

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24611

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly, Mayor Naughton
ABSENT: NONE

ALSO PRESENT: Jane L. Gillespie, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq., Borough Attorney
Peter Avakian, Borough Engineer
Edward Kerr, Chief of Police

Workshop – None

Approval of Minutes - None

Proclamations, Presentations & Special Guests - None

Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, stated that he has not seen the bill lists on the website. The Clerk reported that she has recently obtained the CFO's signature and will be posting them on the website.

Ms. Elsie Dubac, 415 St. Clair Avenue, asked why the date of birth is required when making a purchase on the website and also asked about the privacy policy. Mr. Jordan responded that the age request is in connection with registering on the website to ensure that each registrant is at least 13 years of age. As for the privacy policy, Mr. Jordan reported that there is a policy in place that is provided by the company that powers the website and that a link will be placed on the website for residents to review.

Council Comments & Staff Reports

Mr. Judge reported on the pool and pavilion project noting that the estimate for the project was \$5,686,762, which was the number that the Borough bonded against and put out in the bid packages. Mr. Judge stated that it was their expectation that the bids would come in at or below this number. Reporting on the bid opening, Mr. Judge noted that seven (7) bids were received all of which were above the architect's estimate; they ranged from \$7,330,000 to \$8,876,000 on the base bid. Mr. Judge further reported that the pool committee, comprised of Mrs. Reilly, Mr. Drasheff and Mr. Judge, conferred with council and determined that due to all bids being above the amount appropriated for the project, it would be prudent to reject all the bids. Mr. Judge went on to state that the fact remains that the north end pool and pavilion is in dire need of being rebuilt and as such all options are on the table. The committee intends to meet again with the owner's representative and architect to determine what design changes can be made in order to get the bid back on the street with hopes of getting it back in at a lower cost. Mr. Judge noted that the target timeframe for award would be the middle of July which makes it rather tight to get on the pre-cast concrete schedule which may result in having to give the contractor more room at the back-end of the project timeline; approximately thirty (30) days. Mr. Judge reiterated that the committee is committed to producing a quality product and in a financially responsible manner and are willing to consider all options. Mr. Jordan asked

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

when the various options would be made available for council consideration. Mr. Judge stated that the immediate consideration is putting together a quick re-design to get out to bid. A member of the public asked how the bids could be so far off the anticipated estimate, in light of the economy. Mr. Judge responded that they relied heavily on the architect and his estimate.

Lyle Marlowe asked if there had been any discussion with the bidders in connection to the specific elements that lead to such high bids. Mrs. Reilly responded that the owner's representative, Mr. Griffin, would be in contact with the bidders to garner additional details.

Mrs. Twomey asked if the bidders had a working knowledge of building a pre-fab structure like the one we've specified. Mr. Judge explained that the prices are obtained from the concrete manufacturer. The Mayor stated that she agrees with the committee's recommendation to reject the current bids and go forward with the effort to find areas to redefine the bid specs.

Mr. Judge offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-109 - RESOLUTION – REJECTING BIDS – NORTH END PAVILION PROJECT
AND AUTHORIZING THE PROJECT BE REBID**

WHEREAS, a recommendation was made by the Mayor and Borough Council of the Borough of Spring Lake ("Borough") to seek a contract for construction services for the North End Pavilion (hereinafter "Project"); and

WHEREAS, the Project was properly advertised to prospective bidders in accordance with N.J.S.A. 40A:11-4 and;

WHEREAS, on Thursday, May 17, 2012 the Board received the following bids from potential bidders in accordance with N.J.S.A. 40A:11-1, et seq.;

