

**BOROUGH OF SPRING LAKE**  
**MAYOR AND BOROUGH COUNCIL**  
**JULY 19, 2012**

**24655**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 4:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mrs. Venables, Mr. Jordan (via telephone), Mr. Judge, Mrs. Reilly, Mayor Naughton  
ABSENT: Mr. Fay

ALSO PRESENT: Jane L. Gillespie, Borough Clerk  
W. Bryan Dempsey, Borough Administrator  
Joseph Colao, Esq, Borough Attorney  
Peter Avakian, Borough Engineer  
Robbin Kirk, Chief Financial Officer

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**Approval of Minutes** - None

**Proclamations, Presentations & Special Guests** – None

**Public Comments**

Lyle Marlowe, 110 Pennsylvania Avenue, stated that although the boardwalk looks great there are a couple of areas that are missing railings and areas of piping that have no fittings. Mayor Naughton responded that additional consideration is being given to placing railings on the west side and that the issue is still under discussion. Mr. Marlowe also commented that the beach staff is doing a terrific job but reported that he saw some staff members operating vehicles while texting. The Mayor responded that there is a clear policy in place regarding this and that it will be enforced.

Eleanor Twomey, Vroom Avenue, commented that this is the first rain date of the season.

**Council Comments & Staff Reports**

Mr. Drasheff reported that the County has announced the tax rate for the Borough. Mr. Drasheff shared details including a reduction in the school levy and the local levy being down close to \$21,000 resulting in the county budget being increased by \$427,000. Mr. Drasheff expressed his concern about these numbers and shared his feelings of the Borough being penalized for doing a good job of maintaining the town. Mr. Drasheff expressed further concern about a recent article stating that the County budget had a zero increase in the tax levy. Mr. Drasheff suggested that the Finance Committee meet to identify ways to possibly lower this levy in future years. Mrs. Reilly suggested the County be invited to visit the Borough and explain the increase from the County. The Mayor agreed to pull the Finance Committee together to discuss. CFO Robbin Kirk explained how the increase will be allocated over the next four (4) quarters noting that the first two quarters of 2013 are basically an estimate while the last two quarters of 2012 will reflect the estimate plus additional taxes due from any increase. In closing, Mr. Drasheff acknowledged Mr. Frank Phillips and his staff for their work in getting the leak fixed on the roof of the Municipal Building which was affecting the Historical Society.

Mrs. Venables reported on the need for amendments to ordinances in connection with the Shade Tree Committee's work. Specifically, Mrs. Venables noted the need to address the type of trees that may be planted, the fees collected for tree permits, the requirement of tree permits in the case of home renovations and new construction. Mrs. Venables reinforced the importance of the tree fund as a way to ensure that the Borough's tree stock is maintained and to ensure the Borough has funds to add trees to public spaces and the right-of-ways. Mrs. Venables requested Council's authorization to have Borough Attorney Colao begin work on amendments to the tree ordinances.

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Mrs. Venables offered a motion to authorize Borough Attorney Colao to draft amendments to the Borough's tree Ordinances, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Mrs. Venables continued sharing an update on a tree replacement project on Third Avenue. She reported that the Bradford Pear trees, which were planted approximately 15-18 years ago, have reached their end of life. The BID is supportive and willing to assist with fundraising for this project, added Mrs. Venables. The Chamber is also supportive and the Shade Tree Committee has a member who is a landscape architect who is willing to do a tree plan and make recommendations for the project. Although her time would be Pro Bono, stated Mrs. Venables, she would give the Borough an estimate for any additional costs. Mrs. Reilly interjected that there is a fundraising event planned in connection with the BID's activities of which a portion of the monies raised may be allocated to the tree project. Mrs. Venables detailed the information that is needed for the planning of the project including a CAD survey which would be done by Borough Engineer Avakian as part of the overall Third Avenue project. Mrs. Venables asked Mr. Avakian to offer details regarding cost. Mr. Avakian noted that the field survey work is complete which resulted in a base map for the streetscape. Mr. Avakian confirmed that the charges for what the Shade Tree Committee needs will most likely be included in the overall Third Avenue project.

