

**MINUTES - REGULAR MEETING**  
**September 14, 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, September 14, 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**

	<b>Present</b>	<b>Absent</b>
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** – Mayor Fetzer asked to move the resolution authorizing Recreation Director Salary Increase and Distracted Driver Grant to New Business. **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, carried, that the following Resolutions be and the same are hereby adopted:

- **R-144-2022: Authorize Refund, Zoning Escrow Fee Balances**

**WHEREAS**, the following zoning applications were submitted along with the required escrow deposit of \$2,500.00 for the listed property locations: and,

**WHEREAS**, the application has been processed and necessary engineering fees were deducted from the escrow deposit, leaving unexpended funds; and,

**WHEREAS**, the Zoning Officer has advised that all of the fees associated with this application have been paid in full.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt, that a refund of the unexpended escrow balances in the amount listed below be issued:

Property Location	Check Payable to	Address	Unexpended balance
405 Baltimore Blvd.	Christopher M. Striano	4 Line Rd., Holmdel, NJ 07733	\$950.00
115 Beacon Blvd.	Michael J. Hennessy and Associates	PO Box 692, Cranbury, NJ 08512	\$1,220.00
220 Beacon Blvd.	Specialized Pools	338 Mantoloking Rd, Brick, NJ 08723	\$1,062.50
310 Beacon Blvd.	Frank Palumbo	310 Beacon Blvd, Sea Girt, NJ 08750	\$1,125.00
501 Beacon Blvd.	Matt Mastrorilli	208 Trenton Blvd, Sea Girt, NJ 08750	\$940.00
611 Beacon Blvd.	Melillo Architecture	402 Higgins Ave,	\$950.00

		Brielle, NJ 08730	
209 Boston Blvd.	Dryer Custom Homes	212 Trenton Blvd. Sea Girt, NJ 08750	\$2,580.00
401 Boston Blvd.	G. Martin Builders	PO Box 1211, Wall, NJ 07719	\$1,080.00
718 Boston Blvd.	Ryan & Monica Barber	718 Boston Blvd. Sea Girt, NJ 08750	\$1,500.00
2 Brooklyn Blvd.	Aqualand Pools & Spas	2413 Highway 35, Manasquan, NJ 08736	\$960.00
207 Brooklyn Blvd.	Shore Home Builders	804 Highway 71, Spring Lake Heights, NJ 07762	\$1,250.00
207 Brooklyn Blvd.	Shore Home Builders	804 Highway 71 Spring Lake Heights, NJ 07762	\$1,432.50
211 Brooklyn Blvd.	Southwest Corner LLC	PO Box 216, Sea Girt, NJ 08750	\$545.00
304 Brooklyn Blvd.	Marie Reffler	714 Philadelphia Blvd, Sea Girt, NJ 08750	\$500.00
412 Brooklyn Blvd.	Shore Home Builders	804 Highway 71, Spring Lake Heights, NJ 07762	\$1,500.00
12 Chicago Blvd.	Mary Brody	19 Park Ln, Madison, NJ 07940	\$1,297.50
221 Chicago Blvd.	Shore Home Builders	804 Highway 71 Spring Lake Heights, NJ 07762	\$662.50
221 Chicago Blvd.	Shore Home Builders	804 Highway 71 Spring Lake Heights, NJ 07762	\$1,500.00
301 Chicago Blvd.	Gary Knapp	551 Topping Hill Rd, Westfield, NJ 07090	\$1,150.00
501 Chicago Blvd.	Matthew Mastroilli	208 Trenton Blvd, Sea Girt, NJ 08750	\$875.00
507 Chicago Blvd.	Clockworks Development Group, LLC	PO Box 475, Colts Neck, NJ 07722	\$1,200.00
608 Chicago Blvd.	James Vercelli	608 Chicago Blvd, Sea Girt, NJ 08750	\$1,080.00
609 Chicago Blvd.	Thomas Bovitz	607 Chicago Blvd, Sea Girt, NJ 08750	\$1,000.00
609 Chicago Blvd.	Thomas Bovitz	607 Chicago Blvd, Sea Girt, NJ 08750	\$1,500.00
611 Chicago Blvd.	John Lejewski	609 Chicago Blvd, Sea Girt, NJ 08750	\$1,125.00
704 Chicago Blvd.	Dakan Homes, LLC	415 Hierung Ave, Seaside Heights, NJ 08751	\$1,095.00
207 Crescent Place	SwimMor Pools	920 Lake Drive, Mt. Ephraim, NJ 08059	\$1,500.00
300 Crescent Place	James Davey	843 Maplewood Rd,	\$1,500.00

