

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

Mayor Naughton called the Reorganization Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:02 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mayor Naughton

ABSENT: Mrs. Venables

ALSO PRESENT: Dina M. Zahorsky, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer

Workshop Discussion

Mayor Naughton explained that the workshop discussion is on an issue that members of the Planning Board have noticed and would like change. She added that if a resident is building a deck at grade, which is twenty-four inches or below, there are no building codes or setbacks that affect this; at this point someone could deck covering their entire back yard. Mayor Naughton then introduced the Planning Board Chairman Nick Sapnar.

Chairman Sapnar explained that residents have been seeking variances for large patios and more impervious coverage with the threat of being able to deck the entire property. He explained that the proposed changes would be to have setbacks within six feet of the property line, making residents unable to build decks up to the property line, along with five percent lot coverage. Mayor Naughton added that the zoning officer, Matt Zahorsky worked with the Planning Board to craft these recommended changes to the current ordinance.

Mr. Judge thanked the Chairman and the Planning Board for bringing this issue up to the Council. He added that this is a reasonable response to the situation; this will remove the applicant's point of leverage if they are not approved for an increase of impervious coverage

Mayor Naughton thanked Chairman Sapnar then suggested to have an ordinance on for introduction April 26, 2016.

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of January 26, 2016, seconded by Mr. Frost.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Proclamations, Presentations, & Special Guests – None

Public Comments - None

Council Comments & Staff Reports

Mayor Naughton followed up on the FEMA reimbursements after hurricane Sandy. She stated there have been news articles stating that the Borough would not be reimbursed for things such as over-

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

time and that the Borough had improperly filed for those reimbursements. Mayor Naughton reassured that the Borough was fully reimbursed for every penny, including the contested items that were in the news media. Mayor thanks Robbin Kirk, CFO for the remarkable job guiding the Borough through everything.

Mayor Naughton reported that the finance committee hopes to have a budget introduction within the next few weeks; if any council members have idea for any capital projects please let the finance committee know.

Mr. Drasheff reported there is a special meeting for Wreck Pond stake holders group next Wednesday at 3:00 pm at the Wall Township municipal building. He added that our County, State, and Federal officials will be discussing the next phase of remediation of Wreck Pond which is the flood control berm and the living shore line conceptual plan.

Mr. Judge reported on beach badge and locker sales; most residents have purchased their lockers but those who have yet to purchase are encouraged to do so. He added that residents are allowed to sponsor a non-resident that would be interested in using the facilities.

Mr. Frost reported that the Shark River Surf Anglers held the annual fishing contest which was very well attended. He thanked Frank Phillips, Superintendent of Public Works for cleaning up around the lake in preparation for the contest. He stated that the day after the contest the fishermen were down there cleaning up.

Mr. Frost asked Mr. Dempsey about the DEP permit for the dredging of the lake. Mr. Dempsey answered no however; the leaves will be cleaned out with a machine. Mr. Dempsey added that the lake cleaning has not been done in twenty years.

Borough Engineer's Report

Mr. Avakian reported that the Marucci Park contracts have been sent to the platform tennis fabricator, just waiting on a return then a pre-construction meeting will be scheduled. He then reported that the Ocean Avenue water and sewer project has been completed on Ocean Avenue and the side streets are near completion. He explained that the man-hole rehabilitation has been completed. He suggested waiting one full month before evaluating the sewage flow volumes; he is hoping to see some reduction in the volumes of sewage flow.

Mr. Avakian also reported on the Ocean Avenue curb and sidewalk project which will be complete by April 30th with anticipation of the county coming into to pave. Mr. Dempsey explained that Stavola, the contractor who will be paving for the county is starting in Bradley Beach the week of April 25th the plan is for them to be in Spring Lake to pave by May 1st, weather permitting. He added that Traffic Lines is the company that will be doing the striping of the road. They will be using the rate they quoted Stavola and will pay Traffic Lines directly.

Pat O'Connor, 200 Atlantic Avenue stated that he recently re-did the curbing at his property costing approximately \$4,000-\$5,000 shortly after that his new curbing was ripped out and replaced. He then suggested if it is possible to suspend the ordinance, which requires new homes to put in new curbing, and simply collect the money to pay for road projects. Mr. Dempsey explained that in Mr. O'Connor's situation the curbing would have been straight however the curb that the contractor placed there was rolled gutter curb combina, that is probably the reason why it was ripped up. Mr. Dempsey thinks that Mr. O'Connor's suggestion is a good one.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

Mr. Avakian finally reported that the Third Avenue Transportation Trust Fund application was submitted and acted on by DOT. The Borough will receive \$250,000 to pave Third Avenue from Brighton Avenue to Pitney Avenue. This will be the first milled and paved road, which is scheduled for fall 2016.

Mr. Avakian stated that there will be a presentation on the berm and living shore line for Wreck Pond on April 20th meeting.

