BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
FEBRUARY 10, 2015

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. Fay, Mr. Judge, Mr. Sagui, Mayor Naughton
ABSENT: Mr. Frost, Mrs. Venables
ALSO PRESENT: Jane L. Marban, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer

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Workshop Discussion - None

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of January 29, 2015, seconded by Mr. Erbe.
ROLL CALL:
AYES: Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: Mr. Erbe

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Proclamations, Presentations & Special Guests

Public Comments – No public comments.

Council Comments & Staff Reports

Mayor Naughton brought attention to Resolution R-15-034 in connection with the professional services contract for the water distribution system noting that this was discussed at the Mayor and Council meeting two (2) weeks ago with emphasis on the need to take a look at the infrastructure below the Borough's roads. The Mayor added that the importance of this effort is to ensure that the Borough doesn't mill and pave a road only to have to open it up a month later due to a water/sewer problem. The Mayor expressed confidence in the vendor selected to do the work noting that Mr. Avakian's firm is very familiar with their work as are some of the DPW staff. The Mayor expressed hope that the council would approve the contract adding that she has spoken to both council members Frost and Venables, knowing they would be absent from tonight's meeting, and both expressed support for the resolution. Mr. Judge asked if the analysis was both water and sewer or just water. The Mayor responded that the firm's expertise is water only. Mr. Avakian added that the sewer analysis can be done by the Borough's Department of Public Works noting that they have routinely evaluated the sewer infrastructure and repair any defects prior to road paving. Mr. Avakian stated that prior to any road repaving, they will do a complete sewer evaluation.

Lyle Marlowe, 110 Pennsylvania Avenue, asked for additional details on the work the contractor would be doing. Mayor Naughton explained that they will do a non-evasive evaluation of what lies beneath the Borough's road. The Mayor stated that unlike the sewers, which can be camera and smoke tested, there is no way for the Borough to comfortably evaluate the water system. The water system, the Mayor added, is over 100 years old, which is likely double the useful life. Also, the system is equipped

with 4 inch water mains which are undersized for a town the size of Spring Lake noting that 6 and 8 inch mains are the industry norm at this time. Also, there are some laterals that are problematic and

there are water quality issues in some areas, added the Mayor. This assessment, the Mayor stated, is beyond the scope of our public works department's expertise and we feel it's prudent to take this step prior to any road repaving. Mr. Marlowe inquired as to whether this project was one of the ten (10) detailed recently by Mr. Avakian. The Mayor responded that the scope of this effort includ the entire Borough.

Mr. Erbe expressed his support for the resolution to retain the services of Patrick K. Cole noting that he believes the expert analysis of the Borough's water system is warranted.

Mr. Fay stated that he's been in support of the analysis for many years.

Mr. Judge voiced his support for the water system analysis and expressed the importance of addressing the roads in concert with the water and sewer systems.

Mr. Saqui also stated that he was in favor of the resolution and stated that he was pleased to know that the Borough will be meeting with SMRSA (Southern Monmouth Regional Sewerage Authority) on Friday.

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Borough Engineer's Report

Mr. Avakian voiced, in connection with the water analysis, the importance of bringing in expertise, when necessary, on projects such as this. Mr. Avakian noted the value of the hydra testing to prove that the Borough has adequate fire flow capacity as well as the pressure testing of the mains to determine what needs to be addressed prior to paving. In addition, Mr. Avakian stated that they will be doing sanitary sewer evaluation with the help of the Borough's department of public works and sump pump discharge pipe collection. The first area to be addressed is Ludlow Avenue, stated Mr. Avakian, noting that they expect to go out to bid as early as the end of February with an eye towards paving in the fall after adequate stabilization and settlement.

Mr. Judge asked about the issue of dead-ending versus the loop system in certain areas of town and inquired if this will be addressed as part of this evaluation. Mr. Avakian stated that this will be addressed as part of the water system evaluation.

The Mayor asked Mr. Avakian to speak to the delay regarding the outfall pipe work. Mr. Avakian stated that they received a response from NJ Department of Environmental Protection in connection with the Flood Hazard Risk Reduction and Resiliency Grant application stating that he believes they are a little overwhelmed with work and they are also requesting additional information from us.

Mr. Dempsey added that he spoke with a representative who expressed concern about the timing, noting that they gave applicants four (4) weeks to submit information and many of the submissions were lacking detail so rather than reject the applications they asked for additional information. The Borough, Mr. Dempsey continued, is asking for grant monies in connection with coastal lakes and there are approximately four (4) applications being considered.

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Mr. Judge asked about the amount of money designated for coastal lake applications. The Mayor responded that there is $10 million allocated.

Mr. Avakian added that the good news for the Borough's project is that the plans are complete and have been completed in conjunction with a federal agency, US Fish and Wildlife, and the Borough also has a $2 million grant to combine with any grant monies received.

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Borough Administrator's Report

Adding to the previous discussion, Mr. Dempsey stated that the permits for the outfall pipe have been submitted and if all goes well the permits will be ready at the time the Borough gets an announcement of the DEP grant. This would allow the Borough to immediately begin the bid process and start work as early as September. Mr. Dempsey expressed confidence that the Borough will be successful in obtaining the grant.

Mr. Dempsey reported on the Direct Install program that was initiated about 2-3 years ago when Ms. Priscilla Reilly was a council member. Mr. Dempsey stated that the program helps provide energy efficiency in connection with appliances, lighting, etc. and representatives were at the Borough working with Mr. Frank Phillips looking at the boilers at the police station and other items that may qualify. If we qualify, Direct Install will pay 70% and the Borough will pay 30%, stated Mr. Dempsey.

Mr. Dempsey reported that the tenant, the Chamber of Commerce, has moved into the Duggan Building and they seem to be quite happy with the space. Mr. Dempsey added that there are a couple of other entities that are interested in the space and he believes the space and common ground will be put to good use.

Mr. Dempsey reminded the Mayor and council members of an email that was sent in connection with training the Joint Insurance Fund (JIF) offers for elected officials which, if attended, gives the Borough a $250 credit.

Mr. Dempsey further reported that the Shade Tree Committee is initiating a memorial bench program in the park in an effort to raise money. The project is targeted for this spring and they hope to sell approximately 40 benches. Mr. Judge asked if the effort warrants council approval. Mr. Dempsey stated that once the details of the program are ironed out it may make sense to have it presented and approved by council.

Mr. Dempsey acknowledged the passing of former Spring Lake Library Director, Doris Billmeyer, who passed away this week at the age of 99.

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Borough Attorney's Report

Attorney Jay Colao reported that he has two (2) matters for closed session.

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Business Items Under Consideration

American Legion Post 432 – Annual Fishing Contest – April 4, 2015 – Mr. Judge offered a motion to approve the Annual Fishing Contest, seconded by Mr. Erbe. All in favor. None opposed.

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Ordinances for Introduction - None
Ordinances for Adoption – None

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Consent Agenda

The Mayor called attention to R-15-031 in connection with the appointment of co-historians for the Borough noting that although this has never been done before there were recent conversations with members of both the Historical Society and the Preservation Alliance who expressed interest in having this role created. The Mayor further stated that both Ms. Dorothy Lau and Ms. Bonnie DuBois are very knowledgeable long-time residents of the Borough and quite capable of serving in this capacity.

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

R-15-030 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION RA#4-2015- CATHOLIC CHARITIES DIOCESE OF TRENTON - ON PREMISE DRAW RAFFLE

WHEREAS, Catholic Charities Diocese of Trenton has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#4-2015, 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#4-2015 be and the same is hereby approved as follows:

NAME:	**Catholic Charities Diocese of Trenton**
	383 W. State Street, Trenton, NJ 08607
	Identification No.: 495-4-31777
LOCATION:	**Spring Lake Bath & Tennis Club**
	Ocean & Jersey Avenues, Spring Lake, NJ
DATE:	**May 21, 2015 6:00 PM - 11:00 PM**

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE

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

R-15-031 - RESOLUTION – APPOINTMENT OF CO-HISTORIANS

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Dorothy Lau and Bonnie DuBois are hereby appointed as Co-Historians for the Borough of Spring Lake effective immediately.

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui

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NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE

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

R-15-032 - RESOLUTION – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

					Amount not to exceed
PS#07-2015	Design & Construction Administration Ludlow Avenue Utility Improvements	Peter Avakian	Leon S. Avakian, Inc.	788 Wayside Road Neptune, NJ 07753	$49,525.00

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURHTER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE

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Resolutions

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

R-15-033 – RESOLUTION - APPROVAL OF BILLS – FEBRUARY 10, 2015

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WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending February 10, 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

BILL LIST	**49,109.27**
TOTAL	**$49,109.27**

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE

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

R-15-034 – RESOLUTION – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

PS#08-2015	Water Distribution System Hydraulic Modeling	Patrick K. Cole	H2M Water	2380 U.S. Route 9, Suite C-1 Howell, NJ 07734
Description:	Phase A - Model Development & Reporting Phase B – Time & Materials			$14,500.00 Based on proposal Fees and Certified on each Purchase Order

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract

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shall be placed on file with the Clerk of the Borough; and

BE IT FURHTER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE

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Public Comments

Lyle Marlowe, 110 Pennsylvania Avenue, requested an update on the pump station. Mr. Dempsey responded that the contract has been awarded and demolition should begin in the next few days with completion sometime in early summer. Mr. Lyle Marlow also asked if a meeting between FEMA and the council is taking place in advance of the meeting open to the public scheduled for February 18th. The Mayor stated that they have not been invited to a meeting prior to the public meeting. Mr. Marlowe added that he believed the purpose of the meeting with town officials, prior to the public meeting, was for the town to request changes to the flood map if they so desired. Mr. Marlowe asked if the Borough was requesting changes to the map. The Mayor stated, speaking for herself, that she was unaware of any opportunity to recommend changes to the maps and suggested that Mr. Dempsey contact them to see if such an opportunity exists.

Mary Lou Oliva, 700 Ocean Avenue, Unit 510, asked if, when work is being done to the streets in connection with the water and sewer analysis as well as repaving, there is any way of notifying residents of where work is being done ahead of time. The Mayor stated that they are required to do this and they fully intend on meeting this requirement.

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

R-15-035 - PURSUANT TO N.J.S.A. 10:4-13 – EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that pursuant to N.J.S.A. 10:4-13, the Mayor and Council shall adjourn to Executive Session for the purpose of discussing: Coastal Permit Determination and Borough of Spring Lake vs. Borough of Lake Como Planning Board.

BE IT FURTHER RESOLVED that upon conclusion of said matter(s) this discussion will be disclosed by the Borough Clerk via Executive Session Minutes upon written authorization from the Borough Attorney.

ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE
TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 7:15 P.M.
MEETING IS RECONVENED AT: 7:36 P.M.

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Adjournment

Mr. Judge offered a motion to adjourn the meeting, seconded by Mr. Erbe.
ROLL CALL:
AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Sagui
NAYS: NONE
ABSENT: Mr. Frost, Mrs. Venables
ABSTAIN: NONE
Time of Adjournment: 7:36 PM

Respectfully submitted,

JANE L. MARBAN
Borough Clerk

Approved at a meeting held on: February 24, 2015