**MINUTES - REGULAR MEETING**

**May 12, 2021**

**NOTICE IS HEREBY GIVEN THAT THE BOROUGH COUNCIL MEETING SCHEDULED FOR MAY 12, 2021 WILL BE A VIRTUAL MEETING; THE MEETING WILL COMMENCE AT 7:00 PM. PLEASE USE THE FOLLOWING INFORMATION, INCLUDING THE PASSCODE SHOWN BELOW, TO LOG IN TO THE MEETING:**

Borough Council Regular Meeting

May 12, 2021 07:00 PM Eastern Time

Join Zoom Meeting:

<https://us02web.zoom.us/>

Meeting ID: 89600519824

Passcode: 018598

Or One tap mobile :  
US: +16468769923,,89600519824# or +13017158592,,89600519824#

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

The Virtual Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Farrell at 7:00 PM on Wednesday, May 12, 2021. Mayor Farrell asked for a moment of silence, after which he led those participating in the Pledge of Allegiance

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

1. **ROLL CALL:**

|  |  |  |
| --- | --- | --- |
|  | **Present** | **Absent** |
| Mayor Farrell | X |  |
| Councilman Clemmensen | X |  |
| Councilperson |  |  |
| Councilman Begley | X |  |
| Council President Fetzer | X |  |
| Councilwoman Giegerich | X |  |
| Councilwoman Anthony | X |  |

1. **PRESENTATION** – 2021 Budget – Jim Gant

Both the slide show and video presentation can be found on our website: [www.seagirtboro.com](http://www.seagirtboro.com)

1. **CONSENT AGENDA -**

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

1. **Resolution No. 90- 2021**: Appoint Photography Workshop Instructor – Sam Filos;

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

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

**NOW, THEREFORE, BE IT RESOLVED** that Sam Filos be appointed as the instructor for the Photography Clinic at the rate of $40.00 per hour for not more than (8) eight hours of clinic sessions.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to Sam Filos and Sea Girt Recreation Commission for their information.

1. **Resolution No. 91-2021**: Certification of Recycling Taxes paid in 2020;

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, C.311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of $3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sea Girt that the Borough of Sea Girt hereby certifies submission of expenditure for taxes paid pursuant to P.L. 2007, C.311, in 2018 in the amount of $3,606.63. Documentation supporting this submission is available at Borough Hall, 321 Baltimore Boulevard, Sea Girt, New Jersey and shall be maintained for no less than five years from this date.

REA Tax certified by: Amy Spera, CFO

Date: May 12, 2021

1. **Resolution No**. **92- 2021**: Authorizing the Submission of a Recycling Tonnage Grant Application

**WHEREAS**, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102,

has established a recycling fund from which tonnage grant may be made

to municipalities in order to encourage local source separation and

recycling programs; and,

**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and

Recycling Act to use the tonnage grants to develop new municipal

recycling programs and to continue and to expand existing programs;

and,

**WHEREAS**, The New Jersey Department of Environmental Protection and Energy is

promulgating recycling regulations to implement the Mandatory Source

Separation and Recycling Act; and,

**WHEREAS**, The recycling regulations impose on municipalities certain requirements

as a condition for applying for tonnage grants, including but not limited

to, making and keeping accurate, verifiable records of materials

collected and claimed by the municipality; and,

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage

grants will memorialize the commitment of this municipality to

recycling and to indicate the assent of the Mayor and Council to the

efforts undertaken by the municipality and the requirements contained

in the Recycling Act and recycling regulations; and,

**WHEREAS**, Such a resolution should designate the individual authorized to ensure

the application is properly completed and timely filed.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Girt that the Borough of Sea Girt hereby endorses the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and Energy and designates the Recycling Coordinator to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purposes of recycling.

1. **Resolution No**. **93-2021**: Amend Form 1B Community Alliance, Strategic Plan for Funding Municipal Alliances

# strategic plan FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: 2022 Alliance Tier \_3

|  |  |
| --- | --- |
| APPLICANT MUNICIPALITY/IES:  **BOROUGH OF SEA GIRT** | COUNTY: Monmouth |
| ALLIANCE  NAME: SHORE ALLIANCE | ALLIANCE WEBSITE: Shore Alliance |
| ALLIANCE STREET ADDRESS: 201 East Main Street  TOWN: Manasquan STATE: NJ ZIP: 08736 | |
| TELEPHONE: ( 732 ) 223-6419 Ext. | FAX: ( 732 ) 223-1300 |
| ALLIANCE CHAIRPERSON: Eileen Eilenberger  STREET ADDRESS: 1213 Pond Road  TOWN: Spring Lake Heights STATE: NJ ZIP: 07762  EMAIL: [eileen.eilenberger@verizon.net](mailto:eileen.eilenberger@verizon.net) | ALLIANCE COORDINATOR: Kristin Meyler  STREET ADDRESS: 201 East Main Street  TOWN: Manasquan STATE: NJ ZIP: 08736  EMAIL: shorealliance@hotmail.com |
| DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MM/DD/YYYY):    **/**   **/** | |

A) Alliance DEDR Allocation $ 23,250.00

B) Cash Match (must be 25% of DEDR Allocation) $ 5,812.50

C) In-Kind Match (must be 75% of the DEDR Allocation) $ 17,437.50

TOTAL ALLIANCE BUDGET (add A+ B+C) $ 46,500.00

Borough of Sea Girt

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\*MUNICIPALITY NAME/ MAYOR/Head of Governing Body SIGNATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*MUNICIPALITY NAME/MAYOR/HEAD OF GOVERNING BODY SIGNATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*MUNICIPALITY NAME/MAYOR/HEAD OF GOVERNING BODY SIGNATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ALLIANCE CHAIRPERSON SIGNATURE DATE

**\* If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

1. **Resolution No.** **94**- **2021**: Awarding State Contract Body Camera & Equipment - WatchGuard Video

**WHEREAS**, the Borough of Sea Girt pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Sea Girt has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of Body Camera Equipment for the Sea Girt Police Department; and

**WHEREAS**, the Borough of Sea Girt intends to enter into a contract with: WatchGuard Video, located at 415 E. Exchange, Allen, TX 75002 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Contract T0106, pursuant to all conditions of the individual State Contract, for the Contract Term of five (5) years with the following payment terms:

1. Year 1 - $15,708.00
2. Year 2 - $15,708.00
3. Year 3 - $15,708.00
4. Year 4 - $15,708.00
5. Year 5 - $15,708.00 For a Total Contract amount of $78,540.00 (Plus additional $495.00 for spare batteries)

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Sea Girt pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

1. **Resolution No**. **9**5-**2021**:Authorize the Purchase of a Shower Station from Shower Tower Inc. of Sanford, Florida;

**WHEREAS,** the Borough of Sea Girt is in need of eight shower stations at the beach front; and

**WHEREAS**, quotes have been received from Shower Tower, Inc. in the amount of $26,355.13, Park & Pool in the amount of $27,463.60 and PlumbingSupply.com in the amount of $32,324.47 for eight station inclusive of delivery; and

**WHEREAS,** funds were made available for this purchase in the 2021 Beach Operating Budget, and the Chief Financial Officer has so certified.

