

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
AUGUST 12, 2014**

Mayor Naughton called the Regular 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. Frost, Mrs. Venables, Mayor Naughton

ABSENT: Mr. Jordan

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

Workshop Discussion

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of June 24, 2014, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: Mr. Frost

Mr. Judge offered a motion to approve the minutes of July 15, 2014, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: Mr. Fay

Proclamations, Presentations & Special Guests

Public Comments

Harry Zarb, 2205 Third Avenue, asked if the council could comment on the status of the pilot program for the evening hours of the dog park. Mr. Zarb noted that people were being asked to leave the beach and expressing doubts about the program. Mr. Judge offered that his own assessment is that the program has been as successful as the morning pilot program was last year and voiced support for continuing the evening hours. Mr. Judge stated that he was not aware of people being asked to leave. Mr. Zarb stated that the special police have been telling people to leave. The Mayor stated that this seems to be a miscommunication and offered to discuss it with Chief of Police Kerr. Mr. Judge stated that the trial period was to end on August 1, 2014 and he agreed to have an ordinance prepared for consideration at the next meeting. The Mayor added that the pilot can be informally continued until such time that the ordinance is presented and considered and asked Mr. Zarb to share this with the other dog park enthusiasts.

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Council Comments & Staff Reports

Mayor Naughton reported that the Borough was awarded \$280,000 from the Department of Transportation for the repaving of Ludlow Avenue. This, coupled with the money the council has committed to setting aside for the roads program, allows for approximately \$1 million for road repair for the first year, stated the Mayor. The Mayor added that Mr. Avakian felt confident this would be a project that could potentially take place in early Spring of 2015. Mr. Avakian added that they will start the field work as soon as the grant is awarded and likely go out to bid shortly after the first of the year. Mr. Avakian further added that this is a "silver lining" in that the DOT has not been giving out grants in excess of \$200,000, except for in the case of urban aide communities, and the fact that Spring Lake received a grant, let alone one in excess of \$200,000, is quite a good thing. Borough Clerk Gillespie suggested that the residents be made aware of the timing of the project noting that a resident on Ludlow Avenue is preparing for a project that could be impacted by the road work. Mayor Naughton agreed that the residents need to be informed as soon as possible. Mr. Judge asked if there was a moratorium on road cuts post a street paving. Mr. Avakian confirmed that there was a five (5) year moratorium as part of the street opening permit process. The Mayor asked what the process would be. Mr. Dempsey suggested that the residents be notified as soon as possible adding that there is no need to await the results of the Rutgers' study since this project falls outside the scope of the overall roads project.

The Mayor reported that the Historical Society officially dedicated five (5) tiles that were donated to the north end pavilion. The Mayor shared that five (5) of the most popular designs were molded and reproduced by an entity in Pennsylvania. The overall project was likely equivalent to at least a \$30,000 donation by the Historical Society, stated the Mayor, who expressed gratitude to those involved in the effort and the Historical Society. The Mayor asked Mr. John McGlinchy, who was present at the meeting and involved in the project, to pass on the Mayor and Council's thanks and gratitude for the beautiful tiles.

Finally, the Mayor reported that she had been approached by a number of residents who expressed the desire to raise money privately or in conjunction with the Council to replace the bridges that span Spring Lake. An informal meeting took place to discuss the various options, the Mayor stated, which was attended by Mr. Frank Phillips, Superintendent of Public Works. From this point, the Mayor stated that the group will break up into subcommittees to explore the different aspects of the project. The Mayor added that there have been discussions of the project being eligible for open space grant money but upon further research it doesn't appear that this type of project would qualify. The Mayor stated that the group welcomes any members of the council interested in getting involved in the effort. Mr. Frost stated that he would be pleased to participate.

Mr. Judge reported that there is an item on the agenda in connection with the HW Mountz facility and thanked Ms. Elsie Dubac for assisting with the effort to get clarification from the school board. Mr. Judge stated that the school board is interested in having the use restriction of 8:30 am to sundown be applied to all of the school facilities and not just the basketball courts. This, Mr. Judge stated, is reflected in the ordinance being introduced.

