

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2023**

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. Mayor Naughton announced that the meeting is being held in accordance with the Open Public Meetings Act.

PRESENT: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley, Mayor Naughton  
ABSENT: None

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

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**Public Comments:**

Karen Phillips Burlington, Spring Lake Heights Resident said she goes to Spring Lake Beach all of the time. She thanked Mayor Naughton for signing the off shore wind moratorium. There is debate as to whether or not the sonar graphing of the ocean floor is killing the whales. There is a lot of information out there and she was not sure if the Borough wanted to hold an informational community meeting; she highly recommends it. There is a trial lawyer, Christopher Placitella, how has read the four-thousand-page report that the company who is building the windmills put together. He focuses on the adverse visual impact of the whales. She added that the wind turbines will affect the economy and tourism. He said he would be willing to do a presentation if the Borough was interested. Mayor Naughton thanked Ms. Phillips Burlington and added that she did attend an all-day conference. She explained that there are two sections that have been leased off of Brigantine and Atlantic City and another five that could potentially be leased. She is not sure whether or not the whale deaths are related. If there is one serious adverse reaction to a project, typically it would be suspended. Ms. Whalley suggested that the local Environmental Commission get together and possibly host an informational meeting.

John Fudge, 15 South Blvd. stated that this is the third time he has been here for the same complaint. This past Saturday his wife was not able to go to work because of a run and the road was closed. Every time there is an event, every resident of South Blvd. is trapped in their home. He added that he did not get any notification that the street was going to be shut down and there were no signs. Also, the police did not know how or why the street was shut down yet there were barricades. He asked why the police did not tell the people to get on the path. Mayor Naughton thanked him for coming tonight and she apologized. She explained that the police initially did not shut the street down, but they ended up with a very serious situation where all of the runners were running in the road. She thinks that it may be coming to the point where it does not make sense to approve all of these races. The races have been limited; however, the flood of requests has not stopped. Mr. Fudge is okay with races being approved. He would just like to be notified ahead of time so that he can move his car. Mr. Judge also apologized and added that Mr. Fudge is justifiably irate. He suggested that there be a moratorium on all races until there is a full discussion on whether or not there will be anymore approved races. Mr. Dempsey explained that with this particular race, it was supposed to be on the path. They had approval and received a permit and, on the permit, it indicates that they must run on the path. They were not supposed to close the street. The police department told the police officers not to close the street. Once the runners get to Monroe Avenue they start running in the street, and at that point

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the police had to shut the street because it was unsafe. Mr. Hale explained that these races are being run by part time race directors and volunteers. If the race director does not have enough volunteers to direct them onto the path, then the runners who are already running on the street will continue. Some towns do require the race director to attend a meeting when the race is on for approval so that they can be made aware of the rules. It is not really the police departments job to be race workers. Mr. Fudge asked if anyone reached out to this particular race director. Mr. Dempsey answered yes, and they were unaware that they did anything wrong. Once they got to Spring Lake, the runners just continued on the road; they just did not have enough volunteers. Ms. Whalley suggested that the Borough should take responsibility to notify the residents, otherwise how do we know that it will get done. Mr. Dempsey explained that the Borough does notify residents only if the street is going to be closed. Mayor Naughton explained that internally the Borough will speak with the Chief of Police, review the application, the notice issue, and reach out to the already approved races. Ms. McDonough explained that she sent a list of approved races in our area to Mrs. Zahorsky and suggested sending out a notice to make residents aware of the races whether roads will be shut down or not.

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**Proclamations, Presentations, & Special Guests:**

**a. First Aid 2022 Report – Howard Rockhill & Andrea Rodgers**

Mr. Rockhill reviewed his report for 2022. He explained that there was a neighboring volunteer squads disband and a new paid EMS to provide at a cost to three towns and Spring Lake did not join that program. This year is ninety-five years of service to the communities. The squad has been actively working on recruitment. He thanked Ms. Whalley and Miss McDonough for their input with new options to try and obtain more members. Mayor Naughton thanked the squad for all of their hard work. Mr. Judge also thanked them for their hard work and congratulated them on the recruitment. Ms. Whalley added that it was very rewarding and worthwhile to speak with the First Aid squad, she thinks that the programs should be repeated to help recruitment. Ms. Whalley stated that Spring Lake Heights Police Department has a higher number of EMT's. Mr. Rockhill added that there are eight and it is very helpful. He suggested on giving a mid-year report. Ms. Whalley thinks that is a good idea. Ms. Rodgers suggested having a meeting with the beach EMT's, it would be helpful if we all knew each other. Mayor Naughton thinks that is a great idea and Mr. Dempsey can set that up. Mr. Hale thanked them for attending on behalf of the Fire Department coming to the fire calls; the Fire Department is very grateful.

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**Workshop Discussions:** None

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**Approval of Minutes:**

Mr. Judge offered a motion to approve the minutes of January 17, 2023, seconded by Mr. Erbe.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: Miss McDonough

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**Council Comments & Staff Reports:**

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Mayor Naughton explained that the Borough closed on the Wells Fargo Building; there are two resolutions on for some of the professionals. Professionals will be hired; luckily the Borough has worked with them in the past and they are familiar with the town. There will be committees to work along with the professionals and the Borough will be transparent about all of the project and will have regular updates. Mr. Judge explained that there will be two committees. The first one will be the bank building construction committee for the first-floor restaurant and the second floor COAH units which will be Mr. Hale, Ms. Whalley, and himself. The second committee will be the restaurant committee which will be getting the right restaurateur and preparing bid specs and that will be Mayor Naughton, Mr. Erbe, and Miss McDonough.

Mayor Naughton reported that the Fire Department has been looking at ways to continue to provide a very efficient service to the Borough. The companies have agreed to respond from one fire house which will be at 1007 Fifth Avenue and will be known as the Spring Lake Fire Department. There are two resolutions on tonight to formalize this process. Mr. Hale added that will really help us provide the best fire service to Spring Lake. The fire companies are looking forward to be responding out of one fire house. Mayor Naughton thanked the fire department for their service and hard work. Ms. Whalley asked what the timeline is when they will be responding from the one fire house. Mr. Hale explained there are a few things that need to happen before they can respond out of the one fire house but hopefully by mid-March.

Mayor Naughton then reported that there is a small change that needs to be done in the Land Use Ordinance related to the second-floor setback on corner lots.

Mr. Erbe thanked the Fire Departments for their selflessness and it will be for the better of the town. Mr. Erbe also thanked Mr. Dempsey for his persistence on the closing of the Wells Fargo Building.

Mr. Hale reported that the roads committee met with Mr. Avakian and reviewed the latest report and are starting to prioritize the next set of roads to work on.

Mr. Hale reported that our Legislative District will be changing to the Ocean County group with five other municipalities. Mr. Dempsey added that at this primary election you will be electing the people from district ten. Mr. Erbe stated that this happened in the past. Mayor Naughton added that it is difficult for small towns to be lumped in with much larger towns.

Mr. Judge reminded everyone that the residents have until March 1 to reserve a locker or beach box after that it will be available to others who do not have them, seasonal badges are on sale now and there are still some shower lockers available.

Miss McDonough thanked the beach committee who made it very easy for realtors having the information put together well organized.

Miss McDonough thanked Mr. Dempsey, every time she notices things, she sends them to Mr. Dempsey and she appreciates him getting it to where it needs to go.

Mr. Sagui asked Mr. Dempsey to schedule a water/sewer meeting with professionals.

Mr. Sagui suggested to look at all of the stormwater management throughout town; First Avenue will have to be taken care of soon. Mayor Naughton suggested taking care of this similar to taking care of the infrastructure underground before paving.

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Ms. Whalley reported that a few people met with the Shade Tree Committee and the Garden Club with Steve Souza, Mr. Dempsey and the Department of Public Works about issues around Spring Lake. There has been talk over the years about having evaluation done; Mr. Souza would work with Mr. Avakian on an evaluation; Mr. Avakian will come up with a proposal. The main issues are fertilizers and geese feces. On Earth Day the Environmental Commission will be doing a presentation at the Community House and it will include recycling information and healthy landscaping practices.

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**Borough Engineer's Report:**

Mr. Avakian reported that on the agenda tonight there is the final engineer certificate and change order for Pitney Avenue Phase I Watermain.

Mr. Avakian then reported that with Mr. Dempsey's help, proposals were received for concrete sidewalk on Ocean Avenue, Salem Avenue to York Avenue. Fernandes was the low proposal just below thirty thousand.

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**Borough Attorney's Report:** None

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**Borough Administrator's Report:**

Mr. Dempsey explained on the agenda tonight there are a few resolutions in regards to resolutions that need to be rescinded and then reapproved. The reason for this is that Mr. Hale is a builder in town, and there is an issue with inspections. The Borough inspectors are not allowed to inspect his jobs. The problem is that it is hard to find inspectors in other towns to do this since he has many projects. The other issue is that many of our inspectors also work for other towns. Usually how it works is that if a councilmember was building a house, it would be easy to have an inspector come in and do the inspection as a courtesy. The Department of Community Affairs said that the only way the inspectors can inspect his jobs would be that he can't vote in regard to anything in that department.

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**Business Items Under Consideration:**

**a. Shark River Surf Anglers** - Mr. Judge offered a motion to approve the request, seconded by Mr. Hale. All in favor. None opposed.

**b. Event Application – Jersey Shore Running Club – April 29, 2023** - Carried to February 28, 2023.

**c. Event Application – National Multiple Sclerosis Society – May 13, 2023** - Mr. Judge offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed.

**d. Event Application – A Walk On Water – June 2 & 3, 2023** - Mr. Judge offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed

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**Ordinances for Introduction:** None

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**Ordinances for Adoption:** None

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**Consent Agenda:**

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

**R-23-024 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#03-2023- ST. CATHARINE'S SCHOOL PTA– ON PREMISE DRAW**

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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#01-2023, 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#01-2023 be and the same is hereby approved as follows:

**NAME: St. Catharine's School PTA**  
**301 Second Avenue, Spring Lake, NJ 07762**  
**Identification No.: 475-5-7331**

**LOCATION: 301 Second Avenue, Spring Lake, NJ 07762**

**DATE: March 11, 2023 from 6:00-11:00 pm**

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-025 - RESOLUTION – AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO  
CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS  
WITHIN THE BOROUGH OF SPRING LAKE**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Spring Lake is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. the County shall utilize pesticides, application equipment and aircraft that are approved for areal applications by the applicable Federal (USEPS) and State (NJDEP) agencies, and
  - b. such operations will be performed in compliance with applicable Federal and State regulations, and
  - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such

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operations.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-026 - RESOLUTION - AUTHORIZING THE BOROUGH TO RECEIVE REQUEST FOR PROPOSALS FOR SURF CAMP/STAND UP PADDLE BOARD CAMP**

**BE IT RESOLVED**, that the Mayor and Council does hereby authorize the Borough to accept Request for Proposals for the Surf Camp/Stand Up Paddle Board Camp at Surfers Beach with a minimum bid of \$7,500, Wednesday, March 1, 2023 at 10:00 am.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-027 - RESOLUTION - AUTHORIZING AGREEMENT BETWEEN THE BOROUGH AND USGOVBID FOR THE SALE OF PERSONAL PROPERTY**

**WHEREAS**, the Borough of Spring Lake will have an online municipal auction to be determined by the Purchasing Agent; and

**WHEREAS**, USGovbid, will conduct the auction on their website located at [www.usgovbid.com](http://www.usgovbid.com); and

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

**BE IT RESOLVED** that the Mayor and Council does hereby authorize and agreement between the Mayor and Purchasing Agent to enter into an agreement with USGovBids to conduct an internet auction of surplus property identified in the Borough of Spring Lake.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-028 - RESOLUTION – AUTHORIZING REFUND OF TAX & WATER OVERPAYMENTS**

WHEREAS, taxes on the following properties have been overpaid:

<u>OWNER</u>	<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REFUNDING</u>
William Carmody	57/6	111 Warren Avenue	\$5,563.83	Tax Payment
Emil Molinaro	57/17	106 Mercer Avenue	\$5,261.96	Tax Payment James
Nessel	56/7.08	8 Mercer Avenue	\$1,399.20	Water Payment Katherin Nukk-
Freeman	33/13	18 Passaic Avenue	\$285.00	Water Meter

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake refund all properties in the total amount of \$12,509.99 is hereby approved for the aforementioned properties.

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I, Robbin Kirk, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayments to be \$12,509.99.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-029 - RESCINDING RESOLUTIONS - R-23-002 "RESOLUTION – 2023 APPOINTMENTS" AND R-23-008 "A RESOLUTION SETTING THE 2023 SALARY AND HOURLY WAGES FOR VARIOUS OFFICALS AND EMPLOYEES OF THE BOROUGH OF SPRING LAKE, MONMOUTH COUNTY, NEW JERSEY"**

**Be It Resolved**, By the Mayor & Council of the Borough of Spring Lake, New Jersey, that resolutions R-23-002 "Resolution – 2023 Appointments" and R-23-008 "A Resolution Setting the 2023 Salary and Hourly Wages for Various Officials and Employees of the Borough of Spring Lake, Monmouth County, New Jersey."

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-030 - RESOLUTION – 2023 Appointments**

**Be It Resolved**, By the Mayor & Council of the Borough of Spring Lake, New Jersey, that the following staff appointments are hereby made effective 1/01/23.

- |                  |   |
|------------------|---|
| W. Bryan Dempsey | Borough Administrator, Stormwater Management Coordinator, Municipal Housing Liaison, Monmouth Municipal JIF & MEL Fund Commissioner, Southeast Monmouth Municipal Utilities Authority, Representative, Central Jersey HIF Commissioner, Liaison to Water Authority, LOSAP Program Administrator, Grant Manager, Monmouth County Community Development Block Grant Representative, Deputy Borough Clerk, Monmouth County Regional Board of Health Commissioner |
| Dina M. Zahorsky | Borough Clerk, Municipal Registrar, Human Resources, Alternate to Municipal JIF & MEL, Central Jersey HIF Alternate Commissioner, LOSAP Program Administrator, Recreation Assistant, Deputy Stormwater Coordinator, Alternate Monmouth County Community Block Grant Representative  |
| Robbin Kirk      | Chief Financial Officer, Tax & Water Sewer Collector  |
| Lindsay Walker   | Purchasing Agent, Deputy Municipal Registrar, Board of Health Secretary, Monmouth County Regional Board of Health Commissioner  |
| Megan Kavanagh   | Assistant to Administrator, Borough Clerk and Chief Financial Officer   |
| Mary Cannon      | Part-time Assistant to Administrator, Borough Clerk and Chief Financial Officer, Administrative Assistant for Construction  |
| Harold McCormick | Superintendent – Public Works   |
| Craig Trainor    | Foreman – Public Works  |

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Don Brahn, Sr.	Assistant Foreman – Public Works		
Don Brahn, Jr.	Clean Communities Coordinator, Recycling Coordinator		
Michael McArthur	Water/Sewer Plant Operator		
Brian Enright	Tax Assessor		
Kathy Farr-Heine	Recreation Supervisor		
Chief Edward Kerr	Emergency Management Coordinator		
Edwin Hale	Fire Chief	1 Year Term	1/01/23-12/31/23
Michael Alberque	Senior Deputy Fire Chief	1 Year Term	1/01/23-12/31/23
Jack Gramlich	Deputy Fire Chief	1 Year Term	1/01/23-12/31/23
Collin Quinn	Municipal Court Judge	3 Year Term	01/01/21-12/31
Patricia White	Municipal Court Administrator		
Arielle Frank	Deputy Court Administrator		
James D. Carton, Esq.	Municipal Prosecutor		
Michael Lynch, Esq.	Alt. Municipal Prosecutor		
Charles Shaw, Esq.	Public Defender		
Donald K. Greer, Jr., Esq.	Alt. Public Defender		

**ROLL CALL:**

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley  
NAYS: None  
ABSENT: None  
ABSTAIN: Mr. Hale

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

**R-23-031 - RESOLUTION – 2023 CONSTRUCTION/ZONING/CODE ENFORCEMENT APPOINTMENTS**

Be It Resolved, By the Mayor & Council of the Borough of Spring Lake, New Jersey, that the following staff appointments are hereby made effective 1/01/23.

Kristina Palagni	Technical Assistant to the Construction Official, Planning Board Secretary
Kathleen Ertle	Assistant to the Construction Official, Code Enforcement Officer, Zoning Official and Board Secretary, Planning Board Secretary Assistant
Matthew Zahorsky	Zoning Review Agent
Chris Willms	Code Enforcement Officer, Fire Official/Inspector

**ROLL CALL:**

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley  
NAYS: None  
ABSENT: None  
ABSTAIN: Mr. Hale

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

**R-23-032 - A RESOLUTION SETTING THE 2023 SALARY AND HOURLY WAGES FOR VARIOUS OFFICALS AND EMPLOYEES OF THE BOROUGH OF SPRING LAKE, MONMOUTH COUNTY, NEW JERSEY**

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

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

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**Whereas**, the specific salaries for officers and employees for 2023 are to be set by Resolution;

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

1. Unless otherwise specified, all salaries and wages of Borough Officials and Employees shall be payable biweekly. Further, the salaries and wages payable herein shall be in lieu of all fees.
2. All ordinances in conflict with this ordinance, or any part thereof, are hereby repealed as to conflicting part or parts.
3. In addition to the compensation provided for the Borough Officials and Employees enumerated in Article IV of this Ordinance, certain qualified employees may be entitled to an annual longevity payment, uniform allowance, overtime payment, and other supplemental stipends, as may be specified in the Borough's Personnel Policy Handbook/Manual, a current labor contract, or a current individual employment agreement.
4. The following list shall represent the hourly wages and annual base salaries ranges for Officials and Employees of the Borough of Spring Lake not covered by a Collective Bargaining Agreement.

<u>Position Title</u>	<u>Base Salary</u>	<u>Hourly Wage</u>
<b>Administration</b>		
Borough Administrator	\$194,358.84	
Borough Clerk/Municipal Registrar	\$93,386.54	
Chief Financial Officer/Water & Sewer Collector	\$50,000.00	
Purchasing Agent/Secretary to Board of Health	\$71,845.07	
Administrative Assistant	\$35,875.00	
Administrative Assistant		Min. Wage - \$18.00
Tax Assessor	\$35,021.32	
<b>Library</b>		
Library Director	\$73,982.74	
Library Page (p/t)		(p/t) Min. Wage - \$15.00
Library Staff (f/t)	\$58,890.57	
Library Staff (p/t)		(p/t) Min. Wage to \$20.00
<b>Emergency Services</b>		
Police Dept. - Secretary/Records Personnel		Min Wage - \$17.00
Matron		\$25.00
<b>Public Works</b>		
Public Works Dept. - Superintendent/CPWM	\$131,211.03	
Public Works Dept. - Foreman	\$125,983.50	
Public Works Dept. - Asst. Foreman	\$122,341.19	
Public Works Dept. - p/t Laborer		Min. Wage- \$20.00
Public Works Dept. - Seasonal Laborer		Min. Wage- \$20.00
Recycling Attendants (p/t)		Min. Wage- \$17.00
Recycling Coordinator (p/t)	\$1,500.00	
Water Operator (p/t)	\$16,205.35	
<b>Recreation</b>		
Recreation Dept. - Supervisor	\$34,791.59	
<b>Elected Officials</b>		
Mayor	\$4,429.00	

