

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
AUGUST 26, 2014**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:05 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. Erbe (arrived 6:29 pm), Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables (arrived 6:58 pm), Mayor Naughton

ABSENT: Mr. Fay

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

Public Hearing

Monmouth County Open Space Grant Program

Mayor Naughton introduced the topic reminding the public that the Borough is making application to the Monmouth County Open Space Grant Program and as part of the application process the Borough is required to hold a public hearing allowing for council members to discuss the Borough's proposal and for the public to comment on said proposal. The Mayor invited Mr. Frost to speak to the topic stating that he's been instrumental in putting together the parameters of the application.

Mr. Frost offered some background on the Open Space Grant Program noting that the Borough is taxed annually in the amount of approximately 1.5 cents per each \$1,000 in assessed property value. For example, Mr. Frost continued, last year the Borough contributed over \$500,000 to the open space trust fund. Each year, municipalities may apply to get some of the contributed funds back to be used for acquisition or renovation of park and recreation facilities including the addition of new amenities. Mr. Frost added that the application process is very competitive and in the last twelve years that the program has been in place, the Borough has only received funding once. Mr. Frost expressed strong support for applying for the open space funds annually, if not every other year, in an effort to improve our parks. The county demonstrated a great deal of leniency last year in the wake of Superstorm Sandy, stated Mr. Frost, noting that typically the county looks for proposals of new amenities not just the repair or replacement of existing amenities. Mr. Frost stated that his belief is that the 2009 grant application was successful in large part due to the inclusion of the new soccer field, restrooms and the walking path. This year's application will include some items that should've been in last year's application showing that the Borough intends on putting in new amenities, stated Mr. Frost. The items being considered, Mr. Frost continued, include a sprinkler system along Third Avenue and the planting of trees along the parking lots and in front of the tennis courts. Another area of concern has been the parking area off South Boulevard that leads into the Borough yard that is unfinished and void of parking spaces which results in people parking on the grass, stated Mr. Frost. Also discussed were new amenities such as a platform tennis court, a clearing of the area by field number three, which is overgrown with trees, possibly making way for an area for ice skating, upgrading the entire area for ADA accessibility, benches, signage, parking lot bumpers and a tennis backboard, added Mr. Frost. Mr. Frost turned the topic over to Mr. Avakian inviting him to further detail the site plan and the proposed plan for the placement of various amenities noting that nothing is etched in stone. Mr. Frost also stated that application needs to be submitted by late September.

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Mr. Avakian mirrored Mr. Frost's comments noting that the application process is quite competitive. Mr. Avakian stated that the program is funded by the Board of Chosen Freeholders through the county's park system and when the park system representatives look at the application they want to see that the Borough is providing something to the Borough and other municipalities that isn't currently there. Mr. Avakian presented a visual of the site plan and noted that it's a conceptual plan and cautioned against getting too much into the detail. The platform tennis structure is the item that creates a different use component of the application, stated Mr. Avakian. Mr. Avakian added that the structure anticipated would be roughly 30 by 60 feet with an elevated court that can be used in colder weather. It would be located either adjacent to the tennis courts or between the tennis courts and the pavilion building, stated Mr. Avakian. Mr. Avakian further stated that there is enough land to accommodate the courts as well as the requisite utilities and storm drainage system. Mr. Frost added that most likely the tennis enthusiasts would use the facility in the winter noting that the heated surface melts the snow and they use a specifically designed ball that performs better in colder temperatures. Mr. Avakian stated that it's a popular game at The Atlantic Club and there are other municipalities that have one as well. The Mayor added that Sea Girt has a court that is quite popular. Mr. Avakian stated that he believes the county will look favorably on the idea because it's different and would be made available to the public. Mr. Avakian also spoke to the need for access to the tennis courts, field three and the soccer field stating that there are a couple of different options which would include parking improvement. Mr. Frost added that there is a lighting element to consider noting that he received a call from a resident who voiced opposition to any form of lights in the area. Mr. Frost stated that the lights would not be like those at Rash Field but would be significantly lower to the ground, domed, and focused directly onto the court. Mr. Frost also stated that the Borough also has the option of limiting the time the courts could be used.

Peter Roche, 410 St. Clair Avenue, asked if the courts are not in use, would the lights be on and if not, how will the lights be controlled. Mr. Avakian stated that the lights may be controlled either through a prearranged reservation or by giving the user a key which will also be necessary for the heating element as well as the lights.

Mr. Avakian, reflecting on the history of the installation of the soccer field and the identification of a wetland area, noted that the area is self-sufficient and is considered an isolated wetland. This is a positive thing for the Borough, stated Mr. Avakian, stating that the area may be used for an ice skating pond. The feasibility of this, Mr. Avakian added, would need to be looked into. As for the ADA (Americans with Disabilities Act) element, Mr. Avakian stated that they discussed the possibility of linking the various recreation areas and ensuring that they are handicap accessible. Mr. Avakian added that another new addition being proposed is landscaping and vegetation on the east side of the park along Third Avenue providing irrigation in the area. The cost estimate in total, stated Mr. Avakian, is \$300,000, with the platform tennis making up about one-third of the cost, the parking improvements and detention basin/skating area being roughly one-third and the other items making up the balance. Through this grant, the county would fund half and the Borough would pick up the other half, stated Mr. Avakian.

Judie Brophy, 315 South Boulevard, asked if such a grant would include a stipend for the maintenance of the facility. Mayor Naughton stated that she believes the grant would be strictly for new construction. Mr. Avakian, confirming Mayor Naughton's belief, stated that they specifically proposed amenities that would not require a great deal of maintenance. Ms. Brophy expressed concern that the platform tennis court would require a great deal of maintenance given the heating element. Ms. Brophy added that she lives directly across from the park and stated that there's never been an issue with parking overflow into

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the street and expressed concern that putting in additional parking may further contribute to the flooding and water issues that her neighbors have experienced. Mr. Avakian replied stating that any improvement on the park property would require appropriate drainage and that drainage must stay on the park property. What would likely be done in the case of a parking lot expansion or new construction would be to tie into the existing drainage system that runs through the park and then crosses Third Avenue into Lake Como. Ms. Brophy asked if they considered sprinklers along South Boulevard. Mr. Frost stated that the intention was to have sprinklers on Third Avenue and South Boulevard so that the plants along the parking area on South Boulevard will thrive.

Mayor Naughton asked Ms. Brophy to clarify if she felt there was or wasn't a parking issue on South Boulevard by the park. Ms. Brophy stated that her observation as well as what she learned through conversations with neighbors was that there has not been a problem with the way cars were parked on the street and they don't feel that the park is in need of additional parking spaces. Ms. Brophy further stated that if they do add additional parking she believes it should be on the Third Avenue side of the park noting that there is only one resident on that street that faces the park unlike on South Boulevard where there is an entire row of residents that face the park. Mr. Avakian added that one of the benefits of proposing paddle tennis and the ice skating rink is that these activities are off season compared to the other uses of the park which will minimize any parking issues.

