, Inc. in the amount of \$96,661.49; and

WHEREAS, The Chief Financial Officer has certified funds in the amount of \$96,661.49 Appropriation No. C-04-55-565-504 for the Compact Track Loader along with pertinent attachments; and

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Sea Girt, hereby authorizes the purchase of one (1)New Holland Compact Track Loader, one(1) New Protech 8’ Snow Pusher, one (1)High Flow Stump Grinder and one (1) Paladin 72” Extreme Duty Ground Shark , under ESCNJ

CO-OP #18/19-22 and 18/19-25 for a total expenditure of \$96,661.49 is hereby approved, subject to the issuance of the appropriate purchase orders to Cherry Valley Tractor Sales, Inc., 35 W Route 70, Marlton, NJ 08053

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilwoman Richman			X	
Councilman Downey	X			

7. COUNCIL REPORTS

Councilman Clemmensen reported he attended active shooter training at the NGTC; it was productive and educational. Sunday, October 16th is the Military Review at the NGTC; expect traffic in the area. He announced the 5G cell tower located on Morven Terrace and Neptune Place will be removed and replaced with a standard utility pole. DPW – garden pickup for entire town is on Thursday; Bulk Pickup is October 17th. This weekend is The Lighthouse Challenge; the Lighthouse will be open on Saturday and Sunday 9:00am -6:00pm.

Councilman Perry reported recreation is holding their corn hole tournament at the Reef and Barrel on October 15th. Pictures with Santa on October 29th at Beacon Boulevard beach between 10am – 12pm; bring your own camera. Halloween Hayride is on October 21st between 6-8 pm at the Fire House.

Councilman Zakin had no report.

Councilwoman Richman congratulated Sea Girt Elementary School on being voted #1 Best Public Elementary and Middle School in Monmouth County; also #1 Best Public Elementary and Middle School Teachers. She commented there is a Clean Ocean Action Beach Sweep on October 22nd 9-12:30. Shore Community Alliance is having “Coffee with the Cops” at Shore Pour on October 29 between 9:00-11:00am; it’s a great way to foster relations within the community. Vaping educational programs for children and parents are planned for November.

Council President Anthony report Buildings and Grounds Committee are moving along with the CME Engineering Proposal for the Municipal Building. She noted that Monmouth County is in “moderate” zone for Covid-19; October is Breast Cancer Awareness Month; please consider mammography for both men and women. On November 12th Recreation, Shade Tree and Sea Girt Conservancy Commissions will have a second tree planting initiative; 20 trees will be planted between Edgemere Park and the main entrance into Sea Girt; volunteers welcomed.

Mayor Fetzner reported the Firehouse Wetdown is rescheduled for the spring. The Library Trustee Meeting was last week, they are actively reviewing the Strategic Plan draft; findings and recommendations will be presented January 2023; participation has been superior. Water/Sewer – SMUAA will be constructing a water tower in Wall Township; we use their water for emergencies only. There was a problem with a sewer line on Washington Boulevard; DPW is working on a plan to mitigate further.

8. ADMINISTRATOR REPORT

Mr. Gant reported on Hurricane Ian’s sand movement along the coast; Sea Girt had an issue taking in sand onto beaches blocking our entrance ways; Spring Lake has offered assistance with sand movement, then sand fencing will be erected for the winter. Hybrid equipment for our council meetings is being discussed to

provide a better experience to our residents. Monmouth County Shade Tree Commission have been inspecting trees and providing a proposal for tree services. Mr. Gant looks to discuss with councilmembers appropriate action by way of ordinance to see if feasible to create for wireless facilities in the right of way.

Chief Macko thanked those who attended Patriot Night; full EMS report at the next meeting. Belmar EMS has been nominated for Best Pre-Hospital Care Provider Program by the National Conference of EMS.

9. R-170-2022: PAY BILLS

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the bills to be paid as appearing on the attached bill lists dated October 12, 2022 in the totals as follows:

Current Fund	\$	544,153.69
Water Operating Fund	\$	33,835.33
Beach Operating Fund	\$	11,802.28
General Capital	\$	58,128.00
Trust Other	\$	33,859.65
Board of Recreation Trust	\$	16,150.89

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilwoman Richman			X	
Councilman Downey	X			

10. PUBLIC PARTICIPATION ON ANY SUBJECT

Bill Conklin, Neptune Place thanked councilmembers for their quick action to remove the 5G cell tower on Neptune Place and Morven Terrace; he asked to have removed quickly for safety reasons in the area.

Heather Scaturo, 108 Stockton Boulevard also thanked councilmembers for their quick action to expediate the removal of the cell tower; she noted the 5G tower box is a safety hazard.

Jan Barkley, Crescent Parkway raised financial concerns on the process involving adding an additional platform tennis court in Crescent Park; he asked for clarification on tax payer money being used towards the 5K Race and why the 5K Trust isn't audited, capital budget and allocations of the municipal budget.

Norm Hall, Baltimore Boulevard noted there is a Fire Department Food Drive on October 29th; health items also accepted. He thanked Mr. Gant for his efforts upgrading the audio equipment for council meetings, he hopes it helps with Planning Board hybrid meetings. He would like to see a digital message board in town to better enhance our communications within the community.

Rob Falzon, Neptune Place thanked councilmembers for their being active reestablishing the 5G tower.

There being no further comments from the public and by consensus, the public hearing was closed at 8:08 PM. Mayor Fetzter 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 is invited to remain outside and may return to the meeting room when the Council returns to public session. **UPON MOTION** of Council President Anthony, seconded by Councilman Clemmenssen, carried, that the following **Resolution No. 171-2022** 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 affordable housing; potential litigation
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 Clemmenssen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilman Downey			X	
Councilwoman Richman	X			

UPON MOTION of Councilman Perry, seconded by Councilman Clemmenssen, the Council returned to public session at 8:55 PM. There being no further business, and **UPON MOTION** of Councilman Clemmenssen, seconded by Councilman Perry carried, that the meeting be finally and immediately adjourned at 8:55 PM.

Recorded Vote:

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

Dawn Harriman

Dawn Harriman, RMC
Municipal

NEXT SCHEDULED MEETING IS OCTOBER 26, 2022