

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
OCTOBER 24, 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. Council President Judge 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, Borough Attorney
Sam Avakian, Borough Engineer
W. Bryan Dempsey, Borough Administrator & Deputy Borough Clerk
Dina M. Zahorsky, Borough Clerk

Proclamations, Presentations, & Special Guests: None

Workshop Discussions: None

Approval of Minutes:

Mr. Judge offered a motion to approve the minutes of October 10, 2023 as amended, seconded by Mr. Hale.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Council Comments & Staff Reports:

Bryan Dempsey – Best Practices: Mr. Dempsey reported that the Best Practices is a check list DCA requires every year and Ms. Kirk, CFO, prepares this for the Borough. The score depends on how much funding a town receives, the Borough does not receive any state funding however, is still required to prepare this each year. The Borough received a score of thirty-three this year.

Mayor Naughton reported on the Building Restaurant Committee. The Committee will be meeting Thursday night to try and complete the draft of the bid documents for any restaurateur. The recommendation is to do a competitive contract RFP versus just the highest bid.

Mr. Hale reported that today is National First Responders Day, he thanked all of the first responders' police, fire and EMS for all of their hard work and service.

Ms. Whalley reported that the one resolution on for this evening is the Introduction of the Business Improvement District's (BID) Budget, there is no change in the budget from last year. Ms. Whalley reported that the Witches Paddle was very successful with over one hundred seventy-five people who registered and hundreds attended. They raised money for the Child Advocacy Service Agency of Monmouth County.

Borough Engineer's Report:

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Mr. Avakian reported Third Avenue was completed today minus the tree planting which will be in the spring.

Mr. Avakian reported that Pitney Avenue’s water main will start the first week of November. Then will go out to bid in December or January for the paving to be done in the spring.

Mr. Avakian reported that for the Marucci Park Recreation Building, the contractor has all of the footings. Mr. Hale asked about the hours of the contractors. Mr. Avakian stated that mobilization is allowed prior to 8 am however if there is ever an issue he can speak to the contractor.

Mr. Avakian reported that the Borough was approved to go forward with the Marucci Park project. He is hoping to award the project in December but the work would be done in the spring.

Mr. Avakian stated that they will start working on permitting for the Lake Como Dredging. Ms. Whalley asked which committee takes care of the dredging project. Mayor Naughton answered parks. Ms. Whalley would like to hear more about the project. Mr. Avakian explained that the project is still in the preliminary phases, the idea would be to take out any kind of silt and debris. There will be greater capacity in the lake and better aquatic life. They will have surveyors out to take a look and DEP will regulate the depth that the lake can be. Mr. Hale asked if the debris has to dry first. Mr. Avakian answered yes, a dewatering site is set up. The material can be used at other locations but has to be tested first. Ms. Whalley reported that Monmouth University with the Coastal Lakes Consourtion, have plotted the bottom of the lake and maybe we can reach out to them to get some of their information.

Borough Attorney’s Report: None

Borough Administrator’s Report:

Mr. Dempsey reported that on the agenda tonight there is a resolution appointing Richard “Alex” Pearce to be our fulltime employee assigned to custodial and building maintenance. There is currently no one that does this and the Borough will now have more buildings to keep up. Mayor Naughton is in support of this, deferred maintenance does not work.

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

**R-23-173 - RESOLUTION – APPOINTING RICHARD (ALEX) PEARCE
FULL-TIME – DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Richard (Alex) Pearce be and hereby is appointed full-time for the Department of Public Works effective October 23, 2023 as Step One Laborer – in accordance with the Collective Bargaining Agreement with the Spring Lake Employees Association.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. McCormick, Superintendent of Public Works stated that over the past year Alex has proved himself above and beyond what we thought someone was going to do. He is eager to learn and is asking to take air-conditioning classes which would save the Borough in the long run. He thanked the Mayor and Council for hiring him.

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Mr. Dempsey reported that on resolution R-23-172 it is for communication equipment for the police and fire department. There was a bond ordinance passed and one thing was to purchase radios, there were three proposals that came in this one had refurbished radios which saves the town a lot of money. Mr. Hale added that they have been using a few of them and they have been working great. It was so successful that police also wanted to join in. Mayor Naughton thanked them for the work on this project.

Ms. Whalley asked what was happening on First Avenue that it was closed. Mr. Dempsey explained that the New Jersey Natural Gas Company is putting a new gas main down First Avenue, it is not in the road but on the right of way so some roads may be closed while they are doing the work. The Department of Public Works had to go out since the NJNG Company hit a watermain. Mr. Hale stated that they are staging at the Brown Avenue parking lot so you will see trucks there overnight. Mrs. Zahorsky confirmed that they did receive a road opening permit. Mayor Naughton suggested that the Borough stay on top of the rehab of the right of way and streets.

