

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 21, 2013**

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Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:01 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 L. Gillespie, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer
Chief Edward Kerr

Proclamation, Presentations & Special Guests

Mayor Naughton shared that Mr. Giblin is a local Spring Lake resident who is joined tonight by his parents, his wife Nicole and their two (2) children along with Mr. Giblin's niece and two nephews. Mayor Naughton continued noting that Mr. Giblin is a graduate of St. Catharine School, St. Rose High School and has a criminal justice degree from Xavier University. Starting his service to Spring Lake at a young age, Mayor Naughton continued, Mr. Giblin worked as a locker boy, lifeguard, Special I and Special II and was later hired as a Patrolman in 2001, promoted to Detective in 2009, and in 2012 to was promoted to Detective Sergeant. Mr. Giblin has also worked as an instructor at the Police Academy. The Mayor added that Mr. Giblin is an all around good Police Officer, great Detective and a strong leader and it is our pleasure to promote him to Lieutenant.

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

R-13-091 - RESOLUTION – APPOINTING LIEUTENANT TIMOTHY GIBLIN

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Timothy Giblin be and hereby is appointed Lieutenant for the Borough of Spring Lake effective May 21, 2013.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Lieutenant Giblin was administered the Oath of Office by Mayor Naughton.

Chief Edward Kerr publicly congratulated Lieutenant Giblin stating that he looks forward to working with Mr. Giblin in his new role as Lieutenant. Chief Kerr, while having many members of the police force present, took the opportunity to publicly thank them and their families for their dedication and commitment during the days and weeks following Superstorm Sandy. Chief Kerr spoke to the fact that the residents were kept safe and there was no looting during the days of no electricity. Chief Kerr presented each member of the force a plaque honoring them and thanking them on his behalf and on behalf of the Spring Lake residents. Mayor Naughton added that the Council, too, is very grateful for their efforts and stated that they received many letters and comments of thanks from the Borough's residents. Chief Kerr also acknowledged the promotion Chris Kucinski to Detective. Mr. Drasheff voiced his thanks to Mr. Giblin commenting on the great job he did during and after Superstorm Sandy.

Lieutenant Giblin expressed his appreciation for everyone's support.

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Workshop Discussion - None

Approval of Minutes

Mrs. Venables offered a motion to approve the minutes of January 14, 2013, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Mrs. Venables offered a motion to approve the minutes of January 22, 2013, 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

INTRODUCTION OF 2013 MUNICIPAL BUDGET

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

R-13-092 - RESOLUTION - INTRODUCTION OF 2013 MUNICIPAL BUDGET

Mr. Fay stated his intention to vote against the introduction of the budget. Mr. Fay stated that he's against asking the federal government for \$2.1 million to pay the Borough's operating expenses and expressed his opposition to credit card government. Mr. Fay stated he wishes we could be honest with the tax payers and prepare them for a massive increase in taxes next year. Mr. Fay also stated that he does not believe Spring Lake is in the same position as other towns who have applied for loans from the Federal Government noting that he could support a grant but not a loan.

Mr. Drasheff responded to Mr. Fay's comments speaking to his understanding that the loan is only exercised in the event that the Borough's revenues fall below a level of 5% or more than the previous year. Mr. Drasheff likened it to an umbrella policy. Mr. Fay challenged Mr. Drasheff asking what the loan would be used for. Mr. Drasheff responded noting that if revenues fall short as a result of Sandy, this loan may be drawn upon in lieu of raising taxes all at once. Mayor Naughton asked Ms. Robbin Kirk, CFO to explain the Community Disaster loan being discussed including what it is and when and if the Borough would use it. Ms. Kirk stated that the Borough has applied for a loan with the Federal Government making \$2.1 million dollars available to the Borough, over the next three years, if it's needed. Ms. Kirk continued stating that the budget that has been prepared calls for the possibility of needing \$952,000. Most of the need, Ms. Kirk stated, is in connection with the beach revenues. Ms. Kirk detailed the areas that may experience a drop in revenues including the beach utility, hotel tax, and municipal court revenues all of which may be affected by a weak tourist season. Ms. Kirk continued stating that her plan would be to meet with the Borough's Finance Committee, the Borough's Auditors and anyone else interested in attending, sometime in October or November at which point the Borough can more accurately assess the summer revenues and any potential need for a loan. Ms. Kirk likened it to a home equity loan, stating that if it's needed it's there.

