

**BOROUGH OF SPRING LAKE**  
**MAYOR AND BOROUGH COUNCIL**  
**REGULAR MEETING**  
**April 25, 2017**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:04 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. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley, Mayor Naughton  
ABSENT: NONE

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

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**Workshop Discussion:**

Mayor Naughton welcomed Frank Miskovich who conducted the recent traffic calming evaluation in the Borough. Mr. Miskovich presented a summary of suggested approaches to implementing traffic calming measures in the Borough. He discussed how many of the problematic intersections in town have faded stop lines and crosswalks, along with dated stop signs. Mr. Miskovich explained a simple fix to some of these intersections, which could be done using Borough forces, by updating stop signs and repainting the stop lines and crosswalks.

Mr. Miskovich continued presenting the suggested traffic calming measures for each problematic intersection in the Borough beginning with Ocean Road. As a wide open road they found a lot of speeding; he suggested installing additional speed limit signs, painting a center line, and providing striped crosswalks at Second Street and Shore Road.

Mr. Drasheff asked if two shoulders could fit on Ocean Road. Mr. Miskovich explained it is a narrow roadway which is not wide enough for two shoulders and parking.

Mr. Judge added that without a great deal of evidence of speeding, in terms of striping, would the addition of speed limit signs and enforcement suffice. Mr. Miskovich explained it may be extreme to do center line striping.

Mayor Naughton expressed her concern about the amount of striping on the roads to look like a highway in a residential area. Mr. Miskovich agreed and did not witness many drivers driving in the middle of the road, the center line restricts drivers.

Mr. Miskovich continued his presentation with the intersection at Fifth and Warren Avenues. He addressed the problem with short term parking outside of the Chateau Hotel, although parking is not permitted, many motorists continue to use the area. He suggested enforcing the no parking in that area. He explained that it was observed many of the motorists do not use turn signals at the intersection. Mr. Miskovich explained that this intersection is a prime candidate for a four way stop. Mr. Judge asked if painting the curb and enforcing the no parking would suffice as a start in addressing the problem. Mr. Miskovich agreed and suggested taking a phased approach to the intersection and revisiting it in the future. Mr. Judge suggested repainting the cross walks, repainting the curbing along the Chateau, and installing new stop signs to begin. Mayor Naughton and Mr. Miskovich agreed.

Mr. Miskovich presented the next problematic intersection at Fifth and Washington Avenues. In the short term, he suggested removing the southeast tree to improve sight lines. Mr. Dempsey added that he has talked to the homeowner and they are okay with the tree being removed. The tree is scheduled to be removed within the next few weeks.

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Kenneth Degnan, 419 Washington Avenue thinks the Borough is on the right track in addressing this intersection and appreciates it.

Mr. Miskovich explained the biggest issues with the intersection are the sightlines; in the future it can be revisited and discussed.

Mr. Miskovich discussed the next intersection at Third and Ludlow Avenues. He explained that this intersection contained the most amounts of accidents in all directions. In the short term he suggested updating the stop and stop a head signs along with painting new stop lines and crosswalks across each approach. He also added that stamped asphalt or concrete at the intersection would enhance visualization and an identity for the intersection.

Mayor Naughton explained they are going to use this intersection as a pilot for others in town using a stamped concrete crosswalk from curb to curb on all four corners. Mr. Avakian added that he thought a raised intersection in this location would slow traffic down along Third Avenue. Mr. Miskovich explained the problem with a raised intersection is drivers slow down while approaching the intersection but those on Ludlow Avenue may pull out ahead of the drivers on Third Avenue who are slowing down.

The next intersection Mr. Miskovich presented was at Third and Pitney Avenues. In the short term it was suggested updating the stop and stop a head signs along with painting new stop lines, crosswalks, and centerline to delineate the travel lanes. He stated that initially it was planned to include a parking lane, which can also be used by bicyclists.

Mr. Judge asked if the center line be modified similar to Pitney Avenue. Mr. Miskovich answered ye but the line has to be yellow for about thirty to fifty feet.