**NOW, THEREFORE, BE IT RESOLVED** that the purchase of eight shower stations from Shower Tower of Sanford, FL. be and the same is hereby approved at the total cost of $26,355.13.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to Shower Tower, Inc. along with a properly executed Purchase Order; the Public Works Manager and the Chief Financial Officer for his information and action.

1. **Resolution No. 96-2021:** Authorize Found Funds to be Returned to Finder, Margarzat Wandycz - $1,387.00

**WHEREAS,** Malgarzat Wandycz of 104 Trenton Boulevard found $1,387 in cash on September 24, 2020 and turned the monies over to the Sea Girt Police Department for safe keeping until the owner could be found, and

**WHEREAS**, The Police department has not been able to determine the owner of the funds and the funds have not been claimed within the six months they are required to be held,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the funds be returned to the finder, Malgarzat Wandycz and a check be issued to her in the amount of $1,387.00 dollars.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied Malgarzat Wandycz, Detective Matthew Mason and the Chief Financial Officer for her action.

1. **Resolution No. 97-2021:** Authorizing Incoming 8th Graders of Sea Girt Elementary School to Sell Merchandise on Borough Boardwalk

**WHEREAS,** the incoming 8th Grade class of the Sea Girt Elementary School has requested permission to sell merchandise on the Borough Boardwalk on several yet to be determined dates for the purpose of fundraising, and

**NOW, THEREFORE, BE IT RESOLVED,** that permission is hereby granted to the incoming 8th graders of Sea Girt Elementary School to sell merchandise on the Borough Boardwalk on several yet to be determined dates for the purpose of fundraising.

1. **Resolution** **No. 98-2021:** Approving Proposal for Bid Specification Preparation, Advertisement And Coordination of Bid Process

**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, approving the proposal for bid specification preparation, advertisement and coordination of bid process for the maintenance and repair of water and wastewater collection system. The fee is as follows:

* **Professional Engineering Services and Bid Specification Preparation/ Advertisement/ Coordination -$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 Leon S. Avakian, Inc. to prepare a bid specification, advertise and coordinate bid process for the maintenance and repair of water and wastewater collection system

1. **Resolution No. 99-2021**: Pay Bills.

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill List dated May 7, 2021 in the totals as follows:

CURRENT FUND $ 2,376,861.77

WATER/SEWER OPERATING FUND $ 24,713.49

BEACH OPERATING FUND $ 9,316.86

RECREATION TRUST FUND $ 103.47

TRUST FUND $ 9,008.00

DOG TRUST FUND $ 4.80

GENERAL CAPITAL $ 48,990.40

*\*Council President Fetzer requested to abstain from Avakian bills.*

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **APPROVE MINUTES**
   1. **Resolution No. 100-2021:** Approve Minutes, April 28, 2021 Regular Meeting - Virtual

**UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, that the following resolution be and the same are hereby approved:

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley |  |  |  | X |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **OPEN DISCUSSION** – None
2. **UNFINISHED BUSINESS:** 
   * + 1. **2021 Municipal Budget -** The Mayor to advised that the Budget was advertised by summary in The Coast Star on April 29, 2021, and is available on the Borough’s website on the same date and that the public hearing was held as scheduled on May 12, 2021and presented in the presentation prepared by Administrator, Jim Gant.
       2. **Ordinance No. 03-2021** - The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on April 29, 2021:

AMEND SECTION 2, RULES AND REGULATIONS, PARAGRAPH (o) ORDINANCE REGULATING THE BATHING BEACHES, OCEAN AND AREAS CONTIGUOUS THERETO IN THE BOROUGH OF SEA GIRT AND REPEALING ORDINANCES NO. 684, 893, 11-2009, 17-2010 AND ALL OTHER PRIOR ORDINANCES INCONSISTENT HEREWITH BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SEA GIRT, as follows:

**SECTION 2 Rules and Regulations, Paragraph (o) is amended to read as follows:**

The following rules and regulations are hereby established:

(o) Dogs are prohibited on the beach from May 15th to September 30th in the Protected Zone and Precautionary Zone.

* *Protected Zone* – “North Beach” from the municipal boundary with the Borough of Spring Lake south to the northern side of the Beacon Boulevard jetty (approximately 0.1 mile). This zone will be managed to promote the protection and recovery of listed species and the enhancement of their habitat;
* *Precautionary Zone -* “Pavilion Beach” – from the northern side of Beacon Boulevard jetty south to the southerly curb-line of Beacon Boulevard (approximately 0.05 mile). This zone will be managed to promote the protection and recovery of listed species only upon notification of a plover nest in the Protected Zone, at which time restrictions will be placed on mechanical raking. Restrictions on vehicle use will only occur upon notification of a plover nest hatching. These restrictions would remain in effect until the fledging or mortality of all plover chicks.

The Borough will allow leashed dogs on the beach in the Recreational Zone from October 1 through May 15, inclusive. In the event that birds are nesting or chicks are present, the Borough will temporarily revoke the permission. The Borough Code will be amended to reflect this change.

During other periods of the year when dogs are permitted on the beach, the owner or a person having custody or control of a dog must accompany it on the beach and the dog must be securely confined and controlled by an adequate leash or chain not more than six (6) feet in length. At no time may a dog be left unattended or be tied to or otherwise secured to any fixture, post or any part of the boardwalk.

Councilman Clemmensen thanked Councilwoman Giegerich for keeping the said ordinance consistent with surrounding communities.  **UPON MOTION** of Councilman Clemmensen, seconded by Councilwoman Anthony, carried, that the meeting be opened to the public for comments on the said Ordinance only.

