

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

Council President Judge 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. He then proceeded with the Pledge of Allegiance to the Flag. Council President Judge announced that the meeting is being held in accordance with the Open Public Meetings Act.

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

ABSENT: Mr. Sagui and Mayor Naughton

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

Public Comments:

John Clark, 424 Monmouth Avenue presented the Council with the advantages of using solar to heat the pools at last meeting, he has done additional research and shared his findings. Mr. Clark explained that there are credits available for installation of solar panels that covers forty percent of the expense. Mr. Judge thanked Mr. Clark but is not sure if credits are still available for solar but the beach committee can discuss.

Mark Dolan, Driftwood Coffee House wanted to raise the issue of bathrooms downtown. Since the only public bathrooms are on the other side of town, he has had a recent influx of people using the bathroom at his business. Mr. Dolan is being impacted by this because he needs to pay to supply and maintain the restrooms, when many of its users are not his customers. He is asking the Council to consider an alternative. Mr. Judge explained they explored the possibility of putting public bathrooms in at the Wells Fargo building, but found that it would not be possible because of a space issue. Mr. Judge asked if the Business Improvement District would consider asking merchants to allow visitors to use their bathrooms.

Dolores Cacace, 104 York Avenue thanked Mr. Dempsey, Public Works Department, and the Police Department for avoiding a flood at the end of September with the amount of rain.

Proclamations, Presentations, & Special Guests: None

Workshop Discussions: None

Approval of Minutes:

Mr. Erbe offered a motion to approve the minutes of September 26, 2023 as amended, seconded by Miss McDonough.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: Mr. Judge

Council Comments & Staff Reports:

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

Mr. Judge thanked the Police Department and the first responders for the water rescues recently in town. Mr. Judge warned the ocean has been extremely dangerous and no one should be swimming, the beaches are not guarded.

Mr. Judge shared they received approval for their next Open Space Grant for the next phase of Marucci Park. They are hoping to go out to bid in the new year and will include playground equipment along with a path from Lake Como to the path around the ball park.

Mr. Hale reported that this week is Fire Prevention week, this year’s theme is cooking safety, the Fire Department will be hosting a display at both schools in town.

Mr. Hale reported that last Saturday, there was a down pole on Pitney Avenue, some residents may have noticed a hazmat team at Lake Como performing a cleanup, this was because the oils in the transformer that made its way into the storm drain.

Mr. Hale continued they had a public works and safety meeting this week, they are working on a couple things that they will present to the Council over the next few weeks.

Mr. Hale thanked the Monmouth County Office of Emergency Management for PPE supplies for First Aid.

Ms. Whalley asked about the status of street lights in town. Mr. Dempsey explained they send the list of outages to JCP&L but the problem is that JCP&L does not have employees to make the repairs. Mr. Hale explained that JCP&L will handle emergencies and damage work first, they don’t prioritize street lights.

Miss McDonough commended the Historical and Preservation Alliance for their annual awards this past Saturday night. They did a great job and it was a spectacular event. Miss McDonough commended Public Works for the bulk pick up this week.

Ms. Whalley reported that this Saturday is the 3rd Annual Witches Paddle on Spring Lake at 10:30 am with a rain date of Sunday. This year the Spring Lake Theater dancers will preform a flash mob dance.

Borough Engineer’s Report:

Mr. Avakian reported that every time there is a storm it is nice that they are able to prepare for the event and can control the levels in the lakes to avoid flooding.

Mr. Avakian reported on the project on Third Avenue, it is currently active, the concrete work and drainage is complete from West Lake Avenue to Ocean Road. They hope to start milling and paving next week, weather dependent. He hopes for this to be complete by next meeting. Mr. Hale reported that there was a sewer line that broke resulting in a sinkhole on Church Street. Mr. Avakian is aware of the emergency repair, and he will keep on eye on the trench as it settles in the road.

Borough Attorney’s Report: None

Borough Administrator’s Report:

Mr. Dempsey reported that the high school surf championship will be Saturday or Sunday at the North End depending on the weather and waves.

Business Items Under Consideration:

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

a. Request- Brielle Fire Company- Request use of beach tractor- October 26 – October 29:

Mr. Hale offered a motion to approve the request, seconded by Miss McDonough. All in favor. None opposed.