John McGlinchy, 305 South Boulevard, opined that to increase the size of the parking lot would be a waste of money. Mr. McGlinchy further voiced concerned that if the Borough puts lights on the paddle tennis courts and the ball field it will be just a matter of months before people will want lights on the tennis courts and the basketball courts and he'll be able to read the newspaper in bed at night! Mr. McGlinchy voiced support for progress but not for lighting up the park at night. Mr. Frost responded stating that they are not interested in lighting up the little league field at night and that he didn't believe the Little League organization was interested in doing so either. Mr. Frost stated that he understood Mr. McGlinchy concern and that he would not be in favor of lighted tennis and basketball courts either.

Joan McCarn, 2316 Third Avenue, stated that the section of Third Avenue near the park is very wide and people speed in that area and for the longest time there were no crosswalks to the park. Ms. McCarn added that it took a long time to get a crosswalk and it's only during summer camp that they have a crossing guard or police presence in the area. Ms. McCarn voiced concern that with the additional amenities will come additional traffic and noise and asked if any of the planning has included an impact study to the neighbors in the area. Mr. Avakian stated that this is the first improvement proposed in many years and hence why they are having the public meeting on the topic. Ms. McCarn suggested those involved speak to the neighbors in the area.

James Barry, 207 South Boulevard, asked if there will be a curfew on the use of the platform tennis courts. Mr. Frost stated that he received a call from another resident on this topic and stated that he would be in favor of considering a restricted time on the use of the lights adding that if the Borough is awarded the grant and decides to install lighted platform tennis courts he will be in favor of a curfew noting that they are doing something similar at Mountz School. Ms. McCarn voiced concern that people won't adhere to the curfew citing a recent incident at HW Mountz where people were using the courts after hours and the police were called. Mayor Naughton asked if the police responded. Ms. McCarn stated that they did and they always do. Mayor Naughton cited this as a good example of how important enforcement is when there is a change or new use and reinforced the need for a documented ordinance.

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Mr. Jordan asked for clarification of the next steps in the process. Mr. Avakian stated that the grant application is due on September 17, 2014 and the application must include the key components of what the Borough is proposing. Mr. Avakian stated that he and Mr. Dempsey just discuss the fact that the beauty of this process is that the comments being made during the public meeting, can be taken into consideration when finalizing the application. Mr. Frost added that in his observation over the last 20 years, Marucci Park's usage has increased significantly in recent years perhaps due to the advent of travel sports teams that play year round. As a result, Mr. Frost added, the parking needs have increased significantly and although it may not be an issue for the residents, it may be deemed safer to have visitors park inside the park versus on the street.

Mr. Jordan asked how long the last grant took to obtain. Mayor Naughton stated that it took three (3) rounds of applications.

Mr. Judge voiced support for the general concept noting that he likes the idea of additional off-season uses for the park. Mr. Judge agreed that the issues on parking need to be worked through and stated, in connection with the lighting issue, that he would be in favor of establishing defined hours of use. Further, Mr. Judge expressed agreement with Mr. Frost on the importance of submitting the applications and applauded Mr. Frost's 2009 efforts. Regarding the application process with the county, Mr. Judge shared that when the county was reviewing the application in connection with the Wreck Pond pipe, the first thing the county did was pull Spring Lake's application history and reviewed whether Spring Lake stayed on budget and completed the project that was applied for. Mr. Judge added that the county told the Borough that these issues are taken into account when considering future applications.

The Public Hearing was closed as there were no further questions or comments from the public.

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

R-14-174 - RESOLUTION – MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of Spring Lake desires to obtain County Open Space Trust Funds in the amount \$150,000.00 to fund Marucci Park Improvements; and

WHEREAS, the total cost of the project including all matching funds is \$300,000.00; and

WHEREAS, the Borough of Spring Lake is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL THAT:

1. W. Bryan Dempsey, Borough Administrator or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and

2. The Borough of Spring Lake is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

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4. W. Bryan Dempsey, Borough Administrator or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5. This resolution shall take effect immediately.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan

NAYS: NONE

ABSENT: Mr. Fay, Mrs. Venables

ABSTAIN: NONE

Mayor Naughton welcomed additional members of the public who joined the meeting and began by recognizing retiring Sergeant Steve Blecki. Mayor Naughton shared that Sgt. Blecki began his career in Colts Neck, New Jersey and joined the Spring Lake Police Department in 1994 and was promoted to Sergeant in 2011. The Mayor stated that Sgt. Blecki has contributed greatly to the Borough during his twenty years with the department including his role as the Borough’s D.A.R.E. officer, providing a great deal of training for the Borough, acting as an Academy Instructor, mentoring many of the younger police officers, and most importantly being a very visible and well respected member of the Spring Lake community. The Mayor thanked Sgt. Blecki for his years of service, congratulated him on his retirement and his new position and stated that he will be missed in the Borough of Spring Lake.

Chief Edward Kerr spoke to Sergeant Blecki’s retirement stating that it’s bittersweet in that he is happy for Sgt. Blecki but that he hates to see him leave the Borough. Chief Kerr stated that he first met Sgt. Blecki twenty years ago when Chief Kerr was a beach cop stating that he’s learned a lot from Sgt. Blecki over the years. Chief Kerr wished him and his family all the best and congratulated him on his retirement.

Sergeant Blecki thanked the Mayor and Council, Chief Kerr and all the police officers he’s worked with over the last twenty years. He stated that he will miss working for Spring Lake noting that the residents and his fellow co-workers were great.

Proclamations, Presentations & Special Guests

R-14-163 – Promotion of Patrolman Timothy Moran to Sergeant

Mayor Naughton humored that one knows they are getting old when the young boy who grew up across the street is now being promoted to Sergeant. Mayor Naughton continued stating that Patrolman Moran grew up in Spring Lake, attended HW Mountz School, Manasquan High, Kean College and was sworn in as a Patrolman in 1997. Mayor Naughton added that Tim has done a great deal for the Borough including being the domestic officer, participating in domestic tactic training, FBI criminal reporting, as well as being a trainer for the Specials. The Mayor stated that he is a very visible and important part of the Spring Lake community and on behalf of the council offered congratulations for his promotion to Sergeant.

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

**R-14-163 - RESOLUTION – APPOINTING SERGEANT
SPRING LAKE POLICE DEPARTMENT – TIMOTHY MORAN**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Timothy Moran be and hereby is promoted to the rank of Sergeant of Police for the Borough of Spring Lake effective immediately.

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ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Oath of Office – Timothy Moran - Mayor Naughton administered the Oath of Office to Patrolman Timothy Moran.

R-14-164 – Appointment of Probationary Patrolman – William Kelly

Mayor Naughton stated that Mr. Kelly was a Specials Officer in 2011, Class II Officer in 2012 and is a recent graduate of the police academy. He is a graduate of St. Catharine School, Manasquan High School and attended UNC-Wilmington. Last summer, the Mayor stated, Mr. Kelly received a commendation from the Borough for a spectacular ocean rescue. Mr. Kelly, the Mayor added, was selected by the hiring committee from among 37 candidates. The Mayor, on behalf of the council, welcomed Mr. Kelly to the Spring Lake Police Department.

