

**MINUTES - SPECIAL MEETING**  
**September 26, 2019**

The Special Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 10:00 AM on Thursday, September 26, 2019 at the Spring Lake Heights Municipal Building, 555 Brighton Avenue, Spring Lake Heights. Mayor Farrell asked for a moment of silence; he then led those in attendance in the Pledge of Allegiance.

The Municipal 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 Special Meeting has been given by posting a notice on the Borough's 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

**1. ROLL CALL:**

	<b>Present</b>	<b>Absent</b>
Mayor Farrell	X	
Councilman Clemmensen	X	
Councilman Mastroilli		X
Councilwoman Morris	X	
Council President Fetzer	X	
Councilman Mulroy		X
Councilwoman Anthony		X

Mayor Farrell advised that Council has matters relating to litigation 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 until the Council returns to public session. **UPON MOTION** of Council President Fetzer, seconded by Councilman Clemmensen, carried that the following **Resolution No. 178-2019** 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 as follows:
  - a. Tess and Brian Manley, Denis Lauzon and Candace Kadimik v. the Borough of Sea Girt, Sandy Ratz and Christopher Willms
  - b. Potential litigation.
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
4. This Resolution shall take effect immediately.

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Recorded Vote:

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Mastrorilli			X	
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy			X	
Councilwoman Anthony			X	

The Council returned to public session at 10:10 AM and **UPON MOTION** of Councilman Clemmensen, seconded by Council President Fetzer, carried, that the following **Resolution No. 179-2019** be and the same is hereby adopted:

**WHEREAS**, the Borough Council of Sea Girt hereby rescinds Resolution No. 85-2018 adopted pursuant to the Alcohol Beverage Control Act, designating the Council as the Local ABC Board for purposes of enforcing that law, Alcohol Beverage Control rules and regulations and local ordinances pertaining to the control of alcoholic beverages, thereby voiding any actions taken by the Local ABC Board.

Recorded Vote:

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Mastrorilli			X	
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy			X	
Councilwoman Anthony			X	

Mr. Montenegro stepped out of the meeting to inform Mr. McLaughlin, Counsel for Avon Hotel Corporation t/a The Parker House, that the hearing originally scheduled for this morning has been postponed and will be rescheduled.

**UPON MOTION** of Councilwoman Morris, seconded by Councilman Clemmensen, carried, that the following Resolution No. 179-2019 be and the same is hereby adopted:

**WHEREAS**, pursuant to *N.J.S.A. 33:1-31*, the Borough Council of Sea Girt as the municipal issuing authority is charged with the responsibility for policing and enforcing the alcoholic beverage control laws of the State (on the retail level).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Sea Girt as the issuing authority that charges filed against Avon Hotel Corporation t/a The Parker House for violations of *N.J.S.A. 33:1-31* may be reissued and will be heard at a hearing to be scheduled at a future date.

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Recorded Vote:

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Clemmensen	X			
Councilman Mastroilli			X	
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy			X	
Councilwoman Anthony			X	

There being no further business, and **UPON MOTION** of Councilwoman Morris, seconded by Council President Fetzer, carried, that the meeting be finally adjourned at 10:20 AM.

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LORRAINE P. CARAFA, RMC  
Municipal Clerk