

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 8, 2013**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:00 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.

PRESENT: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan (via telephone), 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

Workshop Discussion – None

Approval of Minutes

Mrs. Venables offered a motion to approve the minutes of January 31, 2013, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge

Mrs. Venables offered a motion to approve the minutes of February 5, 2013, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Jordan

Mrs. Venables offered a motion to approve the minutes of February 26, 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

Proclamation, Presentations & Special Guests - NONE

Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, requested an update on the Pennsylvania Avenue pump station. Mr. Dempsey advised that SMRSA is working on it. Mr. Marlowe expressed his concerns as to it having 20' flood lights. He also felt that the tower could be easily climbed.

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David Frost, Pitney Avenue, questioned there being no minutes on the website. Mayor Naughton advised that they are being worked on but the office has been taking on additional responsibilities and is working on getting them completed.

Council Comments & Staff Reports

Mr. Drasheff stated that he would like to formalize by Ordinance the continuation of the dog beach. Mr. Judge concurred. It was agreed by the Council that the terminology would be "from dawn to dusk while the fence is up" rather than putting dates. This will give the Borough the ability to determine the dates yearly.

Mr. Zarb stated that he could not be more pleased but asked that the signage be a little bigger.

Mr. Fay questioned funds coming out of the General Fund for Cypreco? Mr. Dempsey advised that it is \$40,000.00

Mrs. Venables reported that Phase I of the downtown tree project is on track with the replacements. They are currently getting estimates for the trees that were removed and they are hoping to have the project completed by November 15th. The Shade Tree Commission is going to have a table at the Italian Festival to raise awareness and promote the program.

Mr. Judge explained the change orders that were on the Agenda for approval this evening. There are 15 change orders on the North End Pavilion which result in total of a credit to the Borough in the amount of \$81,838. These change orders have been reviewed by Joe Griffin.

As to the lockers in the North End Pavilion, Mr. Judge advised that Frank Phillips is putting together a cost estimate for the construction but we will be going out to bid for the materials. This bid should be out within the next two (2) weeks.

Mayor Naughton noted that the progress is amazing.

Mrs. Reilly advised that she has received a note from Mike Burke, Chairman of the Environmental Commission that the Commission along with the HW Mountz School would like to do a clean-up on the beach on October 16th from 1-3 PM.

Mrs. Reilly offered a motion to approve the request of the Environmental Commission, seconded by Mr. Drasheff. All in favor. None opposed.

Mrs. Reilly then reminded everyone of Shredding Day on Saturday, October 19th from 9AM-1PM for Spring Lake residents only as a Reclamation Center sticker will be required. Discussion on the location so that it does not interfere with others who are bringing other items to the center. This will be taken into consideration.

Mayor Naughton noted that the Ordinance which will amend the Land Use Ordinance is on the Agenda this evening. This Ordinance is the result of the many applications received and the recommendation of the Zoning Officer as discussed at the last meeting.

Borough Engineer's Report

Mr. Avakian advised that as to the sluice gates at Wreck Pond, Dam Safety has the information they requested for the permits as part of the application process. He had advised that a Hold Harmless Agreement will be needed as they do not want any responsibility. Discussion on the funding of this project and that this is part of a FEMA Grant and that once the sluice gates are installed, we will be reimbursed 75% similar to what we have already received as a result of Superstorm Sandy.

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We do have to put the funding in place so that the contract can be awarded. The County has set aside funding for the design for us and surrounding towns for the living shoreline project.

As to the Wreck Pond Dredging Project, Mr. Avakian advised that they are waiting for the results of the soil testing as they are hoping to put the dredged spoils on the beach in areas that the Army Corp does not fill in enough for example in front of the South End Pavilion.

On the issue of the dune, he advised that they are working on the Brown Avenue dune. The height is different by approximately eight (8) feet. This is from the top of the dune to the sidewalk. So this will require that a walkover be built by Public Works for beach access.

Borough Administrator's Report

Mr. Dempsey reported that the Fire Department as received a \$10,000 Grant from Fireman's Fund Insurance Company due to the work of Chief Mullaney. This money will be used to purchase necessary equipment.

As to the DEP Coastal Lakes Meeting, Mr. Dempsey advised that it is scheduled for October 16th. This is in conjunction with the Agreement between us and Lake Como and Belmar to perform the necessary repairs to the pipe in Lake Como as a result of the storm. He is also going to try and have them look into the sediment problems at Lake Como.

Finally, Mr. Dempsey reported that the Borough has filed for a NJ E.I.T. Loan for Wreck Pond. This loan is for \$500,000 in principal. These loans are usually forgiven. We have completed the infrastructure assessment as required.

Mr. Drasheff noted that there are still street lights out on Brighton, Madison and Third Avenues. He felt that something should be done to force JCP&L to come out and fix them.

Borough Attorney's Report – Mr. Colao advised that he had nothing for this evening.

Business Items Under Consideration

Event Application - Goodwill Fire Company No. 2 - Annual Halloween Parade and Costume Contest - Mrs. Venables offered a motion to approve the Annual Halloween Parade & Costume Contest, 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

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Ordinances for Introduction

Borough Attorney Colao read Ordinance No. 2013-012 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 23 OF CHAPTER 225, LAND DEVELOPMENT OF THE BOROUGH CODE", by Title.