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

**R-14-164 – RESOLUTION – APPOINTING PROBATIONARY PATROLMAN
SPRING LAKE POLICE DEPARTMENT – WILLIAM KELLY**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that William Kelly be and hereby is appointed as a Probationary Patrolman with the Spring Lake Police Department effective immediately.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Oath of Office – William Kelly - Mayor Naughton administered the Oath of Office to Probationary Patrolman William Kelly.

Chief Edward Kerr offered his thanks to the Mayor and Council for their ongoing support of the Spring Lake Police Department and stated that he is very proud of all those he works with. Chief Kerr offered his congratulations to Sgt. Moran and wished Sgt. Blecki all the best.

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of August 12, 2014, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: Mr. Jordan

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Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, suggested the Borough consider ramps like the one at Pennsylvania Avenue for Brighton, Monmouth and Essex Avenues.

Gil Santaliz, 101 Monroe Avenue, stated that there was a Coast Star article that mentioned Belmar was working on getting rocks removed from their sand by using some type of machine and asked if the Borough had access to this machine. Mr. Dempsey stated that they have not contemplated sifting the sand since they have not received any complaints regarding rocks in the sand. Mr. Judge stated that there is discoloration in certain sections of the Spring Lake beaches and that the sand is not as fine as it residents are accustomed to. Mr. Judge offered to reach out to Belmar to see if it's a cost effective option. Mr. Santaliz also spoke to the recent storm stating that he's aware the Borough's storm system is quite old and that whenever it rains the drain overflows in the area where Vroom and Monroe Avenues come together. Mr. Santaliz further reported that the rain water from this storm flowed all the way to the beach and was eroding away portions of the beach. Mr. Santaliz stated that the next day there was a great deal of debris leading to the ocean. Mayor Naughton asked Mr. Santaliz what type of debris he saw. Mr. Santaliz stated that most of it was runoff from area construction sites and included shards of glass, pieces of steel, and wood. Mr. Santaliz acknowledged that water/sewer infrastructure repair is a huge undertaking but suggested using the Borough vehicle that cleans up leaves to operate more frequently in the areas that have storm drains that tend to fill up. Mayor Naughton acknowledged his request indicating that it is something that can be done. The Mayor added that every storm drain, during that particular storm, was flooded due to the enormous amount of rain that fell in such a short period of time, however, the Mayor acknowledged that in areas where it's a chronic problem, they certainly can consider Mr. Santaliz's suggestion. Mr. Santaliz also asked about another article in the Coast Star in connection with Lake Como and a representative from Belmar stating that they own the problem but not the solution. Mr. Santaliz elaborated on the article stating that Belmar stated they attempted to negotiate with the Borough for the responsibility of the Lake. Mr. Santaliz voiced his support for Spring Lake remaining in control of Lake Como because the Borough closed its beaches on August 14th and 15th. The Mayor interjected that the beach closure decision was that of Monmouth County Regional Health Commission. Mr. Dempsey added that they also closed the Wreck Pond area beaches when the Borough discharged the pond onto the beach. Mr. Santaliz asked if any efforts are underway to better understand the environmental concerns so as to potentially avoid having to close the beaches in the areas of Lake Como and Wreck Pond. Mayor Naughton responded that the automatic closures are ordered by the Monmouth County Regional Health Commission supported by the Department of Environmental Protection (DEP) and include all coastal lakes that may potentially dump into the ocean. With Wreck Pond, the Mayor continued, the Borough use to have a precautionary closing of the Brown and York Avenue beaches whenever there was one-tenth of one inch of rain. The Borough found that the testing of the water did not support the closures and therefore, just this summer, the Borough was granted a lifting of this automatic closure. However, the Mayor stated, what is still in place is an automatic closure where the Borough has a significant storm and/or we release water from the Lake or Pond. The Mayor stated that the testing after a closure has always been very good and agreed the Borough can continue to work with the county and the DEP to get relief from automatic closures in the future. The Mayor also added that the Borough has not ceded responsibility for Lake Como to anyone and that the Borough has a working group including Spring Lake, Belmar, and Lake Como that is and will in the future share expenses, including the pipes that lead from Lake Como to the ocean. Mr. Erbe commented that the Borough stood up and accepted responsibility for the pipe

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even though it's on a county road and effects three towns noting that this was done in order to get the work done with a focus on protecting property and not so much bacteria counts.

Harry Zarb, 2205 Third Avenue, commented that there is a group that plays soccer in Marucci Park near the walking path. Mr. Zarb stated that most days when he walks through the park he finds a great deal of litter, primarily plastic water bottles. Mr. Zarb stated that he also notices this around the ball fields. The Mayor agreed to have the issued looked into.

Council Comments & Staff Reports

Mr. Judge, addressing an earlier comment regarding the Brighton Avenue beach access that needs to be repaired, stated that what's been discussed is to rebuild the access when the work is done at Brown Avenue to gain some economies of scale in terms of labor and materials. Mr. Judge stated that he would look to Mr. Avakian for advice as to the need for a walkover structure like that on Pennsylvania Avenue noting that due to the elevation of the dune it may not be necessary. The plan is to repair the Brighton Avenue access soon after Labor Day, added Mr. Judge. As for the other locations, Mr. Judge stated that due to a lack of funding, they may not be put in place in the near future.

Charles Longo, 16 Union Avenue, stated that he attended a meeting in Wall Township and learned that there would definitely be another outflow pipe by the end of 2015. Mayor Naughton asked who stated this. Mr. Longo responded that several people at the meeting. Mayor Naughton asked if they were officials. Mr. Longo stated that they were and that they were told it was already funded. Mayor Naughton responded expressing a desire to offer clarity on the topic stating that the project is definitely not funded and that it's the Borough of Spring Lake, albeit with US Fish and Wildlife and the DEP contributing, that is responsible for the funding. The Borough has allocated \$915,000, there is a \$2 million grant from US Fish and Wildlife, the Borough expects an additional \$600,000 from the DEP that was diverted from a project in Wall Township, and the gap is to be funded with a contribution from the county, stated the Mayor. The Mayor further reported that the permitting process for the project is currently underway and that this is a very significant project that the Borough would never be able to do without US Fish & Wildlife, the DEP, and Army Corps working on the Borough behalf. There is a regular standing meeting at the Borough at least monthly, stated the Mayor. US Fish & Wildlife is doing the permitting, which is a fortunate thing for the Borough, stated the Mayor, because doing it on a local level is much more complicated. The Mayor emphasized her belief that the project will happen and stated that Freeholder Rich can help the Borough get the gap funding for the project but he is not necessarily part of the process of getting the pipe funded. The Mayor added that the council believes it is likely the single most important thing that can be done to get water out of Wreck Pond quickly. This effort began, the Mayor continued, after Hurricane Sandy when the Borough approached the DEP and Army Corps with the idea of keeping the inlet open. The Borough was told, stated the Mayor, after a series of engineering meetings that the Borough would have to put in an inlet not unlike the inlet in Belmar which would be a gigantic engineering project that would likely never get permitted. It was the DEP that suggested the second pipe, added the Mayor. Mr. Longo asked if the Borough would fund the gap if the county does not come forward with the funds. The Mayor stated that the Borough can consider this if needed but emphasized that the funding issue is not stopping the project from moving forward stating that they are moving forward with the assumption that the Borough will get the funding. Ideally, the Mayor stated, the Borough would like to see the county anti up some of the money for this project adding that this is a small community taking on a huge regional problem. Mr. Longa asked, if the end of 2015 timeframe that's been discussed, is an accurate timeframe. Mr. Dempsey stated that the end of 2015 date that's been thrown around came from the fact that the US Fish & Wildlife grant

