

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24545

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings Act.

PRESENT: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly, Mayor Naughton
ABSENT: Mr. Fay (departed at 7:00 PM)

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

Workshop – None

Proclamations, Presentations & Special Guests

Mayor Naughton acknowledged the following Proclamations: Read Across America on March 2, 2012, Developmental Disabilities Awareness Month, March 2012, and Youth Art Month, March 2012.

Public Comments

John Patterson, Commander of American Legion Post #432 read a Proclamation acknowledging and thanking Mayor Jennifer Naughton for her dedication and support to the American Legion and congratulating Ms. Naughton for her recent award as Citizen of the Year.

Eleanor Twomey, Vroom Avenue stated that she recently attended the Spring Lake Heights Council Meeting noting that there were two thought provoking topics. One, related to the increase in the water and sewer rates and one related to the recent youth suicide. Ms. Twomey reported that the meeting was quite lengthy and very well attended with an extensive discussion on the lack of community programs for teens. Ms. Twomey suggested that perhaps the Borough of Spring Lake should be giving more consideration to the high school age citizens. Mrs. Reilly responded that she and Mrs. Dawn McDonough had recently attended a meeting of the Teen Advocacy Committee and they intend to work with teenagers in Spring Lake to set up a similar group in Spring Lake. Mrs. Reilly noted that this will allow us to listen to the teens directly and learn about the type of programs they would like to see. Ideally, Mrs. Reilly commented, we'd like to see teens involved in recreation as well as activities that contribute to the community. Mrs. Twomey emphasized her strong desire to see adult and parental involvement as well. Mrs. Reilly agreed. Mr. Judge interjected that there is a resource available called The Samaritan Center in Manasquan. Mr. Judge reported that he and Mr. Jeff Algor sit on the board of this entity and that it is a place where people from the entire community can turn to seek assistance in dealing with teen suicide. Mayor Naughton commented on the complexity of this issue and cautioned against lumping the youths together, noting the importance of recognizing them as individuals with their own unique story and situation. Therefore, there is no one simple answer. Mayor Naughton applauded the local high schools for their efforts in raising the awareness of the issue noting that there has been more open discussion about teen suicide than probably anywhere in the country, sadly due to the number of recent local suicides. Mayor Naughton shared that she knows Mr. Algor personally and applauded his tireless efforts to include youth in positive programs.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

Council Comments & Staff Reports

Mayor Naughton reported on the following:

- **Boardwalk Repair** - A bid has been received for \$9,700 for the boardwalk railings. This figure is where we hoped it would be. The railings have been ordered. Meanwhile, the Trex material has arrived and the reconstruction efforts are moving quickly.
- **Finance** - The Finance Committee met last week and we have all the department requests as well as many of the capital requests for the 2012 budget. We hope to introduce the budget at the next meeting. The Mayor extended her thanks to Robbin Kirk, CFO and Administrator Dempsey for their efforts.
- **Dispatch** - The Chief of Police reported that we will move to the new dispatching system at 9:00 AM tomorrow. We intend to keep the dispatch desk in Spring Lake operational until March 10th as part of the transition. We expect everything to run seamlessly.
- **Newsletter** - Reminder to the Council Members to submit any items for inclusion in the Newsletter to Jane Gillespie.
- **Bills List on Website** - Approved bills will be placed on the website. A decision as to whether to post bills that have yet to be approved is still pending.
- **Dr. John Ayers** - Mayor Naughton expressed her gratitude to Dr. Ayers, a long-time resident of Spring Lake, for his recent donation of a picture of the Essex and Sussex.

Mr. Drashaff reiterated the progress of the budget preparation indicating that he's confident everyone will be satisfied with the budget as presented in March. He expressed that his only concern lies with the County, indicating that the total valuation of County property has decreased. This change will add approximately \$.89 to the county tax rate. Spring Lake may or may not feel that impact. Mr. Drashaff also reported that the Library has officially gone on-line with its e-book service allowing members to access books via their personal electronic devices. He tried the system and stated that it works well. He also reported that the new computers at the library have been very well received.