Public Comments:

John Clark, 424 Monmouth Avenue asked if there has been any research on heating any pools. Mayor Naughton answered not in her experience. She recalls that at one time the council looked at putting solar panels on the pavilions however, it would not generate enough electric let alone heat the pools. Mr. Clark explained that solar panels could be put on the pools to heat them and also run electric. Currently forty percent is the pick up of the capital cost for installing the panels. He added that both the pool and beach have a large surplus. Mayor Naughton stated that the Borough will be using some of that surplus for the pools this year for significant maintenance issues. Mr. Dempsey explained that there is also debt service that needs to be paid. Mr. Sagui stated that he is against heating the pools, it is a seasonal operation, it is hard to hire lifeguards off season, minimum wages are going up and for the small amount of people who would use it off season would be a waste of money. Mayor Naughton added that the south end pool is a fill and dump every day, she is not sure how heating it would work. She would not be in favor of it since the north end pool can be very warm during the summer. Mr. Clark thinks there should be a user poll to see what they think.

Business Items Under Consideration: None

Ordinances for Introduction:

Borough Attorney Colao read Ordinance No. 2023-010, entitled, "AN ORDINANCE CREATING CHAPTER 322 "PRIVATELY-OWNED SALT STORAGE" OF THE REVISED GENERAL ORDINANCES"
Mr. Judge offered a motion to introduce Ordinance No. 2023-010, seconded by Miss McDonough.
Public Hearing will be set for November 13, 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. 2023-011, entitled, "AN ORDINANCE AMENDING CHAPTER 58, "OFFICERS AND EMPLOYEES" SECTION 18 "ASSISTANT BOROUGH FOREMAN" OF THE BOROUGH CODE

Mr. Judge offered a motion to introduce Ordinance No. 2023-011, seconded by Miss McDonough. Public Hearing will be set for November 13, 2023.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Ordinances for Adoption:

Mr. Judge offered a motion to open the public hearing for Ordinance No. 2023-009, 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 is in regards to the residents at the Essex and Sussex (E&S). The leadership of the E&S has come to the council many times discussing some changes they wanted the council to consider in the ordinance that governs the rules and regulations of the building.

Mr. Wolfe, Attorney for the E&S thanked the Mayor and Council for their time working with the residents. On behalf of the E&S Board he thanked the Mayor and Council for approving the ordinance.

Kathleen Reddick, 700 Ocean Avenue also thanked the Mayor and Council for the many hours spent and for the approval tonight.

Mr. Judge offered a motion to close the public hearing for Ordinance No. 2023-009, seconded by Miss McDonough

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING NOW CLOSED

Mr. Judge offered a motion to adopt Ordinance No. 2023-009, seconded by Mr. Hale. Original Ordinance No. 2023-009 is on file in full in the Borough Clerk's Office.

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:

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

**R-23-165 - RESOLUTION – APPOINTING MEGAN KAVANAGH
ALTERNATE DEPUTY MUNICIPAL REGISTRAR**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Megan Kavanagh be and hereby is appointed as Alternate Deputy Municipal Registrar for the Borough of Spring Lake.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-23-166 - RESOLUTION – RELEASING STREET OPENING BOND
12 ST. CLAIR AVENUE – BLOCK 107, LOT 24**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Merrick Construction for property located at 12 St. Clair Avenue, Block 107, Lot 24 and

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

WHEREAS, the Zoning Officer has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Sagui

ABSTAIN: None

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

**R-23-167 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#15-2023- UNITED METHODIST WOMEN OF ST. ANDREWS UNITED METHODIST
CHURCH-ON PREMISE DRAW**

WHEREAS, the United Methodist Women of St. Andrews United Methodist Church has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#15-2023, 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#15-2023 be and the same is hereby approved as follows:

NAME: United Methodist Women of St. Andrews United Methodist Church
Identification No.: 475-3-31760

LOCATION: 907 Fourth & W. Lake Avenues, Spring Lake, NJ 07762

DATE: November 18, 2023 from 9:00 am to 2:00 pm

ROLL CALL:

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

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NAYS: None
ABSENT: Mr. Sagui
ABSTAIN: None