Mr. Drasheff thinks the white lines running north and south on Third Avenue need to be removed. Mayor Naughton understands the need to narrow the roadway, but doesn't agree with putting in a white line.

The next area presented was the traffic calming measures along Third Avenue to Lake Como. Mr. Miskovich explained this area is a clean slate with plenty of options when it comes to traffic calming. He explained that it can be striped, installation of a median, or a round-about. The roadway is wide enough to install a median.

Mr. Drasheff asked if it would be possible to extend the park eastward to make the roadway narrower. Mr. Miskovich explained it would work especially with sidewalks and plantings to make the area visually narrow.

Ms. Whalley would like to see a landscaped median or possibly extending both sides of the street. Mr. Miskovich will work with Mr. Avakian to come up with several alternatives for this stretch of roadway. Mr. Dempsey asked if the council wants to do something in front of Marucci Park for pedestrians; he suggested painting the center island at first, to see how it works.

Elsie Dubac, 415 St. Clair Avenue has observed more accidents than ever in the Camp Evans area where they recently installed a center island.

Mayor Naughton thanked Mr. Miskovich for his presentation.

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**Approval of Minutes:**

Mr. Judge offered a motion to approve the amended minutes of March 28, 2017, seconded by Mr. Erbe.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

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ABSTAIN: NONE

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**Proclamations, Presentations & Special Guests:**

**PROCLAMATION- April 28, 2017 ARBOR DAY**

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

WHEREAS, trees in our borough increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, Mayor and Spring Lake Shade Tree Committee hereby recognize and thank the Spring Lake Garden Club on their annual commemoration of this important holiday

NOW, THEREFORE, I, JENNIFER NAUGHTON, Mayor of the Borough of Spring Lake, do hereby proclaim April 28, 2017 as the official celebration of Arbor Day in the Borough of Spring Lake, and I urge all citizens to celebrate Arbor Day and to support and promote the well being of this and future generations.

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**Public Comments:** NONE

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**Council Comments & Staff Reports:**

Mayor Naughton reported on the opening at the South End Pavilion that would grant beach access for heavy equipment.

Mr. Erbe reported on the downtown planning committee meeting who are looking at design standards and the future of downtown. Mr. Erbe added if anyone has ideas they can send them to Mr. Dempsey.

Mr. Judge reported the beach committee has obtained Joe Griffin to inspect the South End Pavilion to put together a list of repairs that are needed. He is expecting a report within the next week or two and hopes to present it to the council and public.

Mr. Frost reported for the environmental commission indicating that Michael Burke participated in the ocean and beach clean-up this past weekend along with a clean up around Lake Como.

He then reported that the Shade Tree Committee had Environmental Landscape Design plant forty ROW trees last week with funds from the tree replacement fund.

Mr. Frost further reported that the project on Third Avenue began this week; it is projected to be completed within the next few weeks.

Ms. Whalley reported that the Shade Tree Committee that they are using private funds raised to trim cherry trees.

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**Borough Engineer's Report:**

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Mr. Avakian reported that Fernandez started the Third Avenue project. Fernandez's project will take about 2 weeks, if not less, and then milling and paving will take about another week. There are two resolutions on tonight, one for the continuation of Third Avenue improvements from Pitney Avenue to Lake Como. Once those plans are complete, it will allow Mr. Avakian to come up with a conceptual drawing of what the roadway will look like. The other resolution is a contract required by the DEP for the municipal public access plan. This plan is required to obtain the permit for beach and dune maintenance. Mr. Dempsey explained it is an individual permit, which is not required but will help in the future. Mr. Avakian doesn't think it will be an issue. Mr. Avakian is also working with Mr. Colao on the tree ordinance revisions. He feels the ordinance should stand as it is and make reference as a design guideline for inspections. Mr. Frost added that this is different than the ordinance up for introduction tonight. This is to deal with the issue of replacement and repair of curbs and sidewalks. Mr. Judge asked if the cracks on Third Avenue, south of Jersey Ave are going to be sealed. Mr. Avakian spoke to Mr. Phillips about that area before his vacation. There will not be any issues with the cracks during the summertime, fall would be appropriate to repair.

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**Borough Attorney's Report:**

Mr. Colao had one item for executive session.

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**Borough Administrator's Report:**

Mr. Dempsey reported the outfall pipe on Lake Como is out to bid for Belmar a grant was received; they are increasing the size of the outfall pipe and bids are due back by May 4<sup>th</sup>. Mr. Dempsey hopes that this will help with the flooding problems in that area. Mayor Naughton asked how this project will affect the roadway. Mr. Dempsey explained that the pipe runs under the roadway, they will not be closing the road during the summertime.

Mr. Dempsey reported that the bicycle hours on the boardwalk are going to be changed using a pilot program and if it works, they will change the ordinance next year.

Mr. Dempsey reported that the mobile concession at Pier Beach went out to bid and received zero bids. This will be going back out to bid on May 9<sup>th</sup> at 10:00 am. Mr. Dempsey reached out to several local concessionaires to inform them of the bid.

Mr. Dempsey met with the group that organized the "Leave Only Your Footprints Program" which the Mayor mentioned at the previous council meeting. They would like to put small signs at each of the beach entrances on a pole; the purpose is to make beach-goers aware of leaving the beach clean. Mayor Naughton expressed that it is a good intention; however none of the council was interested.

Mr. Dempsey received an email from the administrator of Lake Como asking if the Borough has any interest in Monmouth University sanding Lake Como to see how much sediment there is; this is a free report.

Mr. Dempsey reported the sprinkler system was turned on at Marucci Park on Monday. He added that paddle tennis league is up to forty players involved with the woman's league, men's league, and mixed league.

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**Business Items Under Consideration:**

**Event Application- Lake Como 5K- September 9, 2017-**

Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Event Application- Belmar Recreation- August 26, 2017-**

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Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Event Application Route Change- National MS "Coast the Coast"- May 20, 2017-**

Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Block Party- 300 Block of Jersey Avenue- July 2, 2017-**

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:**

Borough Attorney Colao read Ordinance No. 2017-004 entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 356, TREES, OF THE BOROUGH CODE OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY" by title.

Ms. Whalley explained that this ordinance deals with minor shade tree revisions that the Shade Tree Committee has been working on.

Ms. Whalley offered a motion to introduce Ordinance No. 2017-004, seconded by Mr. Erbe Public hearing to be set for April 25, 2017.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Ordinances for Adoption:**

Mr. Judge offered a motion to open the public hearing for Ordinance No. 2017-002 seconded by Mr. Erbe. All in favor. None opposed.

**PUBLIC HEARING NOW OPEN**

There was no council or public comments.

Mr. Judge offered a motion to close the public hearing for Ordinance No. 2017-002, seconded by Mr. Erbe. All in favor. None opposed.

**PUBLIC HEARING NOW CLOSED**

Mr. Judge offered a motion to adopt Ordinance No. 2017-002, seconded by Mr. Erbe.

**ORDINANCE NO. 2017-002- AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 225, LAND DEVELOPMENT, SECTION 25 "SIGNS AND AWNINGS" OF THE  
CODE OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY**

**WHEREAS**, Chapter 225, Land Development, Section 25 "Signs and Awnings" of the Borough Code governs zoning and land use issues in the Borough of Spring Lake; and

**WHEREAS**, the following sections of Chapter 225 are amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in underline;

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey as follows:

**Section 1.**

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1. §225-25. Signs and Awnings.

(13) Window covering during construction. Windows may must be covered with white paper to include the name of the new business and an approximate opening date. The window covering should be neat and maintained.

**Section 2.**

This ordinance shall take effect on upon passage and publication in accordance with applicable law.

ROLLCALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered a motion to open the public hearing for Ordinance No. 2017-003 seconded by Mr. Erbe. All in favor. None opposed.

**PUBLIC HEARING NOW OPEN**

There was no council or public comments.

Mr. Judge offered a motion to close the public hearing for Ordinance No. 2017-003, seconded by Mr. Erbe. All in favor. None opposed.

**PUBLIC HEARING NOW CLOSED**

Mr. Judge offered a motion to adopt Ordinance No. 2017-003, seconded by Mr. Erbe

**AN ORDINANCE OF THE BOROUGH OF SPRING LAKE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Spring Lake in the County of Monmouth finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 3.5% increase in the budget for said year, amounting to \$216,165.99 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Spring Lake shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$216,165.99, and that the CY 2017 municipal budget for the Borough of Spring Lake be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ROLLCALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Consent Agenda:**

Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-080- RESOLUTION – RELEASING STREET OPENING BOND  
2 PASSAIC AVENUE – BLOCK 66, LOT 1**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Megill Masonry, LLC for property located at 2 Passaic Avenue, Block 66, Lot 1 and

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

WHEREAS, the Borough Engineer's office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded Mr. Erbe.

**R-17-081- RESOLUTION – RELEASING STREET OPENING BOND  
502 PASSAIC AVENUE BLOCK-71 LOT-18.01**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Martin & Theresa Caulfield for property located at 502 Passaic Avenue, Block 71, Lot 18.01.

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

WHEREAS, the Borough Engineer's office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

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**R-17-082- RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#15-2017 – SPRING LAKE HISTORICAL SOCIETY –  
OFF PREMISE 50/50**

WHEREAS, Spring Lake Historical Society has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#15-2017, 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#15-2017 be and the same is hereby approved as follows:

**NAME: Spring Lake Historical Society  
PO Box 703, Spring Lake, NJ 07762  
Identification No.: 475-5-29428  
LOCATION: Spring Lake Community House  
Madison Ave, Spring Lake, NJ  
DATE: June 1, 2017 10:00 am – 4:00 pm**

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Resolutions:**

Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-083-RESOLUTION - PILOT PROGRAM TO EXTEND  
BOARDWALK BICYCLE HOURS**

WHEREAS, the Borough of Spring Lake is a municipal corporation in the County of Monmouth, State of New Jersey, and has been formed in compliance with the applicable statutes; and

WHEREAS, the Borough of Spring Lake's ordinance 114-7 regulates bicycles on the boardwalk or beaches; and

WHEREAS, the ordinance 114-7 section (f) currently allows bicycles on the boardwalk during the hours of 5:00 a.m. to 8:00 a.m.; and

WHEREAS, the Borough of Spring Lake wishes to test the desirability and feasibility of bicycles being allowed on the boardwalk from 10:00 p.m. to 8:00 a.m. and temporarily suspend the enforcement of the applicable prohibitive ordinance.

NOW, THEREFORE, BE IT AGREED that bicycles are allowed on the boardwalk from 10:00 p.m. to 8:00 a.m. from May 15, 2017 to September 15, 2017.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-084-RESOLUTION – AWARD OF CONTRACT #03-2017 BID FOR BULK MATERIAL RECOVERY FACILITY TO ACCEPT CONSTRUCTION AND DEMOLITION WASTE, RUBBISH, BULK TRASH AND OTHER TYPE 13 AND 13C WASTE MATERIALS AS DELIVERED BY THE**



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**BOROUGH OF SPRING LAKE TO MAZZA & SONS, INC. – 3230 SHAFTO ROAD, TINTON  
FALLS, NJ**

WHEREAS, on April 20, 2017 bids were received for a bulk material recovery facility to accept construction and demolition waste, rubbish, bulk trash and other Type 13 and 13C waste materials as delivered by the Borough of Spring Lake, and