Mr. Frost reported that the deadline for the open space grant application for Marucci Park is mid-September. Mr. Frost added that he met with Mr. Avakian, Mr. Dempsey, Mrs. Venables and Ms. Heine, Recreation Director regarding possible improvements including plantings and a sprinkler system along Third Avenue, improvements to the parking lot along South Boulevard, the addition of paddle tennis courts and other items. Mr. Avakian added that the mixture of recreational improvements such as platform tennis, pickleball, the utilization of a low lying area for ice skating and the additional parking

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will be included in the grant application. Mr. Avakian stated that he was unsure how the county will respond to repetitive grant applications in connection with the same facility. Mr. Dempsey added that he has reached out to the county to assess the need for an informal meeting to layout the Borough's initial thoughts. Mr. Dempsey also noted that he's aware of other towns who have received repetitive grants for the same facility. Mr. Avakian stated that it's due September 17, 2014. There was a discussion about the need for a public meeting along with the requisite advertising and the potential for coordination with a Mayor and Council meeting.

Lyle Marlowe, 110 Pennsylvania Avenue, stated that he read that Belmar has recently received a Green Acres grant for a park. The Mayor indicated that the Green Acres grants are from the state. Mr. Marlowe stated that he sees opportunities for a great deal of improvements around Wreck Pond and asked if this was being considered for a grant application. The Mayor stated that during several meetings with the county regarding Wreck Pond it was noted that this area was a perfect example of open space that could be recreational space and that years ago it was home to kayaking, fishing, canoeing, crabbing, etc. but due to the collective failure to address the water quality issues these activities have all but disappeared. This rhetoric, the Mayor stated, basically fell on deaf ears at the county.

Mrs. Venables reported that the Shade Tree event last Friday was a great success with approximately 150 guests attending.

Borough Engineer's Report

Mr. Avakian reported that a pre-application meeting will take place with the US Fish and Wildlife in connection with the grant for the bypass pipe. Regarding the dredging project, Mr. Avakian reported that they are awaiting the permit timeline revisions. Finally, Mr. Avakian reported that Mrs. Venables will be meeting Friday with the Shade Tree Committee to discuss Morris Avenue and the possibility of another grant application for a pedestrian corridor/roadway streetscape enhancement.

Borough Attorney's Report

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

Borough Administrator's Report

Mr. Dempsey reported that the Borough was attempting to get funding from the county using the open space program for a four (4) party agreement with the Wreck Pond surrounding towns including Spring Lake, Spring Lake Heights, Wall, and Sea Girt. All four towns agreed to file a joint application, however it was too complex for the county, reported Mr. Dempsey. As a result, Mr. Dempsey stated, he spoke to the Freehold Director and the County Administrator about additional funding who agreed to look for funding in different areas. Mr. Dempsey added that the county is supportive of the project but have yet to commit a dollar amount. Mr. Dempsey stated that the Borough is confident that with or without financial assistance from the county, the project is moving forward and will get done. Mayor Naughton added that they are optimistic they will get the county's help.

Mr. Dempsey reported that the data has been collected in connection with the Rutgers' pavement study and a meeting will take place soon to review the information and prepare a report for a future council meeting.

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In connection with the bench plaques, Mr. Dempsey reported that most of them have been received and they are being labeled as to the assigned location in preparation for installation. We expect this to take place soon.

Mr. Dempsey further reported that the Duggan building work is nearing completion with hopes of finishing in September. Mr. Dempsey added that the Common Ground Grief Center is looking for space and may be interested in using the Duggan building once a week to hold meetings. The group would pay the Borough \$50 per meeting which would run one to one and one-half hours, and they would use the large room upstairs. Parking should not be an issue, added Mr. Dempsey stating that attendees would park near and on Third Avenue to avoid any disruption to residents in the area. Mr. Dempsey stated that he believes it would be a good fit and mutually beneficial. Mr. Judge stated that he feels it would be a good use of the space and asked if there were be a term to the agreement. Mr. Dempsey stated that we could agree to one year and emphasized that the group is in dire need of space and are excited about the use of the building. Mayor Naughton added that she is very familiar with the organization and have visited their Manasquan facility noting that their programs are remarkable and have done a lot to help the local community. The Mayor noted that it seems like a low impact arrangement and it seems reasonable to commit to a one-year arrangement. Mr. Clayton spoke to the positive work of the organization noting that they have an impressive board and excellent programs. Mrs. Venables voiced support for the use of the building. The Mayor asked if there were any objections. None were voiced. The Mayor thanked Mr. Clayton for his efforts and asked Mr. Dempsey to move forward with putting together a lease.

Mr. Dempsey reported that the affordable housing project is nearing completion with hopes of finishing September 1, 2014. The lottery to select potential tenants was held at 6:00 pm this evening, added Mr. Dempsey.

Mr. Dempsey brought attention to resolution R-14-158 on the agenda, the PBA contract, stating that it includes a 2% raise. Another key point, Mr. Dempsey stated, is the capping of the sell-back of sick time at an amount of \$37,500 and the elimination of this program for all new members. This cap, Mr. Dempsey stated, would be beneficial for the Borough in managing future costs. Mr. Dempsey also noted that there will be a reduction in the starting salary for police officers from \$50,577 to \$40,000 which will allow for additional savings. The cap, at year ten (10) of \$110,000, will remain the same. Mr. Dempsey stated that there is another issue in connection with sick time in that employees with 25 years of service with the Borough are currently eligible for sick time payout. There are employees who have 25 years with the pension system but do not have 25 years of service with Spring Lake, stated Mr. Dempsey, and therefore there is a disincentive to retire at 25 years. Mr. Dempsey continued noting that the recommendation is to allow for the sick time payout if an employee who has 25 years in the pension system only has 20 years with the Borough. This, Mr. Dempsey stated, only applies to the thirteen (13) employees that are currently in the pension system. Mr. Judge asked if sick time can be rolled over from one year to the next. Mr. Dempsey stated that it could, explaining that the sick time can be accumulated and used in the event of a long term illness or injury, however if it's not used there will no longer be a payout upon retirement. Mr. Erbe expressed support for the move. Mr. Frost asked if the PBA members were in favor of the change. Mr. Dempsey stated that they were citing an email from the PBA President voicing acceptance of the proposal. The Mayor stated that she believes it's a mutually beneficial contract for both the Borough and the PBA. Mr. Judge offered his thanks to the Personnel Committee for their efforts.

Mr. Dempsey stated that the resolution on the agenda in connection the change order is not needed.

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Mrs. Venables asked if the ordinance in connection with three hour parking could be placed on the next agenda. Mr. Colao agreed to have it ready.

Business Items Under Consideration

Block Party – Morris Avenue – August 24, 2014 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Cystic Fibrosis Cycle for Life – October 5, 2014 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Ordinances for Introduction

Mr. Judge noted that the following ordinance is in connection with the usage hours of the outdoor facilities at H.W. Mountz School stating that the hours being proposed are 8:30 am to sundown.

Borough Attorney Colao read Ordinance No. 2014-011 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 18 OF CHAPTER 265 "PARKS AND RECREATION" OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF SPRING LAKE, STATE OF NEW JERSEY", by title.

Mr. Judge offered a motion to introduce Ordinance No. 2014-011, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Ordinance for Adoption - NONE

Consent Agenda

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

**R-14-143 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#25-2014 – ST. CATHARINE’S SCHOOL PTA –
ON PREMISE 50/50**

WHEREAS, St. Catharine’s School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#25-2014, 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#25-2014 be and the same is hereby approved as follows:

NAME:	St. Catharine’s School PTA 301 Second Avenue, Spring Lake, NJ 07762 475-5-7331
Identification No.:	475-5-7331
LOCATION:	Spring Lake Beach Ocean Avenue, Spring Lake, NJ
DATE:	September 14, 2014 1:00 PM to 5:00 PM

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ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-144 – RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#26-2014 – JAMES ACKERMAN FEDERATION, INC.-
ON PREMISE 50/50**

WHEREAS, James Ackerman Federation, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#26-2014, 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#26-2014 be and the same is hereby approved as follows:

**NAME: James Ackerman Federation, Inc.
323 Shadow Lawn Drive, Neptune, NJ 07753
Identification No.: 334-4-26818**

**LOCATION: Spring Lake Bath & Tennis
Jersey & Ocean Avenues, Spring Lake, NJ**

DATE: September 29, 2014 -2:30 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-145 – RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#27-2014 – MONMOUTH MUSEUM & CULTURAL CENTER -
ON PREMISE DRAW RAFFLE**

WHEREAS, Monmouth Museum & Cultural Center has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#27-2014, 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#27-2014 be and the same is hereby approved as follows:

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NAME: Monmouth Museum & Cultural Center
765 Newman Springs Road, Lincroft, NJ 07738
Identification No.: 303-5-19410

LOCATION: The Essex & Sussex
700 Ocean Avenue, Spring Lake, NJ 07762

DATE: October 8, 2014 - 11:30 AM to 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-146 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#28-2014 – MONMOUTH MUSEUM & CULTURAL CENTER -
ON PREMISE 50/50**

WHEREAS, Monmouth Museum & Cultural Center has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#28-2014, 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#28-2014 be and the same is hereby approved as follows:

NAME: Monmouth Museum & Cultural Center
765 Newman Springs Road, Lincroft, NJ 07738
Identification No.: 303-5-19410

LOCATION: The Essex & Sussex
700 Ocean Avenue, Spring Lake, NJ 07762

DATE: October 8, 2014 - 11:30 AM to 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-147 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#29-2014 – SPRING LAKE MEMORIAL COMMUNITY HOUSE -
ON PREMISE 50/50**

WHEREAS, Spring Lake Memorial Community House, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#29-2014, and

WHEREAS, said license has been forwarded to the Spring Lake Police Department for their review and no objection was received, and

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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#29-2014 be and the same is hereby approved as follows:

**NAME: Spring Lake Memorial Community House
300 Madison Avenue, Spring Lake, NJ 07762
Identification No.: 475-5-40119**
**LOCATION: Spring Lake Community House
300 Madison Avenue, Spring Lake, NJ**
DATE: September 20, 2014 - 7:00 PM - 10:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-148 - RESOLUTION – RESOLUTION AUTHORIZING THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THIRD QUARTER PROPERTY TAXES

WHEREAS, according to N.J.S.A. 54:4-64 the delivering of tax bills to property owners shall be at least 47 days before or 25 days from the day of mailing the third installment of taxes fall due, and

WHEREAS, due to a delay in the printing and mailing of the tax bills, the tax bills for the third quarter will not be sent out until August 5, 2014; and

WHEREAS, the Mayor and Council have granted an extension of the grace period to August 29, 2014; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake that the Tax Collector be authorized to grant this extension until August 29, 2014.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-149 - RESOLUTION – RELEASING STREET OPENING BOND
409 SUSSEX AVENUE – BLOCK 47, LOT 5**

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from Laughing Gull Coastal Design, LLC for property located at 409 Sussex Avenue, Block 47, Lot 5 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 Council 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.

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ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-150 - RESOLUTION – RELEASING STREET OPENING BOND
319 PITNEY AVENUE – BLOCK 126, LOT 18**

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from Sean & Susan McCarthy for property located at 319 Pitney Avenue, Block 126, Lot 18 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 Council 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. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-151 – RESOLUTION - APPROVING VOLUNTEER APPLICATION
FOR FIREMAN – JAMES REGAN**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of James Regan to become a volunteer firefighter with Spring Lake Fire Company #1 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-152 – RESOLUTION - APPOINTING PART-TIME LIBRARY STAFF

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as part-time Library Staff:

Andrea Craig	\$16.00 per hour - effective date - 05/18/2014
Priscilla Reilly	\$13.00 per hour – effective date – 07/28/2014
Christina Burns	\$13.00 per hour – effective date – 07/28/2014
Jessica Grable	\$ 8.25 per hour – effective date - 07/28/2014

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ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-153 – RESOLUTION - MANDATING DIRECT DEPOSIT FOR ALL EMPLOYEES

WHEREAS, pursuant to N.J.S.A. 52:14-15f the governing body may provide for the deposit of net pay of any employee of the municipality which includes public officials, and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Spring Lake to mandate its employees to utilize direct deposit by January 1, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that provisions be made to deposit the net pay of any employee or public official of the municipality in bank accounts of their designation as provided for in N.J.S.A. 52:14-15f upon receipt of written authorization.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-154 – RESOLUTION - INTERLOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF WALL AND THE BOROUGH OF SPRING LAKE FOR THE SERVICES OF THE TOWNSHIP'S CRISIS INTERVENTION TEAM (CIT) TO THE BOROUGH OF SPRING LAKE FOR THE VICTIMS OF DOMESTIC VIOLENCE.

WHEREAS, the Township of Wall and the Borough of Spring Lake are municipal corporations in the County of Monmouth, State of New Jersey, and have been formed in compliance with the applicable statutes; and

WHEREAS, the Township of Wall and Borough of Spring Lake desire to enter into an agreement under the provisions of N.J.S.A. 40:8A-1, et seq., known as the "Interlocal Service Act" in order to allow the Borough of Spring Lake to utilize the services of the Wall Township Crisis Intervention Team (CIT) to offer support, comfort and resource information to victims of domestic violence.

NOW, THEREFORE, BE IT AGREED that:

1. The Borough of Spring Lake will be able to utilize the services of the Wall Township Crisis Intervention Team (CIT) for a one (1) year period commencing on May 1, 2014 and terminating on April 30, 2015.
2. The Borough of Spring Lake will pay the Township of Wall the sum of \$1,500.00 per year for the services of the Township's Crisis Intervention Team. Said sum will be applied to the cost of the Township's liability insurance policy that it shall maintain for the duration of this Agreement.
3. If a dispute should arise from this Agreement or a refusal to perform the contract, or should there be an issue of interpretation of the terms of the Agreement, or the issue of satisfactory performance of the contract, then the parties hereto do agree to submit the same to dispute resolution pursuant to the New Jersey Alternative Procedure for Dispute Resolution Act, N.J.S.A. 2A:23A-1, et seq. Nothing in this paragraph shall preclude either party from exercising its rights under paragraph five (5) of this Agreement.
4. This Agreement is in compliance with the terms and requirements of N.J.S.A. 40:8A-1 et seq.

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5. Either party reserves the right to terminate this Agreement upon thirty (30) days written notice to the other party by way of regular and certified mail.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-155 – RESOLUTION - AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO
EXECUTE AN AMENDMENT TO THE 2012-14 AGREEMENT WITH MONMOUTH COUNTY
FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM
PURSUANT TO THE INTERLOCAL SERVICES ACT**

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its residents to benefit from this program; and

WHEREAS, an Agreement has been adopted under which the Borough of Spring Lake and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the Borough of Spring Lake to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Spring Lake, that the amendment to the agreement entitled "AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND CERTAIN MUNICIPALITIES LOCATED HEREIN FOR THE ESTABLISHMENT OF A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES", a copy of which is attached hereto, be and same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and same are hereby authorized to execute said amendment in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-156 – RESOLUTION - RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR
LICENSES FOR THE YEAR 2014/2015**

WHEREAS, the holder of certain plenary retail distribution liquor licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the

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following plenary retail distribution licenses be renewed for the year commencing July 1, 2014 and expiring June 30, 2015:

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
Casagrande Liquor, LLC	1348-44-004-002	\$746.00	Inactive

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-157 – RESOLUTION - APPOINTMENT OF PART-TIME INSPECTORS
CONSTRUCTION DEPARTMENT**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake the following Inspectors be and are hereby added on an as needed basis:

Ted Bianchi	\$25.00 per hour
Michael Sullivan	\$25.00 per hour
Ed Mack	\$25.00 per hour

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

**R-14-158 – RESOLUTION - – APPROVING AGREEMENT WITH
SPRING LAKE POLICE BENEVOLENT ASSOCIATION LOCAL #50
JANUARY 1, 2014 – DECEMBER 31, 2017**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the annexed agreement with the Spring Lake Police Benevolent Association Local No. 50 for the period January 1, 2014 through December 31, 2017 be and the same is hereby approved, and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute same on behalf of the Borough of Spring Lake.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

**R-14-159 – RESOLUTION – APPROVING CHANGE ORDER NO. 40 – CONTRACT #5 2012 – NEW
NORTH END POOL & PAVILION - TABLED**

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

R-14-160 – RESOLUTION - APPROVAL OF BILLS – JULY 29, 2014

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending July 29, 2014, 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)	76,858.74
GENERAL CAPITOL (4)	2,600.00
WATER/SEWER OPERATING (9)	3,535.00
BEACH OPERATING (81)	14,063.16
POOL CAPITAL (94)	1,644.37
TOTAL	\$98,701.27

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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

R-14-161 – RESOLUTION - APPROVAL OF BILLS – AUGUST 12, 2014

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending August 12, 2014, 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)	429,192.03
GENERAL CAPITOL (4)	18,173.75
WATER/SEWER OPERATING (9)	25,944.59
DOG TRUST (13)	918.40
SPRING LAKE TRUST (15)	2,500.00
MT LAUREL TRUST (16)	97,990.30
RECREATION (25)	4,951.27
JUNIOR GUARDS (26)	6,000.90
BEACH OPERATING (81)	49,743.25
BEACH CAPITAL (84)	11,405.75
POOL OPERATING (91)	9,425.79
POOL CAPITAL (94)	119,880.01
TOTAL	\$776,126.04

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

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Public Comments

Mike Mattia, 313 Jersey Avenue, speaking to Mrs. Venables reported that his neighbor's tree has been leaning more and more since Sandy and asked if someone could have it checked. Mrs. Venables agreed to check into it. Mrs. Venables also reported that they will be focusing on maintenance and pruning this fall and will hopefully identify any other dangerous trees that need to be taken down.