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

R-23-168 - REORGANIZATION AND REGULAR MEETING DATES FOR 2024

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Regular Meetings of the Governing Body of the Borough of Spring Lake for the year 2024 shall be held at the Municipal Building, 423 Warren Avenue, Spring Lake, New Jersey at 7:00 PM prevailing time unless otherwise noticed on the following dates:

January 2, 2024 Reorganization	January 16, 2024	February 13, 2024	February 27, 2024
March 12, 2024	March 26, 2024	April 9, 2024	April 23, 2024
May 14, 2024	May 28, 2024	June 11, 2024	June 25, 2024
July 16, 2024	August 13, 2024	August 27, 2024	September 10, 2024
September 24, 2024	October 8, 2024	October 22, 2024	November 12, 2024
December 3, 2024	December 17, 2024		

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-23-169 - RESOLUTION - A RESOLUTION OF THE BOROUGH OF SPRING LAKE ADOPTING THE BOROUGH'S EMPLOYEE HANDBOOK IN COMPLIANCE WITH THE NEW JERSEY MEL'S EMPLOYMENT PRACTICES RISK CONTROL PROGRAM

WHEREAS, the New Jersey Municipal Excess Liability Joint Insurance Fund ("MEL") has established an employment practices risk control program ("incentive program") for its member municipalities; and

WHEREAS, the incentive program requires member municipalities to adopt the MEL's model employment practices risk control program in order to be eligible for premium and deductible incentives; and

WHEREAS, in order to be eligible for the MEL's premium and deductible incentives, the Borough of Spring Lake must adopt all of the required policies contained in the MEL's Model Employee Handbook; and

WHEREAS, the Borough Council has determined to adopt all of the MEL's required policies and to include same in the Borough of Spring Lake Employee Handbook; and

WHEREAS, the Borough Council has also determined to include additional policies in the Employee Handbook.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the Employee Handbook be hereby adopted, as of October 24, 2023, to comply with the MEL's Model Employee Handbook.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough Council that, the Employee Handbook adopted above is incorporated into this Resolution by reference and made a part hereof;

NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the Employee Handbook will be distributed to all Borough employees and that a copy of same will be kept on file in the Borough Clerk's office.

ROLL CALL:

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

NAYS: None

ABSENT: None

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ABSTAIN: None

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

R-23-170 - RESOLUTION - A RESOLUTION OF THE BOROUGH OF SPRING LAKE ADOPTING THE BOROUGH'S PERSONNEL POLICIES AND PROCEDURES MANUAL IN COMPLIANCE WITH THE NEW JERSEY MEL'S EMPLOYMENT PRACTICES RISK CONTROL PROGRAM

WHEREAS, the New Jersey Municipal Excess Liability Joint Insurance Fund ("MEL") has established an employment practices risk control program ("incentive program") for its member municipalities; and

WHEREAS, the incentive program requires member municipalities to adopt the MEL's model employment practices risk control program in order to be eligible for premium and deductible incentives; and

WHEREAS, in order to be eligible for the MEL's premium and deductible incentives, the Borough of Spring Lake must adopt all of the required policies contained in the MEL's Model Personnel Policies and Procedures Manual; and

WHEREAS, the Borough Council has determined to adopt all of the MEL's required policies and to include same in the Borough of Spring Lake Personnel Policies and Procedures Manual; and

WHEREAS, many of the Borough's Personnel Policies and Procedures already comply with the MEL's requirements and, as such, only certain policies must be updated.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the Personnel Policies and Procedures Manual be updated and are hereby adopted, as of October 24, 2023, to comply with the MEL's Model Personnel Policies and Procedures.

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual containing all of the changes adopted above is incorporated into this Resolution by reference and made a part hereof;

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual will be distributed to all Borough employees and that a copy of same will be kept on file in the Borough Clerk's office.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Resolutions:

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

R-23-171 -RESOLUTION – APPROVAL OF INTRODUCTION OF SPRING LAKE BUSINESS IMPROVEMENT DISTRICT 2024 BUDGET

WHEREAS, the Mayor and Council of the Borough of Spring Lake authorized and created the Spring Lake Business Improvement District (hereafter the "SLBID") in Chapter 317 of the Borough Code adopted August 14, 2007; and

WHEREAS, Chapter 317 of the Borough Code requires the introduction, approval, public hearing and adoption of an annual budget for the SLBID; and

WHEREAS, pursuant to Chapter 317 of the Borough Code, the Spring Lake Business Development Corporation, Inc., (hereafter the "SLBDC") a duly organized 501(c)(3) corporation, has been designated in Chapter 317 of the Borough as the District Management Corporation; and