Walter Garger, 402 Washington Boulevard, thanked Councilwoman; he supports extending dogs on the beach through May 15th;

Mary Dougherty, 401 Ocean Avenue, supports extending dogs on the beach through May 15th;

Kathy Cavallo, 401 The Terrace, supports extending dogs on the beach through May 15th;

**UPON MOTION** of Councilman Begley, seconded by Council President Fetzer, carried, the public hearing was closed.

**UPON MOTION** of Councilwoman Giegerich, seconded by Councilwoman Anthony, carried, that the said Ordinance No. 03-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

* + - 1. **Ordinance No. 04-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Asbury Park Press on May 5, 2021:

ORDINANCE NO. 04-2021

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 10.3 OF CHAPTER X OF THE BOROUGH OF SEA GIRT CODE ENTITLED “PARKS AND RECREATION” OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

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

**Section 1.** Section 10.3 of Chapter X, “Parks and Recreation” is hereby amended and supplemented as follows:

10-3.1.1 No person shall smoke a cigar, cigarette, pipe, cannabis, cannabis related productor synthetic cannabis, or otherwise use tobacco products on the municipal tennis courts or the Baltimore Boulevard Park and/or playground, or any other playground or sports field in the Borough, at any time.

**Section 2.** Section 10.3.2 is hereby supplemented as follows:

     10-3.2.1 Upon conviction for a violation of Chapter X, subsection 3.1.1, a fine of not less than two hundred fifty ($250.00) dollars nor more than one thousand ($1,000.00) dollars shall be imposed

**Section 3.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

**Section 4.** If any section or provision is stricken, or deemed to be contrary to the law or constitution then that section, alone, will be stricken and the balance of this ordinance shall remain in full force and effect.

**Section 5.** This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

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

Councilwoman Anthony asked Chief Macko to speak to the school zone and how this will come into play. Chief Macko explained the school playground and school sports fields are covered under the said ordinance.

**UPON MOTION** of Councilman Clemmensen, seconded by Councilwoman Giegerich, carried, that the said Ordinance No. 04-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

* + - 1. **Ordinance No. 05-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on April 22, 2021:

ORDINANCE NO. 05-2021

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 9.2 OF CHAPTER IX OF THE BOROUGH CODE ENTITLED “BEACHES AND BOARDWALK” AND SECTION 3-13 ENTITLED “LITTER”

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

**Section 1.** Section 9.1 (aa) of Chapter IX, “Beaches and Boardwalks” is hereby amended and supplemented as follows:

9.1(aa). No person shall smoke a cigar, cigarette, pipe, cannabis, cannabis related product or synthetic cannabis, or otherwise use tobacco products on the beachfront, boardwalk, beach, or boardwalk access pathway at any time.

**Section 2.** Section 9-1.5 f.     Upon conviction for a violation of subsection 9-1.aa, a fine of not less than two hundred fifty ($250.00) dollars nor more than one thousand ($1,000.00) dollars shall be imposed.

**Section 3**. Chapter 3, Section 3-13.2 Definitions, Litter is hereby expanded to include any debris or residue from a cigar, cigarette, pipe or other tobacco products.

**Section 4.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

**Section 5.** If any section or provision is stricken, or deemed to be contrary to the law or constitution then that section, alone, will be stricken and the balance of this ordinance shall remain in full force and effect.

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

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

**UPON MOTION** of Council President Fetzer, seconded by Councilman Clemmensen, carried, that the said Ordinance No. 05-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

* + - 1. **Ordinance No. 06-2021:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Asbury Park Press on May 1, 2021:

ORDINANCE NO. 06-2021

AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 19-2019 ENTITLED “AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 08-2015, ORDINANCE NO. 10-2013 AND ORDINANCE NO. 11-2012 ENTITLED “AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SEA GIRT, CHAPTER 33 THEREOF ENTITLED “SALARIES AND COMPENSATIONS” TO SET REVISED SALARY RANGES FOR OFFICERS AND EMPLOYEES OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY, NEW JERSEY

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

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

|  |  |
| --- | --- |
|  | **SALARY RANGE** |
| MAYOR | 1,000 - 5,500 |
| COUNCIL MEMBERS | 1,000 – 4,500 |
|  |  |
| ADMINISTRATOR | 90,000 – 160,000 |
| BOROUGH CLERK | 40,000 – 90,000 |
| DEPUTY BOROUGH CLERK | 30,000 – 50,000 |
| ASST. OFFICE ADMIN/CLERK | 30,000 – 50,000 |
| ARCHIVIST | 1,000 – 3,500 |
| PLANNING/ZONING BOARD SECRETARY | 500 -6,000 |
| UTILITY COLLECTOR  DIR. OF BEACHFRONT OPERATIONS AND PROJECT MANAGER | 15,000 – 40,000  65,000 – 82,000 |
|  |  |
| CHIEF FINANCIAL OFFICER | 15,000 – 70,000 |
| PURCHASING AGENT | 4,000 – 10,000 |
| TREASURER | 1,500 – 12,500 |
| DEPUTY TREASURER | 1,000 – 2,500 |
| ASST. FINANCE CLERK  ASSISTANT FINANCE OFFICER | 30,000 – 65,000  35,000 – 70,000 |
|  |  |
| TAX COLLECTOR | 1,000 – 15,000 |
| DEPUTY TAX COLLECTOR | 15,000 – 40,000 |
| TAX ASSESSOR | 7,000 – 25,000 |
| ASSESSMENT SEARCH OFFICER | 1,000 – 2,500 |
| TAX SEARCH OFFICER | 2,000 – 5,000 |
|  |  |
| ZONING OFFICER/CODE ENFORCEMENT | 45,000 – 100,000 |
| LIBRARIAN/ASSISTANT LIBRARIAN | 10,000 – 35,000 |
| HOUSING INSPECTOR | 1,500 – 6,500 |
| FIRE PREVENTION OFFICER | 5,000 – 11,000 |
| RECREATION DIRECTOR – FALL/WINTER/SPRING | 8,500 – 27,500 |
| EMERGENCY MANAGEMENT COORDINATOR | 4,000 – 9,000 |
|  |  |
| PUBLIC WORKS MANAGER OR SUPERVISOR | 65,000 – 115,000 |
| PUBLIC WORKS FOREMAN OR ASSISTANT MANAGER | 55,000 – 105,000 |
| RECYCLING COORDINATOR | 2,000 – 3,500 |
|  |  |
| ASSISTANT RECYCLING COORDINATOR | 1,000 – 5,000 |
| PUBLIC WORKS MECHANIC | 30,000 -75,000 |
| PUBLIC WORKS LABORER 1ST - 12TH +YEAR | 30,000 -75,000 |
| WATER TECHNICIAN | 1,000 -15,000 |
|  |  |
| POLICE CHIEF | 105,000 – 165,000 |
| ACTING POLICE CHIEF | 105,000 – 155,000 |
| CAPTAIN | 100,000 – 145,000 |
| LIEUTENANT | 95,000 – 138,000 |
| SERGEANT | 60,000 – 127,000 |
| PATROL OFFICER 1st – 15th YEAR | 36,000 – 116,000 |
| SENIOR PATROLMAN | 36,000 – 122,000 |
| PROBATIONARY PATROLMAN | 33,000 – 55,000 |
| POLICE RECORDS OFFICER/ CONFIDENTIAL ASST. | 5,000 – 50,000 |
| OFFICER IN CHARGE STIPEND | 1,500 |
| MUNICIPAL COURT JUDGE | 10,000 – 20,000 |
| MUNICIPAL COURT ADMINISTRATOR  MUNICIPAL COURT PROSECUTOR | 25,000 – 49,000  10,000 – 25,000 |
|  |  |