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was due to expire at that time. However, Mr. Dempsey stated, it's his belief that the expiration date is December of 2016. The problem that the Borough may run into, Mr. Dempsey added, is that if all the permits are completed by this fall and/or this spring, the window for construction will be quite narrow due to the piping plover, the winter flounder, the herring run, etc. As such, Mr. Dempsey stated that he hopes for flexibility from all the groups involved in the permitting process. That said, Mr. Dempsey stated that more than likely it will be a 2015-2016 construction project. Mr. Longa asked if the Borough's residents are just as vulnerable to flooding as they were 10 or 15 years ago. Mr. Dempsey said that they are definitely not as vulnerable citing that after the two previous storms, if the water rises to a certain level the Borough can decide to cut the inlet in cooperation with DEP and other entities, once done it helps relieve the water out of the pond. The Mayor added that the Borough has also put in place a sluice gate in an effort to prevent ocean water from coming in which will also make the Borough less vulnerable to flooding. Mr. Dempsey further added that when storms are approaching the police are constantly monitoring the pond citing the last storm when he received calls at 3:00 am from both the Chief of Police and the Mayor regarding cutting the inlet. The Mayor also noted that it's important to cut the inlet at a specific time stating that if it's cut when the water is too low it will only have the effect of letting ocean water in. It's still a very difficult process, stated the Mayor, and not an ideal situation hence why the Borough feels strongly that it needs the additional pipe. Mr. Longo expressed frustration for his neighbors who have experienced flooding and appealed to the Mayor and council to do whatever is necessary to put a stop to the flooding. Mr. Longo further asked that the Mayor let him know if he and other residents need to take action with county. The Mayor responded that she's "letting him know" stating that Mr. Longo and others are more than welcome to send letters or emails to the county.

Mr. Judge added that the county acknowledged to the Borough that the problem was a regional one and agreed to make every effort to go out and find the funding. Mr. Judge stated that anything that Mr. Longo and others can do to respectfully request that the county make good on that commitment, would be appreciated.

Frank Suozzi, 112 Brown Avenue, expressed thanks to Mr. Longo for his comments. Mr. Suozzi asked the Mayor if she is saying that the second pipe is a panacea in terms of flooding. The Mayor said that she is saying that the second pipe can take 40% -50% more of the water out of the pond than can currently be released. Mr. Suozzi stated that he believes that this is a highly ambitious number. The Mayor stated that this is a number provided by the engineers involved in the project. Mr. Avakian added that US Fish & Wildlife has hired a firm to do a hydraulic study to prove the volume of water that's necessary to flow through the pipe to make it work properly. Mr. Longo expressed concern that there will exist a very delicate balance between the two pipes to ensure they don't compete for water. Mr. Avakian stated that this is not necessarily the case in that the second pipe has a bypass pipe to take the storm flow out. Mr. Avakian added that they are working with US Fish & Wildlife to consider some alternative designs that would be required for the funding. Mr. Longo opined that if one pipe is getting more attention, the design, including elevation and angle, are important and may impact the need for beach closings. Mr. Dempsey stated that this has already been discussed and it's been agreed by US Fish & Wildlife that if it becomes an issue of beach closing the additional pipe with the sluice gate can be closed. Mr. Avakian added that there's no reason for hypothesizing in that right now the benefit that the Borough has is that the Army Corps of Engineers is working on the project at the same time as US Fish & Wildlife who is providing \$2 million in funding and the Army Corps is funding a complete hydraulic analysis so there will be no need for guessing. Mr. Longo expressed concern that the Borough is being lulled into a false sense of complacency that the pipe is going to solve all the Wreck Pond problems. The Mayor responded stating that Spring Lake cannot control the flow of water into Wreck Pond making Spring Lake a small community at the end of the line. The county needs to get involved in order to

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identify a regional solution, added the Mayor, however to date they have not been incented to do so. Mr. Dempsey added that the council, Mr. Avakian, nor he has ever stated that once the pipe is put in place the Borough is done focusing on Wreck Pond. Mr. Avakian has been working on a living shoreline and a berm for a long time and will continue to do so, stated Mr. Dempsey, adding that the living shoreline is on the state's radar as well.

Lyle Marlowe, 110 Pennsylvania Avenue, stated that he was also at the meeting referenced by Mr. Longo and had a completely different understanding of what Freeholder Rich stated indicating that he thought Mr. Rich clearly stated that the county had no money. Mr. Marlowe added that he believes the Borough needs to put a great deal of pressure on the county. Mr. Judge asked Mr. Marlowe if he understood Mr. Rich to say that the county had no money or that the Borough would likely not get any money. Mr. Marlowe stated that Mr. Rich stated that the county would help monitor the seeking of funds. Mr. Marlowe stated that there were several residents from Spring Lake Heights at the meeting who share the Borough's concerns about the pond particularly after the last flood when the inlet was not open due to the bird lady. Mayor Naughton corrected Mr. Marlowe stating that the reason the inlet was not opened was not because of the bird lady but because there was a need to wait until high tide passed. Mr. Marlowe further stated that he doesn't understand why the inlet can't just remain open all the time and only be shut in the event of a hurricane or nor'easter. The Mayor responded that the Borough is required by the DEP to close it as soon as water starts to flow out. Mr. Marlowe suggested that perhaps this is a point that can be heavily negotiated with Freeholder Rich stating that it's his belief that the control of the inlet should be in the hands of the Borough because it solves the Borough's flooding issues. Mr. Erbe stated that things are headed in the right direction citing that the two times that the inlet was opened it demonstrated success in flood prevention; this sends the right message to the county.

Delores Cacace, 106 York Avenue, stated that she too was at the meeting in Wall Township and Mr. Rich mentioned raising taxes in Spring Lake. It was also reported at the meeting, stated Ms. Cacace, that the second pipe construction would begin in 2015 and completed in 2016. Ms. Cacace also stated that the next meeting will be important because they will be discussing these issues and the plan for a living shoreline. Mr. Avakian stated that he did not believe a design would be available for the next meeting.

Mr. Judge asked Ms. Cacace for clarification of the comment in connection with the possibility of Spring Lake taxes being raised to fund the gap. Mr. Marlowe interjected that the comment came at a point in the presentation when they were discussing a county wide OEM plan stating that such a plan may require the raising of taxes in the municipalities that would be involved in the OEM efforts.

Mr. Longo asked if it was determined that the situation at Wreck Pond was an extreme health issue, due to contamination entering flood victims' homes, did the council believe this would change things. Mayor Naughton stated that they conduct on-going tests to the water in Wreck Pond specific to bacteria that would result in a beach closing. Mr. Longo expressed his frustration with the concern for the beach but not for the homeowners. Mr. Judge stated that he agrees there may be a potential health problem which is why he is in favor of the \$900,000 plus being committed by Spring Lake.