Mr. Judge reported that there is a joint venture at H.W. Mountz involving the Board of Education, the Booster Club, the PTA and the Education Foundation to explore the possibility of renovating the playground and basketball courts. Mr. Judge shared that he attended a meeting that invited the neighbors to come and comment on the working proposal. Mr. Judge expressed his feeling that it will be a cooperative effort with the neighbors.

Mrs. Reilly reminded residents that there will be a notification pertaining to the pool and beach application and on-line sign-up process included in The Bridge. The application process will be done on-line and those residents without computer access will be invited to come to Borough Hall to sign up via computer. The sign-up process is targeted to begin at the end of March.

Borough Engineer's Report

Mr. Avakian reported on the South End pool liner project noting that bids have been advertised and are due March 8, 2012. Mr. Avakian further reported that he hoped the project, once awarded, could begin quickly and be completed as early as the beginning of April. Mayor Naughton inquired as to whether there would be enough time between the award date of the bid and the initiation of the liner installation to get the concrete portion of the project completed. Mr. Avakian indicated that there would be ample time.

In addition, Mr. Avakian reported that sediment samples have been taken at Wreck Pond and that two (2) of the three (3) samples were well over the 90% composition of sand. The DEP has requested two (2) additional samples and he hoped to have results next week.

Mayor Naughton asked about the start of the paving of Adrian and Newark. Mr. Avakian indicated that the plants are not yet open and that they hoped to start at the end of March.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24547

Borough Attorney's Report - No report.

Borough Administrator's Report - No report.

Business Items Under Consideration

Bare Wires Surf & Skate - Surf Contest - June 2, 2012 – Mr. Smith gave a summary of the organization and the event. Mr. Judge voiced full support of the event provided the number of participants was reasonable. Mr. Smith suggested that he hoped to get approximately 250 participants. Mayor Naughton conducted a straw poll and all Council members voiced support for the event. Mayor Naughton suggested Mr. Smith pull the details together and work with Mrs. Reilly and Mrs. Heine to present the final details and then seek out final approval from the Council.

Ordinances for Introduction

Borough Attorney Colao read ORDINANCE NO. 2012-005 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 225, LAND DEVELOPMENT OF THE BOROUGH CODE" by title.

Mrs. Venables offered a motion to introduce Ordinance No. 2012-005, seconded by Mrs. Reilly. Publication to be at the convenience of the Borough Clerk.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Ordinances for Adoption

Borough Attorney Colao read the following: "ORDINANCE NO. 2012-002 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE BOROUGH CODE, "VEHICLES AND TRAFFIC", TO PROHIBIT CERTAIN VEHICLES FROM PARKING ON ALL STREETS" by title.

Mrs. Venables offered a motion to open the Public Hearing on Ordinance No. 2012-002, seconded by Mrs. Reilly. All in favor.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mr. Judge asked for clarification of prohibited street parking areas for commercial vehicles. Mr. Dempsey responded giving the rationale for the new prohibited areas.

Eleanor Twomey, Vroom Avenue, asked for clarification that this ordinance pertained to street parking only and inquired about ordinances that pertain to the parking of PODS in residential driveways. Mayor Naughton addressed, assuring Mrs. Twomey that an ordinance was in place dealing with PODS.

24548

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

There being no further public comments, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2012-002, seconded by Mrs. Reilly. All in favor.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Mrs. Venables offered a Resolution to adopt Ordinance No. 2012-002, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Borough Attorney Colao read the following: "ORDINANCE NO. 2012-003 - AN ORDINANCE AMENDING CHAPTER 289 OF THE CODE OF THE BOROUGH OF SPRING LAKE TO AMEND §289-5(C) FEES FOR CERTIFIED COPIES OF VITAL RECORDS" by title.

Mrs. Venables offered a motion to open the Public Hearing on Ordinance No. 2012-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mayor Naughton gave a brief summary of the ordinance.