		Wayne, NJ 19087	
321 Crescent Place	John Daly	321 Crescent Parkway, Sea Girt, NJ 08750	\$1,187.50
800 First Ave.	SJ Paving Inc.	484 Route 17 North, Suite 3, Paramus, NJ 07652	\$1,365.00
112 New York	Aqualand Pools, Inc.	2413 Highway 35, Manasquan, NJ 08736	\$468.75
511 New York	John Huber	PO Box 2997, Westfield, NJ 07091	\$812.50
106 Philadelphia Blvd.	Steele's Signature Pools	9 Cutts Drive, Tabernacle, NJ 08088	\$1,230.00
203 Philadelphia Blvd.	Herrmann Construction Inc.	52 Taylor Ave, Manasquan, NJ 08736	\$1,312.50
204 Philadelphia Blvd.	Andor Laszlo	204 Philadelphia Blvd, Sea Girt, NJ 08750	\$812.50
218 Philadelphia Blvd.	Melissa Giegerich	218 Philadelphia Blvd, Sea Girt, NJ 08750	\$860.00
305/505 Philadelphia Blvd.	Sunnyside Manor Inc.	2500 Ridgewood Rd, Wall, NJ 07719	\$1,095.00
517 Philadelphia Blvd.	The Pool & Spa Doctor, LLC	1714 Highway 35, Wall, NJ 07719	\$1,290.00
3 Seaside Place	Thomas Britt	3 Seaside Place, Sea Girt, NJ 08750	\$1,162.50
214 Stockton Blvd.	Hennessy Realty, LLC	2 Clarke Drive, Suite 100, Cranbury, NJ 08512	\$750.00
316 Trenton Blvd.	Wayne Dreyer	212 Trenton Blvd, Sea Girt, NJ 08750	\$1,500.00
319 Stockton Blvd.	Kenmar Development, LLC	1065 Route 22 West, Bridgewater, NJ 08807	\$1,220.00
321 Stockton Blvd.	John Daly	321 Crescent Parkway, Sea Girt, NJ 08750	\$850.00
406 Trenton Blvd.	Shore Home Builders	804 Highway 71Spring Lake Heights, NJ 07762	\$1,200.00
505 Trenton Blvd.	John Tym Builders, LLC	2626 River Rd, Point Pleasant, NJ 08742	\$1,125.00
505 Trenton Blvd.	John Tym Builders, LLC	2626 River Rd, Point Pleasant, NJ 08742	\$1,095.00
509 Trenton Blvd.	John Ward	509 Trenton Blvd, Sea Girt, NJ 08750	\$1,095.00
200 Washington Blvd.	Shore Home Builders	804 Highway 71Spring Lake Heights, NJ 07762	\$1,162.50
416 Washington Blvd.	The Pool & Spa Doctor, Inc.	1714 Highway 35, Wall, NJ 07719	\$1,050.00

- **R-145-2022: Authorize Refunds, Planning Board Escrow Fee Balances**

**WHEREAS**, the following corporation has posted escrow for Planning Board application review and the balances remaining in said accounts are as follows:

NAME OF APPLICANT	PROPERTY LOCATION	ACCOUNT BALANCE
Baker, Brian and Marguerite	216 Beacon Blvd.	\$2,394.95
Rotundo, Fausto and Christine	204 Trenton Blvd.	\$4,700.00
Pope, Michael and Patricia	105 Ocean Ave.	\$3,138.00
Rahill, David and Caroline	204 Crescent Parkway	\$3,728.50
D'Agostini, Robert and Jody	104 Stockton Blvd.	\$3,798.50
Shore Home Builders	224 Stockton Blvd.	\$356.50
Egan, Kevin and Andrea	305 Stockton Blvd.	\$4,550.00
Graham, Birgit	610 Chicago Blvd.	\$2,890.00
Horan, John*	501 The Terrace	\$675.00
Kadimik, Candace	100-104 Beacon Blvd.	\$1,586.00
Chef's Int'l/Jack Baker's	PO Box 1332, Point Pleasant, NJ 08742	\$2,706.00

\*Check payable to Beekman Law Firm

**WHEREAS**, the Planning Board Secretary has advised that all of the fees associated with these applications have been paid in full and the application also has now been withdrawn.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Sea Girt that the remaining escrow balances be refunded to the applicant listed in the amounts specified.