**SECTION 2.**  Part-time employees may be employed as necessary and the following compensation is hereby authorized:

|  |  |
| --- | --- |
| MUNICIPAL COURT JUDGE (PER DUI COURT SESSION) | 350.00 |
| PUBLIC DEFENDER (PER SESSION) | 250.00 |

The following positions will be compensated on an hourly basis:

|  |  |
| --- | --- |
| PART-TIME CLERK/TYPIST | 10.00 –35.00 |
| SEASONAL OFFICE ASST. | 10.00 – 35.00 |
| OTHER HOURLY EMPLOYEES BOROUGH HALL | 10.00 – 35.00 |
| JANITORIAL | 10.00 – 35.00 |
|  |  |
| PART-TIME TAX COLLECTOR  PART-TIME ASST. COLLECTOR | 15.00 – 25.00  10.00 – 35.00 |
| PART-TIME CLERK ASSESSOR | 20.00 – 65.00 |
|  |  |
| FIRE PREVENTION OFFICER | 25.00 – 75.00 |
| CODE ENFORCEMENT OFFICER, PART-TIME | 15.00 – 75.00 |
| LIBRARIAN  PART-TIME ASST. LIBRARIAN | 15.00 – 50.00  15.00 – 20.00 |
| PART-TIME CLERK/TYPIST DPW | 12.00 – 35.00 |
| PART-TIME PUBLIC WORKS LABORER | 12.00 – 35.00 |
| PART-TIME TEMPORARY SEASONAL LABORER | 12.00 – 35.00 |
| PUBLIC WORKS OTHER THAN MECHANIC, PART-TIME | 13.00 – 50.00 |
| GENERAL MAINTENANCE LABORER | 8.00 – 50.00 |
| CLEAN COMMUNITIES LABORER | 8.00 – 25.00 |
|  |  |
| SECURITY GUARD | 10.00 – 50.00 |
| POLICE MATRON | 8.50 - 40.00 |
| POLICE THIRD PARTY DETAILS | 45.00 – 75.00 |
| SPECIAL POLICE CROSSING GUARD | 10.00 – 35.00 |
| SPECIAL POLICE ROAD DETAIL | 35.00 – 75.00 |
| SCHOOL CROSSING GUARD | 7.50 – 25.00 |
| SPECIAL EVENTS CROSSING GUARD | 8.00 – 35.00 |
| DRUNK DRIVING ENFORCEMENT OFFICER | 35.00 – 75.00 |
| SPECIAL OFFICER – CLASS I | 10.00 – 28.00 |
| SPECIAL OFFICER – CLASS II(1st – 5th YEAR) | 12.00 – 40.00 |
| POLICE RECORDS OFFICER | 12.00 – 50.00 |
|  |  |
| MUNICIPAL COURT ADMINISTRATOR | 15.00 – 75.00 |
| DEPUTY MUNICIPAL COURT CLERK | 10.00 – 65.00 |

**SECTION 3**. The Borough Council is further authorized and empowered to modify and/or supplement, by resolution, any of the salary ranges set forth above if this is action is permitted by law.

**SECTION 4.** All other ordinances or parts of ordinances in conflict with this ordinance, or any parts thereof, are hereby repealed.

**SECTION 5.** This ordinance shall take effect retroactively to January 1, 2021, or as otherwise stated, after final passage and publication according to law.

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

**UPON MOTION** of Councilman Clemmensen, seconded by Councilwoman Giegerich, carried, that the said Ordinance No. 06-2021 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

* 1. **Resolution No. – 2021:** Approve Improvements to Crescent Park for a Racquet Sports Recreation Area to include a Second Platform Tennis Court and Viewing Area in Crescent Park in the Borough of Sea Girt.

Council President Fetzer requested to *table* said resolution until a formal revision to the Crescent Park Stewardship Plan be considered. **UPON MOTION** of Council President Fetzer, seconded by Councilman Clemmensen, carried, that the said resolution is tabled for further review.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **Resolution No. 100-2021:** Amend Crescent Park Forest Stewardship Plan

Borough Attorney, Ray Bogan commented the purpose of this resolution is to memorialize the changes to the Stewardship Plan due to substantial omissions in the plan.

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

**WHEREAS**, the Sea Girt Recreation Committee has proposed for the construction of a second platform tennis court and viewing area located in the northeast section of Crescent Park, adjacent to the existing platform tennis court and amend the existing plan for ongoing active recreational use; and,

**WHEREAS**, in consideration of this proposal the Council observed that the Crescent Park Forest Stewardship Plan (“Plan”) omitted a pre-existing and key use of the north end of the park for active recreational use specifically tennis and platform tennis; and

**WHEREAS**, the Plan states, inter alia, “the park remains in integral piece of open space for passive recreation…”, and that “due to our limited time at the park, we are unable to fully account for all attributes that residents find valuable…” (page 4), while still not acknowledging, or perhaps realizing the existence of, the existing tennis courts and platform tennis court; and

**WHEREAS**, tree cutting is proposed in the Plan; and

**WHEREAS**, the report concludes that “Sea Girt is not thought to have a significant deer population, and there is not much evidence found in Crescent Park suggesting significant deer use” (Page 7); and,

**WHEREAS**, the Plan recognizes that the park is reaching a climax condition where one species (holly trees) suppresses, then eliminates, diversity; and,

**WHEREAS**, the Plan acknowledges that “a diverse understory containing native plants is usually the desired condition to best exemplify good forest health”; and,

**WHEREAS**, the Recreation Commission intends to work with the Sea Girt Shade Tree Commission for advice on planting and placement of new trees, and to address a healthier understory, particularly to address non-native plants that threaten the health of the forest (Page 11); and,

**WHEREAS**, a management schedule was proposed in the Plan but has not been followed to any significant extent. (Page 17); and,

**~~WHEREAS~~**~~, the Plan appears to be in contravention of Morris v. Sea Girt Land Improvement Company, 38 NJ Eq 304 (1884) which enjoined the “cutting and removing of any timber, trees or shrubs growing in or upon that park …”. Despite the reconstruction of Carriage Way, the removal of numerous trees, proposal by a local resident to remove more trees and the Plan’s proposal for a planned thinning of the forest, which is determined to be in the best interest of the forest and its ecosystem.~~

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Borough of Sea Girt that and the same is hereby approved.

The Plan shall be amended to incorporate the pre-existing active recreational use in the north end of Crescent Park and to address other omissions and items in the Plan.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be supplied to Mr. D’Altrui, Sea Girt Recreation Commissioner and Chief Financial Officer for their information.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **NEW BUSINESS:**

A. **Ordinance No. 07-2021**: The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 07-2021

AN ORDINANCE OF THE BOROUGH COUNCIL OF SEA GIRT PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER XVII OF THE SEA GIRT CODE  
  
 **WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

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

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

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

**WHEREAS**, Section 31a of the Act authorizes municipalities to adopt by ordinance regulations governing the number of (1) cannabis establishments (as defined in Section 3 of this Act), (2) cannabis distributors and (3) cannabis delivery services, or to prohibit same, as well as the local licensing endorsement, location, manner and times of operation of cannabis establishments and cannabis distributors, and the location and manner of cannabis delivery services, and establishing civil penalties for the violation of any such regulations; and

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

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

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

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

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

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

# § a. Definitions.

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

“Cannabis” means all parts of the plant Cannabis sativa L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. “Cannabis” does not include: medical cannabis dispensed to registered qualifying patients pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et

al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the “New Jersey Hemp Farming Act,” P.L.2019, c.238 (C.4:28-6 et al.).

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

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

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

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

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

“Cannabis retailer” means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off- premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. “Cannabis wholesaler” means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

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

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

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

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

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

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

**UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 9, 2021.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **Ordinance No. 08-2021**: The Mayor to read the said Ordinance by Title:

**ORDINANCE NO. 08-2021**

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

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

§ 7-37 **DELIVERY AND LOADING ZONE**

[Ord. No. 12-2018; Ord. No. 15-2018; amended 6-26-2019 by Ord. No. 07-2019; 6-24-2020 by Ord. No. 09-2020]  
The location described in this section is hereby designated as the delivery zone. No person shall park a vehicle in this location during the times indicated other than for the delivery of goods and materials. (Ord. No. 12-2018). During delivery, any delivery vehicle shall have its rear hazard warning flashers engaged (Ord. No. 15-2018), and at least two of its emergency warning triangles placed at the rear of said vehicle, on the east shoulder of First Avenue. Said vehicle shall be temporarily parked as far to the right as practicable so as not to obstruct traffic, but not on the adjacent sidewalk. The vehicle shall remain at this location for only so long as necessary to deliver its goods or materials. The time of deliveries and location are as follows:

| **Name of Street** | **Time** | **Side** | **Location** |
| --- | --- | --- | --- |
| First Avenue | 9:00 a.m. to 2:00 p.m., Monday through Friday; 10:00 a.m. to 2:00 p.m. Saturday | East side | Beginning at a point 25 feet from the southern crosswalk at Beacon Boulevard south for a distance of 96 feet |
| (Note: Minimum length for all loading zones is 50 feet. No loading zone may be established in any area where it is prohibited to stand or park by statute. N.J.S.A. 39:4-138.) | | | |

[§ 7-38 **TAXI ~~PARKING~~/ RIDE SHARE DROPOFF AND PICKUP ZONE**](https://ecode360.com/36175391#36175392)

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

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

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

[§ 4-10.19 **TAXI STANDS; RIDE SHARE DROPOFF OR PICKUP ZONE**](https://ecode360.com/36174965#36174965)

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

[**a.**](https://ecode360.com/36345087#36345087)No person shall sit, idle, park, or operate in a designated taxi stand/ride share zone for any other purpose except to pick up or discharge passengers. A designated taxi stand may be occupied by a taxi/autocab and driver licensed by the Borough and/or a registered ride share vehicle and driver in accordance with this section. No person shall leave any vehicle unoccupied in any designated taxi stand/ride share zone. The taxi stand/ride share dropoff zone shall be utilized strictly for the discharge of passengers during hours as approved annually by the Borough Council. Therefore no taxi/ride share vehicle shall sit, idle or park in a taxi stand/ride share zone during those hours unless patrons are waiting for transportation. No taxi or ride share vehicle shall sit, idle or park in a taxi stand/ride share zone for longer than 10 minutes. A taxi stand/ride share zone shall allow a person the opportunity to find transportation services in an expeditious, unbiased, nondiscriminatory, and courteous manner.