Mrs. Venables concluded her remarks with an update on Wreck Pond noting that Mr. Avakian and Mr. Dempsey met with the County and they are in support of the dredging application for the Wreck Pond work. Mr. Avakian interjected that the applications should be signed within the next couple of weeks which gives the state and Army Corps more than three months to review before November with a target to coordinate the project between November and December and execute the work in December or January. Mr. Avakian reported that the permit is \$3,500 and the Letter of Interpretation is \$600. Mayor Naughton explained the need for the permit and letter in connection with the project. Mr. Avakian detailed the timeline and DEP's support of the timeline. The Mayor invited Mr. Avakian to continue and offer an update on the environmental study. Mr. Avakian noted that they recently met with a FEMA representative and the environmental project manager from FEMA and unfortunately continue to be asked from more tasks to be completed. Further, agreement was reached identifying the pumping as the primary project, which is what the funding was for, and all other improvements will be secondary. Mr. Avakian and Mr. Dempsey reported that FEMA has agreed to a deadline of one month for the approval to move forward.

Lyle Marlowe, Pennsylvania Avenue, inquired as to whether the County was involved in the environmental assessment. Mr. Avakian noted that they are not connected to the environmental assessment yet they would be involved in the dredging portion. Mayor Naughton noted that the environmental study is required for the release of the FEMA money.

Mr. Marlowe then asked about the amount of funds being collected by the Shade Tree Committee. Mrs. Venables responded that the amount is approximately \$34,000 prior to any planting for this year including the Third Avenue project. Mrs. Venables and Mayor Naughton reiterated that it's funded entirely by residents taking trees down during construction projects.

Mr. Jordan reported that the Pavilion Revenue Committee has been working with CFO Kirk regarding an accounting of sales for lockers and badges for 2012. Mr. Jordan also reported that the Lake Como Radio Tower Committee will be reconvening soon to address anticipated movement on the application.

Mr. Judge reported that the Tower Committee is monitoring activities related to the tower and it appears that Greater Media, the company that owns the tower, submitted a variance application to possibly increase the height of the tower in its present location. Mr. Judge stated that this may be an attempt to

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gain leverage and to put pressure on the Lake Como Council to move forward on construction of the tower in the other location. Mr. Judge also expressed thanks to Mr. Drasheff for his efforts in staying on top of the County in connection with the tax levy.

Mr. Judge reported on Chris Herring's talk at Devine Park noting that it was well attended by approximately 200-300 people including over 200 children. Mr. Judge described his talk as "compelling" keeping the audience "riveted".

Mr. Judge stated that a complaint has been filed with the County by neighbors of Mountz School in connection with the plans to construct a playground and basketball court. The complaint is seeking an injunction preventing the Board of Education from moving forward with the current plan. Mr. Judge also reported that he has contacted all parties involved in an effort to follow up on the request to discuss potential restrictions on the use of the facilities.

Mrs. Reilly also commented on Mr. Herring's talk noting that it was indeed a compelling talk and Mrs. Reilly thanked Paul and Erin on a wonderful job putting the program together. Mrs. Reilly also thanked Mr. Dempsey and all those involved in completing the South End Pool and noted that it looks wonderful. Mrs. Reilly stated that there are a lot of bikes, skateboards, scooters etc. in the downtown area and the BID has asked if the Council could review the Bicycle Ordinance and amend it to require the walking of bikes etc. on the sidewalks in the business district.

Mrs. Reilly offered a motion to authorize Borough Attorney Colao to draft an Ordinance in connection with the walking of bicycles, scooters, skateboards and the like on Third Avenue in the business district, seconded by Mrs. Venables. All in favor.

Eleanor Twomey, 108 Vroom Avenue, stated that the sidewalk portion on Morris and Washington Avenues in the business section are narrow as well and should be included in Ordinance. Mayor Naughton suggested that the Council representatives to the BID get in touch with Mr. Colao and give him the details.

Mrs. Reilly asked the Council Members to review the information she provided recently pertaining to permits for the use of the Borough's ball fields.

Mayor Naughton complimented Ms. Gillespie, Mr. Dempsey, Ms. Kirk and Mr. Finn on their efforts in connection with the installation of the new payroll and hand scan system. Mayor Naughton noted that the new system has vastly improved the efficiency of payroll processing and has saved the Borough money in payroll personnel.

Mr. Avakian reported on the Marucci Park project noting that it's complete. Mr. Avakian explained that since it was partially constructed with an open space grant from the county, it requires documentation assuring the county that it will continue to be used as a park.

Mr. Dempsey reported that residents seem to be very pleased with the south end pool. The Mayor acknowledged Bryan's commitment to the project including the hospitality he extended to the workers.

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**Business Items Under Consideration**

**Event Application - NJ State Firefighters Mutual Benevolent Association - September 8, 2012**

– Mrs. Venables offered a motion to approve the Walk/Run/Race Application, seconded by Mrs. Reilly. Unanimously approved.

**Event Application - Jersey Shore Running Club - April 20, 2013** – Mrs. Venables offered a motion to approve the Jersey Shore Relay, seconded by Mrs. Reilly. Unanimously approved.

**Event Application - St. Catharine School - Family Beach Picnic - September 16, 2012** – Mrs. Venables offered a motion to approve the Picnic, seconded by Mrs. Reilly. Unanimously approved.

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**Ordinances for Adoption**

Borough Attorney Colao read Ordinance No. 2010-010 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE BOROUGH CODE, "VEHICLES AND TRAFFIC" TO ADD ADDITIONAL PARKING SPACES RESERVED FOR PHYSICALLY HANDICAPPED PERSONS ON TUTTLE AVENUE BY THE HW MOUNTZ SCHOOL IN THE BOROUGH OF SPRING LAKE" by title.

Mrs. Venables offered a motion to open the Public Hearing on Ordinance No. 2010-010, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

**PUBLIC HEARING NOW OPEN**

There being no comments from the public, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2010-010, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

**PUBLIC HEARING NOW CLOSED**

Mrs. Venables offered a Resolution to adopt Ordinance No. 2012-010, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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**Consent Agenda**

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

**R-12-139 - RESOLUTION – RELEASING STREET OPENING BOND  
120 TUTTLE AVENUE – BLOCK 110, LOT 12**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Hendricks Builders, LLC for property located at 120 Tuttle Avenue, Block 110, Lot 12 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, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-140 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#20-2012 –SPRING LAKE FIRE CO. #1, INC. - OFF PREMISE RAFFLE**

WHEREAS, Spring Lake Fire Co. #1, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#20-2012, 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#20-2012 be and the same is hereby approved as follows:

**NAME:** Spring Lake Fire Co. #1, Inc.  
1007 Fifth Avenue, Spring Lake, NJ 07762  
Identification No.: 475-9-25090  
**LOCATION:** 204 Warren Avenue  
Spring Lake, NJ 07762  
**DATE:** September 13, 2012 5:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-141 - RESOLUTION - AUTHORIZING SALE OF PERSONAL PROPERTY**

WHEREAS, the Borough of Spring Lake will have an online municipal auction to be held beginning on Saturday August 18 at 9:00 am and ending on Wednesday August 22 at 7:00pm and

WHEREAS, Stephan J. Miranti, Auction Liquidation Services, P.O. Box 1216, Eatontown, NJ will conduct the auction on their website located at [www.usgovbid.com](http://www.usgovbid.com) for a commission rate of 5.5% of the gross selling price; and

WHEREAS, Local Public Contracts Law NJSA 40A:11-36 requires authorization of a sale of said property via adoption of a Resolution; and

WHEREAS, the estimated fair market value of the property to be sold does exceed 15% of the bid threshold; and

WHEREAS, the attached list of vehicles and other items for sale will be published in the Asbury Park Press no earlier than 14 days nor later than 7 days prior to said auction;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Borough be authorized to dispose of the following vehicles and other miscellaneous items through the process of an online auction to be held beginning starting Saturday August 18 at 9:00 am and ending on Wednesday August 22 at 7:00 pm on the website located at [govauctionlistservices.com](http://govauctionlistservices.com);

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract of Auction Liquidation Services for the Borough of Spring Lake.

<b>YEAR</b>	<b>MAKE/MODEL</b>	<b>VIN #</b>
2007	Ford Crown Victoria Police Package	2FAHP71W67X114419
<b>YEAR</b>	<b>MAKE/MODEL</b>	<b>VIN #</b>
2001	Ford Crown Victoria Police Package	2FAFP71W01X191946
<b>YEAR</b>	<b>MAKE/MODEL</b>	<b>VIN #</b>
2003	Ford Crown Victoria Police Package	2FAHP71W93X213860
<b>YEAR</b>	<b>MAKE/MODEL</b>	<b>VIN #</b>
2003	Ford Crown Victoria Police Package	2FAHP71WP71W03X213861

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YEAR	MAKE/MODEL	VIN #	
2007	Ford Crown Victoria Police Package	2FAHP71W87X114419	
1980	Ford F250 Pickup Truck 2 Wheel Drive	F25ECGH1254	Standard Transmission
1983	Ford F250 Pickup Truck 2 Wheel Drive	2FTFF25Y3DCA15383	Standard Transmission
1989	Ford F250 Pickup Truck 4 Wheel Drive	2F7EF26Y9KCB50570	Standard Transmission
2000	Burton 642300 Bt 3310 Zero Turn Riding Mower	64230000207	
1985	Galion S3-5 Awd Tandem Roller	60486	
Unknown	Ransomes Bob Car M36	001260 [Older Than 1993]	36 Inch Walk Behind Mower
2003	Yamaha Kodiak 2 Wheel Drive 4 Wheel Quad	5Y4AJ08Y63A000814	
1987	Honda 4 Trax 250	JH3TE0605HC203193	
1980	Ford F250 Pickup Truck 2 Wheel Drive	F25ECGH1254	Standard Transmission
Unknown	Sea Doo Jet Ski	ZZNF3565E797	

SET OF USED LAWN EQUIPMENT FOR PARTS ONLY

- 1: Cub Cadet Push Mower
- 1: Toro Push Mower
- 1: Lawn Boy Push Mower
- 1: Red Max Stick Edger
- 1: Sears Edger
- 1: Stihl Pole Saw With Hedge Trimmer Attachment
- 1: Echo Back Pack Blower
- 2: Red Max Back Pack Blowers
- 1: Stihl Hand Held Blower

SET OF USED PARTS FOR 1988 AND OLDER CUSHMAN HAULSTER

- 2: Three Speed Transmissions + Bell Housings
- 8: 6-inch Used Tires + Wheels
- 2: 6-inch Wheels
- 1: Set of Used + New Brake Parts For 6-inch Wheels
- 1: Trash Dump PTO and Valve (No Dump Body)
- 1: Set of Used + New Engine Parts

SET OF USED EQUIPMENT FOR PARTS ONLY

- 1: Snap On YA240A 225 Amp Mig Wire Feed Welder
- 1: Grey Air Bumper Jack
- 1: Home Light Small Portable Generator
- 1: Lincoln AC225S Welder

4 LIGHT BAR AS IS

- 1: Federal Signal SAE W3-71 Amber Roof Mount Light Bar
- 1: Federal Signal Aerodynamic Red Light Bar
- 1: Whelen 9U428000 Red Light Bar
- 1: Whelen 9U428000 Red Light Bar in Pieces

BOATS

- 1: Mallard Canoe Green 2 Person 12 Foot Fiberglass
- 2: Old Town Canoe Green 2 Person 12 Foot Fiberglass
- 3: National Marine Canoe Green 14 Foot Fiberglass
- 4: Unknown Canoe Blue 14 Foot Aluminum
- 5: Unknown Canoe White 14 Foot Fiberglass
- 6: Coleman Canoe Green 3 Person 14 Foot Fiberglass
- 7: Unknown Canoe Green 14 Foot Fiberglass
- 8: Big John Row Boat Blue 12 Foot Aluminum
- 9: Hankin Lifeguard Row Boat 14 Foot Wood, Condition, Poor
- 10: Hankin Lifeguard Row Boat 14 Foot Wood, Condition, Poor
- 11: Scrambler Ocean Kayak White 10 Foot Fiberglass, Condition: Hole in Hull Trailers
- 12: Highlander Row Boat Trailer, Condition: Poor Missing Tire + Wheel
- 13: Sprint Row Boat Trailer, Condition: OK

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- 14 Unknown Row Boat Trailer, Condition OK Needs Tires
- 15 Unknown Small Trailer With Wood Sides, Condition Poor Needs Tires
- 16 Unknown Small Trailer With Wood Sides, Condition Poor

**ADDED ITEMS**

- 3: Physio Control Life Pak Defibrillators
- 9: Packs of Quick Combo Redi-Pak Electrodes [For the Above Defibrillators]
- 3: Motorola Portable Radio Chargers
- 5: Motorola MT1000 Portable Radios
- 2: Motorola Mara Trac Radios with Siren/Light Control and Wiring
- 4: Motorola Max Trac 300 UHF Radios
- 1: Galls Roadmaster Siren/PA Control with Wiring
- 1: Complete Center Console from Older Ford Crown Vic with Various Switches, Mara Trac Radio Siren Control
- 5: Boxes of Assorted AT&T and Lucent Telephones
- 1 :Minolta Copier/Scanner Di 550/id#13009
- 1 Sony FD Mavica Digital Camera with Carry Case/no battery
- 1 Cannon AE-1 /35 MM/ with Zoom Extender/Flash and Carry Case

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** Mr. Fay

**ABSTAIN:** NONE

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

**R-12-142 - RESOLUTION – REFUNDING RECREATION FEES**

WHEREAS the Borough of Spring Lake has received the monies as set forth below in connection with Recreation Winter Basketball, and

WHEREAS this money has been deposited by the Borough of Spring Lake in accordance with State Statute, and

WHEREAS, Kathy Heine, Recreation Director, by letter dated July 11, 2012, has recommended that the fees paid for Summer Recreation and Shore Girls Basketball Camp be refunded based on the reasons as set forth below:

Summer Recreation:

<u>Name</u>	<u>Child's Name</u>	<u>Amount</u>	<u>Reason</u>
Shannon Muldowney	Teddy Muldowney	\$175.00	Moved out of town
Ellen Masonius	Christian Masonius	\$175.00	Signed up and never attended camp

Shore Girls Basketball Camp:

<u>Name</u>	<u>Child's Name</u>	<u>Amount</u>	<u>Reason</u>
Kathy Heine	Kirsten Heine	\$135.00	Unable to pay due to surgery

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** Mr. Fay

**ABSTAIN:** NONE

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

**R-12-143 - RESOLUTION – AUTHORIZING PARTICIPATION IN THE  
MONMOUTH COUNTY MULTI-JURISDICTIONAL  
HAZARD MITIGATION PLAN UPDATE 2012**

WHEREAS, the Borough of Spring Lake is desirous of participating in the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan Update 2012, and

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that it formally approves the participation for the above stated project, and

BE IT FURTHER RESOLVED that the Mayor, Borough Administrator and Borough Clerk are hereby authorized to sign the Statement of Authority for participating in the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan Update 2012, and

BE IT FURTHER RESOLVED that the that the Mayor, Borough Administrator and Borough Clerk are hereby authorized to sign the Statement of Authority on behalf of the Borough of Spring Lake and that their signature constitutes acceptance of the terms and conditions of the stated project.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-145 - RESOLUTION – AUTHORIZING EXECUTION OF A DEED OF OPEN SPACE  
EASEMENT**

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 a Deed of Open Space Easement for Marucci Park, also known as Block 151, Lot 1 on the tax map of the Borough of Spring Lake, County of Monmouth, and State of New Jersey.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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Mr. Dempsey offered a summary of the items included in the bids.

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-12-144 - RESOLUTION – AWARD OF CONTRACT #05-2012  
NEW NORTH END POOL & PAVILION FACILITY**

WHEREAS, a recommendation was made by the Mayor to the Council of the Borough of Spring Lake (“Borough”) to seek a contract for construction services for the North End Pavilion (hereinafter “Project”); and

WHEREAS, the Project was properly advertised to prospective bidders in accordance with N.J.S.A. 40A:11-4; and

WHEREAS, on Thursday, May 17, 2012 the Board received bids from potential bidders in accordance with N.J.S.A. 40A:11-1, et seq and on Thursday May 24, 2012, the Mayor and Borough Council rejected the bids for exceeding the Project budget and authorized the Project be rebid in accordance with N.J.S.A. 40A:11-13.2(a) & (b); and

WHEREAS, on Thursday June 12, 2012, the following bids were received from potential bidders in accordance with N.J.S.A. 40A:11-1, et seq:



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Contractor	Benjamin Harvey	Fitzpatrick & Assoc.	Kappa Construction	Wallace Brothers	G&P Parlamas
Base Bid	\$5,943,000	\$6,343,000	\$6,778,380	\$6,504,785	\$7,170,117
Unit Prices	\$19.50	\$22.20	\$28.00	\$21.00	\$20.00
Ext. Piles	\$271,542.50	\$308,913	\$389,620	\$292,215	\$278,300
<b>Total Base</b>	<b>\$6,214,342.50</b>	<b>\$6,651,913</b>	<b>\$7,168,000</b>	<b>\$6,797,000</b>	<b>\$7,448,417</b>
Alt. #1 (Pool)	\$36,000	\$43,000	\$40,000	\$38,000	\$38,000
Alt. #2 (Pool)	\$29,000	\$40,000	\$31,000	\$32,000	\$39,000
Alt. #1 (Pool Equip.)	\$33,800	\$35,000	\$36,000	\$36,000	\$35,000
Alt. #1 (Cast in Place Conc.)	(\$190,000)		(\$10,000)	\$1,000,000	\$375,000
Alt. #1 (Concession Equip.)	\$4,000	\$3,500	\$4,500	\$6,000	\$5,000
Alt. #1 (Lockers)	\$689,000	\$649,000	\$216,000	\$1,390,000	\$145,000
Alt. #1 (Gunite Pool)	(\$227,100)	(\$350,000)	(\$162,000)	(\$160,000)	(\$290,000)
Alt. #1 (Site Work)	\$338,000	\$293,000	\$270,000	\$272,000	\$300,000
Alt. #1 (Windows)	(\$10,000)	(\$7,000)	(\$4,000)	(\$4,800)	(\$5,000)
Alt. #1 (Doors)	(\$47,135)	(\$45,000)	\$10,000	(\$64,000)	(\$45,000)
Alt. #1 (SS/Vinyl Pool Subs.)	(\$93,103)	(\$160,000)	(\$168,000)	(\$168,000)	(\$70,000)

and

WHEREAS, upon review of the bids submitted, together with the budget for the Project, and in consultation with the Design Professionals for the Project, the Borough has determined that the bid submitted by BENJAMIN R. HARVEY CO., INC, 9 CINDY LANE, OCEAN, NJ 07712 meets the requirements of the bid specification and Project requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #05-2012 be and hereby is awarded to BENJAMIN R. HARVEY CO., INC, 9 CINDY LANE, OCEAN, NJ 07712 for the North End Pool and Pavilion Facility Contract for an amount not to exceed \$6,236,207.50 which includes the base bid, plus the following alternates: Alt. #1 & 2 for Pool Sanitation, Concession Equipment and Garage Doors.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Ordinance No. 2012-008 as amended by Ordinance No. 2012-009 for an amount not to exceed \$6,236,207.50.

/s/ Robbin D. Kirk, Chief Financial Officer.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-12-146 - RESOLUTION – APPROVAL OF BILLS – JULY 19, 2012**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending July 19, 2012, 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)	506,448.98
GENERAL CAPITAL (4)	33,023.17
WATER/SEWER OPERATING (9)	354,492.62
DOG TRUST (13)	10.80
MT LAUREL TRUST (16)	1,685.00
MARRIAGE TRUST (19)	350.00
RECREATION (25)	7,914.97
JUNIOR LIFE GUARDS (26)	2,861.94
BEACH OPERATING (81)	202,905.03
POOL OPERATING (91)	30,540.46
<b>TOTAL</b>	<b>\$1,140,232.97</b>

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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24664

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
JULY 19, 2012**

**Public Comments**

Eleanor Twomey, 108 Vroom Avenue, asked for clarification of the meeting schedule. Mayor Naughton responded.

Lyle Marlowe, 110 Pennsylvania Avenue, asked about an upcoming meeting of homeowners most effected by Wreck Pond. Mayor Naughton confirmed that the meeting is scheduled and will be held on July 26, 2012 at 5:30 PM and is open to the public.

Eleanor Twomey, 108 Vroom Avenue, asked if there was a penalty for youngsters who do not wear helmets. Mayor Naughton thanked Ms. Twomey for raising the topic and reported that she recently received compliments from three different residents about the Spring Lake Police Department. In connection with helmets, the Chief has decided to reward children who are wearing helmets; particularly children found wearing helmets among children who are not.

Joe Desiderio, 25 Tuttle Avenue, commented that his grandson recently received an award for wearing his helmet and he was thrilled.

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**Executive Session**

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

**R-12-147 - 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: State vs. Phoenix Feeley and Behrman Park Diversion.

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, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 5:07 P.M.

MEETING IS RECONVENED AT: 5:27 P.M.

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**Adjournment**

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

ROLL CALL:

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

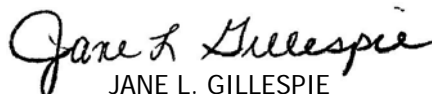
NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Time of Adjournment: 5:28 P.M.

Respectfully submitted,

  
JANE L. GILLESPIE  
Borough Clerk

Approved at a meeting held on: December 4, 2012