Mr. Suozzi stated that he would also like to see the pond dredged resulting in a good recreational body of water there. Mr. Suozzi added that Bay Head was able to use FEMA money to dredge the lake in their community and suggested the Borough look to this as a potential option. Mr. Suozzi also suggested a Wreck Pond summit attended by local communities, the county, state representatives, and others to figure this out expressing grave concern over what has been accumulating in the pond over the years.

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Matt Sagui, 17 Washington Avenue, asked what the actual gap amount is. Mr. Dempsey stated it's between \$300,000 and \$600,000 assuming the DEP comes up with their \$600,000. Mr. Sagui asked Mr. Avakian what the effect on water flow will be once an additional outflow pipe is put in place. Mr. Avakian stated that it would be roughly equal to a 50% increase in water flow. Mr. Sagui asked if this would basically be similar to cutting the channel. Mr. Avakian stated that when the inlet is open it acts like a naturally occurring channel between Wreck Pond and the ocean and it would be unlikely that there would be flooding unless there was a tidal surge. Mr. Avakian continued stating that the pipe is being presented as a flood control outlet where the pipe elevation and slope will allow for the maximum volume of water to get out of the pond as quickly as possible. One of the key priorities for US Fish & Wildlife is to allow fish to migrate back into the pond which is a bit contrary to the Borough's objective to have steep slope to the pipe, stated Mr. Avakian, but only by a small degree. Mr. Avakian stated that they are working with Fish & Wildlife to identify a satisfactory solution. Mayor Naughton added that besides fish passage they hope to achieve a better ongoing exchange of water between the ocean and pond which will create a healthier salt water mix in the pond. It's a three-fold project including fish passage, healthy exchange of water, and of course the alleviation of the threat of flooding, stated the Mayor.

Mr. Sagui responded stating that the elevation of the pipe is critical and that it may make sense to bond the \$2 million the US Fish & Wildlife is planning on giving in order to have control over the elevation. Mr. Sagui further stated that it's great to have fish coming in, but the most important thing is to have water moving out of the pond on a regular basis which will keep the pond clean and minimize the threat of flooding.

Gil Santaliz, 101 Monroe Avenue, stated that it's a much bigger issue than Spring Lake and Monmouth County reflecting back on when the Governor was strongly promoting the shore and encouraging people to go to the beaches. As an important part of New Jersey's economy it only makes sense that the state help out and Spring Lake should make it clear to the Governor's office that there are two parts to this issue, the flooding and the environment. Mr. Santaliz added that Spring Lake is not a contributor to the problem but a victim. Mr. Santaliz stated that he has some time and resources and would be happy to volunteer to help bring more attention to this issue at the state level.

Brett Kaufman, 308 Second Avenue, asked if the council had been in communication with Wall Township and Howell with regard to some type of management of the development of the Wreck Pond watershed. Mr. Frost responded that he has reached out to the county Freeholders to look for their assistance to reach out to these towns. Mr. Frost stated that Wall Township is not going to listen to Spring Lake in that they see it as our problem since the water flows downhill. Mr. Frost stated that he's spoken to Freeholders Burry, Rich and Arnone on several occasions via phone and email pleading with them to get the Wall Township representatives involved. Mr. Frost strongly encouraged everyone to go to the Freeholder meetings and speak to what they're not doing for our town. Mr. Frost stated that it's the Freeholders are responsible for getting those towns together and, given that it's an election year they may be more motivated to do so. The Mayor added that it's human nature that a community not directly affected by the problem is less likely to be as concerned. The Mayor further stated that although these communities do build to the water retention standards, there's so much more development in those areas and as a result there is less impervious surface. Mr. Kaufman asked if it was possible that they are unaware of the severity of the issue. The Mayor stated that it is impossible that they would be unaware adding that there is a large Army Corps study underway which includes the entire watershed and the leadership of the impacted communities. This is the only study that looks at the issue as a regional watershed issue. Mr. Kaufman added that he was at a meeting last week and it

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appears that there is no leadership. Mr. Kaufman stated that he feels nothing will happen with the Freeholders and voiced support for any direct communication. The Mayor stated that she would be happy to provide that direct communication.

Mr. Suozzi suggested that perhaps the Borough send the contributing communities a bill for the cost of the third party studies suggesting that this may send a message to them as to how continued development impacts the area. Mr. Avakian stated that there are storm water management utilities that operate very much like sewerage utilities.

Brett Kaufman, 308 Second Avenue, expressed thanks to Mayor Naughton and the council in connection with their leadership in the sale of the property on Second Street.

Mr. Frost reported that they met with Rutgers engineering group after their initial analysis of the Borough's road needs and the group is in the process of compiling their findings with an eye toward giving the Borough a presentation in early October. The presentation will likely include recommendations for the roads in the Borough, stated Mr. Frost. Mr. Avakian added that the report will prove to be quite valuable in prioritizing the road repair needs both in the short and long term.

Mr. Jordan reported that the beach committee intends to meet on Thursday to do a year end recap. Mr. Jordan stated that revenues and expenses look to be on track and they will have a full report after they meet Thursday.

Mr. Avakian reported that the Borough has received discretionary money from the NJ Department of Transportation for the paving of Ludlow Avenue in the amount of \$280,000. This was quite an accomplishment to the credit of the Mayor and council and all those who worked to obtain this funding, stated Mr. Avakian.

Mr. Dempsey reported that he received a letter from the Manasquan High School Surf Team requesting the use of the beach and the use of the Jr. Lifeguard shed for the storage of surfboards. Mr. Dempsey stated that he spoke to Ms. Janet Carbin, Lifeguard Manager and Mr. Dan Finn, Beach Manager, who both voiced support for approving the request.

Mr. Judge offered a motion to approve the Manasquan High School Surf Team's request, seconded by Mrs. Venables.

All in favor. None opposed.

Mr. Dempsey reported that he expects to receive a similar request from the Wall Township High School Surf Team for the use of the Remsen Avenue beach and asked for the council's informal support in that the formal request from the school will likely be received prior to the council's next meeting. Mr. Judge confirmed that there has not been an issue in the past.

Mr. Dempsey reported that he received a letter from the Garden Club of Spring Lake recognizing the Borough of Spring Lake, the Business Improvement District (BID), the Department of Public Works, the Mayor and Borough Council, and Mr. Steve Dombrowski for the beauty of Third Avenue. The letter highlights the collaborative effort among these groups and Mr. Dempsey reinforced that this effort works because of the strong relationship between the Borough and the BID.

Mr. Dempsey reported that the Emergency Management of Monmouth County is doing a county mitigation plan which will be available on the Borough's website.

Business Items Under Consideration

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Request to Hold Family Beach Picnic – HW Mountz – September 13, 2014 with a Rain Date of September 20, 2014 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Ordinances for Introduction

Borough Attorney Colao read Ordinance No. 2014-012 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 11 OF CHAPTER 7 "PARKING TIME LIMITED ON CERTAIN STREETS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE, STATE OF NEW JERSEY", by title.

Mr. Judge offered a motion to introduce Ordinance No. 2014-012, seconded by Mrs. Venables. Public Hearing to be set at the convenience of the Borough Clerk.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Ordinance No. 2014-012 in full/Ordinance Book No. 1

Ordinance for Adoption

Borough Attorney Colao read Ordinance No. 2014-011 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 18 OF CHAPTER 265 "PARKS AND RECREATION" OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF SPRING LAKE, STATE OF NEW JERSEY", by title.

