

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**24755**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:03 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. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly, Mayor Naughton  
ABSENT: NONE

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

\*\*\*\*\*

**Oaths of Office - Mayor & Borough Council**

Mayor Naughton administered the Oath of Office to council member elect Janice Venables.

Freeholder Gary Rich administered the Oath of Office to council member elect William Fay III.

\*\*\*\*\*

**Organization of Mayor & Borough Council  
Nomination and Election of Council President**

Mayor Naughton asked for a nomination for Council President. Mrs. Reilly offered a motion to nominate Janice Venables as Council President, seconded by Mr. Drasheff.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

**Council Liaison Assignments**

Mayor Naughton stated that the assignments have not changed from 2012 and asked for a motion to approve. Mrs. Venables offered a motion to approve the 2013 Council Liaison Assignments. Mr. Judge asked if the Beach Policy Committee should be added. Mayor Naughton agreed and asked that the 2013 Mayor & Council Assignments be amended to include the Beach Policy Committee that includes council members Reilly, Jordan and Judge and asked for another motion. Mrs. Venables offered a motion to approve the 2013 Council Liaison Assignments as amended, 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

\*\*\*\*\*

**Festival of Lights - Presentation of Winners**

Mayor Naughton gave a summary of the annual tradition where by the Recreation Committee drives through town and identifies winning holiday displays in both the residential and commercial categories. Mayor Naughton announced the winners including Mary Reilly from the Irish Centre, Mary Kull from 209 Passaic Avenue, the Kruse Family of 414 Ludlow Avenue, the Thompson Family from 318 Monmouth Avenue, and the Meccia Family of 2212 Third Avenue and presented them with a certificate and token gift.

\*\*\*\*\*

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**Resolutions**

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-001 - TEMPORARY MUNICIPAL BUDGET – 2013**

WHEREAS, the Local Budget Law provides that (where any contracts, commitments, or payments are to be made prior to the final adoption of the 2012 Budget) temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, not exceeding 26.25 percent of the total operating appropriations in the 2012 budget may be temporarily appropriated less full debt service for 2013;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made and that a certified copy of the resolution be transmitted to the Chief Financial Officer for her records:

<u>GENERAL GOVERNMENT</u>	
ADMINISTRATION 0100	
Salaries and Wages (011)	24,860.00
Misc. Other Expenses (204)	6,000.00
MAYOR AND COUNCIL 0110	
Salaries and Wages (011)	6,642.25
Misc. Other Expenses (204)	150.00
MUNICIPAL CLERK 0120	
Salaries and Wages (011)	30,500.00
Misc. Other Expenses (204)	7,500.00
FINANCIAL ADMIN. TREASURY 0130	
Salaries and Wages (011)	4,000.00
Misc. Other Expenses (204)	5,000.00
AUDIT SERVICES 0135	
Other Prof. Services	10,000.00
REVENUE ADM. TAX COLLECTION 0145	
Salaries and Wages (011)	26,000.00
Misc. Other Expenses (204)	6,000.00
TAX ASSESSMENT ADMIN. 0150	
Salaries and Wages (011)	7,900.00
Misc. Other Expenses (204)	15,000.00
LEGAL SERVICES 0155	
Salaries and Wages (011)	0.00
Misc. Other Expenses (204)	30,000.00
PROFESSIONAL SERVICES & PLANNING SERVICES	
Engineering (272)	8,000.00
Zoning	0.00
<u>LAND USE ADMINISTRATION</u>	
PLANNING BOARD 0180	
Salaries and Wages (011)	10,100.00
Misc. Other Expenses (204)	8,000.00
CODE ENFORCEMENT	
Salaries and Wages (011)	6,000.00
Misc. Other Expenses (204)	250.00
INSURANCE	
GROUP INSURANCE (220)	180,200.00
INSURANCE OTHER (210)	62,808.99
WORKERS COMP. (215)	78,166.21
CELEBRATION OF PUBLIC EVENTS 0420	
Misc. Other Expenses (204)	1,000.00
ZONING OFFICIAL 205	
Salary and Wages (011)	7,600.00
Misc Other Expenses (204)	250.00
POLICE DEPARTMENT 0240	
Salaries and Wages (011)	430,000.00
Misc. Other Expenses (204)	15,000.00
DISPATCHING (0380)	
Salaries and Wages (011)	70,000.00
Misc. Other Expenses (204)	4,000.00

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**24757**

INTERLOCAL/CONSTRUCTION OFFICIAL (0610)	59,000.00
Salaries & Wages (011)	2,000.00
Misc. Other Expenses (204)	
OFFICE OF EMERGENCY MANAGEMENT (0252)	950.00
Salaries and Wages (011)	
FIRST AID ORGANIZATION 0262	6,500.00
Misc. Other Expenses (204)	
FIRE DEPARTMENT 0265	8,000.00
Misc. Other Expenses (204)	
<u>PUBLIC WORKS</u>	
STREETS AND ROADS 0290	10,000.00
Misc. Other Expenses (204)	
OTHER PUBLIC WORKS FUNCTIONS (0300)	400,000.00
Salaries and Wages (011)	9,000.00
Misc. Other Expenses (204)	
<u>SANITATION</u>	
SOLID WASTE COLLECTION 0305	200.00
Misc. Other Expenses (204)	
PUBLIC BUILDINGS 0310	12,000.00
Misc. Other Expenses (204)	
VEHICLE MAINTENANCE 0315	22,000.00
Misc. Other Expenses (204)	
<u>HEALTH AND HUMAN SERVICES</u>	
BOARD OF HEALTH 0330	900.00
Salaries and Wages (011)	100.00
Misc. Other Expenses (204)	10,500.00
Contractual Services (0412.020)	
DOG REGULATION 0340	0.00
Misc. Other Expenses (204)	
<u>PARKS AND RECREATION</u>	
RECREATION DEPARTMENT 0370	1,000.00
Salaries and Wages (011)	0.00
Misc. Other Expenses (204)	
MAINTENANCE OF PARKS 0375	8,000.00
Misc. Other Expenses (204)	
LIBRARY 0390	60,900.00
Salaries (011) and Misc. Other Expenses (204)	
ACCUM LEAVE COMPENSATION	0.00
<u>UTILITY EXPENSES AND BULK PURCHASES</u>	
ELECTRICITY 0430	15,000.00
Misc. Other Expenses (204)	
STREET LIGHTING 0435	19,000.00
Misc. Other Expenses (204)	
TELEPHONE 0440	10,000.00
Misc. Other Expenses (204)	
GAS (Natural or Propane) 0446	20,000.00
Misc. Other Expenses (204)	
GASOLINE 0460	12,000.00
Misc. Other Expenses (204)	
LANDFILL/SOLID WASTE DISPOSAL 0465	30,000.00
Contractual – County of Monmouth	
<u>STATUTORY EXPENDITURES</u>	
PERS 0471 238,840.50	
POLICE FIREMEN'S RETIREMENT SYST.	307,860.30
SOCIAL SECURITY 0472	74,000.00
Municipal Court 0490	6,800.00
Salaries and Wages (011)	
CAPITAL IMPROVEMENTS 0900	30,000.00
Capital Improvement Fund (207)	
<u>MUNICIPAL DEBT SERVICE</u>	
INTEREST ON B.A.N.	19,052.65
PAYMENT B.A.N.	150,000.00
<b>TOTAL GENERAL APPROPRIATIONS</b>	
<b>FOR 2013 TEMPORARY BUDGET</b>	<b>\$2,604,530.90</b>

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**TEMPORARY BUDGET – WATER/SEWER UTILITY 2013**

WATER/SEWER UTILITY 6001	
Salaries and Wages (011)	26,000.00
Misc. Other Expenses (204)	54,000.00
W/S CPAITAL IMPROVEMENT FUND 6002	
Capital Outlay (227)	-0-
Capital Improvement Fund (207)	-0-
W/S DEBT SERVICE 6003	
Interest on Bonds (116)	0
Interest on BAN	15,557.63
FIN. ADMINISTRATION S&W (6004)	6,000.00
FIN. ADMINISTRATION AUDIT 6004	8,000.00
W/S STATUTORY EXPENDITURES 6005	
Contrib. To P.E.R.S. (107)	31,845.40
Social Security (108)	4,850.00
PAYMENTS TO S.M.R.S.A. 6009	215,400.00
N.J. WATER SUPPLY AUTHORITY 6010	27,736.00
SEMMUA 6011	130,000.00
ENGINEERING SERVICES 6014	-0-
UTILITY EXPENSES 6015	18,570.00
GROUP INSURANCE 6016	14,000.00
WORKERS COMPENSATION 6017	7,210.00
OTHER INSURANCE 6018	8,675.00

**WATER/SEWER 2013 TEMPORARY BUDGET****\$567,844.30****TEMPORARY BUDGET – BEACH UTILITY – 2013**

BEACH UTILITY MAINTENANCE 8001	
Salaries and Wages (011)	56,000.00
Misc. Other Expenses (204)	10,000.00
BEACHFRONT OPERATION 8002	
Salaries and Wages (011)	26,000.00
Misc. Other Expenses (204)	20,000.00
POLICE 8003	
Salaries and Wages (011)	33,000.00
Misc. Other Expenses (204)	10,000.00
FINANCIAL ADMINISTRATION AUDIT 8004	
Misc. Other Expenses (204)	4,000.00
LEGAL 8005	
Misc. Other Expenses (204)	2,000.00
INSURANCE 8006	
Misc. Other Expenses (204)	65,000.00
Group Ins. (220)	20,000.00
VEHICLE MAINTENANCE 8007	
Misc. Other Expenses	10,000.00
CONT. TO W/S UTILITY 8008	
SANITARY LANDFILL 8009	
BEACH UTILITY DEBT SERVICE 8010	
Pmt. Of Bond Principal (114)	-0-
Interest on Bonds (116)	-0-
Interest on BAN (117)	3,902.35
Pmt. BAN	40,000.00
STATUTORY EXPEND. CONT. TOP.E.R.S. (107)	29,481.60
SOCIAL SECURITY (108)	7,000.00
POLICE & FIRE RETIREMENT SYST. (110)	34,206.70
CONTRIBUTION TO FIRST AID 8012	
Misc. Other Expenses (204)	

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**24759**

BEACH UTILITY CAPITAL IMPROVEMENT FUND 8013 Capital Improvement Fund (228)	2,000.00
ENGINEERING SERVICES 8014 Other Prof. Cons. Spec. Service	6,000.00
BULK UTILITY EXPENSES 8015	16,000.00
<b>BEACH UTILITY 2013 TEMPORARY BUDGET APPROP.</b>	<b>\$394,590.65</b>

**TEMPORARY BUDGET – POOL UTILITY – 2013**

POOL OPERATION 9001 Salary and Wages (011)	\$20,000.00
Misc. Other Expenses (204)	15,000.00
ADMINISTRATION 9006 Salary and Wages (011)	3,500.00
AUDIT SERVICES 9010 Misc. Other Expenses (204)	3,000.00
PERS	15,922.70
INSURANCE 9012 Medical (092)	5,500.00
Liability (209)	4,400.00
Workers Comp (271)	10,100.00
PUBLIC WORKS 9016 Salary and Wages (011)	15,000.00
Misc. Other Expenses (204)	20,000.00
UTILITY EXPENSES Electricity (071)	3,875.00
Telephone Chg. (076)	375.00
CAPITAL IMPROVEMENTS (908) Capital Improvement Fund (207)	2,000.00
STATUTORY EXPENDITURES 9100 Social Security (108)	2,950.00

**TOTAL POOL UTILITY 2013 TEMPORARY BUDGET \$121,622.70**

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-002 - 2013 APPOINTMENTS**

Be It Resolved, By the Mayor & Council of the Borough of Spring Lake, New Jersey, that the following staff appointments are hereby made effective 1/01/13.

W. Bryan Dempsey	Borough Administrator, Stormwater Management Coordinator, Municipal Housing Liaison, Monmouth Municipal JIF & MEL Fund Commissioner, Southeast Monmouth Municipal Utilities Authority, Representative, Central Jersey HIF Alternate Commissioner, Liaison to Water Authority, LOSAP Program Administrator, Grant Manager, Monmouth County Community Development Block Grant Representative
Jane L. Gillespie	Borough Clerk, Municipal Registrar, Human Resources, Alternate to Municipal JIF & MEL, Central Jersey HIF, LOSAP Program Administrator, Recreation Assistant
Dina M. Partusch	Deputy Borough Clerk, Deputy Municipal Registrar, Planning Board Secretary, Recreation Assistant, Deputy Stormwater Coordinator
Frances Florentine	Purchasing Agent, Assistant Treasurer, Public Agency Compliance Officer
Kathleen Capristo	Assistant to Administrator, Borough Clerk and Chief Financial Officer

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Frank Phillips	Superintendent of Public Works, Safety Coordinator, Asst. Recycling Coordinator, Asst. Clean Communities Coordinator		
Harold McCormick	Foreman – Public Works		
Don Brahn, Sr.	Foreman – Public Works		
Don Brahn, Jr.	Clean Communities Coordinator, Recycling Coordinator		
M. Kevin Gerrity	Water/Sewer Plant Operator		
Randy Bruton	Asst. Water/Sewer Plant Operator		
Stephen K. Roe	Code Enforcement Officer		
Matthew Zahorsky	Zoning Review Agent		
Kathy Farr-Heine	Recreation Supervisor		
Chief Edward Kerr	Emergency Management Coordinator		
Peter Meade	Deputy Emergency Management Coordinator		
Thomas W. Mullaney	Fire Chief	1 Year Term	1/01/13-12/31/13
Frank M. Ciufo	Senior Deputy Fire Chief	1 Year Term	1/01/13-12/31/13
Donald Brahn, Jr.	Deputy Fire Chief	1 Year Term	1/01/13-12/31/13
Alex Burke	Asst. Fire Inspector	1 Year Term	1/01/13-12/31/13
Dick Mercora	Asst. Fire Inspector	1 Year Term	1/01/13-12/31/13
Joseph Beliveau	Asst. Fire Inspector	1 Year Term	1/01/13-12/31/13
Katherine Garrecht	Municipal Court Administrator		
Barbara Lynch Deputy	Court Administrator		
Colin Quinn, Esq.	Municipal Prosecutor		
James D. Carton, Esq.	Alt. Municipal Prosecutor		
Charles Shaw, Esq.	Public Defender		
Donald K. Greer, Jr., Esq.	Alt. Public Defender		

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge in connection with the appointment of Colin Quinn, Municipal Prosecutor.

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-003 -RESOLUTION - APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES, ETC.**

Be It Resolved, by the Mayor and Council of the Borough of Spring Lake, that the following list of appointments are hereby approved:

**I. Citizen Representatives (all 1 year terms, 1/1/12-12/31/12)**

Drug Prevention Alliance Chair		Ray Dubois
Alt. Rep.-Monmouth CDBG Program		John Fitzgerald

**II. Boards and Commissions**

**Board of Health**

Peter Meade	4 Year Term	01/01/13-12/31/16
-------------	-------------	-------------------

**Environmental Commission**

Louise Decker	3 Year term	01/01/13-12/31/15
Rob Slifer	3 Year term	01/01/13-12/31/15
Maggie McElynn	Alternate #2	01/01/13-12/31/14

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**24761**

**Planning Board**

Priscilla Reilly	Class III – 1 Year Term	01/01/13-12/31/13
Walter Judge	Class IV – 4 Year Term	01/01/13-12/31/16
Joseph Rizzo	Class IV – 4 Year Term	01/01/13-12/31/16

**Library Board of Trustees**

Laura Hughes Reilly	5 Year Term	01/01/13-12/31/17
---------------------	-------------	-------------------

**IV. Committees**

**Shade Tree Advisory Committee**

All members: 1 Year term 1/01/13-12/31/13		
Gary Ciliberto	Sydnee Whalley	Thomas Burrus
Janice Venables	Jane Haulenbeek	Melissa Ix
Rob Slifer	Gina Sapnar	Walter Craig
Cindy Napp	Linda Drasheff	

**Mt. Laurel Housing Element & Fair Share Plan Committee**

Janice Venables	1 Year Term	1/01/13-12/31/13
Francis Quinn	1 Year Term	1/01/13-12/31/13
Walter Judge	1 Year Term	1/01/13-12/31/13
Brendan Judge	1 Year Term	1/01/13-12/31/13
Michael Tuzzio	1 Year Term	1/01/13-12/31/13

**V. Advisory Group**

**Coastal Regional Strategic Development Plan (Monmouth County)**

Planning Board Representative	Michael Burke	1 Year Term	1/01/13-12/31/13
Community Stakeholder	Bud Charles Benz	1 Year Term	1/01/13-12/31/13
Community Stakeholder	Joseph Rizzo	1 Year Term	1/01/13-12/31/13

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge in connection with the appointments of Walter Judge and Francis Quinn; Mrs. Reilly in connection with the appointment of Laura Hughes Reilly.

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

Mr. Judge asked whether COAH Counsel, Andrew Bayer should be appointed at this time. There was a discussion regarding the need to appoint annually and it was agreed to place the appointment on the next meeting agenda.

**R-13-004 - 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#01-2013	Legal Services	Joseph Colao, Esq.	Lindabury, McCormick, Estabrook & Cooper, PC	331 Newman Springs Road, Suite 133 Red Bank, New Jersey 07701-6766
PS#02-2013	Engineering Services	Peter Avakian	Leon S. Avakian, Inc.	788 Wayside Road Neptune, NJ 07753
PS#03-2013	Auditor	Robert A. Hulsart	Robert A. Hulsart & Company	2807 Hurley Pond Road, PO Box 1409 Wall, NJ 07719
PS#04-2013	Labor Relations Counsel	Matthew J. Giacobbe, Esq.	Cleary Giacobbe Alfieri Jacobs, LLC	5 Ravine Drive, PO Box 533 Matawan, NJ 07747
PS#05-2013	Bond Counsel	Joseph P. Baumann, Jr., Esq.	McManimon & Scotland, LLC	1037 Raymond Boulevard, Suite 400 Newark, NJ 07102-5408

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

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

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

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-005 - AUTHORIZING EXECUTION OF INTERLOCAL SERVICES AGREEMENT WITH  
THE BOROUGH OF BELMAR FOR THE PROVISION OF CHIEF FINANCIAL OFFICER AND  
TAX/WATER SEWER COLLECTOR SERVICES**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Interlocal Services Agreement with the Borough of Belmar for the provision of Chief Financial Officer and Tax/Water Sewer Collector Services for the Borough of Spring Lake in the form annexed hereto and made a part hereof as if set forth at length herein.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-006 - RESOLUTION – APPOINTMENT OF CHIEF FINANCIAL OFFICER  
ROBBIN D. KIRK**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Robbin D. Kirk be and hereby is appointed the Chief Financial Officer for the Borough of Spring Lake in accordance with the Interlocal Services Agreement entered into with the Borough of Belmar. Said term to expire: December 31, 2013.

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  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-007 - RESOLUTION – APPOINTMENT OF TAX COLLECTOR/  
WATER SEWER COLLECTOR - ROBBIN D. KIRK**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Robbin D. Kirk be and hereby is appointed the Tax Collector/Water Sewer Collector for the Borough of Spring Lake in accordance with the Interlocal Services Agreement entered into with the Borough of Belmar. Said term to expire: December 31, 2013.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-008 - RESOLUTION – APPOINTMENT OF  
TEMPORARY FULL TIME PUBLIC WORKS EMPLOYEES**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the following be and hereby are appointed as a temporary full time employees for the Department of Public Works effective December 12, 2012 at an hourly wage of \$15.00.

Nick Austin  
James Bailey  
Noah Burr  
Thomas Capaci  
Ryan Commesso  
Steven Crines  
TR Devaney  
Ryan Fitzpatrick  
Robert Hendrickson  
Robert Kelsey  
Jared Kimbrough  
Cory King  
Marcus Lecorchick  
Chris Manning - Sanitation  
Hugh Meehan  
Clinton Newman  
Joseph Rodriguez  
Logan Rogers

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-009 - DESIGNATING DEPOSITORIES FOR 2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Bank of America, Ocean First Bank and PNC Bank be and here hereby designated as depositories for the Borough of Spring Lake serving as follows:

Spring Lake Recreation, Spring Lake Trust and NJ State Unemployment Trust Account in Ocean First Bank, Spring Lake Heights;

Tax Account, Tax Capital, Payroll Account, Marriage License Trust Account, Dog License Account, and Spring Lake Police Law Enforcement Trust Account, Monmouth Avenue

Trust Account, Water-Sewer, Water-Sewer Capital, Spring Lake COAH Account, Unemployment Trust Account, Clearing Account, Pool Utility and Pool Capital, Beach Utility, Junior Lifeguards and Beach Capital in the Ocean First Bank, Spring Lake Heights;

24500

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Planning Board Escrow Accounts and Jumbo CD Maintenance Account in Bank of America, Belmar;  
Beach Utility in TD Bank, Spring Lake Heights;

BE IT FURTHER RESOLVED that the Mayor and Council reserve the right to change the location of said accounts as a result of the intent to consolidate all banking services into one or more institutions.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge in connection with the appointment of TD Bank.

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-010 -APPROVING CASH MANAGEMENT PLAN FOR 2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake, County of Monmouth, that for the year 2013, the following shall serve as the cash management plan of the Borough of Spring Lake.

The Chief Financial Officer is directed to use this Cash Management Plan as the guide in depositing and investing the Borough of Spring Lake's funds.

The following are suitable and authorized investments:

- Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.
- Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1(e).
- Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey State Cash Management Fund.
- Repurchase agreements (repos) or fully collateralized securities that comply with N.J.S.A. 40A:5-15.1(a).

Each month, the Chief Financial Officer shall prepare a schedule of investments purchased and redeemed, investment earnings, fees incurred and market value of all investments.

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

- Bank of America, Wall
- Manasquan Savings Bank, Manasquan
- Provident Savings Bank, Manasquan
- Wells Fargo Bank, Spring Lake
- Capital One Bank, Sea Girt
- Kearny Federal Savings Bank, Spring Lake Heights
- Ocean First Bank, Spring Lake Heights
- TD Bank, Wall Township

The CFO shall report to the Governing Body any account that does not earn interest.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge in connection with the appointment of TD Bank.

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-011 - ESTABLISHING INTEREST RATES ON DELINQUENT TAXES**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the eight percent (8%) and eighteen percent (18%) over \$1,500.00 be established as the legal percentage rates on all delinquent taxes.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-012 - ESTABLISHING ED OF YEAR PENALTY ON DELINQUENT TAXES IN EXCESS OF \$10,000**

WHEREAS, N.J.S.A.54:4-67 has been amended to allow a year-end penalty of 6% on a delinquency in excess of \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Tax Collector is hereby authorized to charge a 6% penalty if a delinquency is in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-013 - DESIGNATING OFFICIAL NEWSPAPERS FOR 2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Asbury Park Press, The Coast Star and The Star Ledger be and are hereby designated as the official newspapers of the Borough of Spring Lake.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-014 - APPROVING DIRECT DEPOSIT PURSUANT TO NJSA 52:14-15F**

WHEREAS, pursuant to N.J.S.A. 52:14-15f the governing body may provide for the deposit of net pay of any employee of the municipality which includes public officials, and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Spring Lake to encourage its employees to utilize direct deposit.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that provisions be made to deposit the net pay of any employee or public official of the municipality in a bank account of their designation as provided for in N.J.S.A. 52:14-15f upon receipt of written authorization.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

24502

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-015 - APPROVING YEARLY CONTRACT WITH VISITING NURSES ASSOCIATION OF CENTRAL JERSEY**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Visiting Nurse Association of Central Jersey for the furnishing of public health services for 2013.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-016 - APPROVING VOLUNTEER FIREFIGHTER - DOMINIC RIZZO - SPRING LAKE FIRE CO. #1**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Dominic Rizzo to become a volunteer firefighter with Spring Lake Fire Company #1 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-017 - APPROVING RAFFLE LICENSE - RA#26-2012 - ST. CATHARINE PTA  
OFF PREMISE - RAFFLE**

WHEREAS, St. Catharine School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#26-2012, 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#26-2012 be and the same is hereby approved as follows:

<b>NAME:</b>	<b>St. Catharine School PTA 301 Second Avenue, Spring Lake, NJ 07762 Identification No.: 475-5-7331</b>
<b>LOCATION:</b>	<b>St. Catharine School 301 Second Avenue, Spring Lake, NJ</b>
<b>DATE:</b>	<b>March 15, 2013 8:00 AM</b>

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  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-13-018 - SUPPORTING REMOVAL OF S2368 FROM CONSIDERATION**

Whereas, the Honorable New Jersey State Senate President Stephen Sweeny (D-Gloucester, Cumberland, Salem) and the Honorable Senator Michael Doherty, as primary sponsors have introduced into the current session of the New Jersey State Senate Bill No. S2368, "An act concerning requirements for accepting governmental assistance to replenish storm damaged beaches and amending P.L. 1955, c.49" and

Whereas, S2368 "requires shore municipalities accepting government funds for storm-damaged beach replenishment to provide free beach access and public toilet facilities" and;

Whereas, in introducing S2368 for consideration Senators Sweeney and Doherty exhibit little knowledge of the funding/budgetary categories associated with municipal ocean beach operations and have mistakenly equated "governmental funds for storm-damaged beach replenishment" with operational expenses rather than capital expenses and:

Whereas, storm replenishment funding is a capital expense which builds and maintains the dune infrastructure and provides beaches which each year attract visitors from both NJ and around the nation who seek to enjoy New Jersey's natural resources while contributing tremendous revenues to the economy of the State of New Jersey and:

Whereas, S2368 fails to recognize the operational costs associated with operating a beach and which are incurred by a shore municipality. These operations costs are borne in part by the local taxpayer and by each individual user through the collection of beach fees and include such costs as public safety costs associated with maintaining a guarded beach, the increased need for additional law enforcement personnel to address the challenges associated with substantial seasonal population growth; public works expenses associated with keeping both the beach and the municipality clean and attractive for residents and visitors alike; the operational costs associated with insurance and defending the municipality against civil suits brought in connection to the beaches and;

Whereas, under the legislation proposed in S2368 the current method of sharing the operational cost of a replenished beach between users and local taxpayers would be shifted to become the sole responsibility and burden of the local property taxpayer and;

Whereas, such a shift from a cost sharing model to a single payer (the local property owner) would cause an immediate and dramatic rise in local property tax rates and;

Whereas, using the current situation as an opportunity to impose changes on shore communities regarding the process of beach operations is excessive, is not consistent with our state's recovery efforts and demonstrates a level of insensitivity to those affected municipalities that are struggling to rebuild their devastated communities and;

Whereas, S2368 in addition to proposing the elimination of a source of operational revenue beach fees generate for municipalities, S2368 then proceeds to mandate a new, unfunded, operational cost - free public toilets, and;

Whereas, the requirement of free public toilets is an unfunded mandate S2368 the requirement is also in contradiction to the opinion of the Superior Court of the State of New Jersey, Appellate Division in the case of the Borough of Avalon v. New Jersey Department of Environmental Protection with addressed "the validity of the Public Access Rules that require any municipality that seeks an appropriation from the Shore Protection Fund to enter into a State Aid Agreement with the DEP under which the municipality may be required to provide additional parking spaces and public restroom facilities in proximity to the oceanfront" and opined that "the Court has never held that the public trust doctrine requires a municipality that owns and operates a beach to provide a specified number of parking spaces and restrooms in proximity to the beach or that the DEP has the authority to impose such requirements upon a municipality. Therefore, we conclude that the public trust doctrine does not provide authorization for the DEP rules imposing these requirements" and in substance is a judicial decision applicable to the requirement for free public toilets as proposed in S2368 and;

Whereas, there are numerous other instances where federal or state funding is received for capital projects throughout the State of New Jersey and a user fee is collected, such as NJ Transit; the Garden State Parkway and the State Park system including Island Beach State Park (an un-replenished beach) to meet operational costs and;

Whereas, S2368 thus singles out shore municipalities for a special, unique "tax" creating an unequal class of citizens in contradiction to the precepts of both our State and Federal constitutions, so;

Be it resolved, that the Mayor and Borough Council of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey support the bi-partisan efforts and initiatives of the 1st Legislative District, the 9th Legislative District and all other shore municipalities in the collective effort to have S2368 removed from consideration, and;

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

Therefore, be it further resolved that a copy of this resolution be immediately transmitted to the Honorable Chris Christie, Governor; the Honorable Stephen Sweeney, NJ State Senate President, the Honorable Michael Doherty, NJ State Senate, the 1st and 9th New Jersey State Legislative Districts, the Monmouth County Board of Chosen Freeholders, the municipalities of Long Beach Island and each municipality in Monmouth, Ocean, Atlantic and Cape May Counties which border the Atlantic Ocean and collect beach fees for the purpose of funding the operational costs of maintaining a municipal beach.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

\*\*\*\*\*

**Business Items Under Consideration**

**Global Athletics & Marketing - Event Application - August 10, 2013** - Mrs. Reilly requested that this item be held until additional information is obtained. Mr. Judge agreed noting that there is a question as to how the monies raised in the event would be used. Mayor Naughton requested the Municipal Clerk to hold the item stating that she too had some concerns about the event since the organization is a for-profit company. Mr. Judge asked if there was a desire to discuss making these events contingent upon the applicant making a donation to the Recreation Department. Mayor Naughton stated that she has concerns as well and reminded the Council that Mrs. Venable raised a concern last year that most of the like events approved are for non-profit entities. Mrs. Reilly added that prior to Sandy, there were discussions already underway in connection with permits, fees, etc. and this was one of the items that was tabled. Also, Mrs. Reilly stated, we don't know what shape the beachfront will be in at the time of this event. Mr. Drasheff suggested that perhaps the Borough establish a precedent of denying applications of this kind for for-profit organizations. Mrs. Reilly agreed stating we should confirm that they are in fact a for-profit company. Mr. Judge also reminded the Council that they were approved last year. Mr. Jordan shared that there had been discussions in connection with requiring applicants to make a donation to the Recreation Department and stated that he shares the concerns of the Council suggesting that the application be held until we have additional information from the applicant. Mayor Naughton noted that nearly all, if not all, of the approved applicants are non-profit entities. Mayor Naughton suggested that perhaps it would be best to have a policy in place and asked for a pulse check from the Council. Mr. Drasheff reiterated his recommendation to deny applications for for-profit entities. Mrs. Reilly stated that it's important to confirm that Global is a for-profit entity before ruling on their application. Mrs. Venables stated that although she voted affirmatively last year she intends to vote against it this year if it is learned that they are a for-profit organization. Mrs. Reilly stated that she agrees, provided we confirm they are indeed a for-profit organization. Mrs. Venables offered a motion that the request be denied unless the applicant demonstrates that it is a non-profit organization at which point the Council will reconsider the application, seconded by Mr. Drasheff.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

**Belmar Lake Como St. Patrick's Day Parade - March 3, 2013** - Mrs. Venables offered a motion to approve the event application as presented, seconded by Mrs. Reilly. All in favor. None opposed.

\*\*\*\*\*

**Council Comments & Staff Reports**

Mayor Naughton welcomed back the council members for the 2013 year and expressed gratitude for a great team. The Mayor reflected on the well deserved public thanks expressed to the Public Works department at prior meetings and took a moment to formally express thanks to the many volunteers in the Borough. The Mayor referenced a list of approximately 50 volunteers on the evening's agenda who are being appointed to a myriad of committees and boards including Shade Tree, Planning Board, CDGB, etc. reminding the public of their valuable contributions to the Borough. In addition, the Mayor shared that the Borough has received several letters and donations from around the country for Sandy relief. The Mayor highlighted one letter from Aspen High School in Aspen Colorado where a member of their faculty has a connection to Spring Lake. The school put together a

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

fund raiser and sent the Borough a \$500 check, the Mayor stated. In addition, the Mayor shared, the Jersey Shore Running Club who often runs on the boardwalk and oceanfront also sent a \$500 check. The Mayor also shared that there were several donations from private citizens. The Mayor expressed how remarkable and moving it was that kids half-way across the country are thinking about us here in Spring Lake. The Mayor noted that the monies are in a special fund, versus the general fund, and will definitely go toward storm restoration efforts.

Mr. Drasheff shared that Congress failed to act on the Sandy Relief Fund resulting in the scheduling of two (2) votes, one for a 9 billion dollar insurance relief fund and one for 51 billion dollars which will include municipal relief. Mr. Drasheff applauded Governor Christie for his work in connection with these legislative efforts.

Mr. Fay wished his fellow council members a "Happy New Year" and thanked the voters for his recent election to a second term. Mr. Fay also thanked Mr. Gary Rich for swearing him in and Senator Sean Kean who was helpful with his campaign.

Mrs. Venables thanked the voters for their support and expressed gratitude for the opportunity to serve on the Spring Lake Council for the last twelve (12) years.

Mr. Jordan congratulated Mr. Fay and Mrs. Venables on their recent re-election to the Council. Mr. Jordan also announced that the County was hosting a FEMA workshop on January 10, 2013 and encouraged residents affected by the storm to attend. In addition, Mr. Jordan stated that the Beach and Pool Committee will continue to meet and noted that they are meeting with the vendor providing the software for on-line sales of beach badges, lockers, etc. Mr. Jordan also shared that the Borough is always looking for ways to facilitate communication with residents, like the Code Red system, and now has a Facebook page that notifies people of things that are going on around town. Mr. Jordan shared some information with the Council that details the reach that the page has noting that there are thousands of people connected to the Borough through Facebook. Mr. Jordan cited an example of a photo of Chief Kerr, Mayor Naughton and Governor Christie that was posted on Facebook and reached 1,500 people.

Mr. Judge reiterated that for the residents impacted by Sandy, FEMA offers a grant for residents who sustained substantial damage to enable them to raise the elevation of their home. The grant, Mr. Judge reported, is up to \$30,000 and that elevation may be one of the quickest and most meaningful ways to get relief and prevent this from happening again.

Mrs. Reilly added to Mr. Judge's comments that an ordinance was passed last year allowing people in these flood prone areas to raise the height of their homes beyond the maximum height regulations previously on the books. Mrs. Reilly cited Mr. Mullen's successful experience with this type of mitigation after Hurricane Irene. Mrs. Reilly also congratulated Mrs. Venables and Mr. Fay and wished everyone a "Happy New Year".

Mayor Naughton announced that Chief Kerr has agreed to serve as the Borough's Office of Emergency Management Coordinator replacing Jim Mullen who recently stepped down. Assisting him as Deputy, the Mayor continued, is Mr. Peter Meade who recently stepped down as Fire Chief. Chief Kerr and Mr. Meade worked very well together during the storm, the Mayor stated, and the Borough is very happy to have them working together for the Borough's OEM.

Mr. Avakian took a moment to express thanks to the Mayor and Council stating that he enjoys his work but particularly enjoys working with the council, administration and members of the public here in the Borough of Spring Lake. Mr. Drasheff asked when Mr. Avakian expected the demolition to be completed on the North Pavilion. Mr. Avakian stated that there would be another week and a half or so of work to be done. Mr. Drasheff asked if the new storm water devices were on site. Mr. Avakian stated that the materials located there are from the site-work contractor, Precise Construction from Freehold, who has mobilized his equipment at the site.

Mr. Colao expressed his thanks to the Mayor and Council for the opportunity and privilege to serve as Borough Attorney and congratulated Council Members Fay and Venables for their re-election.

\*\*\*\*\*

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REORGANIZATION MEETING  
JANUARY 2, 2013**

**Public Comments**

Helen Motzenbecker, 4 Glenwood Avenue, asked if there were any changes in how the boardwalk is being constructed in comparison to after Irene. Mr. Avakian stated that a meeting is taking place soon to discuss in more detail. Mr. Avakian also noted that the Borough needs to move quickly in order to ensure availability of materials and therefore they intend to move forward with a sectionalized construction. Mr. Avakian noted that there will most likely be a need for some form, if not many forms, of mitigation. Right now, Mr. Avakian stated, they are focused on how to attach the boardwalk structure to the pier and how to stabilize the dune system. Unlike with past events, Mr. Avakian continued, it's taking much longer to get a determination of how much money the Borough will be getting from the federal government. Also, stated Mr. Avakian, although the new advisory base elevation levels are not mandatory, they are recommendations based on the series of storms that have impacted the Borough of Spring Lake.

Lyle Marlowe, 110 Pennsylvania Avenue, stated that he was surprised by the move to a 15 foot above mean sea level criteria. Mr. Avakian interjected that what this means is that ocean elevation during a 100-year storm event is 15 feet above mean sea level. So, Mr. Avakian stated, if someone is designing a home in a flood plane area on the beachfront, one should design above this 15 foot level. Mr. Marlowe asked what the second number referenced. Mr. Avakian responded that the second number is in connection to a 500-year storm event which towns don't necessarily design to. Mr. Marlowe asked about the elevation of the boardwalk. Mr. Avakian stated that the majority of the boardwalk is over the 15 foot threshold as well as the North End Pavilion.

Eleanor Twomey, 108 Vroom Avenue, asked what effect the Nor'easter had on Wreck Pond. Mayor Naughton responded that water did come in from the pond and the west. Initially, the Mayor stated, there was speculation that the pipe was not draining properly but after further analysis it was determined that it was basically the wave action and wind. The Mayor stated that the DPW bulldozed the sand away and the water came rushing out. The Mayor continued noting that it is a difficult situation to manage particularly when there's a lot of rain in a short period of time. The Mayor further stated that she, the Chief, along with other council members were there on the scene and unfortunately it's not possible to bulldoze the sand out at high tide. The Mayor stated that a lot has been learned and a plan is being formulated for more permanent solutions to managing this area.

Lyle Marlowe, 110 Pennsylvania Avenue, asked for clarification as to whether it was a pile up of sand or the storm that caused the flooding. Mr. Avakian responded stating that it was the ocean interacting with the outflow pipe and in essence blocking the water from going out. The Mayor clarified that the sand build-up on the lower barrier was cut in by Sandy. This sand will naturally build up over time, stated the Mayor.

\*\*\*\*\*

**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: 7:48 P.M.

Respectfully submitted,



JANE L. GILLESPIE  
Borough Clerk

Approved at a meeting held on: February 26, 2013