

MINUTES
RE-ORGANIZATION/REGULAR/VIRTUAL MEETING
January 4, 2023 - 7:00 PM

The Regular/virtual Meeting of the Borough of Sea Girt Council was called to order by Mayor Don Fetzer at 7:00 PM on Wednesday, January 4, 2023. Mayor Fetzer asked for a moment of silence to remember past Mayor Ken Farrell; he then led those participating 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, Chapter 231, P.L.1975: adequate notice of this meeting has been given by posting the Notice on the Borough's Bulletin Board and by transmitting the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star*, as required by law.

1. ROLL CALL

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

2. MAYOR FETZER ADMINISTERED THE FOLLOWING OATH OF OFFICE TO:

- a. Bryan Perry – Council Member – full term December 31, 2025
- b. Tom Downey – Council Member – full term through December 31, 2025
- c. Brandon Fetzer - Chief, Fire Department
- d. Carl Scipione - Assistant Chief, Fire Department
- e. Fire Line Officers – Captain, Devon Clancy; First Lieutenant, Tim Harmon; Second Lieutenant, Neil Robinson; Chief Engineer, Ed Sidley; Assistant Engineers, Patrick Cavanaugh, William Loughran
- f. Fire Police – Captain Clark Lydic, Lieutenant, Wayne Dryer, John Luke, Larry O'Connell

3. ELECTION OF COUNCIL PRESIDENT – UPON MOTION of Councilman Perry, seconded by Councilman Downey, carried, that Diane Anthony be and she is hereby appointed as Borough Council President for the year 2023.

Recorded Vote:

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

4. R-06-2023: CONSENT AGENDA - UPON MOTION of Councilman Perry, seconded by Councilman Downey, carried, that the following Resolutions be and the same is hereby adopted:

- **2023 Reorganization Assignments** (title and chairperson to be read aloud by the Municipal Clerk)

PUBLIC SAFETY	
Chair	Mark Clemmensen
Member	Tom Downey
Member	Donald Fetzer
Police	Mark Clemmensen
Fire	Donald Fetzer
Zoning-Code Enforcement	Tom Downey
PERSONNEL/ADMINISTRATION	
Chair	Tom Downey
Member	Mark Clemmensen
Member	Diane Anthony
PUBLIC BUILDINGS/GROUNDS/LANDSCAPING	
Chair	Diane Anthony
Member	Dr. Maria Richman
Member	Alan Zakin
PUBLIC WORKS	
Chair	Mark Clemmensen
Member	Diane Anthony
Member	Donald Fetzer
WATER/SEWER DEPARTMENT	
Chair	Tom Downey
Member	Mark Clemmensen
Member	Don Fetzer
BEACHFRONT MANAGEMENT	
Chair	Dr. Maria Richman
Member	Alan Zakin
Member	Bryan Perry
RECREATION	
Chair	Bryan Perry
Member	Alan Zakin
Member	Diane Anthony
LIBRARY	
Chair	Alan Zakin
Member	Diane Anthony
Member	Bryan Perry
ENVIRONMENTAL/WETLANDS CONSERVATION	
Chair	Diane Anthony
Member	Dr. Maria Richman
Member	Alan Zakin

INSURANCE/LABOR NEGOTIATIONS	
Chair	Donald Fetzer
Member	Alan Zakin
Member	Mark Clemmensen
FINANCE/CAPITAL IMPROVEMENTS/EQUIPMENT	
Chair	Bryan Perry
Member	Tom Downey
Member	Donald Fetzer
SPECIAL COMMITTEES:	
JIF SAFETY COMMITTEE	
Administration	James Gant
Police Department	Chief Justin Macko
Fire Department	Fire Chief Brandon Fetzer
Public Works Department	Michael McArthur
Beach Department	James Freda
EMERGENCY MANAGEMENT COUNCIL	
Mayor and Director	Donald Fetzer
Public Safety	Mark Clemmensen
Member	Ray Bogan
Emergency Management Coordinator (3-year term)	Timothy Harmon
Deputy Emergency Management Coordinator (3-year term)	Chief Justin Macko
Administration Representative	James Gant
Finance Representative	Amy Spera
Law Enforcement Representative	Chief Justin Macko
Fire Department Representative/Safety Officer	Brandon Fetzer
Shared Service EMS	Rob DeMartin
EMS Representative	Jerry Brown (Manasquan First Aid)
Public Works Representative	Michael McArthur
Oceanfront Water Ops	James Freda
Health Department Representative	Diane Anthony
Sea Girt School Representative	Rick Papera
MONMOUTH MUNICIPAL JOINT INSURANCE FUND	
2 Year Term	
Fund Commissioner through 12/31/2024	James Gant
Alternate Fund Commissioner through 12/31/2024	Dawn Harriman
APPOINTMENTS AFFIRMED BY COUNCIL:	
ADA Coordinator/Alternate	James Gant/Michael McArthur
CDBG Representative/Alternate	James Gant/Megan Thompson
Clean Communities Coordinator	Michael McArthur/Trevor Palmer