There being no public comments, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2012-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Mrs. Venables offered a Resolution to adopt Ordinance No. 2012-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24549

Borough Attorney Colao read the following: "ORDINANCE NO. 2012-004 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 317 OF THE BOROUGH CODE, "SPECIAL IMPROVEMENT DISTRICT" TO CREATE AN ADDITIONAL CATEGORY OF PROPERTIES FOR ASSESSMENT PURPOSES AND OTHER REVISIONS" by title.

Mrs. Venables offered a motion to open the Public Hearing on Ordinance No. 2012-04, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Eleanor Twomey, Vroom Avenue inquired as to whether this referred to the Business Improvement District. Mayor Naughton confirmed that this was indeed referring to the Business Improvement District.

There being no further comments from the public, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2012-004, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Mrs. Venables offered a Resolution to adopt Ordinance No. 2012-004, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Consent Agenda

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

R-12-042 RESOLUTION - APPROVING OFF-DUTY PAY AND RETAINING ADMINISTRATIVE FEES

WHEREAS the Borough of Spring Lake has received the monies as set forth below in connection with the employment of off-duty Police Department employees, and

WHEREAS this money has been deposited by the Borough of Spring Lake in an account designated "RESERVE FOR OFF-DUTY EMPLOYMENT";

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that payment be made to the employees as shown on the payroll voucher as follows:

| | | | | |
|-----------------|-------------------------|-----------|-----------|-------------------|
| 1/29 & 2/1/2012 | J.F. Kiely Construction | \$1350.00 | \$1260.00 | Admin Fee \$90.00 |
| 1/29/2012 | J.F. Kiely Construction | \$675.00 | \$630.00 | Admin Fee \$45.00 |
| 2/2 & 2/3/2012 | J.F. Kiely Construction | \$400.05 | \$350.00 | Admin Fee \$50.05 |
| 2/3/2012 | J.F. Kiely Construction | \$675.00 | \$630.00 | Admin Fee \$45.00 |
| 2/13/2012 | J.F. Kiely Construction | \$712.50 | \$665.00 | Admin Fee \$47.50 |
| 2/9/2012 | J.F. Kiely Construction | \$712.50 | \$665.00 | Admin Fee \$47.50 |
| 2/10/2012 | J.F. Kiely Construction | \$637.50 | \$595.00 | Admin Fee \$42.50 |

24550

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

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|-----------------|-------------------------|-----------|-----------|-------------------|
| 2/10/2012 | J.F. Kiely Construction | \$148.59 | \$130.00 | Admin Fee \$18.59 |
| 2/1/2012 | J.F. Kiely Construction | \$675.00 | \$630.00 | Admin Fee \$45.00 |
| 1/30 & 2/1/2012 | J.F. Kiely Construction | \$457.20 | \$400.00 | Admin Fee \$57.20 |
| 2/2/2012 | J.F. Kiely Construction | \$194.31 | \$170.00 | Admin Fee \$24.31 |
| 2/10/2012 | J.F. Kiely Construction | \$194.31 | \$170.00 | Admin Fee \$24.31 |
| 2/9/2012 | J.F. Kiely Construction | \$675.00 | \$630.00 | Admin Fee \$45.00 |
| 2/8/2012 | J.F. Kiely Construction | \$675.00 | \$630.00 | Admin Fee \$45.00 |
| 1/30 & 2/6/2012 | J.F. Kiely Construction | \$1350.00 | \$1260.00 | Admin Fee \$90.00 |

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the administrative fee(s) are to be retained by the Borough of Spring Lake as unanticipated revenue.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-12-043 - RESOLUTION – RELEASING STREET OPENING BOND
501 MERCER AVENUE – BLOCK 49, LOT 1**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Mark Herrmann Construction Inc. for property located at 501 Mercer Avenue, Block 49, Lot 1 and

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

WHEREAS, the Department of Public Works paved the trench at a cost of \$500.00 on November 1, 2011.