[**b.**](https://ecode360.com/36345088#36345088)**TEMPORARY TAXI STAND/RIDE SHARE DROPOFF OR PICKUP ZONE**

[**1.**](https://ecode360.com/36345089#36345089)

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

[**2.**](https://ecode360.com/36345090#36345090)

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

[**3.**](https://ecode360.com/36345091#36345091)

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

**UPON MOTION** of Councilman Begley, seconded by Councilman Clemmensen, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 9, 2021.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **Ordinance No. 09-2021**: The Mayor to read the said Ordinance by Title:

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 5, TRAFFIC, SECTION 7-12 PARKING TIME LIMITED ON CERTAIN STREETS, SECTION 7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, SECTION 7-15.1 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS FROM MAY 15 TO SEPTEMBER 15, SECTION 7-18 ANGLE PARKING, SECTION 7-39.1 HANDICAPPED PARKING ON STREETS, SECTION 7-40.4 REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PARK PROPERTY OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY**

**New text is double underlined, text to be deleted is ~~struck thorough~~**

[§ 7-12**PARKING TIME LIMITED ON CERTAIN STREETS.**](https://ecode360.com/36175345#36175357)

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

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

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

[§ 7-14**PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**](https://ecode360.com/36175345#36175359)

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

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

| **Name of Street** | **Sides** | **Location** |
| --- | --- | --- |
| Bell Place | East | Between Boston Boulevard and Philadelphia Boulevard |
| Crescent Parkway except on the respective right hand sides of each of the divided portions of the roadway | Both | Entire length |
| Eighth Avenue | East | Between Sea Girt Avenue and Crescent Place |
| Fifth Avenue | West | Between Crescent Parkway and Washington Boulevard |
| First Avenue | ~~West~~  Both | Between the Terrace and Philadelphia Boulevard |
|  |  |  |
| Sea Girt Avenue | North | Between the easterly end of Sea Girt Avenue and Eighth Avenue |
| ~~Sea Girt Avenue~~ | ~~South~~ | ~~Between First Avenue and Ocean Avenue~~ |
| ~~Sea Girt Avenue~~ | ~~North~~ | ~~Commencing at Utility Pole JC 159 and running to a point 100 feet east of such pole~~ |
| Sea Girt Avenue | South | Between First Avenue and the easterly end of the roadway |
| The Terrace | North | Between First Avenue and Fifth Avenue |
| The Terrace | South | Between Second and Third Avenue |
| The Terrace | Both | From the East End to a point 60 feet west therefrom |
| Baltimore Boulevard | Both | From the East End to a point 40 feet west therefrom |
| Neptune Boulevard | Both | From the East End to a point 90 feet west therefrom |
| Neptune Boulevard | North | Between First Avenue and Morven Terrace |
| Philadelphia Boulevard | Both | From the East End to a point 80 feet west therefrom |
| Seaside Place | Both | From the East End to a point 107 feet west therefrom |
| Seaside Place | North | Between First Avenue to the easterly end of the roadway |
| Trenton Boulevard | South | From Morven Terrace to the easterly end of the roadway |
| The Crescent | East | From Philadelphia Boulevard to Trenton Boulevard |
| The Crescent | West | From Philadelphia Boulevard to Washington Boulevard |
| The Plaza | | |
| In the area ~~west of the Plaza and east~~ of the Sea Girt Library: | | |
| a. Parking is prohibited along the north, ~~west, and south~~ perimeter of the parking area. Vehicles are to be parked only within the marked parking lines. | | |
| b. ~~Six~~ Five parking spaces on the westerly side of the parking ~~island~~ area shall be restricted and designated for the use of library personnel and patron use only during library hours. The ~~six~~ five spaces to be so designated commence at a distance of ~~12.8~~ 25 feet ~~northerly~~ south of the ~~southerly island~~ north parking area curb ending and end ~~54.2~~ 45 feet from such point. During business hours of the library | | |

[§ 7-15.1**Parking Prohibited during Certain Hours on Certain Streets from May 15 to September 15.**](https://ecode360.com/36175345#36175362)

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

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

| **Name of Street** | **Side(s)** | **Hours** | **Location** |
| --- | --- | --- | --- |
| ~~Baltimore Boulevard~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 150 feet west therefrom~~ |
| ~~First Avenue~~ | ~~East~~ | ~~At all times~~ | ~~Between The Terrace and Philadelphia Boulevard~~ |
| Fourth Avenue | East | 8:00 a.m. to 3:00 p.m. | From the southeasterly curbline of Baltimore Boulevard to a point 150 feet south therefrom |
| ~~Neptune Boulevard~~  ~~[Ord. No. 09-2016]~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to point 90 feet west therefrom~~ |
| ~~Philadelphia Boulevard~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 150 feet west therefrom~~ |
| ~~Sea Girt Avenue~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 150 feet west therefrom~~ |
| ~~Seaside Place~~  ~~[Ord. No. 09-2016]~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 107 feet west therefrom~~ |
| Second Avenue | East | At all times | Between the Terrace and Crescent Parkway |
| ~~The Terrace~~  ~~[Ord. No. 09-2016]~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 60 feet west therefrom~~ |
| ~~The Terrace~~ | ~~North~~ | ~~At all times~~ | ~~Between First Avenue and Fifth Avenue~~ |
| ~~The Terrace~~ | ~~South~~ | ~~At all times~~ | ~~Between Second Avenue and Third Avenue~~ |
| Third Avenue | East | At all times | Between Beacon Boulevard and The Terrace |
| ~~Trenton Boulevard~~ | ~~Both~~ | ~~At all times~~ | ~~From the east end to a point 150 west therefrom~~ |

[§ 7-18**ANGLE PARKING.**](https://ecode360.com/36175345#36175367)

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

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

| **Name of Street** | **Side(s)** | **Angle** | **Location** |
| --- | --- | --- | --- |
| Ocean Avenue | Both | 45° | Between Beacon Boulevard and New York Boulevard |
| The Plaza | ~~East~~  Both | 45° | From Washington Boulevard to Crescent Parkway |
| The Terrace  [Deleted by Ord. No. 09-2016] |  |  |  |
| Trenton Boulevard | Both | 45° | From First Avenue to Ocean Avenue except no parking on the south side with 35 feet of Morven Terrace |
| Washington Boulevard | Both | 45° | From Fifth Avenue to The Plaza |

[§ 7-39.1**Handicapped Parking on Streets.**](https://ecode360.com/36175395#36175394)