WHEREAS, One (1) bid was received, and

WHEREAS, Mazza & Sons, Inc., 3230 Shafto Road, Tinton Falls, NJ 07753 was the lowest responsible bidder in the amount of \$ 72.00 per ton for Year 1 – May 1, 2017 through December 31, 2017 (not including host fee) and \$73.00 per ton for the extended proposal for Year 2–January 1, 2018 – December 31, 2018 and Year 3- January 1, 2019 – December 31, 2019, (not including host fee) said bid was found to be responsive and satisfactory.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #03-2017 be and is hereby awarded to Mazza & Sons, Inc., 3230 Shafto Road, Tinton Falls, NJ 07753 in accordance with the Bid and Specifications, in the amount of \$72.00 per ton for 2017 and 73.00 per ton (not including host fee) for years 2018 and 2019.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Landfill Expense 0465 as certified on each voucher presented for payment.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-085-RESOLUTION – AWARD OF CONTRACT #04-2017  
SOUTH BOULEVARD SEWER REPLACEMENT**

WHEREAS, on February 23, 2017 bids were received for South Boulevard Sewer Replacement, and

WHEREAS, one (1) package was purchased and one (1) bids was received, and

WHEREAS, Mark Wozzczak Mechanical Contractors, Inc. Manasquan, N.J. submitted the lowest responsible bid for the South Boulevard Sewer Replacement at a total bid of \$198,000.00, and

WHEREAS, by letter dated February 24, 2017 from Peter Avakian, Borough Engineer, the award of this contract is recommended to Mark Wozzczak Mechanical Contractors, Inc., and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #03-2017 is hereby awarded to Mark Wozzczak Mechanical Contractors, Inc. for the South Boulevard Sewer Replacement at a cost not to exceed \$198,000.00.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Bond Ordinance No. 2015-006 not to exceed \$198,000.00.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

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**R-17-086-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#09-2017	Engineering Services Third Ave Improvements - Phase III	Peter Avakian	Leon S. Avakian, Inc. Consulting Engineers	788 Wayside Road Neptune, NJ 07753	\$66,000.00

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 or until a successor is appointed; 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 FURTHER 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. Drasheff, Mr. Erbe, Mr. Frost, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-087-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#10-2017	EngineeringServices	Peter Avakian	Leon S. Avakian, Inc.	788 Wayside Road	\$4,500.00

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April 25, 2017**

Preparation of MPAP (Municipal Public Access Plan)		Consulting Engineers	Neptune, NJ 07753
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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 or until a successor is appointed; 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 FURTHER 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. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Erbe.

**R-17-088- RESOLUTION – APPROVAL OF BILLS – APRIL 25, 2017**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending April 25, 2017, 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)	622,322.65
GRANT FUND (2)	190.00
GENERAL CAPITAL (4)	23,087.96
WEATER/SEWER CAPITAL (8)	2,983.40
WATER/SEWER OPERATING (9)	20,736.26
OTHER TRUST (12)	668.47
DOG TRUST (13)	926.80
MT LAUREL TRUST (16)	1,035.00
MARRIAGE TRUST (19)	75.00
RECREATION (25)	187.36
JR. GUARD TRUST (26)	6,594.59
BEACH OPERATING (81)	26,871.61
POOL OPERATING (91)	8,435.66

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
April 25, 2017**

TOTAL \$714,114.76

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Public Comments:**

Harry Zarb, 2205 Third Avenue noticed quite a few of street lights out on East Lake Avenue, he believes it might be some sort of cable problem. Mr. Zarb asked if this could be addressed. Mr. Dempsey is going to give JCP&L a call.

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**Executive Session:**

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

**R-17-089- RESOLUTION – 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: Potential Acquisition of Public Property.

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. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8:40 PM

MEETING IS RECONVENED AT: 9:45 PM

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**Adjournment:**

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley

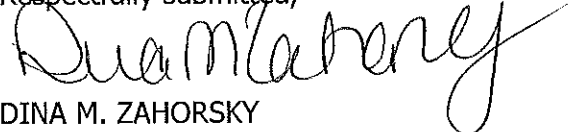
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 9:45 PM

Respectfully submitted,



DINA M. ZAHORSKY  
Borough Clerk

Approved at a meeting: May 9, 2017