

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 16, 2014**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:03 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, Mr. Fay, Mr. Judge (via telephone), Mr. Frost, Mrs. Venables, Mayor Naughton

ABSENT: Mr. Jordan

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

Workshop Discussion – None

Approval of Minutes

Mrs. Venables offered a motion to approve the minutes of December 2, 2014, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Proclamations, Presentations & Special Guests

R-14-221 – Appointment of Municipal Court Judge – Colin Quinn, Esq. – Effective January 1, 2015

Mayor Naughton acknowledged and thanked Mr. George Pappas for his close to sixteen years of service as Spring Lake's Magistrate Court Judge. Mr. Pappas has done an outstanding job for the Borough and has always been known as a smart, approachable, and very fair Magistrate, stated the Mayor, highlighting Mr. Pappas' assistance with two (2) shared service agreements. The Mayor quipped that she and Mr. Pappas used to say that the most important thing a Mayor needs to know about the court is to never hear anything about it! The Mayor, speaking for the entire council, thanked Mr. Pappas for his many years of service and congratulated him on his retirement.

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

R-14-221 - RESOLUTION – APPOINTMENT OF MUNICIPAL COURT JUDGE

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Colin Quinn, Esq., be and hereby is appointed as Municipal Court Judge as of January 1, 2015 for the Borough of Spring Lake. Term to expire: 12/31/2017.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: Mr. Judge

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Oath of Office – Colin Quinn, Esq.

Mayor Naughton invited Superior Court Judge Honora O'Brien Kilgallen to administer the Oath of Office to Mr. Quinn. Ms. Kilgallen stated that it is an honor and pleasure to administer the oath to Mr. Quinn. Ms. Kilgallen stated that she and Mr. Quinn clerked for the same Judge along with Mr. Jay Colao. Mr. Quinn invited his family to hold the Bible while Mr. Quinn was sworn in.

Mr. Quinn thanked the Mayor and Council stating that it's been an honor and a privilege to serve as Prosecutor for the Borough of Spring Lake stating that he will miss working with Judge Pappas acknowledging his influence as a mentor and role model. Mr. Quinn thanked the Mayor and Council for the appointment stating that he looks forward to serving the Borough in his new capacity as Municipal Court Judge.

R-14-222 – Honoring Kateri Quinn

The Mayor spoke to Mrs. Quinn's twenty-eight (28) years of service at the Spring Lake Public Library making it a warm and comfortable place for the residents of Spring Lake. Mayor Naughton thanked Mrs. Quinn for her service and read the following resolution:

R-14-222 - RESOLUTION – HONORING KATERI QUINN

Whereas, Kateri Quinn and her husband, Jack, have lived in Spring Lake for over 40 years and raised their four children, Ellen, Cronin, Margaret and Terrence, in our Borough and reside here to this day; and

Whereas, Mrs. Quinn taught at St. Catharine's Elementary School for several years; and

Whereas, Mrs. Quinn also took an active role in many civic pursuits, such as serving as a member of the Women's Club and on the Spring Lake Board of Education from 1985 through 1995, serving for several years as President; and

Whereas, Mrs. Quinn started working at the Spring Lake Library in 1986 and became Director in 1999; and

Whereas Mrs. Quinn has worked at the Spring Lake Library for over 28 years and during her tenure as Director she oversaw the automation of the Library, the initiation of an e-book program, online magazines, an authors speaking program and several book clubs, as well as an annual art show for local artists, and many other programs and innovations; and

Whereas, the Library is a treasured and often-visited resource for education, pleasure and information that has grown over the years, and served many generations of Spring Lake residents; and

Whereas, Mrs. Quinn has devoted her time, energy and considerable wisdom to the Borough of Spring Lake in many capacities over the last many decades;

It is on this 16th Day of December, 2014;

RESOLVED that the Mayor and Borough Council of Spring Lake hereby recognize and thank Kateri Quinn for all of her efforts to make her hometown of Spring Lake a better place for school children, Library patrons, and all Spring Lake residents.

