

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

Council President Venables 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. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

ABSENT: Mr. Jordan, Mayor Naughton

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

Workshop Discussion - None

Approval of Minutes – None

Proclamations, Presentations, & Special Guests - None

Public Comments

Jim Curry, 212 Remsen Avenue had many questions about the rebuilding of the dunes and the beach replenishment project. Mr. Avakian explained that he would feel more comfortable if all of the questions were written down and presented, he could then consult with the beach committee. Mr. Judge explained the Council remains open to the concept of building the dune at the north end of town after the beach is replenished. It is intended to harvest sand now which will be used for a seasonal dune. Mrs. Reilly noted that we are in the process of formulating the dune plans. Mr. Judge added that when we initially started speaking about mitigation effort, we were looking at dunes both east and west of the boardwalk. Because of all the work going on at the north end of town, with the pipes and pumps we have not been focused on that area. He thanked Mr. Curry for bringing it to our attention and explained that it is an ongoing discussion. Mr. Avakian added that one of the concerns with the beach replenishment project; you do not want to interfere with the beach elevation profile prior to the Army Corp coming through. They survey our beach elevation and bring the sand in to meet the design template.

Eleanor Twomey, 108 Vroom Avenue questioned when the discussion about the generators will be on the agenda. Mrs. Venable answered that it will be on the next meeting, September 24. Ms. Twomey stated that there are existing generators which are right on the property lines and very noisy but they are grandfathered in. Mrs. Venables agreed.

Frank Suozzi, 112 Brown Avenue questioned if the Council has thought of using the sand that is being dredged out of Wreck Pond for the berm around the pond. Mr. Drasheff answered that sand is not the proper composite structure to use for a berm, the first rain storm would wash the sand into the water and sewers. Mr. Suozzi stated that he would think that sand would be a part of the composition of the berm. Mr. Drasheff agreed that sand could be a part of the berm but the berm cannot be made up of sand only. Mr. Avakian explained that there is some funding available which Najarian and Avakian firms are going to use to work together to create

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

the concept plan for the living shore line. A representative from the State believes that these projects are two separate distinct projects. Mr. Avakian does not agree because the berm design is going to vegetate and will effectively vegetate with a living shore line. Mr. Suozzi asked if there could be feedback at the next meeting. Mr. Avakian answered yes, however he is tied into the Wreck Pond group's timeline on the living shore line and the berm. Mrs. Venable asked what the time line is. Mr. Avakian answered two months for the County approval; once it is authorized and funding is in place the Freeholder's will vote on it. Then work would immediately begin on the conceptual design.

Susan Fittin, 3 Elizabeth Court questioned who owns Wreck Pond. Mr. Avakian answered that the State owns the body of water, it is State open waters. However, the State will not help with funding unless it is a State generated funded project.

Dolores Cacace, 104 York Avenue questioned why there are steps at the entrance to the beach at York Avenue and she wanted to know if anyone knew the number steps. She stated that there are twenty- three. Mr. Dempsey answered that the elevation rose from Ocean Avenue to the boardwalk, it is now too steep for a ramp so there stairs had to be constructed. Mr. Judge explained that access point was made to serve dual purposes of providing both access and protection to the homes and property on York Avenue. The entrance to the beach was removed for a cost saving measure; we are trying to cut back on staff expenses.

Harry Zarb, 2205 Third Avenue would like an update on North End Pavilion, if available. He suggested that the Borough pay attention to the existing berms, he has noticed on many occasions Borough workers violating the access points. They jump through the railings and use the dunes to go under the boardwalk, this eats away at the dunes. He suggested using the snow fencing on the west side of the boardwalk so that people cannot go under. Mr. Judge explained that the contractor for the North End Pavilion did not meet the completion date of September 7, our representative Joe Griffin is in discussions with the contractor to come up with a reasonable schedule to have it built. Mr. Judge suggested that snow fence could extend on the top of the westerly dune for the length of it.