Borough Attorney's Report

Mr. Colao has one item for closed session.

Borough Administrator's Report

Mr. Dempsey reported that Chief Kerr wants to change the parking regulations at H.W. Mountz; it is currently a no parking zone during school hours and he would like it changed to a two hour parking during certain times of the day, such as drop off. He added that it has become an enforcement issue since people have been parking there when they are not allowed to.

Mr. Dempsey then reported that the Business Improvement District would like a kiosk downtown to serve as a directory; it list businesses downtown and advertise events in town.

Rich Clayton stated that the sizing is about seven feet by four feet weighting four hundred and fifty pounds made out of steel. The sign would have all of the buildings in town such as government buildings and all of the businesses. Placement of the kiosk, he continued would be on the corner of Morris and Third Avenues which is Borough property. He noted that one side would contain a map and the other would contain a business directory.

Dawn McDonough presented a sample map done by a graphic designer. She explained that the BID will monitor and manage the whole kiosk; both sides will be accessible via lock and key.

Mr. Judge asked if there are any lights on the kiosk. Mr. Clayton answered that is will not be light however, external lights could be added.

Mr. Sagui offered a motion to approve the kiosk downtown, seconded by Mr. Frost. All in favor. None opposed.

Business Items Under Consideration

Second Street Name Change

Mayor Naughton explained that the Second Street name change was recommended by the Chief of Police as a public safety issue since it is easily confused with Second Avenue. She added that the two names that were discussed were Clover Road and Villa Park Way.

Melissa Foy, 500 Prospect Avenue is now in favor of the name change after discussion with the Chief of Police.

Pat O'Connor, 200 Atlantic Avenue who also owns the property at 330 Second Street is in favor of the name Clover Road, he spoke with his neighbors and they also like the name. He feels that it is a neutral, simple, street name, doesn't believe everything in town needs to be historic. He believes the residents on the street should be able to name the street.

Helen Motzenbecker, 4 Glenwood Avenue supports Pat O'Connor decision on the name of the street.

Melissa Foy stated that she is currently the only one residing on the road and she is in favor of the name Villa Park Way.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

Mr. Judge summarized that both Second Street and Prospect Avenue will be renamed as one street with the consent of all the property owners. He added it seems that the property owners are not in all in agreement with what the names should be, also the Historical Society is in favor of Villa Park Way.

Mr. Frost stated that he feels the residents who live on the street should out way the decision of the historical society.

Mr. Drasheff explained that he thinks that the historical perspective should be kept in the area.

Mr. Erbe stated that he does not feel like the residents will be naming the street since a few people who purchased are building a home then selling it. Mr. O'Connor explained that he will be living in the house once it is finished and his neighbor Mr. Lipinski may be staying as well.

Mr. Sagui feels that Villa Park Way has more of a historic attachment to the town.

Mr. Judge made a motion to rename Second Street and Prospect Avenue to Villa Park Way, seconded by Mr. Erbe.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui

NAYS: Mr. Frost

ABSENT: Mrs. Venables

ABSTAIN: NONE

Event Application – Belmar Five Mile – Goodwill Hose Company – July 9, 2016– Mr. Judge offered a motion to approve the request, seconded by Mr. Frost. All in favor. None opposed.

Ordinance for Introduction - None

Ordinance for Adoption - None

Consent Agenda

R-16-069 will be removed from the consent agenda.

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**R-16-067 RESOLUTION – APPOINTMENT OF CLASS I & CLASS II OFFICERS
SPRING LAKE POLICE FOR THE YEAR 2016**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that the following are hereby appointed EFFECTIVE May 1, 2016 at the hourly rates as listed below as recommended by the Chief of Police, Edward Kerr:

NAME	POSITION	HOURLY WAGE
ALLISON MCCABE	CLASS I	\$9.53
JACOB HARTRANFT	CLASS I	\$9.53
STEPHEN STERNIK JR	CLASS I	\$9.53
ANDREW GARRITY	CLASS I	\$9.53
KEVIN O'CONNOR	CLASS I	\$9.53
CHRISTOPHER MCDERMOTT	CLASS I	\$9.53
MICHAEL WEBER	CLASS I	\$9.53
MATTHEW MERKLINGER	CLASS I	\$13.52
TYLER VADAS	CLASS I	\$13.52
JOSEPH NAPPI	CLASS I	\$13.52
MATTHEW NIEBLING	CLASS I	\$11.81
JOSEPH LIDDY	CLASS I	\$11.81

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

DYLAN MATTIA	CLASS I	\$11.81
JUSTIN MATTIA	CLASS I	\$11.81
TIFFANY BRAHN	CLASS I	\$11.81
WILLIAM FLOCKHART	CLASS I	\$11.81
AARON FORD	CLASS I	\$11.81
CAITLIN SIEGERT	CLASS I	\$11.81
HARRY CUTTRELL	CLASS II	\$15.24
DAVID BOWEN	CLASS II	\$15.24
MATTHEW PHILLIPS	CLASS II	\$15.24
KYLE DICK	CLASS II	\$15.24
IAN DAVIS	CLASS II	\$15.24
JESSICA CAFFEY	CLASS II	\$15.24
WILLIAM NOBLE	CLASS II	\$15.24
GERALD PRESTON	CLASS II	\$15.24
MARC EVANGELISTA	CLASS II	\$15.24