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

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

| **Name of Street** | **Side(s)** | **No. of Spaces** | **Location** |
| --- | --- | --- | --- |
| Baltimore Boulevard | South | 1 | Beginning at a point ~~300~~ 40 feet ~~east~~ west of the easterly end of the roadway ~~of First Avenue~~ and extending to a point 22 feet east thereof |
| Baltimore Boulevard | North | 1 | Beginning at a point 40 feet west of the easterly end of the roadway and extending to a point 22 feet east thereof |
| Baltimore Boulevard | North | 1 | Beginning at a point 71 feet east of the easterly curbline of Fourth Avenue and extending to appoint 22 feet east thereof |
| Crescent Parkway | North | 2 | Beginning at a point 138 feet east of the easterly curbline of Third Avenue and extending to a point 44 feet east thereof |
| Morven Terrace | East | 1 | Beginning at a point 65 feet north of the northerly curbline of Neptune Place and extending to a point 22 feet south thereof |
| Morven Terrace | West | 1 | Beginning at a point 35 feet south of the southerly curbline of Trenton Boulevard and extending to a point 22 feet south thereof |
| New York Boulevard | South | ~~1~~ 2 | ~~Beginning at a point 300 feet east of the easterly curbline of First Avenue and extending to a point 22 feet east thereof~~  Beginning at a point at the western crosswalk marking of Ocean Ave and extending to a point 45 feet west thereof |
| Ocean Avenue | West | 2 | Beginning at a point 35 feet north of the northerly curb line of Beacon Boulevard and extending to a point 24 feet north thereof, angle parking |
| Ocean Avenue  [Ord. No. 12-2018] | East | 1 | Beginning at a point 25 feet south of the southern crosswalk marking of Beacon Boulevard and extending to a point 11 feet south thereof, angle parking |
| Ocean Avenue  ~~[Added 6-26-2019 by Ord. No. 07-2019]~~ | East | ~~2~~ 3 | Beginning at a point ~~26~~ 44 feet north of the northern crosswalk marking of ~~Beacon~~ Chicago Boulevard and extending to a point 36 feet north thereof |
| Philadelphia Boulevard  [Added 5-1-2019 by Ord. No. 13-2019] | North | 2 | 24 hours per day, beginning at a point 85 feet east of the easterly curb line of Third Avenue for a distance of 55 feet |
| Philadelphia Boulevard | ~~South~~  North | 2 | Beginning at a point ~~300~~ 40 feet ~~east~~ west of the ~~easterly curbline~~ ~~of First Avenue~~ eastern end of the roadway and extending to a point ~~22~~ 40 feet ~~east~~ west thereof |
| ~~Third Avenue~~ | ~~East~~ | ~~2~~ | ~~Beginning at a point 69 feet north of the northerly curbline of Philadelphia Boulevard and extending to a point 44 feet north thereof~~ |
| Trenton Boulevard | North | 4 | Beginning at a point 40 feet from the eastern end of the roadway to a point 45 feet west therefrom |
| Beacon Boulevard | North | 2 | Beginning at a point 39 feet of the easterly curb line of Ocean Ave and extending to a point 44 feet west thereof |
| Ocean Ave | East | 1 | Beginning at a point 30 feet of the northern crosswalk marking of Brooklyn Blvd and extending to a point 10 feet north thereof |
| Brooklyn Boulevard | North | 1 | Beginning at a point 25 feet of the western crosswalk marking of Ocean Ave and extending to a point 30 feet west thereof |
| Washington Boulevard | North | 1 | Beginning at a point 32 feet of the westerly curb line of Fifth Ave and extending 17 feet west thereof |
| Washington Boulevard | North | 1 | Beginning at a point 226 feet of the westerly curb line of Fifth Ave and extending 18 feet west thereof |
| Washington Boulevard | North | 1 | Beginning at a point 210 feet of the easterly curb line of The Plaza and extending 17 feet east thereof |
| Washington Boulevard | North | 1 | Beginning at a point 42 feet of the easterly curb line of The Plaza and extending 18 feet east thereof |
| Washington Boulevard | South | 2 | Beginning at a point 60 feet of the easterly curb line of The Plaza and extending 26 feet east thereof |
| Washington Boulevard | South | 2 | Beginning at a point 386 feet of the easterly curb line of The Plaza and extending 31 feet east thereof |
| Washington Boulevard | South | 1 | Beginning at a point 95 feet of the westerly curb line of Fifth Ave and extending 20 feet west thereof |
| The Plaza Parking Area | West | 1 | Beginning at a point 65 feet from the north curb line of the parking area to a point 18 feet south thereof |
| The Plaza Parking Area | East | 2 | Beginning at a point 21 feet from the north curbline of the parking area to a point 27 feet south thereof |

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

7-40.4.a.4 Parking

| **Name of Roadway** | **Side** | **Limits** |
| --- | --- | --- |
| Carriage Way | East | Entire length |

Councilman Clemmensen thanked Mr. Willms, Lieutenant O’Connor and The Public Safety Committee for their time and efforts updating this ordinance. Council President Fetzer also thanked the committee for their time and effort. **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Begley, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 9, 2021.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **Resolution No. 101–2021:** Extend Outdoor Dining through December 31, 2021

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

**WHEREAS,** The Borough of Sea Girt on November 1, 2020 adopted Resolution No. 197-2020 extending the end date for temporary outdoor seating to March 31, 2021; and

**WHEREAS**, the Borough of Sea Girt wishes to again extend the temporary outdoor seating for restaurants through December 31, 2021; and

**WHEREAS,** the Borough recognizes that the impact of Outdoor Dining on surrounding property owners must be minimized, to the best extent possible.

**NOW, THEREFORE, BE IT RESOLVED,** by the Borough of Sea Girt that outdoor seating will remain through December 31, 2021. All provisions of Resolution No. 197-2020 shall remain; this resolution shall take effect immediately.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

**b. Resolution No. 102-2021:** Appointment of Candidate to fill the vacancy created by the resignation of Matthew Mastrorilli.

Councilman Begley thanked Councilman Mastrorilli for his time and efforts serving the community. He also noted that Mr. Hall has withdrawn his name for consideration of council vacancy.