Designated Employer Representative - (Drug/Alcohol Testing)	Richard Lyster
Fire Official	Christopher Willms
Public Agency Compliance Officer (PACO)	James Gant
Recycling Coordinator	Carol Baran (Brielle)/Trevor Palmer
SMMUA Representative/Alternate (5-year term through 2027)	James Gant/Michael McArthur
SMRSA Representative (5-year term expires December, 2027)	OPEN
Board of Education Liaison	Dr. Maria Richman

BOARDS AND COMMISSIONS:		
PLANNING/ZONING BOARD		
Class I - Mayor	Don Fetzer	December 31, 2023
Class II - (1 year term)	Karen Brisben	December 31, 2023
Class III – (1year term)	Diane Anthony	December 31, 2023
Class IV – 4 year term	Carla Abrahamson	December 31, 2024
Class IV – 4year term -	Jake Casey	December 31, 2024
Class IV – 4 year term	Norman Hall	December 31, 2025
Class IV – 4 year term	Eileen Laszlo	December 31, 2024
Class IV- 4 year term	Robert Walker	December 31, 2026
Class IV – 4 year term	John Ward	December 31, 2024
Alternate #1 – 2 year term	Stan Koreyva	December 31, 2024
Alternate #2 – 2 year Term	Tom Britt	December 31, 2024

BOARD OF HEALTH (Three Year Term)		
Chairman	Diane Anthony	December 31, 2025
Member	James Gant	December 31, 2025
Member	Dawn Harriman	December 31, 2025
Member	OPEN	
Member	OPEN	
BOARD OF RECREATION COMMISSION (Five Year Term)		
Chairman	Michael D’Altrui	December 31, 2024
Member	Mark Leddy	December 31, 2026
Member	Jennifer Perry	December 31, 2024
Member	Lori Loughlin	December 31, 2024
Member	Kevin Reid	December 31, 2026
SHADE TREE COMMISSION (Five Year Term)		
Chairman	Robert Strang-Wolf	December 31, 2023
Member	Bill Drew (DPW)	December 31, 2023
Member	Alex Fatenko	December 31, 2023
Member	Clark Lydic	December 31, 2025

Member	Conrad Yauch	December 31, 2025
SHORE COMMUNITY ALLIANCE		
Member	Dr. Maria Richman	December 31, 2023
Member	Chief Justin Macko	December 31, 2023
Member	Rick Papera	December 31, 2023
LIBRARY BOARD OF TRUSTEES		
Member	Mayor Fetzer	December 31, 2023
Member	Susan Blasi	December 31, 2023
Member	Patricia Connor	December 31, 2023
Member	Jean McFadden	December 31, 2024
Member	James Mulvihill	December 31, 2024
Member	Devon Smith	December 31, 2025
Member	Rick Papera	June 30, 2024

E. OTHER APPOINTMENTS:

2023 Sea Girt Fire Company Roster:

Line Officers:

Chief of Department: Brandon Fetzer
Assistant Chief: Carl Scipione
Captain: Devon Clancy
First Lieutenant: Tim Harmon
Second Lieutenant: Neil Robinson
Chief Engineer: Edward Sidley
Assistant Engineers: Robert Durna, William Baeszler, Pat Cavanaugh, William Loughran, Chris Willms
Fire Police Captain: Clark Lydic
Fire Police Lieutenant: Wayne Dreyer
Fire Police Officers: John Luke and Larry O’Connell

Fire Department Active Members:

Joseph Accurso, William Baeszler, Douglas Bohrer, Thomas Branch, Dan Brennan, Jason Castillo, Pat Cavanaugh, Devon Clancy, Thomas Crawley, Jack deCastro, Robert Durna, Brandon Fetzer, Donald Fetzer, John Gibbs, Kevin Hanley, Timothy Harmon, Keith Heilos, Edward Hill, William Loughran, Matt Mastroilli, Martin Minkowicz, Thomas McNamara, George Molyneaux, Dylan Ownes, Earl Ownes, Christopher Randazzo, Carl Scipione, Edward Sidley, Ray Thorn, Christopher Willms, Marcello Zilioli, Neil Robinson, Paul Johnson, John Broskey, Dan Lailli, Martin Minkowicz

Fire Department Junior Members:

Connor Prior, Ryan Prior, David Hickey

Fire Department Approved Drivers of Apparatus:

William Baeszler, Pat Cavanaugh, Thomas Crawley, Robert Durna, Jack deCastro, Brandon Fetzer, Timothy Harmon, Keith Heilos, William Loughran, George Molyneaux, Carl Scipione, Edward Sidley, Christopher

Willms, Neil Robinson, Joseph Accurso, John Broskey, Devon Clancy, Martin Minkowicz, Dylan Ownes, Earl Ownes,

2023 Police Department

Kristina Stevens, SLEO II
James Belknap, SLEO II

John Kelly-MCPA 01/09/2023
John Traynor III- MCPA 01/09/2023
James Obenauer- MCPA 01/09/2023
Jacob Glantzman- MCPA 01/09/2023
Allison Ruane- MCPA 01/09/2023
James McGee Jr- MCPA 01/09/2023
Antonio DiGregorio- 01/09/2023
Ethan Vargas-MCPA 01/09/2023

Justin Kramarz- Re-appointed as a SLEO I until July Academy
Thomas Murtha- Re-appointed as a SLEO I for 2023 season.