Mr. Judge offered a motion to open the public hearing of Ordinance No. 2014-011, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mr. Judge stated that the ordinance being considered is in connection with a request by the Board of Education for the council to pass an ordinance regulating the time of use of the HW Mountz School's outdoor facilities making them from 8:30 am to sundown.

There being no comments from the public, Mr. Judge offered a motion to close the Public Hearing on Ordinance No. 2014-011, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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PUBLIC HEARING NOW CLOSED

Mr. Judge offered a motion to adopt Ordinance No. 2014-011, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Consent Agenda

Mayor Naughton added R-14-177 to the Consent Agenda.

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

**R-14-165 - RESOLUTION – RELEASING STREET OPENING BOND
307 SUSSEX AVENUE – BLOCK 46, LOT 3**

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from Carol Roche for property located at 307 Sussex Avenue, Block 46, Lot 3 and

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

WHEREAS, the Borough Engineer’s office 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 Council 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. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-166 - RESOLUTION – RELEASING STREET OPENING BOND
210 REMSEN AVENUE – BLOCK 145, LOT 6**

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from North End Builders, LLC for property located at 210 Remsen Avenue, Block 145, Lot 6 and

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

WHEREAS, the Borough Engineer’s office 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 Council 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. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

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ABSENT: Mr. Fay
ABSTAIN: NONE

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

**R-14-167 - RESOLUTION – APPOINTMENT OF OPEN PUBLIC RECORDS ACT
(OPRA) CUSTODIANS**

WHEREAS, the Open Public Records (OPRA) requires that each public agency appoint a records custodian as the person to receive requests from the public for access to public records; and

WHEREAS, the Mayor and Borough Council of the Borough of Spring Lake desire to fulfill this mandate by appointing the following: Borough Clerk, Police Lieutenant, Construction Official, & Municipal Court Administrator as the records custodians,

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that pursuant to the OPRA, the Borough Clerk, Police Lieutenant, Construction Official & Municipal Court Administrator is hereby appointed the records custodians to receive and review requests from the public for access to public records, effective immediately

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

R-14-168 - RESOLUTION – AUTHORIZING REFUND OF TREE REMOVAL PERMIT OVERPAYMENT

WHEREAS, payments have been received for a tree removal permit at the following address in an overpayment as certified by the Borough Tax Collector:

Street Address	Name	AMOUNT
415 Salem Avenue	Oscar & Lynn Alvarez	\$25.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that a refund in the amount specified be and hereby is approved for the aforementioned account.

I, Robbin Kirk, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayments to be a total of \$25.00.
/s/ Robbin D. Kirk, Tax Collector

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-169 - RESOLUTION – RESOLUTION IN SUPPORT OF AN INCREASE IN THE DEDICATED \$25
MILLION ANNUAL ALLOCATION FOR THE SHORE PROTECTION FUND**

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WHEREAS, the dedicated \$25 million annual for the New Jersey Shore Protection Fund has supported a unique and successful cost-sharing partnership with the federal government in replenishing eroded beaches along the 137 mile Jersey coast from Middlesex to Cape May County and provides needed matching funds for the NJDEP's numerous other municipal coastal projects; and

WHEREAS, Super Sandy demonstrated the value of well-nourished wide beaches with dune systems in protecting life and property along the coast and preventing more extensive damage to critical infrastructure; and

WHEREAS, miles of sandy beaches, bustling boardwalks and busy coastal waterways contribute over \$19 billion in tourism revenue annually – one half of the State's total \$38 billion tourism revenue; and

WHEREAS, the Jersey Shore coastline provides an unsurpassed combination of ecological riches, economic opportunity and quality of life for both residents and visitors alike; and

WHEREAS, we must be proactive, not reactive, in preparing for the inevitable onset of more frequent Sandy-like storms in light of sea level rise, climate change and increasing development along the coast; and

WHEREAS, New Jersey, working with the Army Corps of Engineers, must develop a more comprehensive plan that includes inland waterways that increasingly flood coastal and urban communities, including the back bays and barrier islands; and

WHEREAS, the \$25 million allocated from the Shore Protection Fund is insufficient to meet current and anticipated future matching costs of Corps of Engineers and State replenishment projects and other needed coastal protection projects by the numerous coastal municipalities in New Jersey;

NOW, THEREFORE, BE IT RESOLVED the Borough of Spring Lake calls on the elected officials of New Jersey to increase funding for the dedicated \$25 million New Jersey Shore Protection Fund to meet the needs of future coastal protection projects and to provide a further incentive for federal matching funds.

Further, the Clerk is hereby directed and authorized to send copies of this Resolution to the members of the New Jersey Legislature. And, be it further resolved that a copy of this Resolution shall be forwarded to the Jersey Shore Partnership and to Governor Chris Christie.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-170 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#24-2014 –NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS OF GFWC
- OFF PREMISE RAFFLE**

WHEREAS, New Jersey State Federation of Women's Clubs of GFWC has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#24-2014, and

WHEREAS, said license has been forwarded to the Spring Lake Police Department for their review and no objection was received, and

WHEREAS, the appropriate fees and have been received and filed by the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#24-2014 be and the same is hereby approved as follows:

NAME:	New Jersey State Federation of Women's Clubs of GFWC 55 Labor Center Way, New/* Brunswick, NJ 08901-1593 Identification No.: 338-8-27069
LOCATION:	Spring Lake Bath & Tennis Club 1 Jersey Avenue, Spring Lake, NJ

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DATE: November 5, 2015 3:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-171 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#30-2014 – ST. ROSE HIGH SCHOOL -
ON PREMISE 50/50**

WHEREAS, St. Rose High School has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#30-2014, and

WHEREAS, said license has been forwarded to the Spring Lake Police Department for their review and no objection was received, and

WHEREAS, the appropriate fees and have been received and filed by the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#30-2014 be and the same is hereby approved as follows:

**NAME: St. Rose High School
607 7th Avenue, Belmar, NJ 07719
Identification No.: 30-5-27231**
**LOCATION: Spring Lake Bath & Tennis Club
Ocean & Jersey Avenues, Spring Lake, NJ**
DATE: October 25, 2014 6:30 PM - 11:30 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-172 - RESOLUTION – RESOLUTION SUPPORTING NJ STATE ASSEMBLY BILL NO. 2108 AND
SENATE BILL NO. 1041 PROHIBITING THE TREATMENT, DISCHARGE, DISPOSAL, OR STORAGE OF
WASTEWATER SOLIDS, SLUDGE, DRILL CUTTINGS, OR OTHER BYPRODUCTS FROM NATURAL GAS
EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING**

WHEREAS, in the State of New Jersey 216th Legislature, A2108 was introduced in the Assembly on January 16, 2014 and S1041 was introduced in the Senate of January 30, 2014; and

WHEREAS, the bills introduced prohibited treatment, discharge, disposal, or storage of wastewater, wastewater solids, sludge, drill cuttings, or other byproducts from natural gas exploration or production using hydraulic fracturing; and