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Councilmember	\$3,690.00
<b>Municipal Court</b>	
Municipal Court Judge	\$16,780.46
Municipal Prosecutor	\$14,856.22

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

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

7. This Resolution and the wages and salaries set forth herein shall be for January 1, 2023 unless effective date otherwise stated above.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: Mr. Hale

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

**R-23-033 - A RESOLUTION SETTING THE 2023 SALARY AND HOURLY WAGES FOR CONSTRUCTION/ZONING/CODE ENFORCEMENT OFFICES OF THE BOROUGH OF SPRING LAKE, MONMOUTH COUNTY, NEW JERSEY**

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

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

**Whereas**, the specific salaries for officers and employees for 2023 are to be set by Resolution;

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

1. Unless otherwise specified, all salaries and wages of Borough Officials and Employees shall be payable biweekly. Further, the salaries and wages payable herein shall be in lieu of all fees.

2. All ordinances in conflict with this ordinance, or any part thereof, are hereby repealed as to conflicting part or parts.

3. In addition to the compensation provided for the Borough Officials and Employees enumerated in Article IV of this Ordinance, certain qualified employees may be entitled to an annual longevity payment, uniform allowance, overtime payment, and other supplemental stipends, as may be specified in the Borough's Personnel Policy Handbook/Manual, a current labor contract, or a current individual employment agreement.

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

<u>Position Title</u>	<u>Base Salary</u>	<u>Hourly Wage</u>
<b>Administration</b>		
Code Enforcement Officer		\$25.00 - \$30.00
Zoning Review Agent	\$30,691.88	

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**Regional Construction Office**

Construction Official	\$12,546.08	
Building Sub-Code	\$15,682.59	
Building Inspector	\$31,038.22	
Technical Asst to Construction Official/Board Secretary	\$41,950.00	
Administrative Assistant/Board Secretary Asst	\$38,875.00	
Fire Sub-Code Official	\$31,038.22	
Electrical Sub-Code Official/Inspectors	\$31,038.22	(p/t) \$25.00 - \$30.00
Plumbing Sub-Code Official/Inspectors	\$31,038.22	(p/t) \$25.00 - \$30.00
Administrative Assistant		(p/t) Min. Wage - \$16.00

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

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

7. This Resolution and the wages and salaries set forth herein shall be for January 1, 2023 unless effective date otherwise stated above.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: Mr. Hale

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

**R-23-034 - RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH THE SPRING LAKE FIRE DEPARTMENTS – SPRING LAKE FIRE COMPANY NO. 1 & GOODWILL FIRE COMPANY NO. 2**

BE IT RESOLVED, by Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Spring Lake Fire Company No. 1 & Goodwill Fire Company No. 2 concerning the formation of a single fire company and acquiring certain real property.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: Mr. Hale

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

**R-23-035 - RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH THE SPRING LAKE FIRE COMPANY NO. 1 TO ACQUIRE REAL PROPERTY KNOWN AS 1007 FIFTH AVENUE**

BE IT RESOLVED, by Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Spring Lake Fire Company No. 1 to acquire real property known as 1007 Fifth Avenue.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

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**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2023**

NAYS: None  
ABSENT: None  
ABSTAIN: Mr. Hale

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

**R-23-036 - RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 - DECREASING  
CONTRACT #03-2022 – PITNEY AVENUE WATER MAIN IMPROVEMENTS – PHASE I**

WHEREAS, contract #03-2022 for Pitney Avenue Water Main Improvements – Phase I was awarded on June 28, 2022 to MSP Construction Corp. in the amount of \$378,714.00; and

WHEREAS, Engineer’s Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increased the contract in the amount of \$6,860.00 for a total contract in the amount of \$385,574.00; and

WHEREAS, Engineer’s Certificate (annexed hereto and made a part hereof) includes Change Order #2 which decreased the contract in the amount of \$23,594.00 for a total contract in the amount of \$361,980.00; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 2 decreasing Contract #03-2022 for the Pitney Avenue Water Main Improvements in the amount of \$23,594.00 for a total contract in the amount of \$361,980.00 is hereby authorized for the above contract awarded to MSP Construction Corp.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: Mr. Hale

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

**R-23-037 - 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

<b>MARUCCI PARK RECREATION BUILDING</b>					<b>AMOUNT NOT EXCEED</b>
PS#12-2023	General Engineering	Joseph Griffin, Sr.	Griffin Engineering	PO Box 316 Sea Girt, NJ 08750	\$57,500.00
PS#13-2023	MEP/Fire Sprinkler Design Services	Vince Castaldo	Engineered Design Group	75 South Street Freehold, NJ 07728	\$19,000.00
PS#14-2023	Structural Engineering	Patrick M. Cronin	KSI Professional Engineers	PO Box 628 Farmingdale, NJ 07727	\$12,250.00

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

**BOROUGH OF SPRING LAKE  
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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

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following account Recreation Trust Marucci Park Imp Acct #T-25-00-800-003 with an available balance of \$138,257.50.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-038 - 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

<b>1123 THIRD AVENUE BUILDING</b>					<b>AMOUNT NOT EXCEED</b>
PS#15-2023	Engineering	Joseph Griffin, Sr.	Griffin Engineering	PO Box 316 Sea Girt, NJ 08750	\$92,500.00
PS#16-2023	Architect	Eric Wagner	Kellenyi, Johnson, Wagner	21 Peters Place Red Bank, NJ 07701	\$30,500.00
PS#17-2023	Environmental Specialist	Chris Neuffer	Enviro tactics	1330 Laurel Avenue Sea Girt, NJ 08750	\$69,880.00

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

**BOROUGH OF SPRING LAKE  
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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

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following account Bond Ord 2022-002 Acct #C-04-22-002-218/219 with an available balance of \$432,727.74.

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-039 - RESOLUTION – APPROVAL OF BILLS – FEBRUARY 14, 2023**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending February 14, 2023 and

WHEREAS, the Borough Finance Committee has reviewed said claims.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

**SUMMARY**

CURRENT FUND (1)	164,460.53
VOID (1)	-10,802.02
GRANT FUND (2)	8,250.00
GENERAL CAPITAL FUND (4)	114,709.93
W/S UTILITY CAPITAL FUND (8)	10,889.60
WATER/SEWER FUND OPERATING (9)	25,012.94
VOID (9)	-83.11
DOG TRUST FUND (13)	1,134.40
ESCROW TRUST (15)	5,832.00
RECREATION TRUST (25)	977.73
BEACH OPERATING (81)	9,002.59
VOID (81)	-3,292.86
POOL OPERATING (91)	1,286.68
VOID (91)	-3,847.14
TOTAL	\$323,531.27

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, 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 Miss McDonough.

**R-23-040 - RESOLUTION – APPOINTMENT OF A POLICE DISPATCHER**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that the following is hereby appointed as a Police Dispatcher at the following hourly rate retroactive to November 5, 2022.

Nicholas Page \$15.50

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

ABSTAIN: None

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**Public Comments:** None

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**Executive Session:** None

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**Adjournment:**

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

ROLL CALL:

AYES: Mr. Erbe, Mr. Hale, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

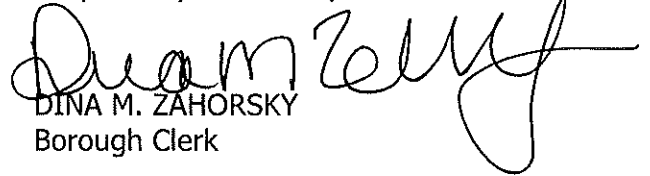
NAYS: None

ABSENT: None

ABSTAIN: None

Time of Adjournment: 8:30 pm

Respectfully submitted,

  
DINA M. ZAHORSKY  
Borough Clerk

Approved at a meeting held on: February 28, 2023