Crossing Guards:

Dawn Sherman, Sandra Bolchune, Carol Hanley, Lisa DeBoer, Kevin Hanley

Matrons:

Lisa DeBoer, Dawn Sherman, Sandra Bolchune, Jennifer Fary

- **R-07-2023 – Judge Paul Capotorto, Esq.**

WHEREAS, the Borough of Sea Girt is in need of the services of a qualified individual to perform the duties of Municipal Court Judge; and,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Girt does hereby affirm the appointment of Paul J. Capotorto, Esq. be appointed as Municipal Court Judge for the Borough of Sea Girt for the three-year term commencing January 1, 2023 through December 31, 2025, inclusive, at the annual salary of \$20,000.

- **R-06.1-2023 Fund Commissioner and Alternate to Monmouth Municipal Joint Insurance Fund**

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, Monmouth County, State of New Jersey that James Gant be appointed as the Borough of Sea Girt Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund for the year 2023.

BE IT FURTHER RESOLVED, that Dawn Harriman be and she is hereby appointed as the Borough of Sea Girt Alternate Representative to the Monmouth Municipal Joint Insurance Fund for the year 2023.

- **R-06.2-2023 ADA Coordinator/Alternate**

WHEREAS, Section 504 of the Rehabilitation Act of 1973 requires that participants in the Community Development Block Grant Program appoint a Section 504 - ADA Coordinator and Deputy Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that James Gant be and he is hereby appointed as Section 504 - ADA Coordinator for the Borough of Sea Girt; and,

BE IT FURTHER RESOLVED, that Michael McArthur of the Borough of Sea Girt, is hereby appointed Section 504 – Deputy ADA Coordinator for the Borough of Sea Girt.

- **R-06.3-2023 CDBG Representative/Alternate**

WHEREAS, the Monmouth County Community Development Program requires that a representative and/or an alternate representative for the Borough of Sea Girt be appointed by resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Girt that Megan Thompson, be and is hereby appointed as the alternate, respectively, for the Borough of Sea Girt to the Monmouth County Community Development Program.

- **R-06.4-2023 Public Agency Compliance Officer (PACO)**

WHEREAS, the State of New Jersey Department of Treasury has advised the Borough of Sea Girt that a Public Agency Compliance Officer (PACO) needs to be appointed for the Borough in relation to Affirmative Action in Public Contracts; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that James Gant is hereby appointed Public Agency Compliance Officer for the Borough of Sea Girt for the one-year term through December 31, 2023 and until his successor be appointed.

- **R-06.5-2023 - SMMUA Representative/Alternate**

WHEREAS, the municipalities of the Boroughs of Brielle, Spring Lake, Spring Lake Heights, Sea Girt and the Township of Wall (collectively the “Treated Water Purchasers”) previously adopted a parallel ordinance (the “Ordinance”) establishing the Southeast Monmouth Municipal Utilities Authority (the “Authority”); and

WHEREAS, pursuant to the Ordinance each of the member municipalities are to appoint one individual to serve as a member of the Authority; and

WHEREAS, the Borough Council has determined that James Gant shall be appointed to serve as the Sea Girt Member of the Authority for the period January 1, 2023 to December 31, 2027, inclusive, and until his successor be duly appointed in accordance with the terms set forth in the Ordinance and the by Laws of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Sea Girt that Michael McArthur is hereby appointed to serve as the Sea Girt Alternate Member of the Authority for the period January 1, 2023 to December 31, 2027, inclusive, and until his successor be duly appointed in accordance with the terms set forth in the Ordinance and the by Laws of the Authority.

Chief Macko introduced Special II Officers attending the Training Academy beginning January 9, 2023 through May 23, 2023.

Recorded Vote:

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

- **R-08-2023: Reorganization Matters – UPON MOTION** of Councilman Perry, seconded by Council President Anthony, carried, that the following Resolutions be and the same is hereby adopted:
- **R-08.1: Approving Conduct of Council Meeting**

WHEREAS, the Governing Body of the Borough of Sea Girt recognizes the right of any member of the public to address the Council on matters of public concern, and wishes to ensure the orderly conduct of Council meetings in an atmosphere of civility and decorum, the following rules are established.

1. Any person wishing to address Council must first be recognized by the mayor or presiding officer.
2. Upon being recognized such person shall advance to the lectern facing the Governing Body and, using the microphone, state his or her name and address.
 - A. Persons addressing Council shall be limited to 5 minutes for Public Participation (on agenda items), and shall confine their comments to the issue at hand.
 - i. This time limitation may be extended by the presiding officer in exceptional situations, or where the mayor or presiding officer determines that the topic or circumstances warrant allotting more time for the speaker.
 - B. Persons addressing Council shall be limited to 5 minutes for Public Participation on any Subject.
 - C. Person addressing Council shall be limited to 4 minutes for Public Hearing comments.
 - D. The public comment portion of our meeting is not structured as a question-and-answer session.
 - E. The Council will respect the public's time by refraining any comment until the speaker has finished with their allotted time.
3. All statements or questions shall be directed to the Council as a body and not to any individual Council member. No person other than a member of Council shall enter into any discussion with the person having the floor without the express permission the presiding officer.
4. Persons addressing Council may not approach the Council table without first obtaining permission from the presiding officer and shall not leave the lectern to disseminate any material to other members of the Public in attendance.
5. All statements or questions shall be expressed in a non-belligerent and civil manner, and no person addressing the council shall conduct him or herself in a boisterous manner, nor shall a person engage in any other behavior which disrupts or otherwise interferes with the conduct of a meeting.
6. Violation of any of these rules may result in a direction that the offending person resume his or her seat so that the meeting can proceed in an orderly manner, except that if the speaker shall submit to proper order under these rules, permission for him or her to continue may be granted by a majority of the Council.
7. Refusal to comply with these rules may result in the expulsion of the offender from the meeting.
8. At the request of the mayor or presiding officer, the Sea Girt Police Department shall designate a member of the Department to serve as sergeant-at-arms at Council meetings and he or she shall carry

out all orders and instructions given by the mayor or presiding officer for the purpose of maintaining order and decorum at such meetings.

9. Each Council member shall cooperate with the mayor and presiding officer in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disturb any member, or fail to abide by the orders of the mayor or presiding officer, unless granted permission to do so by the Mayor or presiding officer.
10. The Borough Administrator will regulate the time during the comment portion of the meeting.
11. The Mayor and Council will often times direct the Borough Administrator to review the speaker's comments and/or concerns to assign the respective Department Head for follow up after the meeting was adjourned

- **R-08.2-2023 – Council Meeting Schedule**

WHEREAS, it is required pursuant to the Laws of the State of New Jersey that the Governing Body of a municipality meet regularly at a place and time so designated or virtually via Zoom platform. The login information for each meeting shall be advertised at least 48 hours in advance by posting on the Borough website: www.seagirtboro.com.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that Regular Meetings of the Borough Council be held during 2023 as follows:

ANNUAL MEETING NOTICE

In compliance with the “Open Public Meetings Act (*N.J.S.A.* 10:4-6, et seq.) please find the following schedule of Regular Meetings for the year 2023. All meetings are open to the public, and all meetings may require that the Mayor and Council of the Borough of Sea Girt recess into Executive Session. These meetings will be held at the Sea Girt Elementary School and virtually via the Zoom platform at **7:00 PM** until further notice. Official action shall be taken at each of the meetings of the Sea Girt Borough Council. The meeting dates shall be as follows:

January 4, 2023	May 10, 2023	September 13, 2023
February 8, 2023	June 14, 2023	October 11, 2023
March 8, 2023	July 12, 2023	November 8, 2023
April 26, 2023	August 9, 2023	December 13, 2023

BE IT FURTHER RESOLVED that the 2024 Reorganization Meeting of the Borough Council will be held on January 3, 2024 at 7:00 PM; when in person meetings are held, it will be at the Sea Girt Elementary School, Bell Place, Sea Girt; if the meeting is virtually only, it will be held via the Zoom platform and meeting login information will be advertised and posted as required.

- **R-08.3-2023: Designate Official Newspapers – *Asbury Park Press & Coast Star***

WHEREAS, Section 3(d) of the open Public Meetings Act, Chapter 231, P.L. 1975, requires that notice of meetings be submitted to two (2) newspapers, designated as the official newspapers of the Borough.

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 Coast Star* and *The Asbury Park Press* shall be designated as the official newspapers of the Borough of Sea Girt for the year 2023.

• **R-08.4-2023 - Authorize Depositories for Borough Funds**

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Chief Financial Officer is hereby designated custodian of all funds of the Borough of Sea Girt and is directed to deposit such funds in one or more of the following banks, their successors or assigns, pending investment or reinvestment thereof:

Amboy Bank
Investors Savings Bank
Manasquan Bank
Provident Bank
TD Bank NA

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to invest idle funds periodically, provided that he shall report such investment to the Governing Body in accordance with *N.J.S.A.* 40A:5-15 and such reports shall be noted in the Minutes of a Regular Meeting of the Governing Body.

• **R-08.5-2023: Designate Signatories on Borough's Bank Accounts – Mayor, Clerk, Tax Collector, CFO**

BE IT RESOLVED, by the Council of the Borough of Sea Girt that, in addition to those previously authorized (James Gant, Amy Spera, Karen Brisben and Don Fetzer), the following Borough representative is hereby authorized to sign checks or withdrawal slips; a single signature is required for payroll checks and any two of the authorized signatures are required for all other checks:

- Megan Thompson

BE IT FURTHER RESOLVED that the signature cards with the signatures of the persons authorized to sign be forwarded to Manasquan Bank.