WHEREAS, the Borough Engineer’s office has inspected the site and found the remaining work 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 \$750.00 is hereby authorized for return.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**12-12-044 - RESOLUTION – RELEASING STREET OPENING BOND
415 WORTHINGTON AVENUE – BLOCK 116, LOT 9**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Herrmann Construction for property located at 415 Worthington Avenue, Block 116, Lot 9 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 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.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24551

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-12-045 - RESOLUTION – RELEASING STREET OPENING BOND
400 MORRIS AVENUE – BLOCK 73, LOT 26**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Environmental Landscape Design for property located at 400 Morris Avenue, Block 73, Lot 26 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 of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-12-046 - RESOLUTION – APPROVING RELEASE OF PERFORMANCE GUARANTEES
FOR BLOCK 144, LOT 18 – ALLOCCA SUBDIVISION**

WHEREAS the Borough of Spring Lake has received performance guarantee monies as the result of a subdivision application approved by the Spring Lake Planning Board for Block 144, Lots 18, and

WHEREAS, said funds were deposited by the Borough of Spring Lake in accordance with law, and

WHEREAS, the Borough Engineer office has recommended the release of the guarantee as the required improvements have been completed and are acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that performance guarantees posted for Block 144, Lot 18 be and hereby are released.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

24552

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

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

**R-12-047 - RESOLUTION – AWARD OF CONTRACT #02 -2012
Boardwalk Stanchions**

WHEREAS, on February 23, 2012 bids were received for the Boardwalk Stanchions.

WHEREAS, five (5) packages were picked up and one (1) bid was received, and

WHEREAS, American Aluminum Casting Company, 324 Coit Street, Irvington, NJ 07111 is the lowest responsible bidder for the furnishing & delivery of a minimum of 450 not to exceed 1200 Aluminum Stanchions,(319F as Cast), for the Spring Lake Boardwalk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #02 - 2012 is hereby awarded for furnishing & delivery of 450 stanchions to American Aluminum Casting Company not to exceed \$ 44,730.00 and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Borough Council reserve and retain their right to award a contract for the Boardwalk Stanchions in accordance with the time limits provided by law.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Beach Capital Outlay and Bond Ordinance #2012-001 for an amount not to exceed \$ 141,375.00.

/s/Robbin D. Kirk, Chief Financial Officer

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-12-048 - RESOLUTION – REFUNDING RAFFLE LICENSE FEES

WHEREAS an application was received by the Borough of Spring Lake for Raffle Application #01-2012 from St. Catharine's PTA with the appropriate fees, and

WHEREAS this money has been inadvertently deposited twice in error by the Borough of Spring Lake, and

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refund be made to the St. Catharine's PTA in the amount of \$120.00.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-12-049 - RESOLUTION – AMENDING R-12-030, R-10-186, R-09-226 and
R-09-246 - PROFESSIONAL SERVICES CONTRACT – ARCHITECTURAL SERVICES
IN CONJUNCTION WITH NJ HISTORIC TRUST GRANT FOR FREDERICK A.
DUGGAN - FIRST & EMERGENCY SQUAD BUILDING WITH RICHARD GELBER
ARCHITECT**

WHEREAS, the Borough of Spring Lake has a need for professional Architectural services in conjunction with the Grant received from the NJ Historic Trust for the Frederick A. Duggan - First Aid and Emergency Squad Building as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24553

WHEREAS, such professional architectural services can only be provided by licensed professionals in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a), and the firm of Richard Gelber, Architect, 1524 Delancey Street, Philadelphia, PA 19102 is so recognized; and

WHEREAS, this contract is to be awarded for an additional amount not to exceed \$7,500.00 for preparation of the Cost Estimate and changes to the approved Contract Documents new exterior landscape design for a total contract amount not to exceed \$92,300.00; and