Mr. Fay asked about the revenue estimates for the budget. Ms. Kirk stated that she estimated 75% of last year's revenue on the beach and decreased some of the current fund revenues by 10% using the Community Disaster loan as an offset. If the revenues come in exactly as they did last year, there will be no need to draw down the loan, stated Ms. Kirk.

Mr. Jordan asked what the alternative plan would be should the Borough not put this plan in place. Ms. Kirk responded stating that there would be a need to make additional cuts. Ms. Kirk added that more than 15% cuts have already been made in an attempt to bring actual costs of operations down. Ms.

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Kirk emphasized that cost reduction measures were identified first before considering an application for the Community Disaster Loan, unlike other towns who jumped quickly to making application for the loan.

Mr. Judge asked Mr. Fay what ideas he had for the Borough in the event that the revenues fall short and there is not a loan to draw upon. Mr. Fay stated that he did not vote for knocking the pool down and he does not believe that a revenue short fall would be as a result of Super Storm Sandy. Mr. Fay stated that he does not believe that Spring Lake needs a loan from the Federal Government. Comparing Spring Lake to Mantoloking and Seaside Heights, Mr. Fay stated that he fears if the Borough gets a loan it will use it.

Mr. Drasheff voiced praise for the efforts of the beach committee stating that the majority of the budget is to meet the Borough's obligation to the County. Mayor Naughton asked CFO Kirk to explain how money is raised in the beach utility. Ms. Kirk explained that it's from beach badge fees and concession fees. Mayor Naughton stated that based upon Ms. Kirk's response it's clear that the beach utility is not a tax issue. Ms. Kirk broke down the anticipated beach utility revenue further noting the areas that may be reduced as a result of Sandy and the potential loss of revenue due to reduced tourism. Mayor Naughton asked for confirmation from Ms. Kirk that revenue from the beach utility is not tax payer funded revenue and if the Borough chooses the use of the loan it would be used in the beach utility and not connected to taxes. Mr. Fay asked why the amounts are spread over four (4) different line items. Ms. Kirk explained that there are different types of revenues in each of those four areas that could potentially be impacted by a change in the level of seasonal tourism. The Mayor reemphasized that the Council does not intend on using the loan unless revenues drop significantly. The Mayor further stated that if revenues did drop, the Council would discuss the use of the loan and make a decision to do so at that time. The Mayor described the loan as a prudent safety net for the Borough. The Mayor also stated that the Council will exercise their usual budget procedures, including a reduction of expenses to offset a loss in revenue. Mrs. Reilly added that expenses have already been cut by 15% across the board and the committee plans on meeting every two (2) to three (3) weeks to assess revenues. Mr. Judge suggested that Mr. Fay review the budget and offer any additional suggestions for expense reduction. Mayor closed the topic stating that regardless of what other municipalities are doing with the Community Disaster Loan (CDL), Spring Lake has their own plan as to if and when it will be used. The Mayor further stated that, in her opinion it was prudent advice from CFO Kirk and the Borough's Auditor to have the loan available as a safety net.

Mr. Fay stated that the Borough is using the loan as a way to get around the 2% Cap, and asked what are the three (3) areas that fall under the budget CAP. Mr. Fay also asked why the Borough doesn't just issue bonds. CFO Kirk responded stating that this has nothing to do with the 2% CAP and that a municipality cannot issue bonded debt as a result of a drop in revenues. Ms. Kirk detailed the line items in the beach utility budget demonstrating where the potential loan may come into play.

Mr. Drasheff asked for confirmation that if the CDL was not in place, the Borough would basically end the year in a deficit. Mr. Jordan detailed salary cuts that have already been put into place. Mr. Judge asked for confirmation from Ms. Kirk that if the loan is indeed drawn upon, that there is a possibility that it may be forgiven. Ms. Kirk confirmed this noting that it will be reviewed every three (3) years to identify any accumulative drop in revenue and the potential eligibility for the forgiveness of the loan.

Mr. Fay asked what areas of the budget Ms. Kirk has identified as areas of potential shortfalls. Ms. Kirk explained the potential reduction in tax revenue due to pending tax appeals noting that the Borough's County and School tax obligation remains the same for those residents who successfully appeal. Mr. Fay suggested that perhaps the Borough should've been more aggressive and done a revaluation. The

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Mayor spoke to the recent revaluation done by the Borough approximately two (2) years ago and stated that the number of damaged homes by Sandy did not warrant a revaluation at this time. Mr. Dempsey spoke to the County's process for home inspections stating that it's undetermined which residents were compelled to file a tax appeal as a result. Mayor Naughton suggested Mr. Fay contact the Borough's Tax Assessor, Brian Enright, to learn more about specific appeals.

ROLL CALL:

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

NAYS: Mr. Fay

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Kaitlyn Kanzler, Coast Star, asked what percentage drop in revenues would allow a municipality to be eligible for the CDL. Ms. Kirk responded stating that in order to qualify for the CDL, a municipality must show the anticipation of at least a 5% drop in revenues. Ms. Kanzler further asked for clarification on how a loan may be forgiven. Ms. Kirk stated that if there is an accumulative drop in revenues of 5% or more, a municipality's loan may be forgiven.

Lyle Marlowe, 110 Pennsylvania Avenue, asked if the budget will be posted on the website. Municipal Clerk Gillespie responded that the budget will be available on the website and copies will also be available in the Clerk's office.

Council Comments & Staff Reports

Mayor Naughton reported that there will be a ribbon cutting ceremony at 8:30 am Friday on the boardwalk as part of a statewide coordinated effort to acknowledge the opening of beachfronts and boardwalks around the state. The Mayor also reminded the public that the annual Memorial Day Parade and Ceremony is being held on Monday and invited everyone to come.

Mr. Drasheff expressed his thanks to CFO Kirk for the numerous hours she has put into the preparation of this year's budget. Mr. Drasheff spoke to a bill called the New Jersey Coastal Commission which if passed will create another layer of bureaucracy for municipalities when doing something such as the reconstruction of the boardwalk or work at Wreck Pond. Mr. Drashaff voiced concern that such a bill would be detrimental to the Borough and suggested Mr. Dempsey and Mr. Colao review the bill and perhaps contact the Borough's representatives. Mrs. Reilly asked if Mr. Drasheff thought it would be helpful to pass a resolution voicing opposition to the bill. Mr. Drasheff stated that he did believe this would be helpful.

Mrs. Venables expressed thanks to CFO Kirk and the Finance Committee in connection with their work on the budget. Mrs. Venables also thanked the Beach Committee for their hard work noting that they meet each Monday and have done a great job streamlining the beach operations and achieving the 15% cuts. Mrs. Venables stated that she intends to fully support the recommendations of both the Finance and Beach Committees expressing confidence in their process and results. Mrs. Venables also stated that 4/10ths of a penny increase is quite remarkable given all that the Borough has faced this year.

Mr. Jordan thanked Mrs. Venables for her kind recognition. Mr. Jordan reported that the beach has over one million in revenues already noting that they are ahead of plan on locker sales and have brought in some revenue with the beach boxes. Mr. Jordan highlighted the resolution on the consent agenda which authorizes free daily beach badges for active military and reserve personnel. Finally, Mr. Jordan reported that the Little League is having it's annual end of season picnic and asked that people come out

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and support the league noting that it was quite an effort to get Marucci Park back up and running after the storm.

Mr. Judge thanked Mrs. Venables for her kind recognition and thanked CFO Kirk for her assistance with the Beach Committee's efforts. Mr. Judge offered an update on the issue of whether the area of Passaic Avenue near the Bath & Tennis Club was sufficiently guarded. After researching, it was determined that the beach between Morris Avenue and Passaic Avenue is the Borough's responsibility even though this area has been informally used as the B&T's surfing beach area. Mr. Judge stated that they first gave the B&T's Board the option of taking responsibility of the area as their surfing beach which they subsequently declined. Based upon Janet Carbin's recommendation, this area will be used as a utility beach meaning it will be used for surfing, paddle boards, kayaks and swimming when none of the utility uses are underway.

Mrs. Reilly also expressed thanks to Mrs. Venables, CFO Kirk and Mr. Dempsey. Mrs. Reilly also acknowledged the great job that's been done at the South End Pavilion in getting it ready for the season. Mrs. Reilly reported that the beach staff will be accepting credit cards at the beach in an effort to offer an additional convenience to residents and visitors. Mrs. Reilly looks forward to an exciting year at the beach.

Mr. Avakian reported that Precise Construction is on Ocean Avenue working on the wall restoration and have also completed the sidewalk repair. Mr. Avakian also spoke to the Lake Como outfall project and the utility connections for the temporary restroom facilities being done by our Public Works Department in concert with various contractors. Mr. Avakian applauded the hard work and expertise of the Public Works team and praised the end results of their efforts. Regarding the Third Avenue project, Mr. Avakian stated that as suspected, the completion of the handicapped ramps was falling behind schedule and therefore another contractor was brought in to assist. Mr. Avakian detailed the utility and paving schedule noting that with a revised plan and the additional contractor the manholes, which number over forty (40), will not be raised during the high traffic timeframes. Mr. Drasheff asked about possibly moving the milling machine, which is currently parked outside of the Community House, for Memorial Day weekend. Mr. Avakian agreed to have it moved.

Mr. Dempsey expressed thanks to Monmouth County for helping out with many things including the recent paving of the Pier Beach parking lot saving the Borough a great deal of money and doing a fabulous job. The Mayor suggested representatives from the crew attend the ribbon cutting event on Friday. Mr. Dempsey stated that he believes some are already scheduled to come and also suggested that the DPW guys and the County guys attend a meeting to be recognized. Mr. Dempsey elaborated on how valuable the DPW crew is detailing the variety of talents and skills they bring to the table. Further, Mr. Dempsey praised Mr. Frank Phillips, Superintendent of Public Works, for his leadership and direction and his humble approach to under promising and over delivering. Mr. Jordan asked if there was any update on the dune near Wreck Pond. Mr. Dempsey responded that a meeting recently took place with the Lt. Governor who indicated that her staff is working on it.

Business Items Under Consideration

Spring Lake Community House - 90th Anniversary Celebration - July 4th - Ms. Pat Barry, President, Spring Lake Community House Board of Trustees shared a brief overview of the event.

Mr. Judge stated that as a neighbor and a Councilman he fully supports the idea and stated that the Community House enriches the lives of so many of the Spring Lake residents.

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Mrs. Venables offered a motion to approve the 90th Anniversary Celebration, 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

Ordinances for Introduction - None

Ordinance for Adoption – None

Consent Agenda

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

**R-13-071 - RESOLUTION - RENEWAL OF CERTAIN PLENARY
SEASONAL LIQUOR LICENSE FOR THE YEAR 2013/2014 – THE GRAND VICTORIAN BAR, LLC
T/A The Black Trumpet**

WHEREAS, the holder of certain seasonal liquor licenses set forth below has applied for renewal of their license and which application for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations in conjunction with the person-to-person transfer adopted April 24, 2012, and

WHEREAS, the Governing Body is satisfied that the applicants should have the license renewed, and

WHEREAS, it is hereby documented that in order for this license to be activated, the necessary paperwork must be filed by the license holder.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following seasonal retail consumption license be renewed for the seasonal period expiring November 14, 2013:

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
The Grand Victorian Bar, LLC	1348-34-007-005	\$1,342.00	Grand Victorian Hotel t/a The Black Trumpet

BE IT FURTHER RESOLVED, that said renewal is contingent upon the following Special Conditions:

1. A permanent standing bar is hereby prohibited.
2. The Grand Victorian Hotel is restricted to having only a service bar in order to provide alcoholic beverages to guests that are dining in its restaurant, utilizing its party rooms, or receiving room service while staying in the hotel. All other sales, service, delivery or consumption of alcoholic beverages is prohibited.

