

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 28, 2015**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 5:00 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. Fay, Mr. Judge, Mr. Frost, Mr. Sagui (arrived 5:20 p.m.), Mayor Naughton

ABSENT: Mrs. Venables,

ALSO PRESENT: Dina M. Zahorsky, Borough Clerk  
W. Bryan Dempsey, Borough Administrator  
Joseph Colao, Esq, Borough Attorney  
Peter Avakian, Borough Engineer

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**Workshop Discussion** – None

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**Approval of Minutes**

Mr. Frost offered a motion to approve the minutes of October 13, 2015, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Sagui, Mrs. Venables

ABSTAIN: Mr. Judge

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**Proclamations, Presentations & Special Guests**

Mayor Naughton congratulated and thanked Mr. Fay for his service to the Borough, telling everyone that this would be his last meeting.

Mr. Fay thanked members of the council and the residents. Mr. Fay then congratulated Mr. Drasheff.

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**Public Comments**

Mike Mattia 313 Jersey Avenue stated that the SMRSA fence is up and are still working on the landscape design with the residents.

Mr. Judge thanked Mike Ruppel and Mr. Mattia for their hard work.

Elsie Dubac 415 St. Clair Avenue asked if there was any discussion about the Crossriver Fiber Agreement. Mayor Naughton answered that the resolution was tabled until this meeting so that Mr. Dempsey could talk to them in terms of having some control of the utilities that are put up on the polls.

Mr. Dempsey explained that Crossriver Fiber will remove any debris or material left behind and any material left of the poll would be slack in case the poll fell down.

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**Council Comments & Staff Reports**

Mayor Naughton report that the box culvert has been delivered. She added that the dredging is nearing completion, there is a lot of sand which will be moved farther south on the beach. She also reported that the box culvert was delivered today. She explained that the new water and sewer lines have already gone in on Brown Ave and have been working Ocean Avenue.

Mr. Erbe asked what the plan is for the buildup of sand. Mr. Avakian responded by saying that the plan which was approved by the Department of Environmental Protection, was to use it as fill to reestablished the Army Corp beach profile and it could also be used on the dunes.

Mr. Erbe thanked Mr. Fay for all of his years of service.

Lyle Marlowe, 110 Pennsylvania Avenue stated that he has noticed large stones in the sand. He suggested obtaining better sifting equipment to help with the whole beach.

Mr. Judge thanked Mr. Fay for his service to the town and the council. He reported on having an analysis done of the fire equipment both current and future needs. He added that a recommendation will be made to the council to use a company called CDR McGuire; they are an emergency management engineering company.

Mayor Naughton reminded members of the audience that there will be open house for Spring Lake and Spring Lake Heights First Aid Squad to recruit members which will be this Saturday from 11 a.m. to 3 p.m.

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**Borough Engineer's Report**

Mr. Avakian gave an update on Ludlow Avenue this project will be completely paved on January 5, 2016. He reported Ocean Avenue infrastructure, the contract finished the water main almost to York Avenue. He added that the rain has been slowing the progress down.

Mr. Avakian the reported on the Wreck Pond box culvert the interior dimensions are five and a half feet in height and eight feet in width. He explained that more than twice the amount of water would be going out under a normal tidal event without the storm surge coming in.

Mr. Avakian explained that the application for the beach bathrooms was completed and they made a submission to the DEP for the general permit #22. He added that it is a typical general permit and the notice was sent out to neighbors in the area. He explained that there will not be a conflict running the sewer line.

Mr. Judge asked if the electric would come from the North West corner. Mr. Avakian said he would confirm with Frank Phillips, Superintendent of Public Works.

Mr. Avakian explained that the project will fall into place, four timber piles with the building set down right on top. The elevations are slightly above the hand rail elevations with the roof line above that.

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Mr. Judges asked if the bathroom would be in the sight line of the homes on Howell Avenue. Mr. Avakian answered no.

Lyle Marlowe, 110 Pennsylvania Avenue asked if there are any vents. Mr. Avakian answered yes however the unit will be about eight feet off the boardwalk.

**Borough Attorney's Report**

Mr. Colao had nothing to report on.

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**Borough Administrator's Report**

Mr. Dempsey thanked Mr. Fay for his years of service.

Mr. Dempsey reported that revised bids came in for the Marucci Park paddle tennis courts and they are still too high. Mr. Avakian explained one option would be to construct one court at this time which would allow for the court to get done with all of the improvements. He added that the project would then have to be rebid.

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**Business Items Under Consideration**

**Event Application – Mama Mare Breast** – Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**2016 Deputy Fire Chief Nomination – Jonathan Gramlich** - Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

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**Ordinances for Introduction** – NONE

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**Ordinance for Adoption** - NONE

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**Consent Agenda**

Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-15-215 RESOLUTION – AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT  
WITH CROSS RIVER FIBER, LLC**

WHEREAS, Cross River Fiber, Inc. ("Cross River") is a public utility and telecommunications carrier as defined by N.J.S.A. 48:2-13; and

WHEREAS, Cross River is authorized to provide service by the New Jersey Board of Public of Utilities and the Federal Communications Commission; and

WHEREAS, Cross River is seeking to install telecommunications facilities on utility pole or within underground conduits located in the public right-of-way in the Borough of Spring Lake in order to provide telecommunications services to the public, and to operate, maintain and repair facilities; and

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WHEREAS, N.J.S.A. 48:17-10 permits municipalities to enter into a Rights-of-Way Use Agreement with a telecommunications carrier; and

WHEREAS, the Borough of Spring Lake desires to enter into a Rights-of-Way Use Agreement with Cross River that sets forth the terms of use, occupancy, and manner in which Cross River will utilize the Borough of Spring Lake Rights of Ways ("Use Agreement"); and

WHEREAS, the Use Agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms;

WHEREAS, annexed hereto is a copy of the Use Agreement to be entered into by and between the Borough of Spring Lake and Cross River;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that the Mayor be and hereby is authorized to execute and the Municipal Clerk be and hereby is authorized to witness, the annexed Rights-of-Way Use Agreement between the Borough of Spring Lake and Cross River Fiber, Inc.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-15-218 RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH  
VISITING NURSE 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 2016.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-15-219 RESOLUTION – GRANT AGREEMENT BETWEEN BOROUGH OF SPRING LAKE AND THE  
STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: FS16-154**

The governing body of Borough of Spring Lake desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

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**Green Communities Grant  
Community Forestry Management Plan**

Therefore, the governing body resolves that Jennifer Naughton or the successor to the office of Mayor is authorized (a) to make application for such grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute  any amendments thereto  any amendments thereto which do not increase the Grantee's obligations.

The Mayor and Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** Mrs. Venables

**ABSTAIN:** NONE

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**Resolutions**

Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-15-220 A RESOLUTION SETTING THE 2015 & 2016 SALARY AND HOURLY WAGES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE BOROUGH OF SPRING LAKE, MONMOUTH COUNTY, NEW JERSEY**

**Whereas**, the Borough Code provides for the establishment of salaries for various officials and employees of the Borough to be set forth in a Salary Ordinance; and

**Whereas**, in order to permit flexibility in the hiring, transfer, and/or promotion of new or current employees, the Mayor and Council have adopted Ordinance No. 2008-006 establishing ranges for salaries and hourly wages;

**Whereas**, the specific salaries for officers and employees for 2015 & 2016 are to be set by Resolution;

**Now Therefore, Be It Resolved**, by the Mayor and Council of the Borough of Spring Lake in the County of Monmouth, New Jersey, as follows:

1. Unless otherwise specified, all salaries and wages of Borough Officials and Employees shall be payable biweekly. Further, the salaries and wages payable herein shall be in lieu of all fees.
2. All ordinances in conflict with this ordinance, or any part thereof, are hereby repealed as to conflicting part or parts.
3. In addition to the compensation provided for the Borough Officials and Employees enumerated in Article IV of this Ordinance, certain qualified employees may be entitled to an annual longevity payment,

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uniform allowance, overtime payment, and other supplemental stipends, as may be specified in the Borough's Personnel Policy Handbook/Manual, a current labor contract, or a current individual employment agreement.

4. The following list shall represent the hourly wages and annual base salaries ranges for Officials and Employees of the Borough of Spring Lake not covered by a Collective Bargaining Agreement.

