Mayor Naughton called the 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. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui (via Telephone), Mrs. Venables, Mayor Naughton

ABSENT: Mr. Fay (Arrived 7:04)

ALSO PRESENT: Dina Zahorsky, Deputy Borough Clerk

W. Bryan Dempsey, Borough Administrator Joseph Colao, Esq, Borough Attorney Peter Avakian, Borough Engineer

Workshop Discussion - None

Approval of Minutes - None

Proclamations, Presentations & Special Guests - None

Public Comments

Ms. Delores Cacace, 106 York Avenue, expressed thanks to Mr. Dempsey and the council for opening the York Avenue access to the beach noting that the residents in the area are very grateful.

Council Comments & Staff Reports

Mayor Naughton expressed thanks to all those that participated in the Memorial Day Parade and Ceremony stating that it was a wonderful event with a wonderful turnout. The Mayor specifically thanked H.W. Mountz and Spring Lake Heights school bands, Kathy Heine, Recreation Director, the Veterans, the choir and all those who attended.

Mr. Erbe also thanked those who participated in the Memorial Day event as well as the Spring Lake Five Mile Run Committee for putting on another amazing race event. Mr. Erbe also acknowledged a successful sidewalk sale.

Mr. Judge reported that the beach committee had a meeting with the pool users which resulted in the sharing of a lot of good ideas all of which are being considered by the committee. One item, Mr. Judge stated, that they are moving quickly on is to open the north end pool during the week earlier in the season than originally scheduled. Mr. Judge also reported that due to the school calendar they will not be able to staff the beach during the week until Monday, June 22nd.

Another issue that was brought to their attention stated Mr. Judge, was the need to clarify the age for which a beach badge is required on the beach. Mr. Judge stated that persons age twelve and over require a badge on the beach and the pool badge requirements follow the beach badge requirement. Therefore, a child's pool/beach badge is for ages six (6) to eleven (11), stated Mr. Judge, and therefore at the age of twelve (12) a person would need an adult pool/beach badge.

Mr. Frost echoed the earlier comments regarding the successful weekend in the Borough.

Mr. Sagui recognized the Department of Public Works for the efforts in dealing with a sewerage backup that took place in the Borough on Sunday noting their dedication in working to identify the clog and getting things cleaned out. Mr. Sagui noted this as another example of how vulnerable the terra cotta system is and the need to reline the hot spots and eventually the entire town.

The Mayor voiced agreement with Mr. Sagui and reported that Mr. Avakian has put together a brief outline for the water/sewer committee in terms of the priorities in the system that need to be addressed. The Mayor stated that a workshop for the Mayor and Council will take place in the next couple of weeks.

Mrs. Venables also reflected on the weekend and thanked those involved in the Memorial Day Ceremony.

Borough Engineer's Report

Mr. Avakian reported that the Wreck Pond infrastructure project is substantially complete. All worked out well, stated Mr. Avakian in spite of finding additional work beyond what was anticipated. Mr. Avakian also reported that the First Aid Building work is underway and once complete the contractor will move on to the Ludlow Avenue project.

Mr. Avakian added that the other large project they're working on is the Wreck Pond outfall resiliency grant. Mr. Avakian reported that they met with the representatives of the grant in Trenton and learned what needs to be done to satisfy their requirements. Mr. Avakian added that Spring Lake is one of five (5) communities who are being considered for the grant.

Mr. Avakian reported that they have the federal consistency permit and the Army Corps permit and the Borough has been notified that there is a need for a tidelands lease. Once these items are taken care of, Mr. Avakian stated, a bid schedule will be established.

Mr. Dempsey added that the funding is in place and as long as the Borough completes the requirements the Borough will get the funding.

Borough Attorney's Report - None

Borough Administrator's Report

Mr. Dempsey reported that the trailer has been delivered in connection with the SMRSA pump station and the landscaping work is underway.

Mr. Dempsey also reported that the planting of the shade trees on Third Avenue is complete.

Mr. Frost asked if the Spring Lake Five organization donated money for maintenance of the shade trees. Mrs. Venables responded that they have committed to a maintenance fund and gave the Borough \$30,000 that went toward the purchase and planting of the trees. Mrs. Venables stated that they also have committed to an annual maintenance fund of \$5,000 per year.

Mr. Dempsey added they they've also discussed the maintenance procedures with the representatives of the BID (Business Improvement District).

Mayor Naughton asked Mr. Dempsey about plans for the dirt section near the gates on the north end of town near South Boulevard. Mr. Dempsey agreed to have the area looked at to determine potential options.

Regarding the south end pool, Mr. Dempsey reported that new floors have been put in at the restrooms.

Regarding the north end pool, new steps have been installed in the large pool, Mr. Dempsey reported.

Mr. Dempsey further reported that the Borough of Belmar has received a resiliency grant in connection with Lake Como which will benefit the Borough of Spring Lake as well. Belmar will need

an easement from Spring Lake for the location of the pipe, stated Mr. Dempsey, a request of which will be forthcoming.

Business Items Under Consideration

<u>St. Catharine's School Physical Education Classes – June 1 to June 8, 2015</u> – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Noise Ordinance Discussion

The Mayor reminded the public audience that this topic relates to the proposal to closely match the Borough's noise ordinance in connection with landscaping to the noise ordinance in connection with construction from Memorial Day to Labor Day. The proposal is to ban noisy commercial landscaping on Saturdays from Memorial Day to Labor Day. Mr. Judge, offered some suggested language in connection with the times commercial landscapers are allowed to run their equipment. Mr. Dempsey expressed concern about the 9:00 am start time noting that it's currently 8:00 am. Mr. Colao confirmed that the construction noise ordinance is 8:00 am making this proposed ordinance more restrictive. Mr. Colao stated that this is a simple amendment that can be made and still allow for introduction. Mr. Erbe stated that he would be in favor of the 8:00 am start. Mr. Erbe asked about the 11:00 am to 2:00 pm timeframe on Sunday that allows residents to mow their lawns. Mr. Colao stated that there seems to be a contradiction in the ordinance in connection with restrictions for residents. The Mayor stated that she is not in favor of restricting the residents noting that the concern is more specific to noise during the summer months on Saturdays and Sundays when residents are looking to enjoy the outdoors. Mr. Frost, referencing the dates in the proposed ordinance, asked for clarification in that what's listed takes the ban through the end of September and starts after Memorial Day. Mrs. Venables voiced support for the ban beginning the Saturday of Memorial Day weekend and continuing through September 30th. Mr. Frost stated that he spoke with some residents and landscapers about the topic and the concern about losing work days due to rain. Mr. Frost also mentioned that the sycamore trees drop bark as early as July noting that this is a consideration in for landscapers as well noting that he would be likely more in favor of a restriction from Memorial Day to Labor Day and not extend it to October 1st. Mr. Sagui voiced concern about seasons that are rainy that may result in lawns that aren't getting cut as frequently leaving the Borough looking less attractive. Mr. Sagui further stated that he doesn't believe it's a pressing issue for residents and would result in more regulation that would make business more difficult in the Borough. The Mayor responded that she has heard complaints and that the change results in just 12 additional days where a commercial landscaper is prohibited from using a leaf blower. Mr. Erbe stated that this represents a 12% reduction in their ability to landscape.

Mr. Judge voiced agreement with Mr. Sagui's concerns.

Ms. Barbara Brody, 210 Howell Avenue, expressed that part of the concern with the commercial landscapers is the number of leaf blowers that they work with. For a 50x150 lot, Ms. Brody added, it's not uncommon to see three (3) leaf blowers working at one time. Ms. Brody stated that she comes from a town where they don't allow leaf blowers and the lawns look fine. Ms. Brody further expressed concern that the landscapers don't pick up the debris and blow it into the sewers.

Mr. Sagui acknowledged Ms. Brody's good points and opined that the cost for landscaping will go up stating that less people will compete for Spring Lake business.

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, stated that he feels the leaf blowers and lawn mowers are getting bigger and bigger and are very loud. Mr. Marlowe opined that he does not believe it will raise the cost stating that the companies may be able to bring on additional help to rake the leaves and clippings. Mr. Marlowe further stated that Spring Lake is very unique, it encourages porches and enjoyment of the outdoors and it seems that a landscaper ordinance not unlike the construction noise

ordinance makes sense. Mr. Marlowe raised concern about the language of the proposed ordinance as to whether it prohibited landscapers or just the power driven equipment.

Mrs. Venables voiced concern about the language being too broad as well and suggested edits be considered.

Mr. Dempsey referenced the previous ordinance that clearly specified noise and the operation of power driven equipment.

The Mayor suggested the ordinance be introduced, a hearing be held in two (2) weeks and requested that the public audience and council members have comments prepared for this hearing.

Mrs. Venables asked if section two could be modified prior to introduction to clarify the emphasis on landscapers' use of power driven equipment.

Mr. Colao confirmed that edits can be made at this point.

Mr. Judge offered a suggestion on how the phrase could be altered.

The Mayor asked Mr. Colao to read the ordinance with the changes that have been discussed for purposes of introduction.

Mr. Colao noted the change to the start time of 8:00 am versus 9:00 am and the start date of the Saturday of Memorial Day through Labor Day Monday.

The Mayor added that it is a noise ordinance.

Mr. Dempsey asked for clarification of the start time on Saturdays after the summer ban period.

The Mayor agreed it should be 9:00 am to 6:00 pm.

Mr. Dempsey asked for clarification of aligning the post summer Saturday start time with construction noting that construction noise may begin at 8:00 am.

Mr. Judge felt that it would be too restrictive to change the construction start time to 9:00 am.

Mayor Naughton sought Mr. Colao's counsel as to the need to reintroduce if at the public hearing they decided to change the start time.

Mr. Coloa offered that it would not be considered a di minimis change and therefore would require reintroduction.

Mr. Erbe expressed that having the two ordinances, construction and landscaper noise, differ would be contradictive.

Mayor Naughton suggested they finalize this detail so as not to have to reintroduce due to a disagreement on the Saturday start time.

The Mayor sought input from the council and they agreed on a 9:00 am start time.

Mr. Colao read the ordinance as to be introduced with the edits discussed.

Mr. Francis Quinn, 304 Salem Avenue, stated that he wanted to make sure the council was not proposing to liberalize any current restrictions on commercial activities on Sundays or Holidays.

Mr. Judge responded that it does not liberalize the current restrictions.

There was a discussion to clarify what activities, if any, a landscaper could undertake on Sundays and Holidays specifically.

Mr. Colao, referring to the existing ordinance, noting that activities involving power driven equipment is prohibited on Sundays and Holidays but that there's no reference to planting flowers or mulching or other non-noise making activities.

Ordinances for Introduction

Borough Attorney Colao read Ordinance No. 2015-004 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 250, NOISE, SECTION 250-8(o) OF THE BOROUGH CODE", by title.

Mrs. Venables offered a motion to introduce Ordinance No. 2015-004, seconded by Mr. Erbe. Public Hearing to be set at the convenience of the Borough Clerk.

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE NO. 2015-004 in full/Ordinance Book No. 1

Ordinances for Adoption - None

CONSENT AGENDA

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

R-15-103 – RESOLUTION - APPOINTING ADDITIONAL BEACH/POOL PERSONNEL FOR THE 2015 SEASON

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as Beach Employees for the 2015 Season:

Beach Lifeguards Grady, Shea White, Rosemary Sulzer, Matthew O'Neill, Kyle Bertram, Nick	\$10.51 \$15.48 \$10.51 \$10.51 \$10.51	210 215 210 210 210
<u>Junior Guards</u>		
Konrad, Kate	\$13.63	214
Pool Lifeguards Gilbert, Grant Bery, Donald Biesiadecki, Marielle Healy, Christine Healy, Julia Poznanski, Arturo Van Lew, Kaitlin McDonald, Luke Perry, Brendon Krameisen, Michelle Bertram, Nick	\$10.51 \$10.51 \$10.51 \$10.51 \$10.51 \$10.51 \$10.51 \$10.51 \$10.51 \$10.51	210 210 210 210 210 210 210 210 210 210
<u>Swim Team</u> Burlington, Mallory	\$10.51	210

Night Watch/Pool Cleaning

Aklus, Frank \$30.00

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE

ABSTAIN: NONE

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

R-15-104 – RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, overpayment of the 2015 2nd Quarter taxes on the following property have been made as the result of a payment by the homeowner and the Mortgage Company as certified by the Borough Tax Collector.

NAMEBLOCKLOTAMOUNTJames & Karen Surgent645\$6,133.75

109 Passaic Avenue

Spring Lake, NJ 07762 Pro

Property address: 109 Passaic Avenue

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that a refund in the amount of \$6,133.75 is hereby approved for the aforementioned property.

I, Robbin Kirk, Tax Collector of the Borough of Spring Lake hereby certify the amount of overpayment to be \$6,133.75.

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

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

R-15-105 – RESOLUTION – AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE MONMOUTH COUNTY SHERIFF'S OFFICE, COMMUNICATIONS DIVISION

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 a Share Service Agreement with Monmouth County Sheriff's Office, Communications Division for the period through December 31, 2019.

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

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

R-15-106 – APPROVING RAFFLE LICENSE APPLICATION RA#20-2015 – SODALITY OF THE CHILDREN OF MARY OF ST. TERESA – OFF PREMISE 50/50

WHEREAS, Sodality of the Children of Mary of St. Teresa has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#20-2015, 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#20-2015 be and the same is hereby approved as follows:

NAME: Sodality of the Children of Mary of St. Teresa

32 Park Street, Jersey City, NJ 07304-2904 Identification No.: 232-3-2447

LOCATION: The Breaker's

1507 Ocean Avenue, Spring Lake, NJ

DATE: July 9, 2015 3:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

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

R-15-107 - RESOLUTION — SETTING FEES FOR THE YEAR 2015 BEACHES AND POOLS PURSUANT TO CHAPTER 114 OF THE CODE OF THE BOROUGH OF SPRING LAKE AS ADOPTED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following fees be and hereby are set for the year 2015:

BEACHES AND POOLS:

Pursuant to §114-19: Charges for use of beaches and pools shall be as follows:

A.	Beach Only Badges: Beach badges needed for ages 13+ (1) Seasonal beach badge (2) Late season beach badge (badges purchased on or after August 1, 2014) (3) Daily beach badge	105.00 65.00 10.00
В.	Lockers: (All lockers include five (5) adult pool/beach badges) (1) North End full locker (2) North End half locker (3) South End Deluxe Shower Locker (4) South End Shower Locker (5) South End full locker	1,400.00 1,150.00 1,400.00 1,260.00 1,150.00
C.	Beach Boxes: (All boxes include five (5) adult pool/beach badges)	1,260.00
D.	Additional Badges purchased concurrently with a locker/beach box: (1) Additional pool/beach badge age 13+ (2) Additional pool/beach badge ages 6 -12	230.00 135.00
E.	Single Pool/Beach Badges: (1) Spring Lake Residents Only – Maximum of Three (3) per residence Note: Purchase of single badges counts towards the eight (8) maximum per property.	230.00
F.	Resident Senior Citizen (Pool Only age 65+)	80.00

G.	Single	Guest	Pool.	/Beach	Badge	(Daily):
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H. Non-	Resident Facilities Fee	175.00
(3)	Age 5 and under	N/C
(2)	Ages 6 - 12	10.00
(1)	Age 13+	20,00

I. Pursuant to §114-22 Broken or Lost Badges:

Seasonal badges which are lost shall be replaced for the following charges for each badge lost:

150.00
100.00
70.00
35.00
105.00
65.00

NOTE: Badges assigned via purchase of locker/beach box shall have no more than two (2) replacement pool/beach badges issued per property address for the season; if additional badges are needed they will be replaced at the full cost.

Badges purchased without locker/beach box shall have no more than one (1) replacement pool/beach badge issued per property address for the season if additional badges are needed they will be replaced at the full cost

J. Late Season Badges for South End Pavilion:

(1) Late Season Pool Badges will be sold for the period of -September 28 to October 12 (Must be purchased on or -before July 15 and no limit on the number of badges purchased)

\$100.00

NOTE: South End Pavilion Pool will remain open provided a minimum of 130 late season pool badges are sold by July 15, 2015. If there are not enough purchased the money will be refunded.