- **R-147-2022: Authorize Municipal Representatives to the Steering Committee for EMS Shared Services; Justin Macko and Timothy Harmon, Alternate**

**WHEREAS**, 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 emergency medical service;

**WHEREAS**, the Borough of Sea Girt and the Boroughs of Lake Como, Belmar and Manasquan desire to add a Steering Committee in accordance with the existing Shared Service Agreement;

**WHEREAS**, Sea Girt Borough agrees to add Police Chief Justin Macko as the primary Municipal Representative and OEM Timothy Harmon as Alternate Municipal Representative; and

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

1. Chief Justin Macko, Municipal Representative and OEM Timothy Harmon, Alternate Representative have been added as members the Steering Committee EMS Shared Service Agreement.
2. The Borough Clerk shall forward a certified copy of this resolution to the following:
  - a. Chief Justin Macko
  - b. OEM Coordinator Timothy Harmon
  - c. Borough of Belmar Administration

- **R-148-2022: Authorize Sea Girt Fire Company Wetdown Event; October 1<sup>st</sup> 10:00am-7:00pm; Baltimore Park (rain date October 2<sup>nd</sup>)**

**WHEREAS**, the Sea Girt Fire Company desires to sponsor an event for October 1, 2022 (rain date October 2<sup>nd</sup> at Baltimore Park from 10am to 7:00pm; and

**NOW, THEREFORE, BE IT RESOLVED** that the Sea Girt Fire Company will sponsor the Wetdown at no cost to the Borough be and the same is hereby accepted.

- **R-149-2022: Authorize Sea Girt Fire Company Social Affair Permit; October 1, 2022**

**WHEREAS**, the Sea Girt Fire Company desires to sponsor an event for October 1, 2022 (rain date October 2<sup>nd</sup> at Baltimore Park from 10am to 7:00pm; and

**NOW, THEREFORE, BE IT RESOLVED** that the Sea Girt Fire Company will sponsor the Wetdown at no cost to the Borough be and the same is hereby accepted.

**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-150-2022: Approve Minutes, August 10, 2022 – Regular/Virtual Meeting**

**UPON MOTION** of Council President Anthony, seconded by Councilman Clemmensen, carried, that the Minutes of the Virtual Regular Meeting held August 10, 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-151-2022: Approve Executive Session Minutes, August 10, 2022**

**UPON MOTION** of Councilman Perry, seconded by Councilman Zakin, carried, that the Minutes of the Executive Session held August 10, 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			

#### 4. OPEN DISCUSSION

Council President Anthony thanked The Holly Club and Beautification Committee for the beautiful planters along the boardwalk; she also thanked DPW for watering of the planters. NJ Littoral Society is offering a “Wingin’ It” fall Migration Bird Walk on September 28<sup>th</sup> from 4pm – 6:00pm at 18 Hartshorne Drive, Highlands; please contact [Lindsay@littoralsociety.org](mailto:Lindsay@littoralsociety.org) with any questions. Spotted Lanternflies are in full force and will begin to start laying eggs in trees. The Sea Girt Conservancy is having a “Celebrate our Environment” on September 24<sup>th</sup> from 11:00am – 2:00pm which includes different environmental seminars and fun activities for a children and adults; event is located at the Boston Green area next to the library. She congratulated the Monmouth County Regional Health Commission on their National Accreditation Award; only 5 out of 103 in the state of New Jersey were honored with this award.

Councilman Zakin congratulated Frankie Kineavy on his “Citizen of the Year” Award by the Greater Spring Lake Chamber of Commerce.

Mayor Fetzer thanked Tim Harmon and Jim Gant for their efforts organizing the 911 Ceremony; he also thanked those who participated and attended the event honoring those lost on 9.11.01.

#### 5. UNFINISHED BUSINESS

Recreation Director, Mike D’Altrui reported the 5K race was a success with record attendance; \$15,000.00 was raised for The Ashley Lauren Foundation; he thanked sponsors and all those involved for their efforts; a donation \$52,179.00 was made to The Recreation Trust Fund.