WHEREAS, the term "hydraulic fracturing" shall include "fracking," "hydrofracking," and other colloquial terms for this

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drilling technique, which refer to the drilling technique of expanding fractures or creating new fractures in rock by injecting water, often with chemicals, sand, or other substances, and often under pressure into or underneath the surface of the rock for the purposes including, but not necessarily limited to, well-drilling and natural gas exploration and production; and

WHEREAS, the practice of the drilling technique of hydraulic fracturing for natural gas exploration and production has been found to use a variety of contaminating chemicals and materials and uses vast quantities of water mixed with chemicals and solids pumped into the process resulting in millions of gallons of contaminated water flowing back into the well causing dangers and uncertainties for wastewater treatment plants, the environment, and health and safety of the public; and

WHEREAS, wastewater, wastewater solids, sludge, drill cuttings, or other byproducts from the fracking process have been known to contain toxic levels of contaminants such as benzene, naphthalene, toluene, formaldehyde, diesel, cadmium, mercury, arsenic, and unknown quantities of hundreds of other undisclosed carcinogenic and endocrine-disrupting chemicals, heavy metals, and radioactive materials; and

WHEREAS, Pennsylvania's Department of Environmental Protection has documented three facility in NJ as accepting waste from hydraulic fracturing operations, posing a direct threat to NJ's drinking eater; and

WHEREAS, the treatment, discharge, disposal, or storage of fracking waste pose a threat to NJ's air, land, aquifers, and surface waters through the risk of spills and accidents, open pit storage, truck transport on roadways, and severe weather events that cause flooding; and

WHEREAS, fracking is exempt from important regulations meant to protect public health and the environment, specifically sections of the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Resource Conversation and Recovery Act, Superfund, and National Environmental Policy Act; and

WHEREAS, no federal or state standards have been adopted governing the treatment and disposal of hydraulic fracturing waste.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Spring Lake do hereby support a statewide ban on the treatment, discharge, disposal, or storage of wastewater solids, sludge, drill cuttings, or other byproducts from natural gas exploration or production using hydraulic fracturing; and

BE IT FURTHER RESOLVED that certified copies of this signed resolution be forwarded to all Monmouth County Mayor's, the Board of Chosen Freeholders, Spring Lake State and U.S. Legislators, and the office of the Governor.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-173 - RESOLUTION – RESOLUTION – AMENDING PAY RATES FOR LIFEGUARDS IN
ACCORDANCE WITH LIFEGUARD CONTRACT**

WHEREAS, the salaries for the following employees listed therein shall be amended as follows:

Employee	Rate	Correct Rate	Employee	Rate	Correct Rate
BATEMAN, IAN	\$12.23	\$12.47	BENVENUTO, STEPHEN	\$12.23	\$12.47
BILOTTI, CAROLINE	\$12.23	\$12.47	BOEHMCKE, SAMANTHA	\$10.10	\$10.30
BRIANT, HANNAH.	\$13.10	\$13.36	BROOKS, MICHAEL	\$12.23	\$12.47
BURKARD, PAIGE.	\$12.23	\$12.47	BYRNE, ABIGAIL	\$12.23	\$12.47
BYRNE, SEAN	\$14.88	\$15.18	CANNON, SARAH	\$14.88	\$15.18
CARBIN, JENNA	\$14.88	\$15.18	CAVANAGH, SEAN	\$16.99	\$17.33
CONTE, LOUIS	\$14.88	\$15.18	CONTE, MARK	\$14.88	\$15.18
CRISCUOLO, MELISSA	\$14.88	\$15.18	CURRY, MICHAEL.	\$10.10	\$12.47
CUSHMAN, STEPHANIE	\$10.10	\$10.30	DEXHEIMER, ANNA R.	\$14.88	\$15.18
DICKERT, KYLE	\$10.10	\$10.30	DITOMMASO, KRISTEN	\$14.88	\$15.18
DONNELLY, GERARD	\$14.88	\$15.18	DUGGAN, MARY K	\$14.88	\$15.18