WHEREAS, SPG₃ Architects has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate in the Borough of Spring Lake in the previous one year and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Spring Lake that SPG₃ Architects – Richard Gelber is hereby authorized to provide professional architectural services in accordance with the attached proposal amendments in conjunction with the NJ Historic Trust Grant for the Borough of Spring Lake; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution and the Contract with the Borough Clerk of the Borough of Spring Lake; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish a public notice of this award as required by law.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Naughton invited Mr. Judge to give an explanation of the Resolution R-12-050 and why it is needed. Mr. Judge explained that the Resolution is in connection with the North End Pavilion project specifically the retention of the professional services of Mr. Joseph Griffin of Griffin Engineering of Sea Girt. Mr. Judge stated that the committee felt there was a need to identify and select an owner's representative for the Borough for the North End Pavilion project. The need is to have someone to work with the Architect to ensure that the bid documents, specs and plans are in order for when the Borough goes out to bid, thus reducing the risks of disputes and potential change orders, explained Mr. Judge. In addition, this individual will work on the Borough's behalf in the preconstruction phase to ensure the project remains on schedule before demolition and then post demolition provide on-going monitoring and oversight. Mr. Judge continued, noting that this owner's representative will also ensure the project stays on schedule, that the work is done professionally and in accordance with plans, that invoices are approved and that overall troubleshooting of the project is provided. Mr. Judge reviewed the selection process noting that Mr. Griffin was one of four (4) candidates considered. Mr. Griffin's proposal was one of the most economical with a not-to-exceed quote of \$86,500. Mr. Griffin offers over thirty-five (35) years of engineering and construction experience most recently with the reputable firm of George Harms Construction where he recently retired as President of Harms Engineering. Mr. Judge reported that Mr. Harms' extensive experience building on pilings and working with pre-cast concrete make him a particularly attractive candidate for the North End Pavilion project.

Mayor Naughton invited comments and questions from the Council Members.

Mrs. Venables offered her full faith and support in the committee's recommendation.

24554

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

Mr. Fay inquired as to whether this cost is included in the overall cost of the project. Mr. Judge and Mrs. Reilly explained that although the \$86,500 is a cost above the tentative estimates for the overall project, it is their belief that having Mr. Griffin in place will ultimately save the Borough money by eliminating issues with the bidding process and throughout the construction process.

Mr. Drasheff emphasized the innovated work required for this project noting that it's not a simple pool installation. Mr. Drasheff further reiterated the value added of having someone with Mr. Griffin's expertise in providing this type of innovative work.

Mrs. Reilly added that the project components must fit together like Legos with both off-site and on-site construction components further warranting Mr. Griffin's expertise.

Mr. Jordan inquired as to the structure of the agreement and whether it contained phases. Mr. Judge answered explaining that the Agreement will include phases with a proposal that prices the various stages separately.

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

R-12-050 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

| | | | | |
|------------|---|----------------|--------------------------|------------------------------------|
| PS#07-2012 | Project Engineer/ Owner's Representative | Joseph Griffin | Griffin Engineering, LLC | P.O. Box 316 Sea Girt, NJ 08750 |
|------------|---|----------------|--------------------------|------------------------------------|

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

WHEREAS, the anticipated term of this contract is 1 year; and

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

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

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

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

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24555

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-12-051 RESOLUTION – APPROVAL OF BILLS – FEBRUARY 29, 2012

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending February 29, 2012, and

WHEREAS, the Borough Finance Committee has reviewed said claims.

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

| <u>SUMMARY</u> | |
|---------------------------|--------------|
| CURRENT FUND (1) | 478,499.32 |
| WATER/SEWER OPERATING (9) | 14,943.34 |
| DOG TRUST (13) | 74.40 |
| SPRING LAKE TRUST (15) | 4,712.50 |
| MT LAUREL TRUST (16) | 4,477.50 |
| PAYROLL (18) | 12,884.95 |
| RECREATION (25) | 1,271.50 |
| BEACH OPERATING (81) | 26,837.78 |
| POOL OPERATING (91) | 1,214.48 |
| TOTAL | \$544,915.77 |

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

North End Pool & Pavilion Presentation - 6:55 PM Start

Mayor Naughton informed the public that the presentation's intent is to give Mr. Wallover an opportunity to present the architectural design that will guide the Borough through the bidding and building of the North End Pavilion. Mayor Naughton noted that Mr. Wallover and his team have been the lead on the project for several years and have demonstrated patience and professionalism throughout the process thus leading us to a design that is essentially complete. Further, Mayor Naughton shared that tonight's unveiling will be a rendering of what we would like to build but emphasized that there are additional mechanical and engineering details that could ultimately alter, in a modest way, the final drawings. Mayor Naughton also shared that the consensus of the many stakeholders, including the Governing Body and the residents of Spring Lake, was to build a municipal pool complex that will last for many years. The Mayor commented that she believed that the presentation tonight will show that that goal has been achieved. The Mayor offered her thanks to Council Members Judge, Reilly and Dresheff for their tireless efforts on the Pool Committee and recognized the contributions of three Spring Lake citizens who volunteered their unique talents in the areas of architecture and engineering.

Mr. Judge added his thanks to Mr. Dempsey for all of his hard work and contributions acknowledging his insightful comments and flexibility to meet with the committee at all hours.

24556

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

Mayor Naughton introduced Mr. Ted Wallover of Wallover Associates noting that he is the Owner and Chief Architect for the organization and has been involved in the project for years.

Mr. Wallover started by applauding the Borough's action of retaining an owner's representative noting that it will be very beneficial to the project. Mr. Wallover offered a set of construction drawings for the public to review and spoke to the process they used to achieve these final drawings. In particular, Mr. Wallover noted the desire to design a building that would allow for a fair amount of construction to be done off-site citing the unique considerations of a beachfront location. This, according to Mr. Wallover, strongly influenced the move toward a pre-cast build system and the use of materials that are geared toward use in very rough climates and conditions as well as structures that remain unheated during colder months. This was particularly important in achieving the goal of building a structure that would last for many years.

Mr. Wallover and his associate Mr. Brad Zahn proceeded to share the drawings with the members of the public. Together, they highlighted a myriad of considerations including occupancy, exits, flood zone, locker configurations, restrooms, etc. as well as a key consideration of Spring Lake's passion for preserving the historical elements of the location. Mr. Wallover noted that everything from scale, texture and materials were selected with this passion in mind. Mr. Zahn talked to the issue of demolition and the potential unknowns that may be discovered. Further, he overviewed the main pavilion building, the various pools and spray features, the south end lockers as well as the perimeter wall and the need to maintain a consistent height. Mr. Zahn, per the Mayor's request, spoke to the issue of being on grade and level with the boardwalk thus ensuring adherence with ADA regulations. There will also be an elevator and ramps to ensure such accommodations. Mr. Wallover interjected details about the main pavilion building that has been redesigned with a new office, first-aid facilities, concessions, and storage. Continuing, Mr. Zahn reported that there will be an increase in restroom facilities both on the boardwalk for the public as well as in the interior pool area. The design increases the restroom capacity from approximately 3 or 4 to approximately 15.

Mrs. Reilly interjected that another design improvement is that the restrooms will be placed on the sides of the buildings as opposed to facing the boardwalk, this coupled with the increase in facilities, should significantly minimize the line formation in front of the pavilion. Mr. Zahn went on to describe the plans for the stairs leading to the observation area noting that the stairs will be on either side versus the center and the deck will be roughly the same size as it is now.

In discussing the boardwalk elevation drawings, Mr. Zahn reviewed the utilization of concrete and molded brick versus a standard brick that would not hold up well in a thaw/freeze scenario. Further, Mr. Zahn and Mr. Wallover spoke to the removal of the original plaques which will be replaced with replicas designed of pre-cast concrete to withstand the elements yet have a remarkable likeness to their original counterparts.

Mrs. Reilly noted that the Historical Society is in full agreement with their plans noting that five (5) of the best of the originals will be on display in an area leading to the pools.

Mr. Zahn and Mr. Wallover continued with details regarding the pre-cast perimeter wall construction highlighting the benefit of constructing the walls in a factory setting thus avoiding being at the mercy of weather conditions. A further consideration, detailed by the presenters, was the selection of the materials to be used including galvanized steel for the roof, fiberglass for doors and windows, and stainless steel hinges and hardware, all of which will sustain the elements. They also spoke to the issue of piping and drainage noting that the systems are designed to withstand a tremendous amount of sand being tracked through them. Further, the design incorporated the use of "green" materials as well as vandal-proof materials. A question arose regarding views from the west side of the pavilion

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

24557

and the presenters assured the members of the audience that the privacy of the community was fully considered. Mr. Zahn went on to describe the locker design noting that there will be approximately 420 total lockers of which roughly half will be half-height lockers. Mr. Zahn described the materials that will be used and how they will be configured in an effort to protect the lockers and their contents as much as possible from the elements. Mr. Wallover detailed the materials and design of the pools noting that they will be pre-engineered stainless steel pools. The lap pool will be a 6-lane NCAA and National Federation of High School compliant pool intended to accommodate lap swimming with a diving component while the leisure pool will have beach access and interactive play toys and a constant depth area allowing for the best of both worlds. For efficiency purposes, filtering and pumping will be shared by the pools. Mr. Zahn briefly described the materials being used in the baths, showers, counters, concession stand, etc. noting their goal of balancing aesthetics, functionality, and coordination with the South End look. The presenters ended with a discussion regarding timing and the considerations in achieving a Memorial Day 2013 finish date noting that based on the existing plans and what is being put to bid they would hope to achieve substantial completion by the third week in May, substantial completion representing a time two-weeks before final completion. The presenters fielded questions from the members of the public relating to the possibility of lead being found during demolition and the potential for going over the anticipated cost estimates.

Mayor Naughton offered examples (such as inclusion of the Myrtha Pool and the exclusion of LockerTek lockers) of considerations the committee entertained in an effort to achieve their design goals while keeping costs manageable noting that the key was to keep the elements that were integral to the core objectives while managing costs. Mayor Naughton noted that with the help of an independent cost estimator they are hopeful that the estimates are close to the bid numbers that are received yet reminded the public that bids may be rejected if they are not in the best interest of the Borough. Mr. Rich Shaughnassy of Washington Avenue asked if there was a virtual representation of the plans available. Mayor Naughton invited Mr. Shaughnassy to review the plans available on the website as well as those available on site at Borough Hall to see if they met his needs. Mayor Naughton thanked Mr. Wallover and Mr. Zahn for their presentation.

Public Comments

Elsie Dubach, St. Claire Avenue stated that in connection with the potential renovations at H.W. Mountz School, she is in favor of the upgrades to the playground but is concerned that the plan for the basketball courts would place them within feet of someone's home. This would change the environment and our quiet street, she stated, with hopes that the neighbors will continue to be consulted. Mr. Judge reiterated that the neighbors' comments and concerns will be given careful consideration throughout the process. Mayor Naughton thanked Ms. Dubach for sharing her concerns.

Harry Zarb, Third Avenue, with respect to the website, Mr. Zarb opined that there were many problems with the site particularly since the site has been up for nine months. He cited his inability to access the Agenda; Ms. Gillespie offered Mr. Zarb assistance on how to access the Agendas on the home page. Further, Mr. Zarb noted that he would be hesitant to use the site to apply for beach/pool badges. In connection with a recent service request, Mr. Zarb asked if anyone received it. Ms. Gillespie confirmed that it was indeed received and forwarded accordingly. Mr. Jordan noted that they have been working with the company that supports the website and have viewed other town's websites and are in the process of identifying opportunities to improve the site.

24558

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 29, 2012**

Adjournment

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

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:13 P.M.

Respectfully submitted,



JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: April 10, 2012.