Contractor	Base	Unit Piles	Ext Piles	Total Base	Alt. #1 (Pool)	Alt. #2 (Pool)	Alt. #1 Pool Equip	Alt. #1 Roofing	Alt. #1 Concession Equip.	Alt. #1 Lockers.	Pool System Subst.
Fitzpatrick & Associates	\$6,980,800	\$20.00	\$354,200	\$7,335,000	\$42,000	\$39,000	\$33,000	\$65,000	\$5,000	\$15,000	NO BID
G&P Parlamas	\$7,432,141	\$20.00	\$354,200	\$7,786,341	\$47,000	\$44,000	\$38,000	\$50,000	\$7,000	\$3,000	(\$160,000)
Benjamin Harvey	\$7,792,000	\$17.50	\$309,925	\$8,101,925	\$43,888	\$40,768	\$33,800	\$46,800	\$2,711	\$3,150	(\$168,000)
Pattock Constr.	\$7,958,508	\$15.20	\$269,192	\$8,227,700	\$43,077	\$40,777	\$33,777	\$66,700	\$6,770	\$4,777	(\$170,000)
Stoneridge, Inc.	\$8,111,800	\$23.50	\$416,185	\$8,527,985	\$35,000	\$40,000	\$30,000	\$70,000	\$18,000	Blank	(\$50,000)
Hall Building Corp.	\$8,384,000	\$22.00	\$389,620	\$8,773,620	\$28,000	\$29,000	\$35,000	\$90,000	\$7,800	\$19,000	(\$158,000)
Hall Construction Co., Inc.	\$8,663,480	\$12.00	\$212,520	\$8,876,000	\$35,000	\$29,000	\$33,000	\$100,000	\$5,000	\$3,000	NO BID

WHEREAS, upon review of the bids submitted, together with the budget for the Project, and in consultation with the Design Professionals for the Project, the Borough has determined that the bids received exceed the budget for the Project; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough hereby rejects the bids as unresponsive pursuant to N.J.S.A. 40A:11-13.2(a) & (b), and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Project be rebid pursuant to Local Public Contract Laws, N.J.S.A. 40A:11-1, et seq

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012

24613

Mayor Naughton reminded the public of the Memorial Day Parade and ceremony being held on Monday and encouraged residents and the friends and family to attend. In connection with the Boardwalk, the Mayor reported that it is officially complete and extended her thanks to Mr. Frank Phillips and the Public Works department for their outstanding efforts. Also, in connection with the repairs, the Mayor reminded the public that the Borough will be reimbursed by FEMA for 75% of the cost of the repairs. Also beach related, the Mayor reported that there was an incident at Washington Avenue beach involving a seventeen year old swimmer who was caught in a riptide. A local surfer, Keith Maynard, was able to assist while two of the Borough's Special Officers, Billy Kelly and Sean Duggan, also went into the water to help; fortunately the swimmer was fine. The Mayor extended her thanks to the surfer and the officers. Finally, Mayor Naughton brought attention to Resolution 12-106 in connection with the Wreck Pond project emphasizing the importance of the effort.

Mrs. Venables expressed her thanks to the Department of Public Works for their efforts in connection with the boardwalk repairs as well as their work in getting the town ready for the season.

Mr. Judge also expressed his thanks to the Department of Public Works for their hard work. In addition, he reported that there was another meeting of the ad hoc committee in connection with the plans for a playground and basketball court at Mountz school; the board has not yet voted and there are plans for another meeting giving the neighbors an opportunity to be heard. Finally, Mr. Judge publicly thanked Kelly Dicso, a local 8th Grader, who put together the Mountz Pink Tigers event to fight breast cancer. Mayor Naughton added that she was in attendance at the event noting that it was very well attended and offered her thanks to Kelly and all those who attended.

Mrs. Reilly reported sign-ups for summer recreation programs will be held on Saturday, June 2, 2012 from 9:00 am to 12:00 pm at Marucci Park. Mrs. Reilly reported that there will also be a new aerobics and water aerobics program this year.

Borough Engineer's Report

Mr. Avakian reported on the South End pool project noting that the first part of the project involved the removal of the liner. Mr. Avakian stated that they had been forewarned by Mr. Jeff Wallach that when the liner was replaced twenty (20) years ago, they used galvanized fixtures under the PVC liner which resulted in a great deal of rusting and disintegration. Mr. Avakian noted that they had hoped the estimates to make repairs would fall below the bid limit, however, this was not the case and therefore putting the project out to bid was required. This was done, and Mr. Avakian voiced that he anticipates the cost of the repairs to be in the range of \$40,000 to \$45,000. Mr. Avakian detailed the defects and deterioration that needs to be addressed and fielded questions from the Mayor and Council. Mr. Avakian confirmed that there was a special meeting being held on Thursday and recommended that an award be made subsequent to the receipt of the bids. Mr. Avakian explained that the company has been very accommodating with the Borough noting that they mobilized their equipment and then once the liner was lifted revealing the underlying repair requirements demobilized and went to their Pittsburg project. As a result, Mr. Avakian indicated that they are well aware of our sense of urgency and will try to work with us in balancing their other client. Mayor Naughton inquired about the life expectancy of the work. Mr. Avakian noted that the vendor will give a ten (10)

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

year guarantee but we expect it to go to potentially eighteen (18) to twenty (20) years if the underlying surface is done well.