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-13-093 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION - RA#17-2013 -
PRESERVATION ALLIANCE OF SPRING LAKE, INC. - ON PREMISE RAFFLE**

WHEREAS, Preservation Alliance of Spring Lake, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#17-2013, and

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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#17-2013 be and the same is hereby approved as follows:

NAME:	Preservation Alliance of Spring Lake, Inc. PO Box 9, Spring Lake, NJ 07762 Identification No.: 475-5-39647
LOCATION:	Essex & Sussex 700 Ocean Avenue, Spring Lake, NJ
DATE:	July 25, 2013 6:00 PM - 9:00 PM

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-13-094 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#18-2013 -
PRESERVATION ALLIANCE OF SPRING LAKE, INC. - ON PREMISE 50/50**

WHEREAS, Preservation Alliance of Spring Lake, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#18-2013, 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#18-2013 be and the same is hereby approved as follows:

NAME:	Preservation Alliance of Spring Lake, Inc. PO Box 9, Spring Lake, NJ 07762 Identification No.: 475-5-39647
LOCATION:	Essex & Sussex 700 Ocean Avenue, Spring Lake, NJ
DATE:	July 25, 2013 6:00 PM - 9:00 PM

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-13-095 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#19-2013 - SPRING LAKE
EDUCATIONAL FOUNDATION - OFF PREMISE 50/50**

WHEREAS, Spring Lake Educational Foundation has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#19-2013, and

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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#19-2013 be and the same is hereby approved as follows:

NAME: Spring Lake Educational Foundation
411 Tuttle Avenue, Spring Lake, NJ 07762
Identification No.: 475-5-38464
LOCATION: 2107 Third Avenue, Spring Lake, NJ
DATE: July 20, 2013 10:00 PM

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-13-096 - RESOLUTION - AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO THE
2013 BEACH AGREEMENT WITH THE GRAND VICTORIAN HOTEL FOR BEACH BADGES**

WHEREAS, since 1994 the Borough of Spring Lake, municipal corporation of the State of New Jersey, has entered into an Agreement with Victorian Realty d/b/a The GRAND VICTORIAN Hotel for the Borough to operate the Beach by providing lifeguards, gate personnel, cleaning the beach; and

WHEREAS, it is in the best interest of the Borough and the GRAND VICTORIAN Hotel to continue said Agreement for the 2013 season; and

WHEREAS, the contract cost will be \$4,000.00, based on the costs and beach fees for the season;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Spring Lake that the Borough continue the aforesaid Agreement with The GRAND VICTORIAN Hotel for the 2013 season at the rate of \$4,000.00, and the Mayor and Borough Clerk are authorized to execute said Agreement on behalf of the Borough of Spring Lake and adopt this as the Beach Agreement for the 2013 Season.

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-13-097 - RESOLUTION - AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO THE
2013 BEACH AGREEMENT WITH THE BREAKERS HOTEL FOR BEACH BADGES**

WHEREAS, since 1994 the Borough of Spring Lake, a municipal corporation of the State of New Jersey, has entered into an Agreement with Cosmo Scardino and Linda Scardino d/b/a The Breakers Hotel for the Borough to operate the Beach by providing lifeguards, gate personnel, cleaning the beach; and

WHEREAS, it is in the best interest of the Borough and the Breakers Hotel to continue said Agreement for the 2013 season; and

WHEREAS, the contract cost will be \$8,000.00, based on the costs and beach fees for the season;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Spring Lake that the Borough continue the aforesaid Agreement with The Breakers Hotel for the 2013 season at the rate of \$8,000.00, and the Mayor and Borough Clerk are authorized to execute said Agreement on behalf of the Borough of Spring Lake and adopt this as the Beach Agreement for the 2013 Season.

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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-13-098 - RESOLUTION - HONORING THE MEN AND WOMEN OF OUR ARMED FORCES BY
AUTHORIZING FREE DAILY BEACH ADMISSION DURING THE 2013 BEACH SEASON TO ALL ACTIVE
MILITARY PERSONNEL**

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Spring Lake, are today actively engaged in combat operations in Afghanistan and Iraq, or are deployed or otherwise serving in support of those operations, and/or in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens; and

WHEREAS, since September 11, 2001, and increasingly since the commencement of combat operations in Afghanistan and Iraq, the men and women of the New Jersey National Guard have been called up to active duty status in increasing numbers, and their support and service have been and will continue to be essential to the overall success of military efforts both home and abroad; and