#### 6. NEW BUSINESS

##### 1. 2021 Audit Report

- Audit finds that the Borough’s financial condition is excellent;
- Audit contains no comments or recommendations for improvement.

##### 2. R-152-2022: Governing Body Certification/Acceptance of Audit Report – governing body must certify that they are familiar with, at a minimum, the sections entitled “General Comments” and “Recommendation.”

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

**WHEREAS**, *N.J.S.A.* 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to *N.J.S.A.* 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, *R.S.* 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated *N.J.A.C.* 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New

Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “General Comments” and “Recommendations”; and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “General Comments” and “Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to *N.J.A.C. 5:30-6.5*; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and.

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of *R.S. 52:27BB-52*, to wit:

*R.S. 52:27BB-52*: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Girt hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**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-153-2022: Authorize Recreation Director Salary Increase**

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

**WHEREAS**, the Borough Administrator, Personnel Committee and Recreation Commission have reviewed the job description and additional responsibilities added to the Recreation Director position and recommends five additional hours be added per week to the position; and

**WHEREAS**, upon recommendation of the Personnel Committee and approval of the Recreation Committee at the August 16, 2022 Recreation Commission Meeting, the Borough of Sea Girt agrees to compensate an additional \$5,000 from the general budget account and the Recreation Commission agrees to compensate \$5,000 from the Recreation Trust account to be added to the current salary; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council and Recreation Commission do hereby approve the salary and work hours adjustment, effective September 16, 2022.

**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-146-2022: Authorize c.159 Distracted Driving Grant, Sea Girt Police**

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

**WHEREAS**, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Girt hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget for the year 2022 in the sum of \$7,000.00 which is now available as a revenue from the State of New Jersey, Distracted Driving Grant in the same amount.

**BE IT FURTHER RESOLVED** that the like sum of \$7,000.00 is hereby appropriated under the caption Distracted Driving Grant; and

**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-154-2022: Authorize the Acceptance of a Monetary Donation for the Acquisition and Installation of Accessible Playground Equipment and Shade Sails at Baltimore Park**

Borough Attorney, Ray Bogan noted this donation is distinct for ADA use of residents and non-residents; funding comes from a 501©(3) Organization which will be transferred to The Sea Girt Recreation Fund.

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

**WHEREAS**, the Sea Girt Recreation Commission was approached by Sea Girt Residents Margo and Paul Hooker, wishing to provide accessible equipment and shade sails at the Baltimore Park playground, and

**WHEREAS**, the Sea Girt Borough wishes to acknowledge the generosity of Margo and Paul Hooker, and



**WHEREAS**, the installer of the current playground equipment at Baltimore Park was conferred with, and ultimately provided a quote to install new equipment, relocate equipment, and repair safety surfacing, and

**WHEREAS**, it is the goal of the Council of the Borough of Sea Girt to provide an ADA accessible area for children to enjoy with their friends and families, and

**WHEREAS**, it is acknowledged that the donation in the amount of \$125,500 will accomplish this goal at Baltimore Park, and

**WHEREAS**, the Council of the Borough of Sea Girt acknowledges that a mutually agreed upon 501(c)(3) will accept the donation and pass along the entirety of the donation to the Recreation Trust Fund.

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

1. The Borough Mayor and Council promotes and encourages accessibility opportunities at Sea Girt's playgrounds.
2. The Borough Council acknowledges and authorizes the acceptance of this generous donation to the Recreation Trust Fund.

**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-155-2022: Authorize Sea Girt Borough to Enter into a Shared Services Agreement with the County of Monmouth to Provide the iTax Map/Collaboration Center System (tax map conversion and maintenance services)**

Borough Engineer, Peter Avakian spoke in favor of the Shared Service Agreement.

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

**WHEREAS**, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the join provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

**WHEREAS**, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

**WHEREAS**, a County-to-Municipality shared services program would provide map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

**WHEREAS**, the intent of the digital tax map shared services program is to reduce municipal costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

**WHEREAS**, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

**WHEREAS**, it is in the best interest of Sea Girt Borough to enter into such an Agreement.

**NOW, THEREFORE, IT BE RESOLVED**, that the governing body of Sea Girt Borough hereby approves entry in the Agreement with the County of Monmouth consistent with the foregoing.