In connection with Wreck Pond, Mr. Avakian reviewed the four (4) components of the project including the environmental assessment which should be completed in the next couple of weeks; dredging; the FEMA mitigation grant including pumping system improvements, shoreline restoration and spillway structure modification; and finally the infrastructure assessment. Mayor Naughton explained that the grant was received many years ago and was intended to be used for another study of the pond and the Borough decided to hold onto the grant in order to combine the study with the actual work. Mr. Avakian confirmed that the length of piping that needs to be assessed is approximately 25,000 linear feet. Mr. Dempsey added that if there were to be money left over, it could be used to review other pipes, such as those in Sea Girt, to identify where the run-off may be coming from. Mayor Naughton confirmed that in regards to tonight's agenda, the only thing up for approval is for the environmental assessment and dredging; the first two (2) components.

Borough Attorney's Report - No report.

Borough Administrator's Report - No report.

Business Items Under Consideration

H.W. Mountz - Kitchen Tour - October 20, 2012 - Mrs. Venables offered a motion to approve the request, seconded by Mrs. Reilly. Unanimously approved.

Little League Picnic - Marucci Park - June 9, 2012 - Mrs. Venables offered a motion to approve the request, seconded by Mrs. Reilly. Unanimously approved.

Chris Herren - Divine Park - July 14, 2012 - Mrs. Reilly inquired as to whether there was ample electricity available for the event. Ms. Jordan indicated that getting approval was the first step and that she would be looking into the specific details. Mayor Naughton reported that she had heard very positive feedback regarding the speaker and would be happy to host him in Spring Lake. Mr. Jordan offered a brief biography of Mr. Herren and the nature of his presentation. Mayor Naughton added that the presentation is targeted to adults and teens. Mrs. Venables offered a motion to approve the request, seconded by Mrs. Reilly. Unanimously approved.

Ordinances for Introduction - None

Ordinances for Adoption - None

Consent Agenda

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-097 - RESOLUTION RELEASING STREET OPENING BOND
120 PENNSYLVANIA AVENUE – BLOCK 20, LOT 11**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Stephen & Sheila Kelly for property located at 120 Pennsylvania Avenue, Block 20, Lot 11 and

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24615

WHEREAS, the Zoning Officer has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-098 - RESOLUTION RELEASING ESCROW FEES
MASTRORILLI – BLOCK 71, LOTS 11 & 11.01**

WHEREAS, Patrick Mastroilli has requested release of escrow monies posted for all professional fees in reference to the subdivision known as Block 71, Lots 11 & 11.01, and

WHEREAS, the Zoning Officer has recommended the release of the escrow monies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the escrow monies be and hereby are released for the Mastroilli Subdivision posted for Block 71, Lots 11 & 11.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-099 - RESOLUTION HONORING THE MEN AND WOMEN OF OUR ARMED FORCES BY
AUTHORIZING FREE DAILY BEACH ADMISSION DURING THE 2012 BEACH SEASON TO ALL
ACTIVE MILITARY PERSONNEL**

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Spring Lake, are today actively engaged in combat operations in Afghanistan and Iraq, or are deployed or otherwise serving in support of those operations, and/or in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens; and

WHEREAS, since September 11, 2001, and increasingly since the commencement of combat operations in Afghanistan and Iraq, the men and women of the New Jersey National Guard have been called up to active duty status in increasing numbers, and their support and service have been and will continue to be essential to the overall success of military efforts both home and abroad; and

WHEREAS, as many American families have lost loved ones in the military actions underway in Afghanistan and Iraq, and more than a hundred thousand other American families live each day in constant trepidation that the next knock on the door might make their own worst fears come true; and

WHEREAS, the residents of the Borough of Spring Lake want our troops and their families to know that they are in our hearts and on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake that in honor and recognition of our active military and active reserve personnel and their families, and to demonstrate the

24616

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

gratitude of the residents of the Borough of Spring Lake for the daily sacrifices they are making, the Mayor and Council hereby offer free beach admission during the 2012 season to each member of the active military and active reserve and their dependents upon the presentation of a valid military identification card at any beach entrance (Up to a maximum of four (4) free passes daily including military personnel); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall remain in effect throughout the 2012 beach season.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-12-100 - APPOINTING LIFEGUARDS FOR THE 2012 SEASON

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following are hereby appointed with their rate of pay as lifeguards for the Borough of Spring Lake for the 2012 Season as recommended by Beach Supervisor, Daniel Finn.