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

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, stated that he viewed the website and found an entire year of approved minutes stating that this is quite an accomplishment.

Council Comments & Staff Reports

Mayor Naughton publically recognized the late Ms. Eleanor Twomey who has funded a scholarship program for two (2) college bound female students who are studying science or engineering. The Mayor added that it is of no surprise that Ms. Twomey would do such a wonderful thing with her estate and graciously accepted on behalf of the Borough.

Mayor Naughton reported that the Borough had an opportunity to test the new sluice gates during last weeks' storm and fortunately, with the help of Mr. Avakian's office who provided assistance in determining when to use the gates, the gates did exactly what the Borough had hoped they would do. The Mayor further reported that the Borough cut the trench as well and this, along with the use of the sluice gates have given the Borough a good test case to reference in future storms. The Mayor thanked Mr. Avakian and the Department of Public Works for their assistance with this effort.

Mayor Naughton offered her thanks to Mr. Avakian in connection with a recent grant application that could help fund the second pipe at Wreck Pond noting that the application window was quite short and there was a great deal of data that needed to be pulled together in a short time to meet the DEP's deadlines.

The Mayor wanted to publically recognize and thank Mr. Jordan for his three (3) years of service noting that he was a strong and capable council member who jumped in his very first day contributing to the Beach and Technology Committees. The Mayor added that he was a pleasure to work with and that she will miss his humor and all his hard work.

Mr. Erbe also thanked Mr. Jordan for his efforts stating that he was great to work with.

Mr. Erbe also congratulated Mrs. Quinn stating that she made the Library a warm and vibrant place in Spring Lake and expressed appreciation for all the Library had to offer.

Mrs. Venables expressed her thanks to Mrs. Quinn for all her years of dedication and hard work stating that the Library is a recognized asset in the Borough thanks to her contributions.

Mr. Judge acknowledged the tremendous contributions made by Mr. Jordan to the Borough noting that he truly has the best interests of Spring Lake at heart and he worked very hard. On a personal level, Mr. Judge expressed thanks to Mr. Jordan for his friendship and guidance.

Mr. Judge reported that the beach committee has begun work on the 2015 beach season stating that a letter is being developed for mailing to residents detailing the process for purchasing lockers and boxes. Mr. Judge reported that the process will basically be the same adding that residents will be given the opportunity to purchase the same locker or beach box they had in 2014 provided they do so prior to the established deadline. Mr. Judge further reported that there will be no increase in fees in connection with badges, lockers or beach boxes.

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Borough Engineer's Report

Mr. Avakian thanked the Mayor and Council for the opportunity to present at the last meeting on the topic of the Wreck Pond projects. Mr. Avakian stated that the grant application is one of the most voluminous grant applications that he's ever been involved with noting that of the \$50 million in grant monies available about \$10 million has been earmarked for coastal lakes. That said, Mr. Avakian stated that it was worth the effort noting that the Borough has a great opportunity to get supplemental money for the Wreck Pond projects. Mr. Avakian proceeded to detail the highlights of the application starting with the cost estimate which included three (3) projects: the outfall improvements, the living shoreline and berm, and dredging. Mr. Avakian stated that they asked for the entire \$4.4 million less the existing grant money, for the outfall improvements portion of the project. The living shoreline and berm is estimated to cost \$1 million, stated Mr. Avakian, who also acknowledged Mr. Dempsey's efforts in securing letters of commitment from Spring Lake Heights and Sea Girt to compliment the application in connection with this project. The dredging, Mr. Avakian stated, falls into a grant category called the beneficial reuse of material. Mr. Avakian acknowledged the involvement of a tech savvy staff member in his office, Mr. Dempsey, and representatives from the DEP and the environmental commission who all had a hand in developing a 50 page narrative that was completed in time for yesterday's submission. Another rather involved component of the application, continued Mr. Avakian, was the benefit/cost analysis which included taking the project costs and the damages to property and creating a one-to-one analysis. This was quite complicated, added Mr. Avakian, but was completed and included in the application. Based on the benefit/cost exercise the application includes the Borough's request for \$3.8 million. Another critical component of the application is the inclusion of letters of support that the Borough received including a letter from Congressman Smith, letters from Senator Singer and Assemblymen Kean and Rible, a letter signed by Freeholder Director Burry, letters from Spring Lake Heights and Sea Girt, and a letter submitted by the Wreck Pond homeowners. Mr. Avakian further reported that construction plan drawings are completed and will be couriered to the DEP tomorrow. Mr. Avakian stated that they are cautiously optimistic stating that he can't imagine any application being more complete than the Borough's. Mr. Avakian reported that the Army Corps of Engineers meeting is tomorrow in Wall Township.