Council Comments & Staff Reports

Mr. Drasheff reported that the finance committee met two weeks ago on the status of the budget, the third quarter needs to be closed out to see what the revenues will be, especially in the water and sewer section. He added that the first week in October the committee would like to talk about how the Borough faired this year with our revenues and expenses. The beach and pool committee have reduced expenses considerable and helped to raise revenues.

Mr. Judge reported that the curbing north of the North End Pavilion site is bad shape. He was hoping that Precise, the onsite contractor could give a unit price to fix this issue. He then reported on the beach revenues, the committee worked hard to keep the expenses down; while the revenues were also slightly down, the budget will be met for both the pool and beach. The lack of having the North End Pavilion this season increased the seasonal beach badges sales by twenty-six percent. The beach box rentals added some revenue, the final revenue numbers are

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

not in yet. He explained that he would like to follow up on a comment that a member of the audience made last week about how Brown Avenue is the most vulnerable point in town, he feels that is a very valid point. The beach committee would like ask Mr. Avakian to look into the possibility of re-engineering the Brown Avenue entrance so that it would not be so broad of an entrance. He suggested that there may be able to have a continuous dune from north of the walk way to connect with the new dune that was just built.

Mrs. Reilly thanked Dan Finn and Janet Carbin and the beach staff, they did a phenomenal job. She also thanked the residents. The weather did not cooperate as well as we wanted it to, however the season finished well. Mrs. Reilly reported that there is a paper shredding event on September 21st in the parking lot in Manasquan on Fourth Avenue and also a home composting work shop that they asked us to present on October 9th at Atlantic Avenue. She added that Spring Lake is also having their own paper shredding event October 19 from 9 am to 1 pm; residents can bring two to three boxes of paper to be shredded. Mrs. Venables asked if it will take place at the train station. Mrs. Reilly answered that the decision has not been made on the location, however if it would be better to have it a public works, that's where it will be.

Mrs. Venables reported that the Department of Environmental Protection has awarded many grants under their Community Stewardship Incentive Program and the Shade Tree Committee applied for a twenty thousand dollar grant and the Borough was awarded. The plan for the money is to plant sixty-five cherry trees along the east side of Spring Lake, the goal is to have them planted by this spring.

Mr. Drasheff reported that the curbing on the island on Elizabeth Court it is really in need of a substantial rehab.

Borough Engineer's Report

Mr. Avakian reported that the sediment sample results were submitted to the DEP for Wreck Pond. They are working with us to develop the scope of work for this first year's phase of the dredging project. Currently we are working with the Office of Dredging Technology; hopefully the permit will be complete by December. Some of the sediment results came back positive in terms of the percentage of sand.

Borough Administrator's Report

Mr. Dempsey reported on the North End Pavilion, the locker bids went out and they are due back on September 18, hopefully the numbers will be good and it can be rewarded. The roof structure for the North End Pavilion is going to start being set this week, the architect has recommended a change of color, and the shingles will be slate colored similar to what is on the South End Pavilion. Mr. Judge explained that Mr. Rizzo, former Council person and architect has been involved in the design of the North End Pavilion from the beginning, has also recommended that the color be changed to slate. Mrs. Reilly added that both pavilions will match. Mr. Dempsey then reported on the EPA grant for the smoke testing, the dye testing, videoing, and cleaning of all the sanitary storm drains is complete. There was one sanitary sewer line which was going through a storm drain on Ocean Avenue, which will be recommended to be fixed. Mr. Judge asked if the contamination is coming from other sources. Mr. Dempsey answered yes; we thought that the results were going to show sanitary going into the storm drain which is not the case. He then reported on the sluice gate, the last permit

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

which is needed before construction can start would be the safety permit from the DEP which should be acted upon within the next week or so. He then reported on Lake Como, there can be discussion with surrounding municipalities about an interlocal agreement to try and control the flooding by working together. He added that they are looking at the outfall structure, the pipe does not function at capacity, what they are considering is putting slots on both sides. Mr. Avakian added that the structural engineer will be in town tomorrow and he will take a look at that and make a determination if we can fabricate it ourselves. Mrs. Venables asked when the SMRSA structure which is being built at the south end of town will be finished. Mr. Dempsey answered that the structure on Pennsylvania Avenue should be done in the next couple of weeks.