Lyle Marlowe, 110 Pennsylvania Avenue, asked if there were any plans on developing a design committee in connection with the sewer pump station at the north end of town and wondered if there may be an opportunity to get some state funding to assist with the project. The Mayor asked if Mr. Mike Mattie, the Borough's SMRSA (South Monmouth Regional Sewerage Authority) representative, would address Mr. Marlowe's question. Mr. Mattia reported that SMRSA recently addressed the Planning Board with an informal presentation and after the meeting a subcommittee of the Borough's planning board was formed to look into a number of suggestions including the installation of a green wall, fencing, trees, and the color of the facility. Mr. Mattia also stated the SMRSA initially retained a landscape architect who submitted plans to the subcommittee who in turn made recommendations. One issue, Mr. Mattia added, is that some of the trees in the plan would be placed on Borough property and therefore, they will likely need Mayor and Council approval for plantings. Mr. Mattia also stated that SMRSA has approvals from state and federal agencies, and they hope to get the underground project started next month. From there, Mr. Mattia continued, the trailer will be built offsite and brought to the location. Overall, it's roughly another year before the project is completed, stated Mr. Mattia. The Mayor asked if, once the design nears completion could a rendering of the project be made available to share with the public. Mr. Mattia agreed this was feasible. The Mayor asked Mr. Mattia to review the funding in connection with the project. Mr. Mattia stated that the entire project is funded by grant money of approximately, \$1.2 to \$1.6 million. The Mayor added that if there wasn't grant money, the project would likely have to be paid for by the SMRSA ratepayers, which in this case would be the eight (8) participating towns including Spring Lake.

Pete Roche, 410 St. Clair Avenue, directed a question to Mr. Dempsey in connection with beach badge sales. Mr. Dempsey reported that up until the last week in July, sales were pretty good, but that the last couple of weeks have been fairly level with previous years. Mr. Dempsey stated that this past weekend was very good which will likely put receipts right on track. The Mayor added that locker sales exceeded expectations.

Lyle Marlow, 110 Pennsylvania Avenue, asked if there was an update on the possibility of the beaches moving under the control of the county. The Mayor reported that a hearing was held on the topic last week attended by a number of Senators, Assemblymen and shore town Mayors. Three of the Mayor's spoke, including Mayor Naughton, voicing their opposition. The Mayor added that the committee listened politely and decided that they did not have enough information and would refrain from making a decision on whether it would be voted out of committee. The Mayor added that it would likely be the end of August before they heard anything new. Mr. Dempsey added that the county is not in favor of taking control. Mayor Naughton stated that it was a rather odd public discussion due to the fact that there was a senator present who was not from a county that borders the ocean attempting to make a policy that not a single person in the room was in favor of. The Mayor continued stating that all four (4) counties bordering the beach stated that they were not in favor of the policy, along with all the municipalities in the four counties. The Mayor also voiced concern that the proposed legislation appears to be the start of something else and therefore in her opinion it is best that it doesn't move out of committee.

Lisa Deberardine, 10 Brown Avenue, thanked the Mayor for attending the meeting and representing the Borough's interests.

Lyle Marlowe, 110 Pennsylvania Avenue, asked for clarification of the topic regarding the group local residents interested in fundraising to repair the bridges. The Mayor responded reiterating the desire to

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explore options for a bridge project funded by donations. Mr. Marlowe added that if they do rebuild the bridges, he feels the design should lean more toward a Victorian style versus rustic.

Mr. Marlow also reported that there is a Facebook page, the Wreck Pond Homeowners Alliance, in connection with Wreck Pond.

Elsie Dubac, 415 St. Clair Avenue, stated that there is a group of Wall Township residents protesting the Christmas tree farm and asked if this affected Wreck Pond. Mr. Dempsey stated that eventually, the water from this area would reach Wreck Pond. Further, Mr. Dempsey stated that this area has historically always been used for farming adding that he believes the protest is more in connection with the change to the entry point for trucks, which is now through a residential development, and not the use of the land for farming.

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

R-14-162 – 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: Behrman Park – Lake Como Tower Litigation and property sale 310 Second Street.

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. Frost, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 7:59 P.M.

MEETING IS RECONVENED AT: 8:12 P.M.

Adjournment

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

ROLL CALL:

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

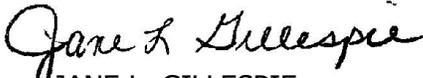
NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Time of Adjournment: 8:12 P.M.

Respectfully submitted,


 JANE L. GILLESPIE
 Borough Clerk

Approved at a meeting held on: August 26, 2014