Mr. Dempsey reported that the infrastructure project was recently put out to bid resulting in three (3) bidders with the low bid being approximately \$362,000 from Mark Woszczak Mechanical Contractors in Manasquan. The next bidder was approximately \$466,000 and the high bidder was about \$517,000. Mr. Dempsey stated that he believes Woszczak is more than capable of doing the work noting that they've worked for the Borough in the past. Mr. Avakian added that he was the contractor who did the work in connection with the treatment devices such as the one at Brown and Ocean Avenues.

Mr. Dempsey spoke to the operation of the sluice gates during the recent storm stating that the process worked better than expected. Mr. Dempsey stated that he was away in Maryland, Mr. Phillips was in Pennsylvania and everything was monitored by the police department and people from Avakian's office resulting in a collaborative effort. Mr. Dempsey further stated that with the excellent communication between all parties, including the Wreck Pond home owners, everything went very smoothly. Mr. Dempsey also reported that the DEP was very cooperative and responsive when he phoned them to inform them of the cutting of the trench. Mr. Dempsey further stated that they have gotten very good at the process yet hopefully with the additional pipe there won't be a need to cut the trench but if there is they have mastered the method for doing so.

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Lyle Marlowe, 110 Pennsylvania Avenue, offered his thanks to Mr. Avakian, Mr. Dempsey and those involved for all the work that they've done. Mr. Marlowe also asked if the pictures could be placed on Facebook. Ms. Marban stated that she believes they were posted on the Fire or Police Facebook page.

Business Items Under Consideration

Public Hearing – Spring Lake BID 2015 Budget

Mrs. Venables offered a motion to open the public hearing on the Spring Lake BID 2015 Budget, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mayor Naughton invited Mr. Richard Clayton to present or comment. Mr. Clayton stated that the BID has been successful in maintaining costs while continuing to deliver on service, quality and appearance. Mr. Clayton acknowledged that this is possible due to the caring people they have connected with the BID. Mr. Clayton thanked the Mayor and Council for their continued support.

Lyle Marlowe, 110 Pennsylvania Avenue, asked about a line item in connection with a consultant. Mr. Clayton noted that it's there in the event it's needed but in previous years, it was not needed.

There being no further comments, Mrs. Venables offered a motion to close the Public Hearing on the Spring Lake BID 2015 Budget, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

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

**R-14-224 - RESOLUTION – APPROVAL OF ADOPTION OF SPRING LAKE BUSINESS
IMPROVEMENT DISTRICT 2015 BUDGET**

WHEREAS, the Mayor and Council of the Borough of Spring Lake authorized and created the Spring Lake Business Improvement District (hereafter the "SLBID") in Ordinance No. 2007-018 adopted August 14, 2007; and

WHEREAS, Ordinance No. 2007-018 requires the introduction, approval, public hearing and adoption of an annual budget for the SLBID; and

WHEREAS, pursuant to Ordinance No. 2007-018, the Spring Lake Business Development Corporation, Inc., (hereafter the "SLBDC") a duly organized 501(c)(3) corporation, has been designated in Ordinance No. 2007-018 as the District Management Corporation; and

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WHEREAS, pursuant to Section 10 of Ordinance No. 2007-018, the SLBDC is charged with the responsibility of submitting a detailed annual budget for approval by the Borough Council together with a report explaining how the budget contributes to the goals and objectives of the SLBID;