• **R-08.6-2023: Set the fee for non-negotiable instruments submitted to the Borough - \$25.00**

WHEREAS, the Borough Council of the Borough of Sea Girt has been asked by the Municipal Court, Tax, Licensing, Beach and Water and Sewer Depts. to adopt fees and charges according to law for returned checks and instruments payable to the Borough of Sea Girt and its public persons and related entities which are not in fact paid as a result of same failing to comply with appropriate provisions of the Banks upon which they are drawn and/or by reason including *N.J.S.* 40:5-18; and,

WHEREAS, the Borough Council deems it in the best interest of the Borough that these costs and charges should be paid by and passed on to the person or persons or entities writing said instruments and/or utilizing said instruments in an attempt to pay for services and/or fines and/or other obligations owing to the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt in the County of Monmouth and State of New Jersey does hereby adopt this Resolution setting forth as a fee for uncollected checks, checks with insufficient funds and other financial instruments and per *N.J.S.* 40:5-18 and other legal authority and the power therein set forth enabling a municipality to adopt and set said fee by Resolution and/or Ordinance and the Borough deeming it sufficient to do same by Resolution.

BE IT FURTHER RESOLVED that a Twenty-Five Dollar (\$25.00) fee shall be and is hereby set per check or other instrument for a service charge and same shall be payable to the Borough of Sea Girt and/or

Municipal Court of the Borough of Sea Girt as appropriate and deposited in the appropriate accounts pursuant to law.

• **R-08.7-2023: Authorize Change Funds – Beach, Administrative Offices**

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Beachfront Office of the Beach Utility, and said fund will be maintained during the summer season and terminated at the close of the Beachfront Office in September; and,

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Administrative and Collection Offices of the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the Beach Cashier in the amount of Three Thousand Five Hundred Dollars (\$3,500.00) for the establishment of a Beachfront Change Fund.

BE IT FURTHER RESOLVED, that a check be drawn to the Municipal Clerk for use of the Borough Administrative and Collection Offices of the Borough of Sea Girt in the amount of One Hundred Dollars (\$100.00) for the continuation of a Municipal Operations and Tax Collections Change Fund.

• **R-08.8-2023: Authorize Payment of Certain Bills Prior to Council Meetings**

WHEREAS, due to the meeting schedule of the Mayor and Council, the payment of certain bills is occasionally necessary in advance of the Regular Meeting date.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the authorized signatories are hereby authorized to sign checks for the following purposes, subject to approval at the next meeting of Council, and subject to the availability of funds:

1. *School Taxes*
2. *County Taxes*
3. *Payrolls – all obligations*
4. *Health Benefits*
5. *Insurance Premiums*
6. *Employee related contractual obligations, garnishments, liens, unemployment, etc.*
7. *Postage – replenish meter*
8. *Recreation Trust Fund Expenses*
9. *Debt Service*
10. *Petty Cash Fund*
11. *Petty Cash Fund – replenish fund*
12. *Gasoline Purchases*
13. *Trust Fund – TTL Redemptions*
14. *Government Fees, Applications, Etc.*
15. *Dated Bills carrying Interest or Late Charges*

• **R-08.9-2023: Set Grace Period for Property Tax Payments; set interest rates for Delinquent Property Tax Payments**

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of *N.J.S.A. 54:4-67*, the governing body of the Borough of Sea Girt has determined that it is appropriate to set a grace period for the payment of taxes until the 10th day of February,

May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that the Tax Collector shall charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Borough Council authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2023 on delinquencies over \$10,000.00.

• **R-08.10-2023: Cash Management Plan**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Sea Girt County of Monmouth, New Jersey, that for the year 2023 the following shall serve as the cash management plan of the Borough of Sea Girt.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Sea Girt funds.

The following are suitable and authorized investments.

Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.

Government money market mutual funds as comply with N.J.S.A 40A:5-15.1 (e)

Local government investment pools which pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

New Jersey State Cash Management Fund.

(a) Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds.

Manasquan Savings Bank	205 Main Street
	Manasquan, NJ 08736

The Chief Financial Officer, and/or the Borough Administrator, is authorized to direct payments for the following disbursements which shall be ratified by the Governing Body at a subsequent meeting:

- Debt Service
- County and School tax obligations
- Inter-Fund obligations
- Purchase of Investments

- Payroll Salaries and Wages and related payroll taxes and authorized deductions
- Postage, insurance premiums and assessments, and utility expenses
- Federal, State government agency taxes, permit, license and other fees

The CFO shall report to the governing body and account that does not earn interest.

- **R-08.11-2023: Cash Management Policy**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt, County of Monmouth, New Jersey, that the Chief Financial Officer shall administer the cash management plan adopted on January 4, 2023 through compliance with 40A:5-1 et seq., prudent application of these cash management policies, which shall not conflict the plan in any way.

I. Objectives: the priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

- A. Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.
1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
 - a. limiting investments to the safest types of securities.
 - b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
 2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:
 - a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - b. By investing operating funds primarily in shorter-term securities.
- B. Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:
1. A declining credit security could be sold early to minimize the loss of principal.
 2. A security swap would improve the quality, yield, or target duration in the portfolio.
 3. Liquidity needs of the local unit require that the security be sold.
- C. Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The chief financial officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II. Standards of Care

A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. Chief financial officers acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the cash management plan.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

C. Delegation of Responsibility and Authority

Responsibility and authority to manage the cash management plan and policy is granted to the chief financial officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the chief financial officer. The chief financial officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. Safekeeping and Custody

A. Authorized Banks for Deposit of Governmental Funds

The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

B. Internal Controls

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected from loss, theft or misuse. The chief financial officer shall develop written internal controls and submit them to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. the cost of a control should not exceed the benefits likely to be derived.

- b. the valuation of costs and benefits of internal controls requires estimates and judgments by management.

C. Delivery vs Payment

All trades where applicable will be executed by delivery vs payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third-party custodian as evidenced by safekeeping receipts.

IV. Policy

The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

- **08-12-2023: Permit Tax Collector and Chief Financial Officer to cancel small balances or process refunds less than \$10 with no further action of Council**

WHEREAS, P.L. 1983, c.568, permits the governing body to authorize a municipal employee to cancel a small balance or process a property tax refund of less than \$10.00 with no further action of the governing body required; and,

WHEREAS, P.L. 2013, C.54 effective May 9, 2013 (amending P.L. 1983, c.568) permits the governing body to authorize a municipal employee to cancel a small balance or process a refund of fees and charges imposed by the municipality of less than \$10.00 with no further action of the governing body required.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Karen Brisben, Tax Collector and Chief Financial Officer, be and they are hereby authorized to cancel small balances or process refunds of fees and charges imposed by the municipality of less than \$10.00 with no further action of the Borough Council required.

- **R—8.13-2023: Set Fee for Individual Meeting Notice**

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act be mailed to them individually; and;

WHEREAS, said sum is to cover the costs of providing such notice; and;

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request said notice.

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. Each person who requests that individual notice as required under the Act be mailed to him or her shall pay annually to the Borough of Sea Girt the sum of \$25.00 to cover the costs thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding resolution by this public body.

• **R-08.14-2023: Providing Defense fees for Police**

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act be mailed to them individually; and;

WHEREAS, said sum is to cover the costs of providing such notice; and;

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request said notice.

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. Each person who requests that individual notice as required under the Act be mailed to him or her shall pay annually to the Borough of Sea Girt the sum of \$25.00 to cover the costs thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding resolution by this public body.

• **R-08.15-2023: To Adopt Temporary Budget – Current, Water and Utility Fund**

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the following appropriations be approved pursuant to the attached schedule and that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and further action. Schedules attached.

• **R-08.16-2023: Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions
Under Title VII of the Civil Rights Act of 1964”**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Borough Council of the Borough of Sea Girt, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

- **R-08.17-2023: Shared Services Agreement with Freehold Township for Information Technology Services**

BE IT RESOLVED, that Mayor Fetzer of the Borough of Sea Girt, be and is hereby authorized to sign the Shared Services Agreement between the Borough of Sea Girt and Freehold Township for Information Technology Services.

- **R-08.18-2023: Shared Services Agreement with Manasquan for CFO/QPA**

BE IT RESOLVED, that Mayor Fetzer of the Borough of Sea Girt, be and is hereby authorized to sign the Amendment to the Shared Services Agreement between the Borough of Manasquan and the Borough of Sea Girt for the services of Chief Municipal Officer and Qualified Purchasing Agent.

- **R-08.19-2023: Award Professional Services**

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefor; and

WHEREAS, the borough council has determined that there is a need for professional services during the 2023 calendar year; and

WHEREAS, the borough council has determined to provide the need to acquire these professional services as a fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.4; and

WHEREAS, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services may exceed \$17,500; and

WHEREAS, the anticipated term of these contracts is one year (January 1, 2023 to December 31, 2023); and

WHEREAS, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

- Award Non-Fair and Open Professional Services Contract Auditor – Robert A. Hulsart
- Award Non-Fair and Open Professional Services Contract – Bond Counsel – John Cantalupo of Archer & Greiner;
- Award Non-Fair and Open Professional Services Contract – Borough Attorney – Raymond Bogan of the Firm Sinn, Fitzsimmons, Cantoli, Bogan, West & Steuerman;
- Award Non-Fair and Open Professional Services Contract– Labor Attorney – Mark S. Ruderman of the firm Ruderman and Roth;
- Award Non-Fair and Open Professional Services Contract–Municipal Prosecutor, James Carton;
- Award Non-Fair and Open Professional Services Contract, Alternate Municipal Prosecutor; Michael. Lynch;
- Award Non-Fair and Open Professional Services Contract, Public Defender, Donald Greer;

- Employee Assistance Program Contract– Dr. White;

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30- 5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, Monmouth County, New Jersey, on this 4th day of January 2023 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2023 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

Recorded Vote:

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

4. OTHER BUSINESS – none at this time.

5. **ADJOURN to Regular Meeting – UPON MOTION** of Councilwoman Richman, seconded by Councilman Downey, carried, the Re-Organization meeting be adjourned. The Borough Council moved immediately to the agenda for the regular meeting.