<u>Position Title</u>	<u>Base Salary 2015</u>	<u>Base Salary 2016</u>	<u>Hourly Wage</u>
<b>Administration</b>			
Borough Business Administrator	\$142,750.53	\$145,605.54	
Borough Clerk/Municipal Registrar	\$65,000.00	\$66,300.00	
Purchasing Agent	\$58,206.89	\$59,371.03	
Administrative Assistant	\$35,000.00	\$35,000.00	
Administrative Assistant	\$35,000.00	\$35,000.00	
Tax Assessor	\$29,671.00	\$30,264.42	
Secretary to Board of Health	\$3,308.00	\$3,308.00	
Code Enforcement Officer			\$25.00 - \$30.00
Zoning Review Agent	\$26,000.00	\$26,520.00	
Clerical Part-Time			\$10.00 - \$18.00
<b>Regional Construction Office</b>			
Construction Official	\$133,471.18	\$136,140.60	
Construction Administrative Clerk/Board Secretary	\$ 42,504.05	\$43,354.13	
Electrical Sub-Code Official/Inspectors	\$26,297.00	\$26,822.94	(p/t) \$25.00 - \$30.00
Plumbing Sub-Code Official/Inspectors	\$26,297.00	\$26,822.94	(p/t) \$25.00 - \$30.00
<b>Library</b>			
Library Director	\$58,000.00	\$59,160.00	
Library Page (p/t)			\$7.25 - \$8.50
Library Staff (f/t)	\$45,000.00	\$45,900.00	
Library Staff (p/t)			\$16.00 - \$18.00
<b>Emergency Services</b>			
Police Dept. – Chief of Police	\$143,963.00		
Police Dept. – Lieutenant	\$137,700.00	\$140,454.00	
Police Dept. – Special Officer Class II			\$15.00 - \$20.00
Police Dept. – Special Officer Class I			\$9.50 - \$18.00
Police Dept. - Secretary/Records Personnel			\$16.20 – \$17.00
Police Dept. – Dispatcher (p/t)			\$15.00 - \$21.00
School Crossing Guard			\$14.00 - \$15.00
Matron			\$25.00
Emergency Management Deputy Coordinator	\$3,000.14	\$3,060.14	
Fire – Asst. Inspector			\$15.00 - \$20.00
Fire Official/Inspector			\$20.00 – \$25.00
<b>Public Works</b>			
Public Works Dept. – Superintendent/CPWM	\$117,138.04	\$119,480.80	
Public Works Dept. – Foreman	\$106,714.62	\$108,848.91	
Public Works Dept. - Asst. Foreman	\$102,973.71	\$105,033.18	
Public Works Dept. - p/t Laborer			Min. Wage- \$19.00
Public Works Dept. - Seasonal Laborer			Min. Wage- \$19.00
Recycling Attendants (p/t)			Min. Wage- \$16.00
Recycling Coordinator (p/t)	\$1,500.00	\$1,500.00	

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**Recreation**

Recreation Dept. – Supervisor	\$19,673.07	\$30,066.53
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**Elected Officials**

Mayor	\$4,429.00	\$4,429.00
Councilmember	\$3,690.00	\$3,690.00

**Municipal Court**

Municipal Court Judge	\$14,287.00	\$14,572.74
Municipal Prosecutor	\$12,646.00	\$12,898.92

5. The salaries and wages of those employees in the Borough Police Department, Department of Public Works, and Beach Lifeguards covered by the provisions of Collective Bargaining Agreement shall be as provided in those Agreements as approved by the Mayor and Borough Council.

6. In the event any employee is specifically appointed by name to a position in a Resolution setting for a specific salary or wage, which salary or wage is different than provided herein, the specific individual Resolution shall be controlling.

7. This Resolution and the wages and salaries set forth herein shall be retroactive to January 1, 2015.

**ROLL CALL:**

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-16-221 RESOLUTION – APPROVAL OF BILLS – DECEMBER 28, 2015**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 28, 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.

**SUMMARY**

<b>CURRENT FUND (1)</b>	<b>728,127.39</b>
<b>GENERAL CAPITAL (4)</b>	<b>95.00</b>
<b>WATER/SEWER CAPITAL (8)</b>	<b>100,489.20</b>
<b>WATER/SEWER OPERATING (9)</b>	<b>42,084.82</b>
<b>DOG TRUST (13)</b>	<b>910.00</b>
<b>SPRING LAKE TRUST (15)</b>	<b>1,932.00</b>
<b>MT LAUREL TRUST (16)</b>	<b>2,318.00</b>
<b>RECREATION (25)</b>	<b>2,000.70</b>

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<b>BEACH OPERATING (81)</b>	<b>25,373.20</b>
<b>POOL OPERATING (91)</b>	<b>5,590.01</b>
<b>TOTAL</b>	<b>\$908,920.32</b>

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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**Public Comments**

Elsie Dubac, 415 St. Clair Avenue asked where the flags are at the Veteran's Memorial. Mr. Dempsey explained that the electric was cut off due to the cleaning of Spring Lake and since there is no power the flag cannot be up.

**Adjournment**

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

ROLL CALL:

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

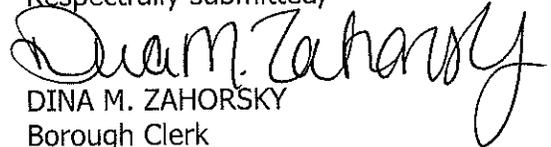
NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Time of Adjournment: 5:35 PM

Respectfully submitted,



DINA M. ZAHORSKY  
Borough Clerk

Approved at a meeting held on: March 22, 2016