WHEREAS, as many American families have lost loved ones in the military actions underway in Afghanistan and Iraq, and more than a hundred thousand other American families live each day in constant trepidation that the next knock on the door might make their own worst fears come true; and

WHEREAS, the residents of the Borough of Spring Lake want our troops and their families to know that they are in our hearts and on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake that in honor and recognition of our active military and active reserve personnel and their families, and to demonstrate the gratitude of the residents of the Borough of Spring Lake for the daily sacrifices they are making, the Mayor and Council hereby offer free beach admission during the 2013 season to each member of the active military and active reserve and their dependents upon the presentation of a valid military identification card at any beach entrance (Up to a maximum of four (4) free passes daily including military personnel); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall remain in effect throughout the 2013 beach season.

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-13-099 - 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 employee at \$15.00 per hour, Chris Kelsey for the Department of Public Works effective immediately.

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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-13-100 - RESOLUTION - APPROVAL OF BILLS - MAY 21, 2013

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending May 21, 2013, 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.

Table with 2 columns: Fund Name and Amount. Includes categories like CURRENT FUND (1), GENERAL CAPITAL (4), WATER/SEWER OPERATING (9), etc., with a total of \$3,018,532.09.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

Mr. Dempsey stated that the proposed contract for Lieutenant Giblin will expire at the end of this year in order to align his contract term with the PBA and DPW contracts.

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

R-13-101 - RESOLUTION - APPROVAEMPLOYMENT AGREEMENT POLICE LIEUTENANT - TIMOTHY GIBLIN

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby authorized to execute an employment agreement with the Police Lieutenant, Timothy Giblin a copy of which is annexed hereto and made a part hereof as if set forth at length herein. Said Agreement shall become effective on May 21, 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-13-102 - RESOLUTION - AUTHORIZING A COMMUNITY DISASTER LOAN

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that we pledge the following listed collateral security to the Federal Emergency Management Agency (FEMA) on the Promissory Note for a Community Disaster

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 21, 2013**

24635

Loan for \$2,103,350.00 executed on May 21, 2013 pursuant to Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, FEMA Regulation, 44 CFR 206, Subpart K. We further understand that failure to repay an outstanding principal and interest on those portions of the loan which do not qualify for loan cancellation as determined by FEMA or any successor agency will result in forfeiture of as much as the listed collateral security as in necessary to collect such outstanding principal and interest.

The promissory note is payable from and secured by a pledge of the applicant's revenues for each fiscal year while any of the loan is outstanding, after a provision has been made for the payments required in connection with any outstanding indebtedness of the applicant.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Municipal Clerk Gillespie explained that there are some additional bills that were not included on the previous Bills List and since there will be close to three (3) weeks before the next Mayor and Council meeting it seemed prudent to add an additional Bills List.

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

R-13-103 - RESOLUTION - APPROVAL OF BILLS - MAY 21, 2013 #2

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending May 21, 2013, 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)		52,555.05
WATER/SEWER OPERATING (9)	210.00	
RECREATION (25)		2410.00
BEACH OPERATING (81)		315.00
POOL OPERATING (91)		105.00
TOTAL		\$55,595.05

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, asked about the dunes at Wreck Pond. Mrs. Reilly stated that Mr. Avakian spoke to this topic earlier noting that making application for a FEMA Grants will be necessary.

Kaitlyn Kanzler, Coast Star, asked for details of what will or will not be ready on the beach on Memorial Day. Mayor Naughton responded noting that the boardwalk will be ready, most of the approaches will be ready although some are still being worked on, the South End Pavilion will be open, temporary restrooms will be available and additional temporary restrooms will be added next week, a temporary concessionaire will be open at Pier Beach, and showers on the boardwalk will be operational. Ms. Kanzler asked if the Borough has filed for the requisite CAFR permits for the North End Pavilion. The Mayor confirmed that these were obtained prior to the beginning of construction.

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**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MAY 21, 2013**

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: 8:11 P.M.

Respectfully submitted,

A handwritten signature in black ink, reading "Jane L. Gillespie". The signature is written in a cursive, flowing style.

JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: December 17, 2013