- **The Borough Clerk advised the presence of all Councilpersons**

6. **CONSENT AGENDA - UPON MOTION** of Councilman Zakin, seconded by Councilwoman Richman, carried, that the following Resolutions be and the same are hereby adopted.

- **R-05-2023: Approve Minutes, December 14, 2022- Regular/Virtual Meeting**
- **R-01-2023: Appointing Class II Special Law Enforcement Officer's for the Sea Police Department**

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of additional Class II Special Law Enforcement Officer's to support its 2023 operations; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the following appointments to attend Monmouth County Police Academy 53rd Basic Course for Class II Special Law Enforcement Officers beginning January 9th through May 23, 2023:

John Kelly-MCPA 01/09/2023
John Traynor III- MCPA 01/09/2023
James Obenauer- MCPA 01/09/2023
Jacob Glantzman- MCPA 01/09/2023
Allison Ruane- MCPA 01/09/2023
James McGee Jr- MCPA 01/09/2023
Antonio DiGregorio- MCPA 01/09/2023
Ethan Vargas-MCPA 1/09/2023

NOW, THEREFORE, BE IT RESOLVED that the above candidates be appointed as Class II Special Law Enforcement Officers for the Borough of Sea Girt, at the hourly rate of \$16.00 per hour during in service training and upon completion of Academy effective January 9th through May 23, 2023.

- **R-01.2-2023: Appoint Full-Time Class II Special Law Enforcement Officer David Galarza for The Borough of Sea Girt Police Department**

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of a full-time Class II Special Law Enforcement Officer to support its 2023 operations; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the appointment of David Galarza to this position.

NOW, THEREFORE, BE IT RESOLVED that David Galarza be appointed as the full-time Class II Special Law Enforcement Officer for the Borough of Sea Girt, at the hourly rate of \$17.00 per hour, effective on December 15, 2022.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Special Law Enforcement Officer David Galarza and Chief Macko his information and the Chief Financial Officer for her action.

Recorded Vote:

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

7. OPEN DISCUSSION

Mayor Fetzer acknowledged the passing of former mayor Farrell; he served the town with passion since 2005. We also lost former Business Administrator Alan Bunting. He thanked the councilmembers for their dedication and support to the town.

Councilman Zakin congratulated Councilpersons Perry, Downey and Anthony on their re-appointments; he also thanked the many volunteers for their efforts throughout the year. He further commented he is discussing recent tax assessments with borough officials and at the county level.

8. OLD BUSINESS

- **R-02-2023: Authorize Contract Extension for Property Data Collection and Verification Program**

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

WHEREAS, the Borough of Sea Girt, with an address of 321 Baltimore Boulevard, Sea Girt NJ 08750 (the “Borough”) and Realty Data Systems LLC, with an address of 2 Majestic Avenue – Suite 2, Lincroft NJ 07738 (“RDS” and together with the Borough, the “Parties”) entered into a Contract for Real Property Data Collection and Verification Services, dated February 10, 2021 (the “Contract”); and

WHEREAS, the Contract required RDS to perform inspections of 20% of all real property situated within the boundaries of the Borough during 2021 and an additional 20% of such properties by December 31, 2022 pursuant to the Borough’s inspection cycle from 2021 through 2024; and

WHEREAS, RDS has completed the required inspections of 60% of all real property situated within the boundaries of the Borough; and

WHEREAS, the Parties wish to complete inspections of the remaining 20% of all real property situated within the boundaries of the Borough by the conclusion of the Borough’s inspection cycle on December 31, 2023;

The Parties hereby agree to extend the Contract for one year through December 31, 2023 upon the same terms and conditions contained therein.

Recorded Vote:

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

9. R-03-2023: Authorize the Sale of the Vacant Lot Block 84, Lot 1.01 known as Edgemere Park

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

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

WHEREAS, when Edgemere Park was transferred to the Borough, a five-foot strip of land from Edgemere Park to Beacon Boulevard, 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 been granted a judgment transferring title to Block 84, Lot 1.01 to the Borough of Sea Girt; and

WHEREAS, The Borough has retained the services of BRB Valuation & Consulting Services, LLC, which has appraised the subject property and determined the market value of Block 84, Lot 1.01 to be \$45,000.00; and

WHEREAS, The Borough Council seeks to authorize the sale, list the property, and set the minimum price of Block 84, Lot 1.01 at \$45,000.00; and

WHEREAS, the subject property shall then be offered to the real property owners of the properties contiguous thereto and sold to the highest bidder from among such owners.

NOW, THEREFORE, BE IT RESOLVED

1. That the Borough Council sets the price for the property, identified as Block 84, Lot 1.01 in the Borough of Sea Girt, at \$45,000.00.
2. Block 84, Lot 1.01 in the Borough of Sea Girt shall be offered for sale to the contiguous property owners for not less than fair market value, and to the highest bidder of the two.
3. Notice shall be posted and published according to law, and mailed by regular and Certified mail, RRR.
4. Offers may be made for 20 days following the notice, advertisement and posting.
5. The bidder shall post ten (10) percent of the minimum established price.
6. Sworn Affidavits verifying the publication of advertisements shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Borough Attorney, Ray Bogan and Tax Assessor Scott Kineavy.