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

**WHEREAS**, since this vacancy occurred prior to September 1 of the next-to-the­ last year of the term of office and up to the expiration of the term of the officer whose office has become vacant, the New Jersey Municipal Vacancy Law at *N.J.S.A*. 40A:16-5(a), provides this vacancy may be filled until the next general election held no sooner than sixty (60) days after the occurrence of the vacancy by appointment by the governing body; and

**WHEREAS**, pursuant to sections 40A:16-7 and 16-8 of the statute such appointment shall be by majority vote of the remaining members of the governing body and that the Mayor shall be permitted to vote only in the case of a tie; and

**WHEREAS**, *N.J.S.A*. 40A:16-11 provides that if the incumbent whose office has become vacant was elected as the nominee of a political party as in the present instance, the municipal committee of the political party shall, no later than fifteen (15) days after the occurrence of the vacancy, present to the governing body the names of three (3) nominees; and further provides the governing body shall, within thirty (30) days after the occurrence of the vacancy, appoint one of the nominees; and

**WHEREAS**, this statute also provides (a) if the municipal committee fails to submit the names of the nominees within the time prescribed, the governing body may, within the next fifteen (15) days, fill the vacancy by the appointment of a successor from the same political party which nominated the incumbent whose office has become vacant; and (b) if the governing body fails to appoint one of the nominees within the time prescribed, the municipal committee shall, within the next fifteen (15) days, appoint one of the nominees as the successor; and

**WHEREAS**, on April 29, 2021 the Sea Girt Municipal Republican Committee presented the names of Bryan Perry, Catherine Metcalf, and Norm Hall to fill the vacancy.

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

1. ­­­­­Mr. Bryan Perry is hereby appointed to the Borough Council position vacated by Matthew Mastrorilli in accordance with the provisions of *N.J.S.A.* 40A:16-1 et seq., the New Jersey Municipal Vacancy Law, for the unexpired term which will expire December 31, 2022.
2. This resolution has been adopted by a majority vote of the remaining members of the governing body.
3. The Borough Clerk is directed to forward a certified copy of this resolution to Mr. Perry and the Sea Girt Municipal Republican Committee.

**Recorded Vote:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | AYES | NAYS | ABSENT | ABSTAIN |
| Councilman Clemmensen | X |  |  |  |
| Councilperson |  |  |  |  |
| Councilman Begley | X |  |  |  |
| Council President Fetzer | X |  |  |  |
| Councilwoman Giegerich | X |  |  |  |
| Councilwoman Anthony | X |  |  |  |

1. **ADMINISTRATOR REPORT**

Mr. Gant commented that hereceived notice from Jay Amberg and The DEP that we need to be aware of endangered species and eggs on the beach; piping plovers and a nest has been located near the NGTC; Oyster Catchers are also located near Trenton Boulevard; these zones have been secured.

Chief Macko commented the paving will begin on May 13th at The Plaza; line stripping is scheduled is for May 14th; paver crosswalks are planned to begin May 17th. The project is expected to be completed prior to Memorial Day.

The Borough entered into contract with RAVE for a community wide alert messaging platform; Chief Macko and Tim Harmon have been instrumental in expanding our communications.

1. **COUNCIL REPORTS**

Councilman Clemmensen reported as follows:

* DPW – bulk pickup scheduled for this week is going well;
* He thanked the Police Department for their efforts adjusting to current business model for The Parker House;
* Speed limit is being reduced on First Avenue from Beacon Boulevard to New York Boulevard – 25 mph to 15 mph;
* Reminder to both children and adults to please wear bike helmets.

Councilman Begley reported as follows:

* Thanked the Finance Committee for their efforts on the budget and also The Public Safety Committee for their efforts on updating the parking ordinance.

Councilwoman Anthony reported as follows:

* Thanked DPW for placing garbage cans around the community and school; she encourages everyone to utilize the garbage and recycling cans to help the environment.

Councilwoman Giegerich presented beach reports for Jim Freda and Tim Harmon.

Council President Fetzer reported as follows:

* Please conserve water during the summer season;
* Water bills will be going out this week; Mike McArthur has discovered some inconsistencies with the billing; he has completed an audit and which will improve with billing.

Mayor Farrell reported as follows:

* SMRSA – flow is running low at 3.16%; re-doing the pipes has been an improvement; meeting is tomorrow with SMRSA and will report further at next meeting;
* Council President Fetzer commented the resolution approved tonight will allow our Engineers to prepare plans for a clogged sewer line on Chicago Boulevard; replacement and lining will further reduce extraneous flow into sewers.

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

Norm Hall, Baltimore Boulevard, commented he withdrew his name from being considered for council to serve the town in other capacities; he offers his advice to lighten up and enjoy what you do; be less formal; represent the needs of the community and not their wants.

Barbara Kulberg, Neptune Place, she applauds the efforts protecting endangered species; she asked the status of the underground development at 224 Stockton Boulevard. Mr. Gant responded it is still in engineering review and a conference call will be scheduled in the near future.

Kathy Cavallo, Virginia Zientek and Judith Ambrosini presented Sea Girt Strolls; there are three strolls scheduled for the summer and they hope to be able to reconnect with neighbors. For more information visit our website at [www.seagirtboro.com](http://www.seagirtboro.com). Councilmembers are excited for this great idea and look forward to joining on a stroll.

Catherine Metcalf, Ocean Avenue, commented she is a registered republican; she thanked Councilmembers, Public Safety Committee and Citizens Committee for their efforts preparing the loading zone ordinance.

Bryan Perry, Crescent Parkway, thanked Councilman Mastrorilli for his service; he thanked councilmembers for this opportunity to serve on the board.

Mr. Vasan, Ocean Avenue, requested approval to the amendments of the stewardship plan be available to the public on the website; he would also like the residents to be fully informed on the Crescent Park Improvements prior to council vote; he supports additional platform tennis court on Bell Place.

Councilwoman Anthony reminded the public that Bell Place is Borough Property; it is declared by the NJ Conservation Foundation as Green Space; a grant was received to improve the bike path in conjunction with Master Plan; she commented that parking on Bell Place is consistently full; traffic is also a concern.

Councilwoman Giegerich commented improvements to Bell Place area are already in place; parking is limited; retrieving paddle tennis balls from the street and/or railroad tracks could be a disastrous; she does not see the maritime forest being destroyed or impacted in any way, the area is already cleared for an additional court; plans are in place for Bell Place and to revitalize downtown; she supports Crescent Park for additional paddle court.

Norm Hall, Baltimore Boulevard, suggested a referendum to decide location of additional platform tennis court; he commented that Mr. Avakian or a member of his firm will be present at future Planning Board meetings.

Charles Gormally, New York Boulevard, asks the community to oppose Ordinance 07-2021 which prohibits the operation of any class of cannabis businesses within its geographical boundaries; he challenges the governing body to educate the public as to the data they have to make a decision on behalf of the town as to why it should be excluded from tax revenue and business opportunities.

There being no further comments, the public comment period was closed. There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilwoman Anthony, carried, that the meeting be immediately and finally adjourned at 9:10 PM.

Dawn Harriman

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dawn Harriman, RMC