<u>Last Name</u>	<u>First Name</u>	<u>Hourly</u>	<u>Last Name</u>	<u>First Name</u>	<u>Hourly</u>
Ahlers	Victoria	\$11.99	Mancini	Mike	\$9.91
Bateman	Ian	\$9.91	McCarthy	Rachel	\$9.91
Bilotti	Caroline	\$9.91	McClatchey	Shane	\$11.99
Bongiovanni	Francesca	\$11.99	McCormick	Joseph	\$12.79
Briant	Hannah	\$11.99	McGee	Kevin	\$9.91
Burkard	Page	\$9.91	McGlynn	Alanna	\$12.79
Byrne	Sean	\$11.99	McMullen	Joseph	\$14.58
Cannon	Sarah	\$11.99	Meehan	Hugh	\$12.79
Cantillo	Christian	\$9.91	Mencel	Charles	\$14.58
Cappiello	Michael	\$16.66	Mihalcik	Peter	\$14.58
Carbin	Jessica	\$14.58	Mihalcik	Molly	\$14.58
Carbin	Jenna	\$12.79	Monteleone	Robert	\$16.66
Cavanagh	Sean	\$16.66	Nanda	Alex	\$11.99
Conte	Mark	\$11.99	Negrey	Joseph	\$12.79
Criscuolo	Melissa	\$11.99	Niemann	Christian	\$11.99
Criscuolo	Julie	\$11.99	Noble	Ashley	\$12.79
Daugherty	Cassie	\$14.58	O'Donnell	Liam	\$12.79
Davis	Chelsea	\$15.45	Paliukaitis	Mike	\$11.99
Dexheimer	Kyle	\$14.58	Parsons	Colin	\$14.58
Dexheimer	Anna	\$11.99	Pearson	Andrew	\$12.79
DiTommaso	Kristen	\$14.58	Peles	Shane	\$9.91
Donnelly	Gerard	\$11.99	Perrotto	Gina	\$12.79
Dufford	Chris	\$12.79	Petrone	Caroline	\$11.99
Ennis	Mike	\$11.99	Petrone	Patrick	\$12.79
Farrell	Eileen	\$14.58	Pimentel	Nick	\$9.91
Ferencz	Alex	\$12.79	Poland	Meghan	\$11.99
Ferraro	Claire	\$14.58	Posner	Jane	\$9.91
Finn	Sarah	\$11.99	Preston	Kieran	\$11.99
Foley	Kate	\$11.99	Prince	Troy	\$9.91
Foley	Coleen	\$9.91	Reilly	Conor	\$12.79
Freda	Anthony	\$9.91	Rooney	Casey	\$9.91
Gaszynski	Jan	\$12.79	Rozek	Liz	\$12.79
Gilbert	Lauren	\$14.58	Ruckert	William	\$14.58
Gramlich	Jack	\$14.58	Russo	Will	\$11.99
Green	Rob	\$14.58	Sabatis	Charles	\$9.91
Green	Michael	\$11.99	Samluk	Shannon	\$14.58
Greenquist	Nick	\$11.99	Sasala	Joseph	\$12.79
Grothues	Dan	\$14.58	Seniszyn	Jennifer	\$15.45
Grothues	Meghan	\$12.79	Sherman	Dan	\$14.58

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24617

Harkins	Nancy	\$14.58	Smith	Margaret	\$9.91
Hoffman	Robert	\$14.58	Spitzer	Mike	\$11.99
Holleran	Martin	\$14.58	St. Germaine	Jacque	\$9.91
Hostnik	Kendall	\$14.58	Strizki	Diana	\$15.45
Kacsmar	Thomas	\$11.99	Testa	Richard	\$12.79
Kappy, Jr.	Richard	\$16.66	Thompson	Sean	\$12.79
Karklin	Ryan	\$11.99	Tombs	Tyler	\$9.91
Kazaba	Katherine	\$12.79	Vella	Jeffrey	\$14.58
Koester	Mark	\$12.79	Vella	Sean	\$14.58
Kropke	Emma	\$12.79	Waldron	Amanda	\$14.58
Kropke	Caroline	\$12.79	Walsh	Sean	\$14.58
Lapham	Kevin	\$11.99	Warner	Ben	\$9.91
Lemke	Joseph	\$12.79	Welsh	Alyssa	\$12.79
Lenk	Kevin	\$14.58	Wheeler	Brandon	\$11.99
Maldjian	Maggie	\$12.79	White	Amy	\$9.91
Maldjian	Sean	\$11.99	White	Rose	\$9.91
Maldjian	Meghan	\$11.99	Wilson	David	\$11.99
Maldjian	Kate	\$12.79	Wladich	James	\$14.58
			Zupko	Robert	\$16.66