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 Edgemere Park to Beacon Boulevard, 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 been granted a judgment transferring title to Block 84, Lot 1.01 to the Borough of Sea Girt; and

WHEREAS, The Borough has retained the services of BRB Valuation & Consulting Services, LLC, which has appraised the subject property and determined the market value of Block 84, Lot 1.01 to be \$45,000.00; and

WHEREAS, The Borough Council seeks to authorize the sale, list the property, and set the minimum price of Block 84, Lot 1.01 at \$45,000.00; and

WHEREAS, the subject property shall then be offered to the real property owners of the properties contiguous thereto and sold to the highest bidder from among such owners.

NOW, THEREFORE, BE IT RESOLVED

7. That the Borough Council sets the price for the property, identified as Block 84, Lot 1.01 in the Borough of Sea Girt, at \$45,000.00.
8. Block 84, Lot 1.01 in the Borough of Sea Girt shall be offered for sale to the contiguous property owners for not less than fair market value, and to the highest bidder of the two.
9. Notice shall be posted and published according to law, and mailed by regular and Certified mail, RRR.
10. Offers may be made for 20 days following the notice, advertisement and posting.
11. The bidder shall post ten (10) percent of the minimum established price.
12. Sworn Affidavits verifying the publication of advertisements shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Borough Attorney, Ray Bogan and Tax Assessor Scott Kineavy.

Recorded Vote:

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

10. NEW BUSINESS – None

11. COUNCIL REPORTS – Councilman Zakin had no report.

Councilwoman Richman reported the BOE Strategic Planning meeting is on January 12th at 6:30 pm in the school library; all welcome to attend. She thanked DPW and the Beach Department for installing the Borough Christmas Tree Beacon Boulevard. She thanked those who helped with the successful Christmas beach badge sales.

Councilman Perry announced winter yoga is starting January 9th at St. Uriels Church; our Second Annual Polar Plunge is February 4th on Beacon Beach; register at www.seagirtboro.com.

Councilman Downey thanked those who participated in the employee holiday party.

Councilman Clemmensen congratulated those who took oaths of office and thanked them for their service.

Council President Anthony thanked councilmembers for the nomination of Council President; she appreciates councilmembers, management and staff for all they do for the borough; it is a wonderful team; volunteers are also appreciated. She commented that DPW is following environmental concerns and Christmas trees will be shredded and spread into the natural path in Crescent Park. Benches along the bike path will be anchored to secure their stability. On December 15th the Association of NJ State Non-Native Evasive Task Force presented to the assembly in Trenton a bill which was forwarded with regard to the non-native invasive species, both plant

materials, animals and insects. We have an amazing amount of plant species that do not belong New Jersey and the conservancy's efforts, along with the Borough is to eliminate plant materials that do not belong here in New Jersey allowing native species to grow, while also planting new plants and trees for diverse forests/parks and open spaces. The Sea Girt Conservancy has hired a landscape designer who will design a pollinating garden in Edgemere Park; design presentation will be scheduled in the near future.

Mayor Fetzner noted Chicago Boulevard sewer repair project has been awarded and should be completed by end of summer. He noted the Library Trustee meeting reported a successful year for both children and adults; The Fire House will host a library strategic plan session on January 24th in the Fire House at 4:00 pm.

12. ADMINISTRATIVE REPORT

Mr. Gant thanked employees and volunteers; he congratulated Councilman Downey, Perry and Anthony on their re-appointments; he also thanked Mr. Bogan for his guidance. Road projects, borough hall renovations, tennis court resurfacing will begin in the new year. He added the borough has a great team of conscientious employees who truly care about the town. He looks forward to enhancing communication between the borough and the community.

13. Resolution No. 04-2023: Payment of 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 December 22, 2022, December 23, 2022, and December 30, 2022 in the totals as follows:

Beach Operating Fund	\$	11,888.76
Board of Recreation Trust	\$	1,459.56
Current Fund	\$	86,604.02
General Capital	\$	31,726.60
Trust Other	\$	11,385.92
Water Capital	\$	10,450.00
Water Operating Fund	\$	8,988.10

Recorded Vote:

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

14. PUBLIC PARTICIPATION ON ANY SUBJECT

Dr. Harvey Richman, Boston Boulevard commented on the sale of vacant property and the evaluation process.

Attorney Ray Bogan clarified it was a certified appraiser who is responsible for the appraisal of the vacant property near Edgemere Park and not an assessment.

Councilman Zakin commented the small bounds of the property and would benefit the neighboring properties with limited value that may affect a discount from a larger parcel per square foot.

There being no further comments from the public and by consensus, the public hearing was closed at 7:58 PM. Mayor Fetzner advised that Council has litigation 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 Councilman Downey, seconded by Council President Anthony, carried, that the following **Resolution No. 09-2023** 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:

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

The Council returned to public session at 9:17 pm. There being no further business, and **UPON MOTION** of Council President Anthony, seconded by Councilman Downey carried, that the meeting be finally and immediately adjourned at 9:19 PM.

Dawn Harriman

Dawn Harriman, RMC
Municipal