WHEREAS, pursuant to Chapter 317 of the Borough Code, the SLBDC is charged with the responsibility of submitting a detailed annual budget for approval by the Borough Council together with a report explaining how the budget contributes to the goals and objectives of the SLBID;

WHEREAS, the SLBDC has submitted a detailed annual budget and report as required; and

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WHEREAS, the Mayor and Borough Council find that the budget submitted by the SLBDC and the accompanying report are appropriate and that the Budget can be introduced and scheduled for public hearing as required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the attached 2024 Spring Lake Business Improvement District is hereby introduced and scheduled for public hearing to be held at the regular meeting of the Borough Council at 7:00 p.m. on Tuesday, December 5, 2023.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are authorized and directed to ensure proper notice and publication of this approval and the public hearing as required by and in accordance with Chapter 317 of the Borough Code and all applicable New Jersey Statutes.

**2024 BUDGET
Spring Lake Business Improvement District**

Income

Assessment	\$ 82,000	
Borough Grant	\$ 45,000	
Donations	\$ 5,000	
Total Income		\$ 132,000

Expense

Management/Organization	\$ 23,685	
Design/Maintenance	\$ 76,237	
Promotion	\$ 20,488	
Business Development & Land Use	\$ 11,590	
Total Expenses		\$ 132,000

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-23-172 - RESOLUTION – AWARD OF RFP #2023-02
COMMUNICATION EQUIPMENT FOR POLICE & FIRE DEPARTMENTS**

WHEREAS, on October 17, 2023 three (3) bids were received for the Communication Equipment for the Borough of Spring Lake Police & Fire Departments, and

WHEREAS, three (3) packets were picked up and three (3) bid was received, and

WHEREAS, Sunny Communications Inc., 12980 W. Cedar Drive, Lakewood, CO, 80228 submitted the lowest bid for the Communication Equipment for Police & Fire Departments; and

NOW, THEREFORE, BE IT RESOLVED that Sunny Communications, Inc. be and is hereby awarded the bid for the Communication Equipment for the Borough of Spring Lake Police & Fire Departments the amount \$74,850.

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 22-009 Acct# C-04-22-009-238 with an available balance of \$128,206.76.

ROLL CALL:

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

NAYS: None

ABSENT: None

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ABSTAIN: None

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

R-23-174 - RESOLUTION – APPROVAL OF BILLS – OCTOBER 24, 2023

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending October 24, 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)	651,340.04
VOID (1)	-740.74
GRANT FUND (2)	55,510.00
WATER/SEWER FUND OPERATING (9)	22,813.09
ESCROW (15)	5,143.00
DOG TRUST (13)	1,000.00
RECREATION TRUST (25)	11,144.25
BEACH OPERATING (81)	22,560.89
POOL OPERATING (91)	3,423.31
TOTAL	\$772,934.58

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: Mr. Erbe

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

R-23-175 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

2023 NJDEP Stormwater Assistance Grant					AMOUNT NOT EXCEED
PS#22-2023	Engineering Services	Peter Avakian	Leon S Avakian	788 Wayside Road Neptune, NJ 07753	\$25,000.00

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year or until a successor is appointed; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

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WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above-named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURTHER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following account Storm Water Mapping Assist Grant G-02-41-701-313 with an available balance of \$25,000

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-23-176 - RESOLUTION - AUTHORIZING COMPETITIVE CONTRACTING PROCESS

This resolution will allow the Borough to prepare a request for proposal in which the Competitive contracting methodology will be used according to State Statute. The proposal will be prepared with the ranking of criteria so an award can be made based on multiple factors.

WHEREAS, the Borough of Spring Lake is in need of a 5G Consultant; and

WHEREAS, the Borough seeks the services of a professional and experienced 5G Consultant; and

WHEREAS, under the Local Public Contracts Law (the "LCPL") N.J.S.A. 40A:11-4.1 (q) authorizes the Borough to utilize competitive contracting in lieu of the standard public bidding process for procurement of specialized goods and services where the price exceeds the bid threshold; and

WHEREAS, competitive contracting in lieu of public bidding allows the Borough to evaluate and score proposal based on weighted criteria, including technical, management, and cost related criteria to ensure that the most professional operator is obtained to meet the needs to the Borough; and

WHEREAS, N.J.S.A. 40A:11-4.3 of the LPCL requires that the Borough Council adopt a resolution authorizing to utilize competitive contracting in order to initiate the process.

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

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be and hereby authorized to utilize competitive contracting to solicit and review proposals for the contract for a 5G Consultant.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Public Comments: None

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: 7:44 pm

Respectfully submitted,


DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: November 13, 2023