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DUGGAN, SEAN	\$14.88	\$15.18	ENNIS, MICHAEL	\$13.10	\$13.36
FARRELL, EILEEN	\$14.88	\$15.18	FERENCZ, ALEX	\$14.88	\$15.18
FINN, KELLI	\$10.10	\$10.30	FINN, SARAH	\$14.88	\$15.18
FLAHERTY, ANNALEE	\$13.10	\$13.36	FOLEY, COLLEEN	\$12.23	\$12.47
FOLEY, KATHRYN	\$13.10	\$13.36	FOLEY, KERRY	\$10.10	\$10.30
FOX, BRIAN	\$12.23	\$12.47	FRAIN, THOMAS	\$13.10	\$13.36
FREDA, ANTHONY	\$13.10	\$13.36	FURY, CASEY	\$10.50	\$10.71
GASZYNSKI, JAN-RICHARD	\$14.88	\$15.18	GILBERT, LAUREN	\$14.88	\$15.18
GRAMLICH, JONATHAN	\$14.88	\$15.18	GREEN, MICHAEL	\$14.88	\$15.18
GREENQUIST, NICHOLAS	\$14.88	\$15.18	GREEN, ROBERT	\$14.88	\$15.18
GROTHUES, DANIEL	\$16.99	\$17.33	GROTHUES, MEGHAN	\$16.99	\$17.33
HALL, JEREMY	\$12.23	\$12.47	HARKINS, NANCY	\$14.88	\$15.18
HAROLD, RICHARD	\$10.10	\$10.30	HEALY, DAVID	\$10.10	\$10.30
HOFFMAN, ROBERT	\$14.88	\$15.18	HOLLERAN, MARTIN	\$10.10	\$10.30
HOLT, RYAN	\$10.10	\$10.30	HYNES, SAMANTHA	\$10.10	\$10.30
IANNACCONI, LUCAS	\$10.35	\$10.56	MBEMBA, DEAN	\$10.10	\$10.30
KACSMAR, THOMAS	\$15.63	\$15.94	KAPPY, JR R.	\$16.99	\$17.33
KARKLIN, CONNOR	\$12.23	\$12.47	KARKLIN, JACK	\$12.23	\$12.47
KARKLIN, RYAN	\$13.10	\$13.36	KNOLL, MARK	\$10.10	\$13.36
KOESTER, MARK	\$15.63	\$15.94	LAPHAM, KEVIN	\$14.88	\$15.18
LAWSON, CASEY J.	\$10.10	\$10.30	LEMKE, JOSEPH	\$14.88	\$15.18
LENK, KEVIN P.	\$14.88	\$15.18	MALDJIAN, KEVIN	\$12.23	\$12.47
MALDJIAN, MEGHAN	\$13.10	\$13.36	MALDJIAN, SEAN	\$14.88	\$15.18
MANCINI, MICHAEL	\$12.23	\$12.47	MCCARTHY, RACHEL	\$12.23	\$12.47
MCCLATCHEY, SHANE	\$14.88	\$15.18	MCCORMICK, JOSEPH	\$14.88	\$15.18
MCDONALD, LAUREN	\$14.88	\$15.18	MCGEE, KEVIN	\$12.23	\$12.47
MCMULLEN, JOSEPH	\$14.88	\$15.18	MEEHAN III, HUGH	\$14.88	\$15.18
MEEHAN, HUGH	\$13.10	\$13.36	MENCEL, CHARLES	\$14.88	\$15.18
MIHALCIK, PETER	\$14.88	\$15.18	MONTELEONE, ROBERT T.	\$16.99	\$17.33
NEGREY, JOSEPH	\$14.88	\$15.18	NIEMANN, CHRISTIAN	\$13.10	\$13.36
NOBLE, ASHLEY	\$16.99	\$17.33	NOBLE, RACHEL	\$12.23	\$12.47
O'DONNELL, LIAM	\$14.88	\$15.18	O'DONNELL, SEAN	\$10.10	\$10.30
PALIUKAITIS, MICHAEL	\$13.10	\$13.36	PARSONS, COLIN	\$14.88	\$15.18
PEARSON, JOHN	\$10.10	\$10.30	PEARSON, TREVOR	\$10.10	\$10.30
PELES, SHANE	\$12.23	\$12.47	PETRONE, CAROLINE	\$14.88	\$15.18
PETRONE, PATRICK	\$14.88	\$15.18	PIMENTEL, NICHOLAS	\$12.23	\$12.47
POLAND, MEGHAN	\$13.10	\$13.36	POSNER, JANE	\$12.23	\$12.47
PRINCE, TROY	\$12.23	\$12.47	REILLY, CONOR	\$14.88	\$15.18
ROZEK, ELIZABETH	\$14.88	\$15.18	RUSSO, WILLIAM	\$14.88	\$15.18
SABAITIS, CHARLIE	\$13.10	\$13.36	SASALA, JOSEPH	\$14.88	\$15.18
SCHAMBACH, JOHN	\$10.10	\$10.30	SHERMAN, DANIEL	\$14.88	\$15.18
SIMON, CHRIS	\$10.10	\$10.30	SMITH, MARGARET	\$12.23	\$12.47
SMITH, VAUGHN	\$10.10	\$10.30	SPITZER, MICHAEL	\$13.10	\$13.36
ST. GERMAINE, JACQUES	\$12.23	\$12.47	STRIZKI, DIANA	\$16.99	\$17.33
SUPCZYNSKI, ILONA	\$10.10	\$10.30	TARULLO, DAVID	\$12.23	\$12.47
TESTA, RICHARD	\$14.88	\$15.18	THOMPSON, SEAN	\$14.88	\$15.18
TOMBS, TYLER	\$13.10	\$13.36	VELLA, JEFFREY	\$14.88	\$15.18
VELLA, SEAN	\$14.88	\$15.18	VENDITTOL, MICHAEL	\$10.10	\$10.30
VROMAN, THOMAS	\$13.10	\$13.36	WALDRON, AMANDA	\$14.88	\$15.18
WALL, BRYAN	\$10.10	\$10.30	WALSH, SEAN	\$16.99	\$17.33
WHITE, AMY	\$12.23	\$12.47	WHITE, ROSE	\$12.23	\$12.47
WILSON, DAVID	\$13.10	\$13.36	WILSON, GABRIELLE	\$12.23	\$12.47
WLADICH, JAMES	\$14.88	\$15.18	ZUPKO, ROBERT	\$16.99	\$17.33

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the salaries as set forth above be and the same are hereby approved.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
AUGUST 26, 2014**

ABSENT: Mr. Fay
ABSTAIN: NONE

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

R-14-174 - RESOLUTION – MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of Spring Lake desires to obtain County Open Space Trust Funds in the amount \$150,000.00 to fund Marucci Park Improvements; and

WHEREAS, the total cost of the project including all matching funds is \$300,000.00; and

WHEREAS, the Borough of Spring Lake is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL THAT:

1. W. Bryan Dempsey, Borough Administrator or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Spring Lake is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. W. Bryan Dempsey, Borough Administrator or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-14-177 – RESOLUTION ACKNOWLEDGING THE HURRICANE SANDY RECOGNITION PLAQUE AND SAFETY
AWARD RECEIVED FROM THE MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND'S
EXECUTIVE SAFETY COMMITTEE**

WHEREAS, the Borough of Spring Lake is a member of the Monmouth County Municipal Joint Insurance Fund (Monmouth JIF); and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund's Executive Committee and Executive Safety Committee recognize the exemplary safety performance of its member municipalities, the Governing Body, Municipal

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Employees and Volunteers during Hurricane Sandy which occurred on October 29, 2012, and in the aftermath in the weeks following the storm; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund recognized the outstanding safety performance of their entire membership at the Monmouth JIF's Annual Safety Breakfast Event with a recognition plaque and safety award; and

WHEREAS, the Governing Body of the Borough of Spring Lake has reviewed the recognition plaque and award and has publically acknowledged receipt of the said award in this meeting; and

NOW; THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Spring Lake, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund Recognition be accepted; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution be sent to the Executive Director of the Monmouth County Municipal Joint Insurance Fund.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

R-14-175 - RESOLUTION – APPROVAL OF BILLS – AUGUST 26, 2014

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending August 26, 2014, 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)	3,075,361.82
WATER/SEWER OPERATING (9)	21,875.15
DOG TRUST (13)	910.00
SPRING LAKE TRUST (15)	3,750.00
MT LAUREL TRUST (16)	111,443.11
RECREATION (25)	25,342.20
JUNIOR GUARDS (26)	22.57
BEACH OPERATING (81)	28,107.72
POOL OPERATING (91)	7,662.34
TOTAL	\$3,274,474.91

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Public Comments

Pete Roche, 410 St. Clair Avenue, thanked the Mayor and Council for passing the ordinance related to usage of the facilities at HW Mountz school.

Lyle Marlowe, 110 Pennsylvania Avenue, asked what R-14-172 was related to. Mayor Naughton addressed. Mr. Marlowe also asked for an update on the bill in connection with the county taking over

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the beaches. Mayor Naughton stated that she attended the hearing last month and is awaiting word of the next hearing.

Anne Butler, 411 Ludlow Avenue, asked for clarification on the closing dates in connection with the pools, lockers, and beach boxes. Mr. Jordan stated that the last day is September 28, 2014 and reported that the Thursday morning Beach Committee meeting will firm up the exact dates and times of operations of the beach and pools between now and September 28th. The Mayor added that there will be details available next week regarding when guards will be on the beach, the exact hours of the pools, etc. noting that it's in draft form now but will be available soon.

Harry Zarb, 2205 Third Avenue, asked if the north end will be open on weekends and if consideration was given to perhaps alternating the open/close days between the north and south end pools. Mr. Judge responded stating that historically there was an attempt to keep equity between the pools in terms of the number of days open and since the south end opened later, due to it being colder, it would be kept open longer at the end of the season. Clearly the north end was more heavily used this year and therefore the beach committee will take this into consideration for the future, stated Mr. Judge.

Adjournment

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

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Jordan, Mrs. Venables

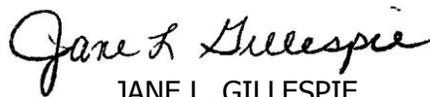
NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Time of Adjournment: 8:24 PM

Respectfully submitted,



JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: September 16, 2014