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-12-101 - RESOLUTION APPOINTING GATE ATTENDANTS FOR THE 2012 SEASON

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following are hereby appointed with their rate of pay as gate attendants for the Borough of Spring Lake for the 2012 Season as recommended by Beach Supervisor, Daniel Finn.

<u>Last Name</u>	<u>First Name</u>	<u>Hourly</u>	<u>Last Name</u>	<u>First Name</u>	<u>Hourly</u>
Abel	Theresa	\$12.34	Quetel	Annette	\$12.10
Black	Lillian	\$12.34	Quinn	Katherine	\$8.30
Casagrande	Lyndsey	\$8.00	Randazzo	Timothy	\$7.25
Clayton	Helen	\$12.10	Ribeiro	Joao	\$12.34
Conte	Nicole	\$9.22	Roche	Peter	\$12.34
Crimmins	Maryann	\$8.30	Rooney	Margaret	\$12.34
Davis	Karin	\$7.50	Rotando	Marisa	\$7.50
Dawson	Bob	\$8.30	Rubino	Michael	\$7.50
Dempsey	Brian	\$8.00	Samis	Annie	\$8.00
Dempsey	Kevin	\$7.25	Sharp	William	\$12.34
Dombroski	Howard	\$7.50	Sickler	Christopher	\$8.00
Dombroski	Judith	\$7.25	Smith	Richard	\$12.34
Durando	Ryan	\$7.25	Smith	Theresa	\$12.34
Flaherty	Annalee	\$7.50	Soranno	Jack	\$12.34
Flanagan	Shane	\$7.25	Stankiewicz	Jessica	\$7.50
Florentine	Lia	\$8.00	Strand	Eileen	\$12.34
Giambattista	Lisa	\$12.34	Sturtevant	Shane	\$7.25
Giambattista	Nicholas	\$9.22	Tilton	Diane	\$12.34
Gilligan	James	\$7.50	Tully	Daniel	\$8.30
Glassford	Emily	\$9.22	Turiano	Donna	\$7.50
Goetz	Molly	\$12.34	Turtur	Lia	\$7.25
Goetz	Timothy	\$8.30	Turtur	Lily	\$8.00
Goncalves	Lazaro	\$12.10	Valian	Arlene	\$12.34
Grassano	Samantha	\$7.25	Van Bergen	Helen	\$12.34
Hart	Jillian	\$7.50	Van Schack	Andrew	\$8.00
Haskin	Richard	\$12.10	Van Winkle	Sean	\$7.50
Hayes	Elizabeth	\$12.10	Wall	Jacqueline	\$8.00
Herzberg	Carol	\$7.50	Wall	Katherine	\$12.34

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

Hunt	Emily	\$7.50	Warkala	Elizabeth	\$9.22
Kaczorowski	Christine	\$12.10	Williams	Julia	\$12.34
Kaminski	Emily	\$7.50	McGarry	Alyssa	\$7.50
Weierman	Dorothy	\$12.34	McGarry	Caitlin	\$7.50
Karl	Betty	\$12.10	McGarry	Joseph	\$12.10
Whitaker	Beth	\$8.30	McLaughlin	Frances	\$8.00
Keller	Kevin	\$9.22	McNamara	Lauren	\$7.50
Yucht	Bernard	\$12.34	Meehan	Hugh	\$8.00
Kennedy	Megan	\$8.00	Megill	Joyce	\$12.34
Lair	Tim	\$8.30	Milanowycz	Taylor	\$7.50
Ledden, III	Edward	\$12.10	Mohr	Kathleen	\$7.50
Lee	Tina	\$12.10	Murray	Katherine	\$7.50
Liddy	Joseph	\$8.00	Naughton	Arline	\$7.50
Loya	Theodore	\$8.00	Nolan	Shawn	\$7.25
Magnusson	Shane	\$7.50	O'Gara	Kim	\$7.50
Mastrodanato	Olivia	\$8.00	Petrillo	Lisa	\$7.25
Mastrorilli	Patrick	\$7.50			