**BE IT FURTHER RESOLVED**, that the Mayor, Borough Administrator and Borough Clerk are each hereby authorized and directed to execute the attached Shared Services Agreement, for the provision of the iTax Map/Collaboration Center System, on behalf of the Borough.

**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-156-2022: Approving Proposal for Coastal General Permit #2 For Beach and Dune Maintenance Activities in The Borough of Sea Girt**

Borough Engineer, Peter Avakian spoke in favor of the Coastal General Permit.

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

**WHEREAS**, the Mayor and Council of the Borough of Sea Girt hereby authorize Leon S. Avakian, Inc. to provide the professional engineering services as outlined in the proposal/letter dated September 9, 2022 in an amount not to exceed \$4,500 for the engineering services necessary in the preparation of the Coastal General Permit #2 for Beach and Dune Maintenance Activities in the Borough of Sea Girt; and

**BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey that the Borough of Sea Girt retains the Professional Engineering services of Leon S. Avakian, 788 Wayside Road, Neptune, New Jersey 07753, for providing Coastal General Permit #2 for Beach and Dune Maintenance Activities in the Borough of Sea Girt.

A detailed description of the Scope of Services for the project is as follows:

Task 1 – Prepare Application for Coastal General Permit #2

- Prepare and submit legal notices
- Prepare project Compliance Statement
- Prepare site photos
- Prepare Tax Map, USGS Map, County Road Map
- Take photos and prepare a photo map of the project site
- Prepare a site plan
- Prepare project description cover letters and other correspondence

#### Task 2 – Submit Application to NJDEP

- Organize submit application package through the NJDEP Online Portal
- Maintain communication with NJDEP review staff throughout review period
- Provide follow up information and data as required

The total not to exceed Cost for Engineering Services for this Project is \$4,500.00

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that the Borough authorizes Task 1 and 2 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

#### 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-157-2022: Authorize Mayor Fetzer to Execute Deed for the Property Identified as Block 84, Lot 1.01 in Borough of Sea Girt**

Borough Attorney, Ray Bogan commented on the five-foot strip of land near Edgemere Park being transferred to the Borough of Sea Girt.

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

**WHEREAS**, The Borough holds title to, inter alia, Edgemere Park, and

**WHEREAS**, when Edgemere Park was transferred to the Borough, a five-foot strip of land from Beacon Boulevard to the Park, known as Block 84, Lot 1.01 was created but not transferred to the Borough; and

**WHEREAS**, the property taxes on that strip of land were unpaid, and the ownership for the subject property was in question, and

**WHEREAS**, The Borough has sought and been granted a judgment transferring title to Block 84, Lot 1.01 to the Borough of Sea Girt.

**WHEREAS**, The Borough Council of the Borough of Sea seeks to authorize Mayor Fetzer to execute deed for the property identified as block 84, lot 1.01 in the Borough of Sea Girt to memorialize ownership in

accordance with Tax Sale Certificate #17,0001 and final Judgement dated august 29, 2022, signed by the Honorable Joseph P. Quin recorded in the Monmouth County Clerk's Office on September 6, 202 in Deed book OR-9613, page 9042, and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council authorizes Mayor Fetzer to execute deed for the property identified as Block 84, Lot 1.01 in the Borough of Sea Girt to memorialize ownership in accordance with Tax Sale Certificate #17-00001.

**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-158-2022: Authorize Agreement with Sea Girt Elementary School for Maintenance of the Bell Place Tennis Courts**

**UPON MOTION** of Councilman Downey, seconded by Councilman Perry, 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 ten-year license agreement for the purposes of providing the Sea Girt Elementary Tennis team access to the Bell Place tennis courts from March 15<sup>th</sup> – June 15<sup>th</sup> during the hours of 3:00pm – 6:00pm; and

**WHEREAS**, the agreement is effective for 10 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:**

	<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-159-2022: Authorize Easement Improvements at The Parker House**

Mayor Fetzer commented on the improvements to the Borough and County easements. Borough Engineer, Peter Avakian further commented on the changes being proposed at The Parker House.

Borough Attorney, Ray Bogan and Police Chief Justin Macko continued to discuss the ongoing review process with the Municipality, County and Planning Board.