Borough Attorney's Report

Mr. Jay Colao – Nothing for tonight.

Business Items Under Consideration

Event Application – St. Rose High School – October 2, 2013

Mrs. Reilly offered a motion to approve request, seconded by Mr. Judge. Unanimously approved

Event Application – DQ Events Triathlon for Autism – August 3, 2014

Mrs. Reilly offered a motion to approve request for Annual Beach Day, seconded by Mr. Judge. Unanimously approved

Manasquan High School Surf Team – Brighton Avenue Beach for Practice – Mrs. Reilly offered a motion to approve the request, seconded by Mr. Judge. Unanimously approved.

Ordinances for Introduction

Matthew Zahorsky, Zoning Officer explained that after Hurricane Sandy the ordinance was changed to allow residents to raise their homes three feet above the ABFE, the preliminary maps are out and those elevations will now be used. He added that ordinance being introduced would relieve the residents from the three feet requirement as long as they meet the definition of cellar and building height. There are three or four homes on South Blvd. that the other ordinance has negatively affected. For example, there is one home on South Blvd. who is in the preliminary elevation of elevation ten and the grading around their lot is already at ten and the finished floor is at 12.6 feet. They would only be able to raise their house three feet above elevation ten, which is only elevation thirteen. At the elevation of 12.6 feet they had two feet of flood water in their home. He added that because of the current ordinance he is not allowed to let them raise their house more than three feet above the new base flood evaluation of ten. Essential this ordinance will allow them to raise the home to where they want as long as they meet every other requirement of the ordinance, the definition of cellar and the definition of building height of thirty-five feet from the top of the curb. Mr. Fay asked if the ordinance is making it more flexible. Mr. Zahorsky answered that he would not say flexible but it is helping. If he were a

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

resident and was going to spend the money to raise his home he would want peace of mind that the house would not get flooded again.

Borough Attorney Colao read Ordinance No. 2013-011 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 225, LAND DEVELOPMENT, OF THE BOROUGH CODE", by Title.

Mrs. Reilly offered a motion to introduce Ordinance No. 2013-011, seconded by Mr. Judge.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Ordinance No. 2013-011 in full/Ordinance Book No. 1

Ordinances for Adoption

Mrs. Venables explained that Mayor Naughton asked to have this ordinance carried to the next meeting; she would like to be in attendance for it. Mr. Fay asked what this ordinance is about. Mr. Zahorsky answered that it is a business registration, essentially a way to keep track of an existing commercial building or space. It is gathering information to make sure that it is a permitted use, for commercial zones only.

Mrs. Reilly offered a motion to carry Ordinance No. 2013-010, seconded by Mr. Judge.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Ordinance No. 2013-010 in full/Ordinance Book No. 1

Consent Agenda

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-13-162 RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#29-2013 -GARDEN CLUB OF SPRING LAKE-ON PREMISE 50/50**

WHEREAS, Garden Club of Spring Lake has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#29-2013, 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#29-2013 be and the same is hereby approved as follows:

24716

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

NAME: Garden Club of Spring Lake
PO Box 487, Spring Lake, NJ 07762
Identification No.: 475-8-35025
LOCATION: Spring Lake Bath & Tennis
1 Jersey Avenue, Spring Lake, NJ
DATE: October 9, 2013 11:30 AM to 3:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-13-163 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#30-2013 –THE HOLLY CLUB OF SEA GIRT-ON PREMISE RAFFLE**

WHEREAS, The Holly Club of Sea Girt has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#30-2013, 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#30-2013 be and the same is hereby approved as follows:

NAME: The Holly Club of Sea Girt
107 Trenton Blvd., Sea Girt, NJ 08750
Identification No.: 447-8-35275
LOCATION: Spring Lake Bath & Tennis
1 Jersey Avenue, Spring Lake, NJ
DATE: October 24, 2013 11:00 AM to 3:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-13-164 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#31-2013 –THE HOLLY CLUB OF SEA GIRT-ON PREMISE 50/50**