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-12-102 - RESOLUTION APPOINTMENT OF ADDITIONAL SEASONAL EMPLOYEES

BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake, that the following individuals are hereby appointed as seasonal employees with the Borough of Spring Lake for the 2012 season in the following Departments at the following rates:

Beach Rake Operators

Nicholas Ciliberto	\$15.00 per hr
Kevin A. Cupples	\$15.00 per hr

Beach Maintenance

Matthew Aprahamian	\$7.25 per hr	Marcus Lecorchick	\$8.00 per hr
Kevin Beachem	\$11.50 per hr	Daniel Miles	\$7.25 per hr
Donald Corson	\$7.25 per hr	Conor Reidy	\$11.50 per hr
Shane Finn	\$7.50 per hr	Thomas Rossi	\$7.50 per hr
Casey Fury	\$11.50 per hr	Michael Short	\$7.50 per hr
Zachary Hennings	\$7.50 per hr	James Smith	\$8.30 per hr
Brian Holod	\$11.50 per hr	Matt Wall	\$8.30 per hr
Domenic Gargiulo	\$7.25 per hr	Patrick Walsh	\$7.25 per hr
Gregg Keniston	\$8.75 per hr	Jordan Zawodniak	\$7.50 per hr
John Lane	\$8.30 per hr		

Beach Restrooms

Denise Ploskonka	Pre/Post Season Days (All)	\$ 75.00 per shift	Restroom Attendant Supervisor
	In Season Days (N. End)	\$110.00 per shift	
	In Season Nights (All)	\$160.00 per shift	
Melinda Ploskonka		\$12.50 per hr	Restroom Attendant
Meridith Ploskonka		\$12.50 per hr	Restroom Attendant

Beach Office Staff

Sarah Erbe	\$12.34 per hr
Erica Nunno	\$12.34 per hr
Nancy McDaniel	\$7.25 per hr
Leigh Pisegna	\$14.65 per hr

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24619

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-103 - RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT FOR
2012 WITH ASSOCIATED HUMANE SOCIETY**

BE IT RESOLVED, by Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Associated Humane Society for animal control services for the year 2012.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-104 - RESOLUTION - AUTHORIZING CHANGE ORDER NO. 1 CONTRACT #03-
2012 – PVC SWIMMING POOL LINING SYSTEM AND REMOVAL OF EXISTING POOL
SYSTEM LINER**

WHEREAS, Contract #03-2012 for the PVC Swimming Pool Lining System at the South End Pavilion was awarded to Aquatic Renovations Systems, Inc. in the amount of \$50,000, and

WHEREAS, Borough Engineer, Peter R. Avakian has recommended Change Order No. 1 in the amount of \$3,200 for a total contract of \$53,200.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing said Contract in the amount of \$3,200 for a total contract amount of \$53,200 be and is hereby authorized for the above contract awarded to Aquatic Renovation System, Inc.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds for Change Order #1 are available from: Reserve for Pool Improvements for an amount to be increased by \$3,200 not to exceed \$53,200.00. /s/ ROBBIN D. KIRK, CHIEF FINANCIAL OFFICER

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-12-105 - A RESOLUTION TO AFFIRM THE BOROUGH OF SPRING LAKE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH THE MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Borough of Spring Lake to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Borough of Spring Lake has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough of Spring Lake that:

Section 1: No official, employee, appointee or volunteer of the Borough of Spring Lake by whatever title known, or any entity that is in any way a part of the Borough of Spring Lake shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Spring Lake's business or using he facilities or property of the Borough of Spring Lake.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Spring Lake to provide services that otherwise could be performed by the Borough of Spring Lake.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolutions using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: the Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subjected to appropriate discipline.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Spring Lake as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities, and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Spring Lake. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Spring Lake's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Spring Lake in order for the public to be made aware of this policy and the Borough of Spring Lake's commitment to the implementation and enforcement of this policy.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24621

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-106 - RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT BETWEEN PETER AVAKIAN OF LEON S.
AVAKIAN AND THE BOROUGH OF SPRING LAKE FOR THE ENVIRONMENTAL
ASSESSMENT OF WRECK POND PUMP AND DREDGING PROJECTS**

WHEREAS, there exists a need for engineering services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between PETER AVAKIAN of Leon S. Avakian, Inc. and the Borough for the environmental assessment of Wreck Pond pump and dredging projects; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the proposals for the engineering services are as listed, the anticipated term of this project is one (1) year for the amounts of:

Environmental Assessment Report	Review & FEMA Approval	Not to exceed \$10,000
Dredging of Easterly End of Wreck Pond	Permits NJDEP	Not to exceed \$17,500 not including NJDEP Permit Fees
Dredging of Easterly End of Wreck Pond	US Army Corps of Engineers	Not to exceed \$5,000 not including USACOE Permit Fees

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, Peter Avakian has completed and submitted a Business Entity Disclosure Certification which certifies that Leon S. Avakian, Inc. has not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between Peter Avakian of Leon S. Avakian, Inc. and the Borough to provide engineering services to the Borough of Spring Lake with respect to a pump evaluation in conjunction with Wreck Pond, and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURTHER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-12-107 - RESOLUTION — APPROVAL OF BILLS — MAY 22, 2012

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending May 22, 2012, and

WHEREAS, the Borough Finance Committee has reviewed said claims.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

<u>SUMMARY</u>	
CURRENT FUND (1)	2,871,756.13
GENERAL CAPITAL (4)	5,945.00
WATER/SEWER OPERATING (9)	36,974.59
SPRING LAKE TRUST (15)	898.75
MT LAUREL TRUST (16)	30.00
PAYROLL (18)	1,864.54
PLANNING BOARD ESCROW 1 (21)	2927.95
RECREATION (25)	2,222.03
BEACH OPERATING (81)	122,304.87
BEACH CAPITAL (84)	4,502.17
POOL OPERATING (91)	25,238.63
TOTAL	\$3,074,664.66

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-12-108 - RESOLUTION - STATEMENT OF SUPPORT FOR
THE NEW JERSEY/NEW YORK CLEAN OCEAN ZONE**

WHEREAS, the New York/New Jersey Bight is defined as the waters from Montauk Point, New York, to Cape May, New Jersey, offshore to the outer edge of the Continental Shelf (to depths of 1,000 fathoms), consisting of over 19,000 square miles of the Mid-Atlantic Ocean; and

WHEREAS, the diversity of life in the NY/NJ Bight is unique in the world; more than 300 species of fish, nearly 350 species of birds, 5 species of sea turtles, and many marine mammals (including over 20 species of whales and dolphins, 1 species of porpoise, and 4 species of seals) frequent this region and the habitat found in the NY/NJ Bight serves as an essential migratory pathway for many of these species; and

WHEREAS, this ecological richness depends on protecting the quality of the environment; and

WHEREAS, the NY/NJ Bight sustains the economy of the region through its bounty of natural resources and intrinsic values for millions of people through tourism and recreation and is home to the nation's largest commercial port on the east coast and the thousands of industries related to, and dependent on, tourism and trade; and

WHEREAS, recreational and commercial fisheries provide enormous economic benefits, both in food production and recreational activities, therefore the continued use of these renewable natural resources in accordance with existing laws must be supported and enhanced; and

WHEREAS, our waters were known as the "ocean-dumping capitol of the world" due to eight ocean dumpsites, including an area called the "dead sea" (a 20-mile area created by excessive sewage and toxic muck dumping),

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

24623

beaches were littered with garbage, medical waste, and sludge balls, and water quality was so poor that it was unsafe for swimming. These activities all caused an ecological and economic crisis; and

WHEREAS, organizations, businesses, and citizens rallying to defend these precious resources and working to improve and protect the waters of the NY/NJ Bight, resulted in an end to ocean dumping and dramatically improved water quality, proves that citizens can positively impact their quality of life; and

WHEREAS, the NY/NJ Bight is downstream of, and receives pollution from, the most densely populated, industrialized, and urbanized area in the country which spews millions of gallons of contaminated wastewater and toxic sediments into the ecosystem each year threatening the vast ecological richness of the Bight and public health; and

WHEREAS, the NY/NJ Bight continues to be vulnerable to polluting and industrializing activities on a permit-by-permit basis, which is unproductive, and not sustainable. These destructive activities undermine the ecological and economic potentialities to sustain living marine resources in the NY/NJ Bight and must be prohibited; and

WHEREAS, current federal, state, and local laws and regulations are insufficient to protect the vast value of this ocean region and its living marine resources from pollution and habitat-destroying activities, and our elected officials must strive harder to protect the NY/NJ Bight; and