Ordinances for Introduction:

Borough Attorney Colao read Ordinance No. 2023-009, entitled, "AN ORDINANCE AMENDING PART II, "GENERAL LEGISLATION," CHAPTER 225, LAND DEVELOPMENT, ARTICLE IV, "DISTRICT REGULATIONS", SECTION 14, "CS-SC COMMON SERVICES RESIDENCE SENIOR CITIZEN DISTRICT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE, NEW JERSEY.

Mr. Hale offered a motion to introduce Ordinance No. 2023-009, seconded by Mr. Erbe.

Public Hearing will be set for October 24, 2023.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

Ordinances for Adoption: None

Consent Agenda:

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

R-23-158-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION

RA#12-2023- ST. CATHARINE'S SCHOOL PTA– OFF PREMISE DRAW

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#12-2023, 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#12-2023 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: December 19, 2023 from 7:00 pm

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

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

R-23-159-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION

RA#13-2023- ST. CATHARINE'S SCHOOL PTA– ON PREMISE 50/50

WHEREAS, St. Catharine's School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#13-2023, and

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

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#13-2023 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: December 19, 2023 from 7:30 pm

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

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

**R-23-160-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#14-2023- ST. CATHARINE'S SCHOOL PTA- ON PREMISE 50/50**

WHEREAS, St. Catharine's School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#14-2023, 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#13-2023 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: 1507 Ocean Avenue, Spring Lake, NJ 07762
DATE: December 10, 2023 from 7:00 pm

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

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

R-23-161-RESOLUTION – ESTABLISHING HALLOWEEN CURFEW

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that a curfew will be in effect for all persons under the age of eighteen (18) between the hours of 9:00 P.M. and 6:00 A.M. on October 29, 30 & 31 and November 1 and concluding 6:00 A.M. on November 2, 2023.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to the two elementary schools in town and the secondary schools in neighboring communities where resident children may be enrolled.

ROLL CALL:

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

NAYS: None

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

ABSENT: Mr. Sagui
ABSTAIN: None

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

R-23-162-RESOLUTION – APPOINTMENT OF A PICKLEBALL INSTRUCTOR

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that Colin Parsons is hereby appointed as a Pickleball Instructor at an hourly rate of \$60.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

Resolutions:

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

R-23-163-RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - INCREASING CONTRACT #02-2023 – THIRD AVENUE BANK BUILDING – ROOF REPLACEMENT

WHEREAS, contract #02-2023 for Third Avenue Bank Building – Roof Replacement was awarded on June 13, 2023 to MTB, LLC in the amount of \$177,700.00; and

WHEREAS, Engineer’s Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increased the contract in the amount of \$20,985.00 for a total contract in the amount of \$198,685.00; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing Contract #02-2023 for the Third Avenue Bank Building – Roof Replacement in the amount of \$20,985.00 for a total contract in the amount of \$198,685.00 is hereby authorized for the above contract awarded to MTB, LLC; 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 with an available balance of \$28,594.06.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

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

R-23-164-RESOLUTION – APPROVAL OF BILLS – OCTOBER 10, 2023

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending October 10, 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)	131,462.50
VOID (1)	-1,070.31

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 10, 2023**

GRANT FUND (2)	3,662.50
GENERAL CAPITAL FUND (4)	179,780.60
WATER/SEWER FUND OPERATING (9)	10,221.90
VOID (9)	-71.85
COAH TRUST (16)	350.00
DOG TRUST (13)	469.00
RECREATION TRUST (25)	15,725.95
VOID (25)	-4,550.00
BEACH OPERATING (81)	6,899.72
POOL OPERATING (91)	5,751.51
TOTAL	\$351,348.08

ROLL CALL:

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

Public Comments:

John McGlinchy- South Blvd- Thanked the council for putting up signs for hours for pickleball.

Executive Session: None

Adjournment:

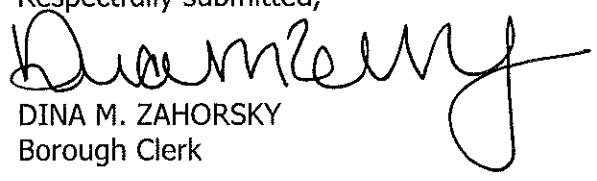
Mr. Hale offered a motion to adjourn the meeting, seconded by Mr. Erbe

ROLL CALL:

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

Time of Adjournment: 7:31 pm

Respectfully submitted,


DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: October 24, 2023