Mrs. Venables offered a motion to introduce Ordinance No. 2013-012, 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

Ordinance No. 2013-012 in full Ordinance Book No. 1

Ordinance for Adoption - None**Consent Agenda**

Mrs. Venables offered a motion to approve the American Foundation for Suicide Prevention event, seconded by Mrs. Reilly.

R-13-172 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#32-2013 - UNITED METHODIST WOMEN OF ST. ANDREWS - ON PREMISE RAFFLE

WHEREAS, United Methodist Women of St. Andrews, has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#32-2013, 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#32-2013 be and the same is hereby approved as follows:

NAME:	United Methodist Women of St. Andrews 907 Fourth Avenue, Spring Lake, NJ 07762 Identification No.: 475-3-31760
LOCATION:	Wesley Hall Mercer Avenue, Spring Lake, NJ
DATE:	November 23, 2013 9:30 AM - 2:00 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 approval, seconded by Mrs. Reilly.

R-13-173 - RESOLUTION - AUTHORIZING FY 2014 TRANSPORTATION TRUST FUND APPLICATION – MA-2014 - SPRING LAKE BOROUGH - 00422 LUDLOW AVENUE – PHASE II FROM THIRD AVENUE TO NJ TRANSIT RAILWAY

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2014; and

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WHEREAS, the Borough of Spring Lake is desirous of submitting an application under this program for the following purpose:

- Improvements to Ludlow Avenue – Phase II from Third Avenue to NJ Transit Railway

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Borough Engineer, Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Spring Lake Borough-00422 to the New Jersey Department of Transportation on behalf of the Borough of Spring Lake, and

BE IT FURTHER RESOLVED that the that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Spring Lake and that their signature constitutes acceptance of the terms and conditions of the grant agreement an approves the execution of the grant agreement.

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 approval, seconded by Mrs. Reilly.

R-13-174 - RESOLTUON - REFUNDING UNUSED ESCROW FEES

WHEREAS, escrow fees were submitted to the Borough Planning Board for the block and lot set forth below, and

WHEREAS, said applications has been completed and any unused monies returned to the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following monies be returned:

10 Brown Street, LLC	Block 75	Lot 16	1200 Third Avenue	\$422.53
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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 approval, seconded by Mrs. Reilly.

R-13-175 - RESOLUTION –APPROVING VOLUNTEER APPLICATION FOR FIREMAN – JOHN P. BOLES

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of John P. Boles to become a volunteer firefighter with Goodwill Fire Company #2 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

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

**R-13-176 - RESOLUTION –APPROVING VOLUNTEER APPLICATION FOR FIREMAN
– ROBERT M. RYAN**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Robert M. Ryan to become a volunteer firefighter with Goodwill Fire Company #2 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 approval, seconded by Mrs. Reilly.

R-13-177 - RESOLUTION – APPROVAL OF BILLS – October 8, 2013

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending October 8, 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)	516,754.64
GENERAL CAPITAL (4)	96.18
WATER/SEWER OPERATING (9)	216,177.21
DOG TRUST (13)	6.60
SPRING LAKE TRUST (15)	1,616.25
MT LAUREL TRUST (16)	150.00
MARRIAGE TRUST (19)	625.00
RECREATION (25)	8,900.00
BEACH OPERATING (81)	41,309.75
POOL OPERATING (91)	6,606.47
POOL CAPITAL (94)	390,283.80
TOTAL	\$1,182,525.90

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 approval, seconded by Mrs. Reilly.

**R-13-178 - RESOLUTION - AUTHORIZING CHANGE ORDER NOS. #2 - #15 CONTRACT
#05-2012 – NEW NORTH END POOL & PAVILION FACILITY**

WHEREAS, Contract #05-2012 for the New North End Pool & Pavilion Facility was awarded to Benjamin R. Harvey Co. Inc. in the amount of \$6,236,207.50, and

WHEREAS, Benjamin R. Harvey Co. Inc. has submitted Change Order Nos. 2-15 in the amount of \$81,838.50 decreasing the contract for a new total contract of \$6,154,369.00.

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NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order Nos. 2-15 decreasing said Contract by \$81,838.50 for a total contract amount of \$6,154,369.00 be and is hereby authorized for the above contract awarded to Benjamin R. Harvey Co. Inc.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Ann Butler, 411 Ludlow, stated that roadway on Ludlow Avenue west of Third Avenue is in need of repairs.

Mr. Dempsey advised that he forgot to mention in his report that the elevator shaft at the Duggan Building has been completed and that the Council should see the framing going up for the addition soon.

Mrs. Venables questioned the parking plan? Mr. Dempsey and Mr. Avakian are working on it.

Dave Frost, Pitney Avenue, questioned the Coastal Lake Meeting information. Mr. Dempsey advised that this meeting was only for Borough Officials at this time.

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: 7:42 P.M.

Respectfully submitted,



JANE L. GILLESPIE

Borough Clerk

Approved at a meeting held on: January 7, 2014