**UPON MOTION** of Councilman Zakin, seconded by Councilman Clemmensen, carried, that the following Resolution be and the same is hereby adopted *as read by Borough Attorney during council the meeting*:

**WHEREAS**, the Borough of Sea Girt (hereinafter referred to as “Borough”) has been provided with a First Ave. Taxi Stand Plan and layout/grading plan, both drafted by KBA Engineering Services on behalf of the Avon Hotel Corporation, DBA Parker House; and

**WHEREAS**, the plans set forth, among other things, proposed conditions and changes in the Borough’s right of way, which include a new paver sidewalk and traffic bollards; and

**WHEREAS**, the Borough seeks to enhance the safety and control of taxi services to the Parker House at peak times, in conjunction with the ordinance for use of the adjacent ride share on Beacon Boulevard, and concludes in that regard that it is mutually beneficial to encourage Parker House related pedestrian traffic to remain on the footprint of the Parker House property to the extent practicable and to encourage the inclusion of safety measures within the Right of Way; and

**WHEREAS**, technical details of the plan should be reviewed by the appropriate Borough officials upon receipt of final plan drawings, and upon application to the Borough Planning Board where applicable; and

**WHEREAS**, the Borough Governing Body recognizes that the submitted layout for the First Ave. Taxi Stand Plan and Layout/Grading plan require that the Parker House receive Monmouth County Planning Board approval, that the proposed work and improvements in the First Avenue right of way requires approval of the governing body, and that certain proposed changes and improvements to the Parker House property will require approval of the Sea Girt Borough Planning Board;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough hereby approves of the proposed work and improvements in the Borough right of way, as set forth in the First Ave. Taxi Stand Plan (Rev. 5/27/22), and that portion of the layout/grading plan (Rev. 5/13/22) that illustrates the improvements to be made in the Borough right of way, contingent on the following:

1. Monmouth County Planning Board approval of the First Ave. Taxi Stand Plan, review by the appropriate Borough officials of the finalized plans and improvements and, where applicable, Borough Planning Board approval of the proposed improvements to the Parker House Property as set forth in Layout/Grading Plan (Rev. 5/13/22).
2. Technical details shall be reviewed by the Borough Engineer upon receipt of final plan drawings, and construction official, where and as required.
3. Specific details shall be provided to the Borough Engineer for review and approval, including drainage and grade changes to ensure proper drainage on the Parker House and adjacent properties.
4. All procedural measures shall be followed to approve the plan in its entirety, inclusive of Monmouth County Planning Board, and Sea Girt Borough Planning Board approval, where applicable.

**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-160-2022: Conditionally Approve Tennis Instructor Robert Winchester; to provide Certificate of Insurance naming the Borough as an additional insured**

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

**WHEREAS**, the Borough of Sea Girt Recreation Commission is in need of the services of an instructor for tennis; and,

**WHEREAS**, the Recreation Director has recommended the appointment of Robert Winchester as the instructor for this position, and,

**NOW, THEREFORE, BE IT RESOLVED THAT** The Borough Council hereby approves Robert Winchester as described above, subject to submission of a certificate of insurance be appointed as an instructor for tennis clinics at the rate of 90% of the program revenue for not more than 130 hours of clinic sessions.

**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			

## 7. COUNCIL REPORTS

Councilman Clemmensen reported that bulk pickup will continue through the week; next week alternating recycling schedule continues. Public Safety Committee is considering Bell Place a one-way street; the committee is looking for public feedback. EMS response has been below 5 minutes. Patriot night is Friday September 16<sup>th</sup>; he thanked Ray's Café for refreshments. Chief Macko presented end of summer statistics on the beach and Parker House violations (report attached).

Councilman Perry reported resurfacing of the tennis courts at Bell Place and Crescent Park will take place in the near future. Artisan's Market is September 17<sup>th</sup> from 10am to 3pm near the library; Luau is September 24<sup>th</sup> at 4pm at the Pavilion; 8<sup>th</sup> grade car wash is also on September 17<sup>th</sup> 10am-12pm.

Councilman Zakin reported the library hosted the annual Wine and Cheese Party; as always, it was well attended; please support their book "Sea Girt STRONG" which contains essays from the community; expansion of the library was discussed during the Trustee Meeting.