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**R-16-068 RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#16-2016 – ST. CATHARINE CHURCH -
OFF PREMISE CALENDAR RAFFLE**

WHEREAS, St. Catharine Church has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#16-2016, 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#16-2016 be and the same is hereby approved as follows:

- NAME:** St. Catharine Church
215 Essex Avenue, Spring Lake, NJ 07762
Identification No.: 475-1-372
- LOCATION:** St. Catharine Church
215 Essex Avenue, Spring Lake, NJ
- DATE:** Last Monday of Each Month from May 2016
to October 2016 10:30 A.M.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

**R-16-070 RESOLUTION – RELEASING STREET OPENING BOND
211 WASHINGTON AVENUE – BLOCK 80, LOT 6**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from CMM Construction, Inc. for property located at 211 Washington Avenue, Block 80, 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 Zoning Officer has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

R-16-071 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, taxes on the following properties have been overpaid due to Homestead Rebates as certified by the Borough Tax Collector.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Carol Herzberg 412 Sussex Ave	50	19.02	\$ 800.76
John Nugent 407 Worthington Ave	116	5.01	\$ 500.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refunds in the amount of \$1300.76 is hereby approved for the aforementioned properties.

I, Robbin Kirk, Tax Collector of the Borough of Spring Lake hereby certify the amount of overpayment to be \$ 1300.76.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**R-16-072 GRANT AGREEMENT BETWEEN
SPRING LAKE BOROUGH AND THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GOVERNING BODY RESOLUTION**

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

The governing body of Spring Lake Borough desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$30,000.00 to fund the following project: Community Stewardship Incentive Program (CSIP) to plant additional trees at Devine Park.

Therefore, the governing body resolves that W. Bryan Dempsey or the successor to the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$30,000.00 and not more than \$30,000.00, and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed April 12, 2016.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Resolutions

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**R-16-069 RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#17-2016 – SPRING LAKE HISTORICAL SOCIETY –
OFF PREMISE 50/50**

WHEREAS, Spring Lake Historical Society has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#17-2016, 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#17-2016 be and the same is hereby approved as follows:

NAME: Spring Lake Historical Society
PO Box 703, Spring Lake, NJ 07762
Identification No.: 475-5-29428

LOCATION: Spring Lake Community House
Madison Ave, Spring Lake, NJ

DATE: June 2, 2016 9:30 am – 3:30 pm

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: Mr. Drasheff

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

R-16-073 A RESOLUTION OF SPRING LAKE BOROUGH AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Spring Lake Borough has determined to move forward with the EMEX Reverse Auction in order procure electricity for the and Spring Lake Borough

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Spring Lake Borough will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and be it

FURTHER RESOLVED, that the Mayor and Borough Coucil of the Spring Lake Borough be and he hereby is authorized to execute on behalf of the Spring Lake Borough any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mr. Erbe.

R-16-074 RESOLUTION – APPROVAL OF BILLS – APRIL 12, 2016

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending April 12, 2016, 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.

SUMMARY

CURRENT FUND (1)	83,790.18
GRANT FUND (2)	1,875.00
GENERAL CAPITAL (4)	63,407.50
WATER/SEWER UTILITY FUND (8)	322,959.25
WATER/SEWER OPERATING (9)	40,442.17
DOG TRUST (13)	21.60
SPRING LAKE TRUST (15)	2,500.00
MT LAUREL TRUST (16)	960.00
MARRIAGE TRUST (19)	125.00
RECREATION (25)	70.64
JUNIOR GUARDS TRUST (26)	1,161.50
BEACH OPERATING (81)	14,170.80
POOL OPERATING (91)	461.01

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
APRIL 12, 2016**

TOTAL \$531,944.65

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Public Comments - None

Executive Session

Mr. Judge recused himself from Executive Session.

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

R-16-075 RESOLUTION – PURSUANT TO N.J.S.A. 10:4-13 – EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that pursuant to N.J.S.A. 10:4-13, the Mayor and Council shall adjourn to Executive Session for the purpose of discussing: Potential Acquisition of Real Property for COAH Obligation with potential action.

BE IT FURTHER RESOLVED that upon conclusion of said matter(s) this discussion will be disclosed by the Borough Clerk via Executive Session Minutes upon written authorization from the Borough Attorney.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8:20 P.M.

MEETING IS RECONVENED AT: 8:40 P.M.

Adjournment

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Time of Adjournment: 8: 40 PM

Respectfully submitted,


DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: