

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:00 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, Ms. Whalley, Mr. Sagui, Mayor Naughton  
ABSENT: None

ALSO PRESENT: Joseph Colao, Esq., Borough Attorney  
W. Bryan Dempsey, Borough Administrator & Deputy Borough Clerk  
Dina M. Zahorsky, Borough Clerk  
Robbin Kirk, Chief Financial Officer

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**Workshop Discussions:** None

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

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**Approval of Minutes:** None

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**Public Comments:** None

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**Council Comments & Staff Reports:**

Mr. Hale thanked Kathy Heine for the Memorial Day Parade and Ceremony. The whole town was bustling with the race and beer garden.

Mr. Hale reported that the asbestos has been removed from the bank building and the demolition has begun. There is a resolution on the agenda to award the contract for the roof replacement.

Mr. Hale reported that both fire departments have agreed on the bylaws, the organization has been formed and should be closing on the property with in the next week or two.

Mr. Judge reported at the next meeting the parks and recreation committee are going to be recommending the application for the next Monmouth County Open Public Space Grant; the application is due July 13. This will be a two-phase plan, reclaiming acres west of the soccer field at Marucci Park as park land for passive recreation.

Miss McDonough reported that Memorial Day was spectacular and thanked Kathy Heine and anyone else involved.

Mr. Sagui reported that the knotweed is back in force on the boardwalk and dunes. Mr. Dempsey will take a look at it.

Ms. Whalley reported this Saturday morning Bill Brasch is having a walking tour of Marucci Park from 10 am to 11 am, everyone is welcome.

Ms. Whalley reported that the Irish Festival is this Saturday on Morris Avenue from 12 pm to 5 pm.

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**Borough Engineer's Report:** None

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

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**Borough Attorney’s Report:** None

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**Borough Administrator’s Report:**

Mr. Dempsey reported that there is a resolution on the agenda for an award of contract for Pitney Avenue Water Main Improvements – Phase II which will be done after September.

Mr. Dempsey reported that the bond for the Recreation Building is on for introduction tonight.

Mr. Dempsey reported that the beer garden was a huge success. Any money raised went back to the Business Improvement District.

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**Business Items Under Consideration:**

**a. Essex & Sussex Agreement –**

William Wolf, Attorney for the Essex and Sussex  
Anthony Perrillo, 700 Ocean Avenue

Mr. Wolf explained they are here tonight for the Mayor and Council to consider a third amendment to the settlement agreement. He explained that the original settlement agreement was dated November 3, 1997, the first amendment was dated March 11, 1998, and the second amendment was dated April 21, 2011. He added that they were in front of the council on September 27, 2022 with recommendations for the third settlement amendment. He added that the changes are appliances, communal dining facilities, guest dining, eighteen sponsored events, and notice to property owners within two hundred feet. Mr. Wolf explained that the first change deals with appliances. There will be no fully equipped kitchen facilities. The Board of Trustees will have the authority to allow certain kitchen appliances with approvals from fire safety and health officials. Items that are specifically prohibited are stove tops, stove burners, microwave ovens and dishwashers. The second proposal deals with communal dining facilities to be amended to food being available 365 days per year with the means and manner of service to be at the sole discretion of the Essex and Sussex (E&S) including the designation of those days under extremely rare circumstances such as an act of God, which is beyond control of the E&S that would render the provision of such daily food service. The third proposal deals with allowing residents to sponsor a guest to dine in the dining facilities without them spending the night nor being there with them while dining. The fourth proposal deals with sponsored events which would be no more than eighteen events limited to attendance between 75 and 150 people will be held annually with no more than two sponsor events held per month. The fifth proposal deals with noticing properties within two hundred feet of any requests by the E&S to modify the settlement agreement in the future.

Mr. Perrillo explained that there was concern about the wishes of the community. There was a formal ballot that went to the community for a vote with the proposed changes and the vote was held March 31, 2023; there were eighty affirmative and nine opposed.

Mr. Judge commended the residents of the E&S for being very good citizens of the town and for the way this proposed amendment was presented. The E&S is such a valuable citizen to the town and the gem of the community, he would be willing to support additional revisions. These are responsible revisions and he hopes the rest of the council will be in favor of it.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

Mr. Erbe since the E&S has been formed, they have been very good neighbors and he is in favor of the proposed changes.

Mayor Naughton agrees that these are very modest modifications.

Mr. Hale explained that the appliances that will be allowed in the units, they are not covered under any code such as fire or the health department. He just asked that there be no open flame devices used. Mr. Perrillo stated that there will be no gas appliances. Even though it may not be required they would still consult with the property Borough officials for guidance.

Frank Frasco, 711 First Avenue asked was there a specialist involved with the electrical evaluation. Mr. Dempsey explained that when it was renovated it was built to code. He is not sure anything has change where the building would need to be upgraded. An assessment has not been done of the electric. Mr. Frasco thinks it would be beneficial, they would be upgrading appliances in each unit. Mr. Colao explained that there is no upgrading of capacity. Mr. Dempsey added that they are plugging something into an existing outlet, they are not hardwiring any appliances.

Aneila Sullivan, 6 Sussex Avenue stated that her house is across the street from the E&S and it forty years old. She has had new boxes put in her house. She thinks that the use per apartment is different when the original agreement was done and feels it would be beneficial for the town to have an electrical expert and evaluate. Mayor Naughton does not feel that a full-scale electrical review would make sense since the outlets were inspected during renovation and were up to code. Mrs. Sullivan stated that when she has too many things plugged in in her kitchen, something pops and the electric turns off. Mr. Hale explained that the fire officials perform inspections at the building currently.

Dr. Kathleen Reddick, 700 Ocean Avenue stated that the fire inspector said that the E&S is the safest building in town. She added that the appliances that will be plugged in use less wattage then appliances from forty years ago.

Maria Ackerman, 700 Ocean Avenue explained that nothing is allowed to go on in the building without approval of the fire and building codes. She added that anything that is done in the building has to have approval from the town. She explained that there are so many sprinklers in the building that could put out a fire.

Laura Frasco, 711 First Avenue stated that in the 1997 agreement, it was very important for us to have some type of control over the building so that it would not become an apartment building. She is concerned about the potential of the E&S coming back in ten years asking to put two apartments together. She understands that it is fifty-five and older. Mrs. Frasco said that she saw a teenager get onto a bus from the E&S. Mr. Judge explained that it is incumbent upon this council to be flexible to ensure that the E&S is successful. Mrs. Frasco stated that her and her neighbors were not noticed for this meeting. Mr. Colao explained that the only notice was required was the first public hearing last September. Mayor Naughton thinks that the changes that are being considered are relatively modest

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

and reflect the way the building is used now. Mrs. Frasco asked about the dining. Mr. Perrillo explained that the change is modest. Presently, in order for someone to dine at the E&S they would have to be a guest and stay overnight. He explained that the dining be amended to required that any member of the public can only dine in the dining room if they are a guest of a resident/owner. Mrs. Frasco's asked if the owner has to be with the guest. Mr. Perrillo answered that the owner does not have to be with the guest. If the guest is not escorted by the owner, the guest can not order liquor from the bar but can bring their own bottle of wine. Mayor Naughton asked about the frequency of this. Mr. Perrillo stated that most guests are escorted by residents/owners. Miss McDonough has concerns about how this is going to be controlled; she was assured that the guest has to check in at the front desk and the host/hostess is also checking them in. Mrs. Frasco explained that the purpose of the overnight stay was to control the number of people going into the building. Mr. Perrillo explained that the people most concerned about anyone entering the building are the residents/owners. Mr. Wolf stated that everyone who walks into the building has to be checked in and are being watch not only by the staff but also the residents and owners; no one wants to have dinner in a loud area.

Mrs. Frasco asked if there is an incentive for the owner to allow people in to use their minimum. Mr. Perrillo explained that either the resident/owner will pay or a guest can pay by credit card. Mrs. Frasco asked about the Act of God. Mr. Wolf explained that the Act of God provision is that is there is a monsoon or a big snow storm then the dining service would be closed for a certain period of time. It is an unforeseen circumstance that prohibits someone from completing a task. Mayor Naughton added that it is still in the agreement in regards to the dining room. They would only be closed if there is a real emergency such as no electricity, no water, weather related, etc. Mr. Colao added that an Act of God would make it impossible for them to serve food.

Mrs. Sullivan asked has a consideration been made for a back-up generator to take care of that type of situation. Mr. Perrillo answered that there is a back-up generator. Mr. Sagui stated that it is not only about electric, there could be an ice storm and the cooks can not get there.

Mr. Frasco asked if the residents/owners were made aware of the original agreement about the reasoning for no cooking. He believes adding appliances will be a deterrent of the restaurant which will then give the residents/owners and incentive to encourage friends to dine at the E&S.

Dr. Reddick explained that the previous chef was the owner and operator of the Bistro before the Sandpiper went down, the current chef was previously a chef at Whispers and the owner's chef at the Black Trumpet. She would not give up the meals she can have at the restaurant for something small she can cook in an air fryer in her condo. As owners we own a portion of the restaurant and have a vested interest in keeping it solvent. She added that the owners are all over the age of fifty-five and there are no students in the building. The E&S is the biggest tax payer in town and the biggest voting unit. Dr. Reddick stated that all homes in town are just as burnable as the condos in the E&S and the units get inspected very regularly.

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

**R-23-106 - RESOLUTION – APPROVING THE THIRD AMENDMENT TO THE SETTLEMENT**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

**AGREEMENT WITH THE ESSEX AND SUSSEX CONDOMINIUM ASSOCIATION, INC.**

NOW, BE IT RESOLVED, the Mayor and Borough Council are approving the material terms of the attached Third Amendment to the Settlement Agreement, subject to review and approval of the Borough Attorney, as proposed by the Essex and Sussex Condominium Association, Inc. and revised by the Borough and hereby authorize the Mayor to sign same on behalf of the Borough. Said Third Amendment is also subject to Court approval and thereafter to the adoption of an Ordinance amending and revising Chapter 225-14 consistent and in accordance with same.

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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**b. Request – HW Mountz Kitchen Tour October 21, 2023** – Mr. Judge offered a motion to approve the request, seconded by Mr. Hale. All in favor. None opposed.

**c. Event Request – St. Catharine School 5K – December 2, 2023** – Mr. Judge offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed.

**d. Request – Block Party – July 2, 2023 – Jersey Avenue** – 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:**

Borough Attorney Colao read Ordinance No. 2023-005, entitled, "BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF THE MARUCCI PARK RECREATION BUILDING IN AND BY THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF."

Mr. Judge offered a motion to introduce Ordinance No. 2023-005, seconded by Mr. Hale. Public hearing will be set for June 26, 2023.

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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Borough Attorney Colao read Ordinance No. 2023-006, entitled, – "AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 265, "PARKS AND RECREATION"

Mr. Judge offered a motion to introduce Ordinance No. 2023-006, seconded by Miss McDonough. Public hearing will be set for June 26, 2023.

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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25780

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

**Ordinances for Adoption:**

Mr. Judge offered a motion to open the public hearing for Ordinance No. 2023-004, seconded by Mr. Hale.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBLIC HEARING NOW OPEN**

Mayor Naughton explained that this ordinance allows the Borough to exceed our spending. This is done every year and the Borough has never used.

Mr. Judge offered a motion to close the public hearing for Ordinance No. 2023-004, seconded by Mr. Hale.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

**PUBIC HEARING NOW CLOSED**

Mr. Judge offered a motion to adopt Ordinance No. 2023-004, seconded by Mr. Hale.

**CALENDAR YEAR 2023**

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

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Borough Council of the Borough of Spring Lake in the County of Monmouth finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 3.5% increase in the budget for said year, amounting to \$286,138.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Spring Lake shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$286,138.65,

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

and that the CY 2023 municipal budget for the Borough of Spring Lake be approved and adopted in accordance with this ordinance; and,

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

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

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

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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**Consent Agenda:**

R-23-094 was removed from the consent agenda and voted on separately.

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

**R-23-094 - RESOLUTION – RENEWAL OF CERTAIN CLUB LIQUOR LICENSES  
FOR THE YEAR 2023/2024**

WHEREAS, the holders of a certain club 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 following club licenses be renewed for the year commencing July 1, 2023 and expiring June 30, 2024:

NAME	LICENSE NUMBER	ANNUAL FEE	LOCATION
Spring Lake Bath & Tennis	1348-31-009-001	\$188.00	SL Bath & Tennis

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Sagui

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

**R-23-093 - RESOLUTION –APPROVING VOLUNTEER APPLICATION  
FOR FIREMAN – CLYFORD CENAT**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Clyford Cenat 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. Hale, Mr. Judge, Miss McDonough, Mr. Sagui, Ms. Whalley

NAYS: None

ABSENT: None

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

ABSTAIN: None

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Mr. Judge offered the following resolution and moved its adoption, seconded by Miss McDonough.  
**R-23-095 - RESOLUTION – RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION LIQUOR LICENSES FOR THE YEAR 2023/2024**

WHEREAS, the holder of certain plenary retail consumption 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 following plenary retail consumption licenses be renewed for the year commencing July 1, 2023 and expiring June 30, 2024:

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
COSLIN, Inc.	1348-33-006-004	\$1,342.00	The Breakers

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-23-096 - RESOLUTION – RENEWAL OF CERTAIN CLUB LIQUOR LICENSES FOR THE YEAR 2023/2024**

WHEREAS, the holders of a certain club 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 following club licenses be renewed for the year commencing July 1, 2023 and expiring June 30, 2024:

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
Essex & Sussex Condominium Assoc.	1348-31-010-001	\$188.00	E&S Condo. Assoc.

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-23-097 - RESOLUTION – RENEWAL OF CERTAIN PLENARY SEASONAL LIQUOR LICENSE FOR THE YEAR 2023/2024 – THE GRAND VICTORIAN BAR, LLC**

WHEREAS, the holder of certain plenary retail consumption 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.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following seasonal retail consumption license be renewed for the seasonal period expiring November 14, 2023:

NAME	LICENSE NUMBER	ANNUAL FEE	LOCATION
Grand Victorian Food & Beverage, LLC	1348-34-007-007	\$1,342.00	Grand Victorian Hotel

BE IT FURTHER RESOLVED, that said renewal is contingent upon the following Special Conditions:

1. A permanent standing bar is hereby prohibited.
2. The Grand Victorian Hotel is restricted to having only a service bar in order to provide alcoholic beverages to guests that are dining in its restaurant, utilizing its party rooms, or receiving room service while staying in the hotel. All other sales, service, delivery or consumption of alcoholic beverages is prohibited.

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-23-098 - RESOLUTION – RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR LICENSES FOR THE YEAR 2023/2024 (POCKET LICENSE)**

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 following plenary retail distribution licenses be renewed for the year commencing July 1, 2023 and expiring June 30, 2024:

NAME	LICENSE NUMBER	ANNUAL FEE	LOCATION
Alfred Eugene Casagrande	1348-44-004-003	\$746.00	Inactive

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-23-099 - RESOLUTION – APPOINTING SEASONAL PERSONNEL FOR THE 2023 SEASON**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following attached list of individuals be appointed seasonal personnel for the 2023 Season.

**Beach Operation**

Amy Ambrose	Gate Checker	\$12.93
Ed Bals	Gate Checker	\$12.93
Patrick Banyra	Gate Checker	\$12.93
Jack Banyra	Gate Checker	\$12.93

25784

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

Nathan Skokos	Gate Checker	\$12.93		
Kylie Stamberger	Gate Checker	\$12.93		
Autumn Whelan	Gate Checker	\$12.93		
Theresa Abel	Gate Checker	\$12.93		
David Brown	Gate Checker	\$12.93	Pool Checker	\$13.25
Sean Galvin	Gate Checker	\$12.93		
Aidan Doran	Gate Checker	\$12.93		
Shane Herold	Gate Checker	\$12.93		
Aleca Fotiou	Gate Checker	\$12.93		
Tessa Contrardi	Gate Checker	\$12.93		
Sienna Lahr	Gate Checker	\$12.93		
Paul Coehlo	Gate Checker	\$12.93		
Emma Hughes	Gate Checker	\$12.93	Pool Checker	\$13.25
Maeve Spang	Badge Distributor	\$14.00	Office Clerk	\$13.25
Emily Patterson	Badge Distributor	\$14.00	Office Clerk	\$13.25
Kelly DeStefano	Badge Distributor	\$14.00	Office Clerk	\$13.25
Abby Chartnet	Badge Distributor	\$14.00		
Ellie Hartz	Badge Distributor	\$14.00	Gate Checker	\$12.93
Alessandra Iarricio	Badge Distributor	\$14.00		
Lara Shannon			Office Clerk	\$13.25

**Beach/Pool Crew**

Robert Marks	BC II	\$13.25
Andrew Caswell	BC I	\$12.93
Owen Clow	BC I	\$12.93

**Lifeguards**

Lenk, Kevin	Jr Grd	Salary	\$3,200.00
Bateman, Thomas	Jr Grd Asst	Salary	\$750.00
Harkins Geelan, Nancy	Swim Team	Salary	\$4,100.00
Bodenski, Phillip	Beach	LG1	\$15.00
Byrne, Maddie	Beach	LG7	\$17.75
Dywer, Brendan	EMT	EMT1	\$15.75
Hoffman, Grace	Pool	LG1	\$15.00

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

Hull, Caroline	Pool	HL	\$18.70
Johnson, Ellie	Pool	LG1	\$15.00
Lane, Lauren	Pool	LG1	\$15.00
Meissner, Paula	Beach	LG2	\$15.25
Moore, James	EMT	EMT1	\$15.75
Morgan, Avery	Beach	LG1	\$15.00
Nuzzolo, Desmond	Pool	LG1	\$15.00
Scanlan, Luke	Beach	LG1	\$15.00
Smith, Juliet	Pool	LG1	\$15.00
Tarzian, Ava	Beach	LG5	\$16.00

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-23-100 - RESOLUTION – REFUNDING STREET OPENING FEES  
20 SEAWOOD WAY, BLOCK 135, LOT 1**

WHEREAS, a street opening application and appropriate fees were received by the Borough of Spring Lake from Arthur D’Elia for the property located at 20 Seawood Way, Block 135, Lot 1, and

WHEREAS, the homeowner revised the construction plans and no longer needs a street opening permit, and

WHEREAS, the Borough Engineer’s office has inspected the site and has confirmed that no curbs or pavement has been disturbed as recommended the refund for all fees associated with the permit; and

NOW, THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Spring Lake that a refund be made to Arthur D’Elia in the amount of \$550.00 for the application and inspection fees, and \$1,250.00 for the street opening bond.

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 Mr. Hale.

**R-23-101 - RESOLUTION – AWARD OF CONTRACT #02-2023  
THIRD AVENUE BANK BUILDING – ROOF REPLACEMENT**

WHEREAS, on June 1, 2023 bids were received for Third Avenue Bank Building - Roof Replacement, and

WHEREAS, thirteen (13) packages were picked up and seven (7) bids were received, and

WHEREAS, MTB, LLC, 100 Steiner Avenue, Neptune, NJ 07753 submitted the lowest responsible bid for Third Avenue Bank Building, Roof Replacement at a total bid of \$177,700.00 and

25786

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #02-2023 is hereby awarded to MTB, LLC, Neptune, NJ for the Third Avenue Bank Building – Roof Replacement at a cost not to exceed \$177,700.00.

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**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following accounts Bond Ord 2022-002 Acct # C-04-22-002-238 with an available balance of \$180,366.58.

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 Mr. Hale.