Seasonal pool/beach badges and/or pool only badges which are damaged or discolored shall be replaced at no charge upon receipt of the damaged or discolored badge.

K. Paddle Board Lockers:

Yearly rental to run from May 15th to May 14th

\$500.00

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

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

R-15-108 - RESOLUTION - SETTING HOURS FOR 2015 BEACH/POOL SEASON

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following are the hours for the 2015 Beach/Pool Season:

AREA	HOURS	DATES	
South End Office	9 AM – 5 PM	May 23 – September 7	
North End Office	9 AM – 5 PM	May 23 – September 7	

MAY 26, 2015

Main Beaches (conditions permitting)	9 AM - 6 PM	May 23-25, 30-31, June 6-7, 13-14, September
,		12-13 (weekends only)
All Beaches (conditions permitting)	9 AM – 6 PM	June 15-August 31 (daily)
South & North End Pools & Lockers	9 AM – 6 PM	May 23-25, 30-31, June 6-7, 13-14 (weekends
		only)
South End Lockers	11 AM - 6 PM	May 26-29, June 1-5, June 8-12 (weekdays)
North End Lockers	11 AM – 6 PM	May 26-29 (weekdays)
North End Pool & Lockers	11 AM - 6 PM	June 1-5, June 8-12 (weekdays)
South & North End Pools & Lockers	8 AM – 8 PM	June 15 – September 7 (Adults Only Lap Swim 8 AM to 9 AM)
South & North End Pools & Lockers	9 AM – 6 PM	September 8-13, 19-20, 26-27
South & North End Pools & Lockers	10 AM - 6 PM	September 14-18, 21-25
South End Pool	10 AM - 6 PM	September 28-October 12 (Late Season Badges- Contingent on sales)
PLEASE NOTE:		
All personal items in the North End locke	ers must be removed by	6 PM Sunday September 27.
All personal items in the South End locke	ers must be removed by	6 PM Sunday September 27.
All items in lockers after these dates will	be donated to local cha	rities. Thanks for your help & cooperation!

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Resolutions

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

R-15-109 - RESOLUTION - APPROVAL OF BILLS - MAY 26, 2015

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending May 26, 2015, 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>S</u>	U	М	М	<u>A</u>	<u>RY</u>

CURRENT FUND (1)	578,490.85
GENERAL CAPITAL (4)	600.00
WATER/SEWER OPERATING (9)	3,640.42
MT LAUREL TRUST (16)	675.00
RECREATION (25)	1,386.19
BEACH OPERATING (81)	31,541.66
POOL OPERATING (91)	12,438.68
TOTAL	\$628,772.80

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Public Comments

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, asked for clarification on the funding for the Wreck Pond project. Mr. Dempsey responded detailing grants monies that have been set aside for the project. Mr. Frank Quinn, 304 Salem Avenue, commented that the selection of James Lonsdale for the Master of Ceremonies for the Memorial Day celebration was an excellent choice and acknowledged Mr. Wingard's commitment and service to the community. Mr. Quinn offered his strong support for the noise ordinance discussed earlier. Mr. Quinn acknowledged Mr. Frost, Mr. Judge, and Mrs. Venables for their recent meeting with residents in connection with the beachfront, pools, and facilities. Mr. Quinn strongly suggested that the Mayor and Council restore the tradition of an adult swim period at the south end pool. Also, Mr. Quinn strongly suggested that the filters be used at the south end pool.

Ms. Lisa Deberadine, 10 Brown Avenue, asked for clarification on the due date of the grant application information. Mr. Avakian responded that it's due July 7, 2015. Ms. Deberadine asked if the Borough has a commitment from them that there will be a swift response after that. Mr. Dempsey responded that as soon as they get the information they should be making a decision.

Adjournment

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

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Time of Adjournment: 8:05 PM

Respectfully submitted,

DINA ZAHORSKY
Deputy Borough Clerk

Approved at a meeting held on: June 26, 2015