WHEREAS, it is time to lock-in the tremendous path of progress which has led to far-reaching improvements in our ocean water quality and lock-out environmentally harmful activities, thereby ensuring the continued economic and ecological value of the ocean today and for future generations; and

WHEREAS, a logical and essential next step is to use federal and state regulatory and legislative opportunities to designate the NY/NJ Bight as the "New Jersey/New York Clean Ocean Zone," which would:

REDUCE POLLUTION

1. Prohibit new ocean dumpsites.
2. Mandate capping of the Historic Area Remediation Site (HARS) formerly the Mud Dump Site -- with progressively cleaner sediment to ensure the remediation of the HARS and to protect against adverse ecological effects.
3. Prohibit new point sources of pollution (under the federal Clean Water Act definition) and increases of discharge capacity (e.g., wastewater discharge outfalls, industrial discharges).

PROTECT MARINE ECOSYSTEMS

4. Protect valuable sand and gravel resources by prohibiting industrial strip-mining, while allowing beach replenishment activities.
5. Prohibit industrial and non-renewable energy facilities and infrastructure, including oil and gas exploration, development, and production, and liquefied natural gas import/export facilities.
6. Require the development of responsible regulations for siting renewable energy facilities and ensure that any leases, easements, right-of-ways, or permits issued to establish a renewable energy facility do not unreasonably degrade or endanger human health or the marine environment individually or cumulatively.

SUPPORT MARINE RESOURCES & USES

7. Support recreational and commercial fishing by acknowledging that federal and state laws for fisheries exist. Prohibit the COZ legislation from being used to adopt or enact fisheries management actions for recreational or commercial fishing.
8. Support approved federal and state artificial reefs, and support underwater scientific and historic research and exploration that does not adversely affect the ecosystem.
9. Support, celebrate, and sustain maritime activities that depend on a healthy and clean ocean, such as boating, underwater diving, fishing, surfing, swimming, and the enjoyment of the sea. The COZ legislation will not be used to restrict or limit these activities.

THEREFORE BE IT RESOLVED that, on this date, May 22, 2012, the Borough of Spring Lake hereby supports the New Jersey/New York Clean Ocean Zone that would permanently protect the waters of the New York/New Jersey Bight from the aforementioned polluting and habit-destructive activities, thereby safeguarding the waters in this region for present and future generations.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 22, 2012**

Public Comments

Ms. Eleanor Twomey, 108 Vroom Avenue shared that she recently witnessed landscapers blowing grass in and around the storm drains. The Mayor noted that there is an ordinance in place prohibiting this and also stated that although landscapers have been better about complying with the ordinance, there are still some that do not. Ms. Twomey also expressed concern about the location of the port a johns while in use by contractors and asked if the Borough had control over where they are placed. Mayor Naughton responded noting that Code Enforcement Officer, Steve Roe responds to any complaints regarding this and does ensure that they are placed according to Borough Code. The Mayor encouraged Ms. Twomey and members of the public to contact Steve if they have any concerns. Finally, Ms. Twomey reported that there were trees removed on the curb line at Madison and 2nd Avenues and wondered if they had permission. Mrs. Venables reported that there are ordinances in place that pertain to the removal of trees and agreed to follow up with the Zoning Officer and Code Enforcement Officer to ensure that the appropriate permitting was obtained.

Lyle Marlowe, 110 Pennsylvania Avenue noted that it appears that lots are allowed to be subdivided and trees removed without replacing them. Mrs. Venables responded stating that owners do have the option to post money in lieu of replacing the trees which is what they may have done in this case. Mr. Marlowe also asked about the Wreck Pond funding suggesting that we request funding assistance from the State and the County. Mr. Dempsey detailed the various funding streams and noted that the County has been a good partner and are paying for the dredging.

Ann Gale, 424 Tuttle Avenue, expressed disappointment in the locker/beach badge purchase process specific to having to put personal information on the website, paying credit card fees and the overall high cost for derelict facilities. Mr. Jordan commented that the requirement by the State for the Borough is to either absorb the credit card fees completely or pass the fees on to the consumer completely; cannot select an option based on the individual program. As the Borough moves to have more services purchased by residents on-line, Mr. Jordan stated, it's a policy the Borough will need look at more closely going forward. Mrs. Reilly reiterated Mr. Jordan's comments regarding the fees and agreed that creating greater awareness about the fees on the website is a way to improve the process.

Adjournment

Mrs. Venables offered a motion to adjourn the meeting, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:13 P.M.

Respectfully submitted,



JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: August 14, 2012