WHEREAS, the SLBDC has submitted a detailed annual budget and report as required and the Mayor and Borough Council adopted Resolution R-14-209 entitled "Approval of Introduction of Spring Lake Business Improvement District 2013 Budget; and

WHEREAS, a copy of said Resolution as approved by the Mayor and Borough Council on November 10, 2014 was published in the November 13, 2014 issue of the Coast Star newspaper and on November 11, 2014 copies of said Resolution were posted on the Bulletin Board at Borough Hall, and copies were made available to each person requesting the same, during that week and during the public hearing, as required by Ordinance No. 2007-018, and

WHEREAS, the Mayor and Borough Council find that the budget submitted by the SLBDC and the accompanying report are appropriate and that the Budget should be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the attached 2015 Spring Lake Business Improvement District is hereby adopted.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mr. Frost asked Mr. Clayton, in connection with the website design and social media line items, if this was a firm that is hired to design the website or is it a maintenance fee. Mr. Clayton stated that there are maintenance fees included but it is also for the redesign of the website and the enhanced use of social media in the area of promotions. Mr. Frost asked if there was a way to link the Borough's website with the BID stating that he believes there's a need to improve it. Ms. Marban offered that they have reached out to firms to get quotes and have been looking to coordinate with the Library given the success of their website. The Mayor added that the Library's site is quite beautiful with a flexible back end. Mr. Clayton offered that Ms. Dawn McDonough would be the contact person for the BID's website. Mr. Frost stated that there was a recent article in the Star Ledger regarding the best and worst websites in the state noting that the Borough was not on either list.

Ordinances for Introduction - NONE

Ordinance for Adoption

Borough Attorney Colao read Ordinance No. 2014-016 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 107, ANIMALS OF THE CODE OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY", by title.

Mrs. Venables offered a motion to open the public hearing of Ordinance No. 2014-016, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

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Harry Zarb asked what the new fees would be. Mrs. Marban stated the new rates and explained the process. Mayor Naughton noted that a letter will be going out to residents detailing the animal licensing process and fees along with other Borough news. Mr. Zarb asked for confirmation that a license is mandatory. The Mayor confirmed. Mr. Zarb stated that although he hates to see the cost of things go up he supports the increased fee noting that the administrative costs couldn't possibly be covered by the current fees.

There being no comments from the public, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2014-016, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Mrs. Venables offered a motion to adopt Ordinance No. 2014-016, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Consent Agenda

Resolutions

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

R-14-223 - RESOLUTION – APPOINTMENT OF MUNICIPAL COURT PROSECUTOR

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that James Carton, IV, Esq., be and hereby is appointed as Municipal Court Prosecutor effective as of January 1, 2015 for the Borough of Spring Lake. Term to expire: 12/31/2015.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-225 - RESOLUTION – APPROVAL OF BILLS – DECEMBER 16, 2014

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 16, 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.

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	<u>SUMMARY</u>
CURRENT FUND (1)	409325.80
WATER/SEWER OPERATING (9)	13,519.56
DOG TRUST (13)	910.00
SPRING LAKE TRUST (15)	7,113.00
RECREATION (25)	2,115.45
BEACH OPERATING (81)	14,546.11
POOL OPERATING (91)	1,708.60
TOTAL	\$449,238.52

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-226 - RESOLUTION – APPOINTMENT OF LIBRARY PERSONNEL

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following be and hereby are appointed effective as of December 25, 2014.

Janet Boldt	Director	\$58,000 annual salary
Andrea Craig	Assistant Director	\$45,000 annual salary

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Public Comments

Lisa Deberardine, 10 Brown Avenue, commended Mr. Dempsey, Mr. Avakian, the Mayor and Council, and the Department of Public Works on the teamwork they've displayed in connection with Wreck Pond. Ms. Deberardine added that there was definitely a sense of less panic during the last storm and thanked everyone on behalf of the homeowners.

Adjournment

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

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Time of Adjournment: 7:43 PM

Respectfully submitted,

JANE L. MARBAN
Borough Clerk

Approved at a meeting held on: