

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 27, 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, Miss McDonough, Ms. Whalley, Mr. Sagui, Mayor Naughton

ABSENT: Mr. Judge

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

Workshop Discussions: None

Proclamations, Presentations, & Special Guests: None

Approval of Minutes:

Mr. Hale offered a motion to approve the minutes of May 23, 2023, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

Public Comments:

Dolores Cacace, 104 York Avenue asked Mr. Hale about the testing of fire hoses on York and Second Avenues, which will result in brown water, she asked when it will be happening. Mr. Hale explained it will be this Thursday and Friday. Ms. Cacace would like the date changed. Mr. Hale explained that they use a third party for these tests and are required by statute to do so, the company they use chooses the schedule. Mayor Naughton explained it might be too late this year to change the date but they can change it for the next year.

Ram Alturi, 324 South Blvd thanked the Mayor and Council for including the gas-powered leaf blower letter in with the water/sewer bills.

Council Comments & Staff Reports:

Mr. Erbe reported they will be taking a step back with the design standards for downtown. He appreciates everyone's comments and asked if anyone has anything further to add, to please email him.

Mr. Hale reported the demolition at the bank building is almost complete. Mayor Naughton added there is a restaurant committee meeting coming up.

Mr. Sagui wants to address sidewalks throughout town, many pose a tripping hazard. He believes the town should be more proactive in letting residents know they are able to obtain the towns contractors for concrete work during paving for a discount. Mayor Naughton suggested a reminder to residents. Ms. Whalley asked who is responsible for sidewalk maintenance. Mr. Colao explained the Borough is

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not responsible. Mr. Avakian added that the owner must construct and maintain the sidewalks. Mayor Naughton added that many years ago they had discussed a sidewalk incentive program that offered the residents to pay a portion of a sidewalk repair and the Borough would pay another percentage of the cost. Ms. Kirk suggested a sidewalk assessment program done by ordinance. The first way to do this, is making a list that contains all the sidewalks in need of repair, the town does the work and bills the resident for it. The second approach is a mix where the Borough would instruct the resident they have to repair and have the option to use a Borough contractor or complete the repair themselves. Mr. Sagui added that the work would be cheaper to do in bulk, they need to inform owners of the liability tied to sidewalks. Mr. Colao added that uneven sidewalks are only an issue with commercial properties and the Borough, homeowners are not liable by insurance standards.

Ms. Whalley reported that the Surfriider Foundation North East Coordinator reached out to her to discuss the beach cleaning on July 5th. The reasoning for the beach cleaning scheduled on July 5th is because it is a national incentive. She asked if they could clean up the Pier Beach area and they anticipate twenty volunteers.

Borough Engineer’s Report:

Mr. Avakian reported there is a resolution for a change order to Pitney Avenue Phase I, which included the milling and paving of Warren Avenue in front of Borough Hall along with work to Ocean and Warren Avenues. Phase I of Pitney Avenue is now complete. Phase II water bids were received and work will begin in the fall, Phase II paving will go out to bid and will be constructed next Spring. They now have an application in with DOT for paving, which will be Phase III for Pitney Avenue. Ms. Whalley added that the road committee is now looking at Third Avenue south, they are going to have Bill Brasch walk the road to determine which trees will be removed and which trees will be protected.

Borough Attorney’s Report: None

Borough Administrator’s Report:

Mr. Dempsey reported recreation summer camp started yesterday with over three hundred participants. Junior Guards started yesterday, pools are now open from 7:00 am to 8:00 pm with lap swim from 7:00-9:00 am. Beaches are open and guarded from 9:00 am to 6:00 pm. Mr. Dempsey continued that the lifeguards also provide safety training in the off season to some of the schools. The summer camps will include this safety training.

Business Items Under Consideration:

a. 2023 Municipal Budget

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

R-23-107-RESOLUTION - TO READ 2023 MUNICIPAL BUDGET BY TITLE

WHEREAS, the 2023 Municipal Budget was introduced by the Mayor and Borough Council on May 23, 2023 and

WHEREAS, the 2023 Municipal Budget was advertised on June 8, 2023 in The Coast Star, and

WHEREAS, the 2023 Municipal Budget was posted on the official Bulletin Board in Borough Hall, posted on the Borough’s Website and a copy was made available in the Spring Lake Public Library, and

WHEREAS, the 2023 Municipal Budget has been made available to any and all persons requesting same, and

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WHEREAS, in accordance with N.J.S.A. 40A:4-8, a Resolution shall be passed at the time of the Public Hearing by not less than a majority of full membership that said budget be read by title only as set forth herein before.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the 2023 Municipal Budget be read by title only at the Public Hearing on June 27, 2023.

ROLL CALL:

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

NAYS: None

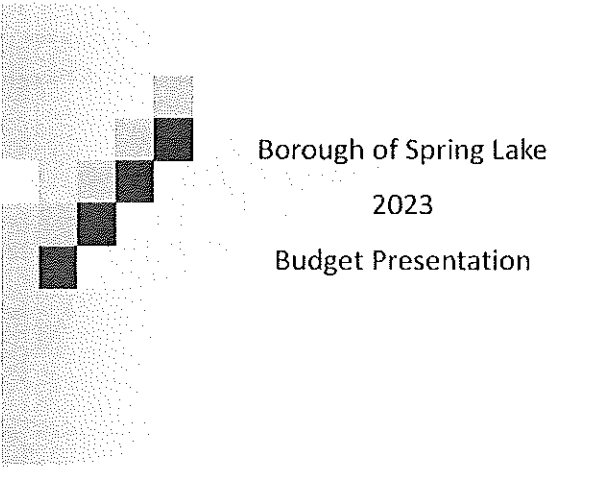
ABSENT: Mr. Judge

ABSTAIN: None

Mr. Hale offered a motion to open the public hearing for the 2023 Municipal Budget, seconded by Mr. Erbe.

PUBLIC HEARING NOW OPEN

Mrs. Kirk discussed her presentation.



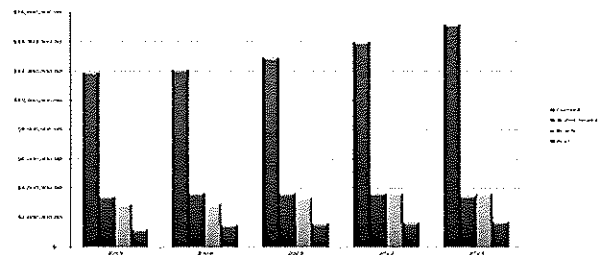
**Borough of Spring Lake
2023
Budget Presentation**

Borough of Spring Lake
2023
Budget Presentation

The Borough of Spring Lake's Budget is comprised of four separate funds, the breakdown of each fund for 2023 is:

- Current Fund-\$15,178,519.15
- Water-Sewer Utility-\$3,461,801.82
- Beach Utility-\$3,667,413.02
- Pool Utility-\$1,710,623.38

Budget by Fund Current, Water/Sewer, Beach and Pool



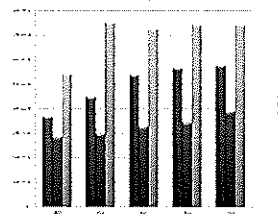
Borough of Spring Lake
2023
Budget Presentation

Pool Utility \$1,710,623.38

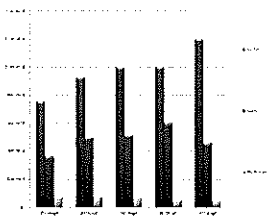
Increase of \$55,918.55

This increase is coming from increased salary/wages, and other expenses related to insurance and general maintenance.
Revenues, we have already received our anticipated income for the year.

Pool Utility Appropriation



Pool Utility Revenue



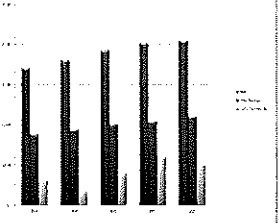
Borough of Spring Lake
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Beach Utility \$3,667,413.02

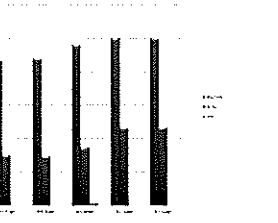
Increase of \$4,648.02

\$50,000 increase due to salary/wages as well as insurance and operating expenses.
(\$50,000) decrease capital projects. Last year we had a \$100K increase on the item for completion of the sidewalk project, since this is now completed, we were able to lower that line item which brought us to be actually a zero change in this budget.
Revenues have been ok so far this year, down slightly from last year due to the weather.

Beach Utility Appropriation



Beach Utility Revenue



BOROUGH OF SPRING LAKE MAYOR AND BOROUGH COUNCIL REGULAR MEETING JUNE 27, 2023

<p style="text-align: center;">Borough of Spring Lake 2024 Budget Presentation</p> <h3 style="text-align: center;">Water Sewer Utility \$3,461,801.82</h3> <p style="text-align: center;">Decrease of \$174,337.72</p> <p>(201,605.72) is a decrease to our SARSA, \$200,000 increase to Capital projects being funded in current year, (\$178,098.28) is a decrease to our debt payment, this was for a self-funded project that we had used surplus to payoff in prior year.</p> <p style="text-align: center;">Utility Revenues are staying stable, with no recommendation for rate change this year.</p> <div style="display: flex; justify-content: space-around;"> <div style="width: 45%;"> <p style="text-align: center;">Water Sewer Utility Appropriation</p> </div> <div style="width: 45%;"> <p style="text-align: center;">Water Sewer Utility Revenue</p> </div> </div>	<p style="text-align: center;">Borough of Spring Lake 2023 Budget Presentation</p> <h3 style="text-align: center;">Current Fund Budget is \$15,178,519.15</h3> <p style="text-align: center;">Increase of \$1,190,097.32</p> <ul style="list-style-type: none"> 1. \$945,848.55 is an increase in grants that we have received majority of which is for Lake Como Dredging. None of this is being offset by tax dollars. 2. \$508,034.64 is to cover operating expenses of employee costs, S&W, pensions, utilities, overall increases on general operating costs. 3. \$309,424.51 is Statutory Increase to Library Budget, this expense will be noted into future year's Borough revenue to offset increase expenses. 4. \$266,296.49 Reserve for Uncollected Taxes needs to be budgeted due to delinquent property taxes at end of prior year we do collect those funds this year and is offset by Revenue coming in. 5. (\$833,508.47) is a decrease in Debt Payments, last year we had paid off Wreck Pond Improvements with Sale of Property Proceeds we had on hand and Grant Funds. 6. The effect on the Municipal Amount to be Raised by Taxation to cover the increase for operating expenses is \$29.82 and Library accretion is \$155.25 on an Avo Residential Property. <div style="display: flex; justify-content: space-around;"> <div style="width: 45%;"> <p style="text-align: center;">Current Fund Appropriation</p> </div> <div style="width: 45%;"> <p style="text-align: center;">Current Fund Revenue</p> </div> </div>															
<p style="text-align: center;">Borough of Spring Lake 2023 Budget Presentation</p> <h3 style="text-align: center;">Amount to Be Raised by Taxation</h3> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Municipal</td> <td style="text-align: right;">7,285,881.32</td> <td style="text-align: right;">25%</td> </tr> <tr> <td>County</td> <td style="text-align: right;">2,810,092.12</td> <td style="text-align: right;">10%</td> </tr> <tr> <td>County Estimate</td> <td style="text-align: right;">11,250,000.00</td> <td style="text-align: right;">39%</td> </tr> <tr> <td>County, State, and Federal</td> <td style="text-align: right;">1,000,000.00</td> <td style="text-align: right;">3%</td> </tr> <tr> <td>Local School</td> <td style="text-align: right;">6,813,278.00</td> <td style="text-align: right;">24%</td> </tr> </table> <p style="text-align: center;">Amount to be Raised by Taxes by Entity</p>	Municipal	7,285,881.32	25%	County	2,810,092.12	10%	County Estimate	11,250,000.00	39%	County, State, and Federal	1,000,000.00	3%	Local School	6,813,278.00	24%	<p style="text-align: center;">Borough of Spring Lake 2023 Budget Presentation</p> <h3 style="text-align: center;">Assessments to Tax Rate</h3> <p>Total Assessments of Spring Lake for 2023 \$5,890,935,000 this is a 8% increase over 2022.</p> <p>Tax Rate including all entities is anticipated to be .49 this is a 5.2% decrease from 2022.</p>
Municipal	7,285,881.32	25%														
County	2,810,092.12	10%														
County Estimate	11,250,000.00	39%														
County, State, and Federal	1,000,000.00	3%														
Local School	6,813,278.00	24%														
<p style="text-align: center;">Borough of Spring Lake 2023 Budget Presentation</p> <h3 style="text-align: center;">Average Residential Property is assessed for \$2,904,754.55</h3> <h4 style="text-align: center;">Tax Bill Breakdown</h4> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Municipal</td> <td style="text-align: right;">\$3,592.59</td> </tr> <tr> <td>County</td> <td style="text-align: right;">\$1,815.25</td> </tr> <tr> <td>County Estimated</td> <td style="text-align: right;">\$5,547.25</td> </tr> <tr> <td>County, State, and Federal</td> <td style="text-align: right;">\$1,110.50</td> </tr> <tr> <td>Local School</td> <td style="text-align: right;">\$3,359.55</td> </tr> </table> <p style="text-align: center;">Amount to be Raised by Taxes Breakdown</p>	Municipal	\$3,592.59	County	\$1,815.25	County Estimated	\$5,547.25	County, State, and Federal	\$1,110.50	Local School	\$3,359.55	<p style="text-align: center;">Borough of Spring Lake 2022 Budget Presentation</p> <h2 style="text-align: center;">Public Comment & Questions</h2>					
Municipal	\$3,592.59															
County	\$1,815.25															
County Estimated	\$5,547.25															
County, State, and Federal	\$1,110.50															
Local School	\$3,359.55															

Mayor Naughton asked Ms. Kirk to review capital projects. Ms. Kirk reviewed incoming grants, bond ordinances, equipment upgrades, and dept payments, all of these items are included in the capital budget.

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Mr. Hale offered a motion to close the public hearing for the 2023 Municipal Budget seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

PUBLIC HEARING NOW CLOSED

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

SECTION 2 - UPON ADOPTION FOR YEAR 2023
RESOLUTION
Be it Resolved by the COUNCIL MEMBERS of the BOROUGH
of SPRING LAKE, County of MONMOUTH that the budget hereinafter set forth is hereby
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:
(a) \$ 7,285,881.32 (Item 2 below) for municipal purposes, and
(b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
(c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of
the following summary of general revenues and appropriations.
(d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
(e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
(f) \$ 2,019,671.31 (Item 5 Below) Minimum Library Tax
RECORDED VOTE
SUMMARY OF REVENUES
1. General Revenues
Surplus Anticipated 08-100 \$ 1,100,000.00
Miscellaneous Revenues Anticipated 13-099 \$ 4,232,966.52
Receipts from Delinquent Taxes 15-499 \$ 540,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) 07-190 \$ 7,285,881.32
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:
Item 6(b), Sheet 42 07-195 \$ -
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) 07-191 \$ -
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY \$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) 07-191 \$ -
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX 07-192 \$ 2,019,671.31
Total Revenues 13-299 \$ 15,178,519.15
Sheet 41

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

b. Request - Block Party- Tuttle Avenue- August 19, 2023 - Mr. Hale offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed.

c. Request - Beach Clean Up- Surfrider Foundation- July 5, 2023 - Miss. McDonough offered a motion to approve the request, seconded by Mr. Sagui. All in favor. None opposed.

d. Request - Use of Marucci Park- Police Department Community Day- August 5, 2023 - Mr. Hale offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed.

Ordinances for Introduction: None

Ordinances for Adoption:

25794

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Mr. Erbe offered a motion to open the public hearing for Ordinance No. 2023-005, seconded by Mr. Sagui.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

PUBLIC HEARING NOW OPEN

Mayor Naughton explained that this is to replace the existing building/shed at Marucci Park.

Mr. Erbe offered a motion to close the public hearing for Ordinance No. 2023-005, seconded by Mr. Sagui.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

PUBLIC HEARING NOW CLOSED

Mr. Erbe offered a motion to adopt Ordinance No. 2023-005, seconded by Mr. Hale.

Ordinance No. 2023-005- 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.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Spring Lake, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$2,000,000, including the sum of \$100,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the construction of the Marucci Park Recreation Building, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance

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with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,900,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

Mr. Erbe offered a motion to open the public hearing for Ordinance No. 2023-006, seconded by Mr. Sagui.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

PUBLIC HEARING NOW OPEN

Mayor Naughton explained this ordinance is strictly for the starting time of 8:00 am for any racket sports.

Mr. Erbe offered a motion to close the public hearing for Ordinance No. 2023-006, seconded by Mr. Sagui.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

PUBLIC HEARING NOW CLOSED

Mr. Erbe offered a motion to adopt Ordinance No. 2023-006, seconded by Mr. Hale.

Ordinance No. 2023-006- AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 265, "PARKS AND RECREATION"

Chapter 265. Parks and Recreation

Article IV. Hours of Operation

§ 265-18. Hours.

- A. The hours of operation for the parks and recreation areas within the Borough of Spring Lake shall be from 7:00 a.m. to 11:00 p.m. daily, except as set forth in § 114-9 establishing the curfew for the beach area.
- B. No person or persons shall remain within the park or recreation area after the hour of 11:00 p.m.
- C. The hours of operation for the Mountz School Outdoor Facilities shall be from 8:30 a.m. to sundown.
- D. **The hours of operation for all racquet and basketball courts shall be from 8:00 a.m. to sundown, except for the Paddle Tennis Courts at Marucci Park which shall be 8:00 a.m. to 10:00 p.m.**

§ 265-19. Applicability.

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This article includes, but is not limited to, the following parks and recreation areas: Divine Park, Paziienza Park, Eleanor Lawrence Park, Marucci Park, Lake Como, and Potter Park.

§ 265-20. Violations and penalties.

Every person, firm, association, organization or corporation violating any provisions of this chapter shall, upon conviction, be liable to the penalty stated in Chapter 1, Article II, General Penalty.

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

Consent Agenda:

*R-23-113 & R-23-114 was removed from the consent agenda and voted upon individually.

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

R-23-113-RESCINDING RESOLUTION – R-23-081 "AUTHORIZING THE CONTINUATION OF INTERLOCAL SERVICES AGREEMENT FOR CONSTRUCTION CODE SERVICES"

Be It Resolved, By the Mayor & Council of the Borough of Spring Lake, New Jersey, that resolution R-23-081 Resolution – "Authorizing the Continuation of Interlocal Services Agreement for Construction Code Services".

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: Mr. Hale

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

R-23-114-RESOLUTION – AUTHORIZING THE CONTINUATION OF INTERLOCAL SERVICES AGREEMENT FOR CONSTRUCTION CODE SERVICES

WHEREAS, the Borough of Spring Lake Heights, the Borough of Brielle, the Borough of Sea Girt, the Borough of Spring Lake, entered into a Interlocal Services Agreement for Construction Code Services on January 1, 2007, and

WHEREAS, it is the wishes of the Borough of Spring Lake to continue the Interlocal Services Agreement for Construction Code Services, and

WHEREAS, Section M. Duration of Contract, Terms and Amendment allows for the extension of said agreement from January 1, 2023 for additional terms of four (4), and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, State of New Jersey, that it hereby authorizes the Mayor and Borough Clerk to execute said continuation of agreement for the Interlocal Services for Construction Code Services.

BE IT FURTHER RESOLVED, that a certified true copy of this resolution be forward to the Borough of Brielle, the Borough of Sea Girt, the Borough of Spring Lake Heights and the Department of Community Affairs for authorization of the continuation of agreement for Interlocal Service for Construction Services.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: Mr. Hale

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

**R-23-109-RESOLUTION HONORING THE MEN AND WOMEN OF OUR ARMED FORCES BY
AUTHORIZING FREE DAILY BEACH ADMISSION DURING THE 2023 BEACH SEASON TO ALL
ACTIVE MILITARY PERSONNEL**

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Spring Lake, are today actively engaged in combat operations in Afghanistan and Iraq, or are deployed or otherwise serving in support of those operations, and/or in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens; and

WHEREAS, since September 11, 2001, and increasingly since the commencement of combat operations in Afghanistan and Iraq, the men and women of the New Jersey National Guard have been called up to active-duty status in increasing numbers, and their support and service have been and will continue to be essential to the overall success of military efforts both home and abroad; and

WHEREAS, as many American families have lost loved ones in the military actions underway in Afghanistan and Iraq, and more than a hundred thousand other American families live each day in constant trepidation that the next knock on the door might make their own worst fears come true; and

WHEREAS, the residents of the Borough of Spring Lake want our troops and their families to know that they are in our hearts and on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake that in honor and recognition of our active military and active reserve personnel and their families, and to demonstrate the gratitude of the residents of the Borough of Spring Lake for the daily sacrifices they are making, the Mayor and Council hereby offer free beach admission during the 2023 season to each member of the active military and active reserve and their dependents upon the presentation of a valid military identification card at any beach entrance (Up to a maximum of four (4) free passes daily including military personnel); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall remain in effect throughout the 2023 beach season.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

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

R-23-110-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.

Police Department

Maria Ortega-Lopez	Dispatch	\$16.00
Michael Crawford	Dispatch	\$16.00

Beach Operation

Casey Allegre	Badge Distributor	\$14.00	Pool Checker/Office	\$13.25
Kyle Bauter	Badge Distributor	\$14.00	Pool Checker/Office	\$13.25
Abby Chernet	Badge Distributor	\$14.00	Gate Checker	\$12.93
Jake Donzelli	Gate Checker	\$12.93		
Lily Carhart	Gate Checker	\$12.93	Badge Distributor	\$14.00
Brielle Caudwell	Gate Checker	\$12.93		
Madison Otterbein	Gate Checker	\$12.93	Badge Distributor	\$14.00

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Johnny Partusch	Gate Checker	\$12.93		
Angela Hughes	Gate Checker	\$12.93		
Claudia Barry	Gate Checker	\$12.93		
Stephanie Carson	Gate Checker	\$12.93	Pool Checker/Office	\$13.25
Griffin Wean	Gate Checker	\$12.93		
Lucy McLaughlin	Gate Checker	\$12.93		
Avianna Rosenberg	Gate Checker	\$12.93		
Alyson Gmahle	Gate Checker	\$12.93	Badge Distributor	\$14.00
Shane Herold	Gate Checker	\$12.93		

Lifeguards

Giavanna (Gigi) McCue	Beach Lifeguard	\$16.00
Addison Swiatek	Pool Lifeguard	\$15.50
Chase Mullholland	Pool Lifeguard	\$15.00

Administration

Aidan Rady	\$12.93
Mary Breen	\$12.93

ROLL CALL:

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

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

R-23-111- RESOLUTION- RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR LICENSES FOR THE YEAR 2023/2024

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, IT BE 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:

<u>NAME:</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
YOJO, LLC	1348-44-005-005	\$746.00	Egan's Spring Lake Liquors

ROLL CALL:

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

25800

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ABSTAIN: None

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

**R-23-112- RESOLUTION- RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION
LIQUOR LICENSES FOR THE YEAR 2023/2024**

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, IT BE 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	LOCATIO
WWB Inc.	1348-44-002-006	\$746.00	The Spring Lake Bottle Shop

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

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

R-23-115-RESOLUTION – APPOINTMENT OF RECREATION PERSONNEL

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that the following are hereby appoint the following seasonal employees at the following hourly rates.

Pickleball & Water Aerobics Instructors:

MABREY, PATRICIA M.	\$60.00 hourly	Basketball
MCCOLGAN, ELAINE A.	\$60.00	Water Aerobics
SWANWICK, JOHN	\$60.00	Pickleball
STEPHENS, STACIE E.	\$60.00	Tennis
MUNOZ, MATTHEW	\$60.00	Pickleball
GARFUNKEL, BEN F.	\$60.00	Pickleball
GREENQUIST, MARK T.	\$60.00	Pickleball
WRIGHT, RICHARD	\$60.00	Pickleball
FEEHAN, BONNIE	\$60.00	Pickleball
FEEHAN, CHARLES T.	\$60.00	Pickleball

Summer Recreation

ATTILIO, DAVID L.	\$2,250.00 Salary
ATTILIO, DAVID L.	\$61.36 hourly
PING, MARGARET M.	\$1,190.00
PING, MARGARET M.	\$32.45 hourly
CRAWFORD, HOLLY C.	\$25.00
MAHON, KERRY	\$25.00

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PETRIK, THERESA A.	\$23.00
CAREY, JULIE A.	\$21.00
FULTON, MARYLOU	\$21.00
HEINE, KIRSTEN	\$22.00
KULKA, NICHOLAS A.	\$21.00
R4DEAVER, TARA	\$21.00
LEENAS, MOLLY	\$20.00
GLENDINNING, DANIEL	\$13.75
STRATTON, DYLAN	\$13.25
REYNOLDS, JENNY	\$16.00
BOLLOTINO, AVA	\$13.25
WARREN-FULCHER, RICHARD	\$13.00
GUNTESKI, ALEXANDRA	\$12.93
LITTLE, JOHN	\$12.93
CARTON, REGAN E.	\$15.00
MOORE, MARY T.	\$14.25
O'HEARN, PADRAIC R.	\$15.00
PRICE, CAMERON	\$16.00
BURKE, JANE	\$12.93
STAMBERGER, KYLIE O.	\$15.00
MARZULLO, LILY	\$13.75
KRAUS, LEO	\$12.93
GILARDI, AVA	\$12.93
LYNCH, JACK P.	\$13.75
PERAZZO, ROXY J.	\$13.75
KRAUS, CHARLES	\$12.93
MOORE, THOMAS	\$12.93
GRIFFIN, COOPER	\$12.93
LEZYNSKI, EMERSON G.	\$13.25
MARTIN, ANNA	\$12.93
DAWSON, KATHRYN G.	\$13.25
REARDON, JANE B.	\$13.25
COOK, RILEY P.	\$13.25
COZZARELLI, NATALIE	\$12.93
DOHERTY, JACQUELINE M.	\$13.25
MCGURN, RUBY J.	\$13.25
TALUCCI, MARK P.	\$13.00
PRASAD, AKASH J.	\$13.00
PERAZZO, EVAN J.	\$13.00
MOORE, MEGAN	\$19.00

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

Resolutions:

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

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**R-23-116-RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - INCREASING
CONTRACT #01-2023 – ROADWAY IMPROVEMENTS TO PITNEY AVENUE –PHASE I**

WHEREAS, contract #01-2023 for Roadway Improvements to Pitney Avenue – Phase I was awarded on January 17, 2023 to Fernandes Construction, Inc in the amount of \$441,315.90; and

WHEREAS, Engineer’s Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increased the contract in the amount of \$7,800.00 for a total contract in the amount of \$449,115.90; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing Contract #01-2023 for the Roadway Improvements to Pitney – Phase I in the amount of \$7,800.00 for a total contract in the amount of \$449,115.90 is hereby authorized for the above contract awarded to Fernandes Construction, Inc.; and

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following account Reserve for Road Improvements C-04-55-226-001 with an available balance of \$449,888.65.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

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

R-23-117-RESOLUTION – APPROVAL OF BILLS – JUNE 26, 2023

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending June 26, 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.

<u>SUMMARY</u>	
CURRENT FUND (1)	642,790.71
VOID (1)	-1,382.66
GRANT FUND (2)	237,692.50
GENERAL CAPITAL FUND (4)	279,007.97
W/S UTILITY CAPITAL FUND (8)	6,626.25
WATER/SEWER FUND OPERATING (9)	34,733.96
VOID (9)	-170.59
DOG TRUST (13)	1,000.00
ESRCOW FUND (15)	1,320.00
RECREATION TRUST (25)	16,937.43
BEACH OPERATING (81)	4,036.08
POOL OPERATING (91)	8,944.92
TOTAL	\$1,231,536.57

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Judge

ABSTAIN: Mr. Erbe

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Public Comments: None

Executive Session: None

Adjournment:

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

ROLL CALL:

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

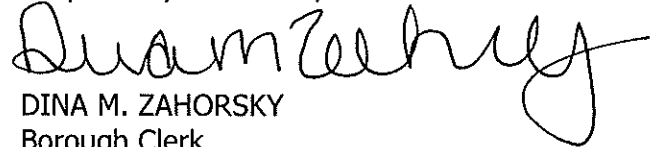
NAYS: None

ABSENT: Mr. Judge

ABSTAIN: None

Time of Adjournment: 8:03 pm

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: August 8, 2023