Jim Gant reported for Councilman Richman – she thanked the Sea Girt Beach and Lifeguard staff for a successful and safe summer season. BOE – she welcomed the staff and students back to school.

Councilman Downey reported he is pleased with the resolution put forth for our Recreation Director; he noted Jim Gant does a great job with personnel.

Council President Anthony reported CME Associates have completed mechanical plans and have been submitted to the Borough; will provide report again on October 12<sup>th</sup>.

Mayor Fetzter thanked residents for conserving water during the summer months; SMRSA report shows our flows are normal; our infrastructure is very well maintained. A strategic plan was authorized by the Library Trustee's; final report expected by year end. He thanked everyone for their support of the upcoming Fire House Wetdown event to celebrate the new firetruck.

## 8. ADMINISTRATOR REPORT

Jim Gant thanked everyone for their efforts planning the 911 Ceremony; it was well organized and well attended. 2022 Capital improvements include Fifth Avenue paving, Chicago Boulevard sewer line improvements and DPW equipment purchases. Discussions on better alternatives to remotely connecting the public to our in-person meetings are ongoing. Discussions also continue on Affordable Housing Settlement negotiations with Fair Share Housing. The Shade Tree Committee has identified extensive resident requests for tree services; he noted, as he did last year, he will be reaching out the Monmouth County Shade Tree Division for a Shared Service Agreement to provide tree services to Sea Girt. He thanked councilmembers for supporting Employee Appreciation Day on September 20<sup>th</sup>. Chief Macko added Tim Harmon advises that anyone swimming during the off season to please swim only when a lifeguard is on duty.

## 9. R-160-2022: 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 September 14, 2022 in the totals as follows:

<b>Current Fund</b>	<b>\$ 1,362,376.87</b>
<b>Water Operating Fund</b>	<b>\$ 115,760.42</b>
<b>Beach Operating Fund</b>	<b>\$ 18,833.20</b>
<b>General Capital</b>	<b>\$ 44,916.90</b>
<b>Trust Other</b>	<b>\$ 17,809.95</b>
<b>Board of Recreation Trust</b>	<b>\$ 14,999.21</b>
<b>Dog License Trust</b>	<b>\$ 244.00</b>

### 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			

## 10. PUBLIC PARTICIPATION ON ANY SUBJECT (Comments limited to 5 minutes)

Norm Hall, Baltimore Boulevard commented that the next Planning Board meeting is in person only on September 21<sup>st</sup> at 7:00pm at the Elementary School; the Ordinance Review Committee will give an overview on their progress; he encourages the public to attend.

Kerry Conklin, Neptune Place asked for clarification on the process conducted to approve the installation of the 5G Tower on Morven Terrace and Neptune Place. Mayor Fetzer responded he will review documents and report at the October 12<sup>th</sup> meeting.

Catherine Metcalf, Ocean Avenue thanked the citizens who worked on the Ride Share Committee in 2019; she requested to meet with The Public Safety Committee to share her observations from the summer.

Sharon Kregg, Brooklyn Boulevard – her audio was not responsive at this time.

Bob Ferguson, Chairman of the Memorial Nomination Committee reported the Committee has selected Captain Raymond Bogan, Sr.; he is responsible for saving 67 people during a raging nor'easter on September 8, 1934.

There being no further comments from the public and by consensus, the public hearing was closed at 9:06 PM. Mayor Fetzer 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 Councilwoman Richman, seconded by Council President Anthony, carried, that the following **Resolution No. 161-2022** 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 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:**

	<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			

**UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, the Council returned to public session at 10:05 PM. Mayor Fetzer advised during executive session councilmembers discussed litigation. **UPON MOTION** of Councilman Perry, seconded by Councilman Zakin, carried, that the following **Resolution No. 162-2022** be and he same is hereby adopted:

**BE IT RESOLVED** by the Borough Council of The Borough of Sea Girt that Borough Attorney, Ray Bogan is and hereby directed to accept proof of service and answer law suit number two filed on 09/02/2022 by Connell Foley LLP.



**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			

There being no further business, and **UPON MOTION** of Councilman Perry, seconded by Councilman Clemmensen carried, that the meeting be finally and immediately adjourned at 10:10 PM.

*Dawn Harriman*

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Dawn Harriman, RMC  
Municipal