WHEREAS, The Holly Club of Sea Girt has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#31-2013, 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.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#31-2013 be and the same is hereby approved as follows:

NAME: The Holly Club of Sea Girt
107 Trenton Blvd., Sea Girt, NJ 08750
Identification No.: 447-8-35275

LOCATION: Spring Lake Bath & Tennis
1 Jersey Avenue, Spring Lake, NJ

DATE: October 24, 2013 11:00 AM to 3:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

R-13-165 - RESOLUTION – APPOINTMENT OF GREEN TEAM MEMBERS

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following are appointed to the Green Team:

- Shade Tree Chairman or designee
- Member of the Borough Council
- Environmental Commission Chairman or designee
- Garden Club President or designee
- Planning Board Chairman or designee

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Drasheff.

**R-13-159 - RESOLUTION - AGREEMENT WITH ENERGYSOLVE, LLC TO PROVIDE
ENERGY BILL ANALYSIS SERVICES**

WHEREAS, the Borough Council of Spring Lake desires to control consumption and cost of energy, to benefit taxpayers and reduce its carbon footprint thereby helping the environment; and,

WHEREAS, the Borough Council of Spring Lake desires to reduce administrative costs and to scrutinize all energy bills to eliminate overcharges or inappropriate fees being charged by public utilities; and,

WHEREAS, the Borough Council of Spring Lake desires to have real time data on energy consumption for the purpose of improved energy management and reporting of said usage in a simple ready to utilize format when required.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of Spring Lake enter into a contract with EnergySolve LLC of Somerset New Jersey to provide the following services at the listed rates using State Contract # 73693:

- Provide the New Jersey Energy Tracking System, which includes setting up of all energy bills in a relational database, reporting from the database utility bill and other information in standard or customer specific reports.
- Processing and paying of all utility bills electronically after checking for billing errors · Tariff analysis to ensure Spring Lake is being provided the best rates.

BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013

- Current rate for service is \$6.30 per bill processed for Local Distribution Company and 5.70 per bill for Third Party Suppliers per month.

NOW THEREFORE BE IT RESOLVED, that this resolution take effect immediately and that the Clerk notify the Purchasing Agent of this action.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Resolutions

Mrs. Reilly offered the following Resolution and moved its adoption, seconded by Mr. Judge.

R-13-166 - RESOLUTION – APPROVAL OF BILLS – SEPTEMBER 11, 2013

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending September 10, 2013, 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.

Table with 2 columns: Fund Name and Amount. Includes categories like CURRENT FUND (1), WATER/SEWER OPERATING (9), DOG TRUST (13), etc., with a total of \$821,211.79.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Mr. Judge offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-13-167 - RESOLUTION – APPROVAL OF BILLS – SEPTEMBER 11, 2013

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending September 11, 2013, 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.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2013**

	<u>SUMMARY</u>	
CURRENT FUND (1)		32,699.00
TOTAL		\$32,699.00

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Public Comments

Eleanor Twomey, 108 Vroom Avenue asked why the surfers from Manasquan High School cannot surf in Manasquan. Mr. Judge answered that they can certainly surf in Manasquan but Spring Lake is one of the sending school. Ms. Twomey asked if the surfers will practice all winter. Mr. Dempsey answered no, just during the high school surf season. Mr. Drasheff explained that the season is September 9 to November 7, Monday through Thursday from 3:30pm to 5pm.

Harry Zarb, 2205 Third Avenue would like to remind everyone that tomorrow is the twelve anniversary of September 11, the Jersey Shore Runners Club starts at 6 pm at 16th Avenue in Belmar, to Remsen Avenue for a memorial service in Spring Lake, hopefully there will be a good turn out like there has been in the past.

Executive Session - None**Adjournment**

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Jordan

ABSTAIN: NONE

Time of Adjournment: 8:04 P.M.

Respectfully submitted,



DINA M. PARTUSCH-ZAHORSKY
Deputy Borough Clerk

Approved at a meeting held on: January 7, 2014