**R-23-102 - RESOLUTION – AWARD OF CONTRACT #03-2023  
PITNEY AVENUE WATER MAIN IMPROVEMENTS – PHASE II**

WHEREAS, on June 1, 2023 bids were received for Pitney Avenue Water Main Improvement – Phase II, and

WHEREAS, seven (7) packages were picked up and six (6) bids were received, and

WHEREAS, Mark Woszczak Mechanical Contractors, Manasquan, NJ submitted the lowest responsible bid for Pitney Avenue Water Main Improvements – Phase II at a total bid of \$234,000.00 and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #03-2023 is hereby awarded to Mark Woszczak Mechanical Contractors, Manasquan, NJ for the Pitney Avenue Water Main Improvements – Phase II at a cost not to exceed \$234,000.

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**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following accounts Bond Ord. 2018-007 Acct #W-08-18-007-238 with an available balance of \$1,001,725.05.

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 Mr. Hale.

**R-23-103 -RESOLUTION – APPROVAL OF BILLS – JUNE 13, 2023**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending June 13, 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)**

**100,282.67**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

<b>GENERAL CAPITAL FUND (4)</b>	<b>195,096.75</b>
<b>WATER/SEWER FUND OPERATING (9)</b>	<b>12,288.26</b>
<b>DOG TRUST (13)</b>	<b>8.40</b>
<b>ESRCOW FUND (15)</b>	<b>1,250.00</b>
<b>RECREATION TRUST (25)</b>	<b>1,816.47</b>
<b>JR GUARD TRUST (26)</b>	<b>1,199.00</b>
<b>BEACH OPERATING (81)</b>	<b>59,304.79</b>
<b>POOL OPERATING (91)</b>	<b>14,401.71</b>
<b>TOTAL</b>	<b>\$385,648.05</b>

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Erbe

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

**R-23-104 -RESOLUTION – IMPROVEMENTS TO PITNEY AVENUE PHASE III**

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2024; and

**WHEREAS**, the Borough of Spring Lake is desirous of submitting an application under this program for the following purpose:

- Improvements to Pitney Avenue – Phase III from Monroe Avenue to Ocean Avenue (Monmouth County Route 18).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Spring Lake, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED** that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2024 Pitney Avenue Phase III– 00167 to the New Jersey Department of Transportation on behalf of the Borough of Spring Lake; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Spring Lake and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 Mr. Hale.

**R-23-105 - RESOLUTION - AUTHORIZING TEMPORARY and AMENDING THE CAPITAL BUDGET OF THE INTRODUCED 2023 BUDGET**

**WHEREAS**, the Borough of Spring Lake desires to constitute the 2023 Temporary Capital Budget and Amend the Introduced 2023 Capital Budget of the Borough of Spring Lake by inserting therein various capital projects,

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Borough of Spring Lake as follows:

25788

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JUNE 13, 2023**

Section 1. The 2023 Temporary Capital Budget is hereby added and the Introduced 2023 Budget of the Borough of Spring is hereby amended thereto a schedule to read as follows:

Capital Budget of the Borough of Spring Lake County of Monmouth, New Jersey Project Scheduled for 2023				
Project	Estimated Cost	Capital Improvement	Other Funds	Debt Authorized
Construction of Marucci Park Recreation Building	\$2,000,000	\$100,000		\$1,900,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services within three days after the adoption of Resolution.

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:**

Dr. Reddick asked what the ordinance is for private rental homes. Mayor Naughton answered one week. Dr. Reddick asked if there is an ordinance about parking on the lawn. Mayor Naughton answered it is prohibited.

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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

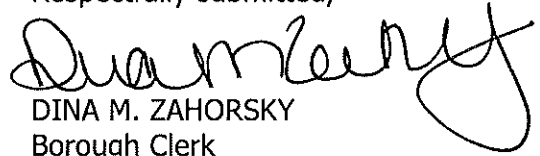
NAYS: None

ABSENT: None

ABSTAIN: None

Time of Adjournment: 8:14 pm

Respectfully submitted,

  
 DINA M. ZAHORSKY  
 Borough Clerk

Approved at a meeting held on: August 8, 2023