

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MARCH 24, 2015**

Mayor Naughton called the Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:03 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. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables, Mayor Naughton

ABSENT: NONE

ALSO PRESENT: Jane L. Marban, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer

Workshop Discussion - None

Approval of Minutes - March 10, 2015 - Carried to April 10, 2015 Meeting

Proclamations, Presentations & Special Guests

Public Comments

Mike Mattia, 313 Jersey Avenue, referenced a letter and photos he sent to the Mayor and Council regarding buildings in Spring Lake and the Certificate of Occupancy ordinance in connection with awning conformance. Mr. Mattia asked the Mayor and Council to consider adjusting the ordinance to allow for a curved or arched awnings noting that he has no knowledge as to why the ordinance was created and what detriment an awning of this type might cause. Mr. Mattia opined that different types of awnings add a certain style to the downtown area and allows visitors to better identify a particular store. Another component, Mr. Mattia stated, is the requirement to have each awning of the same height in the case of a building with multiple stores which would also be problematic for the corner location. Mrs. Venables responded that she was part of the process to develop the ordinance and stated that she recollects the style and design elements came from the BID (Business Improvement District) and their land use committee who worked on this for a lengthy period of time.

Mrs. Venables reported that it's her understanding that the BID's land use committee spoke with representatives from other towns, looked at other awnings and did a great deal of research. Mrs. Venables added that she was supportive of their efforts and felt confident that the suggestions were well vetted. Mr. Mattia stated that he spoke with Ms. Carol Patterson who was on the BID's land use committee and reported that she did not vote for the ordinance but that she didn't recollect why it was an issue. Mr. Mattia added that perhaps minds have changed and it may be worth looking into at this time.

Mr. Judge stated that he was surprised to learn that there is an ordinance that requires that the top portion of the awning be straight rather than curved and expressed appreciation to Mr. Mattia for bringing it to council's attention. Mr. Judge, in reviewing the photos, stated that he believes the most attractive awnings have the curved feature and thus struck him as being excessive regulation. Mr. Judge stated that he was not on the Borough Council at the time but reflected on a more recent ordinance that requires a commercial certificate of occupancy and voted against it stating that he thought it was unnecessary regulation and imposed an unnecessary expense on the Borough's commercial property owners. Mr. Judge voiced concern that the Borough is legislating a requirement

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to change the awning simply because you have a new tenant. Mr. Judge suggested that the Council attempt to reach consensus on either the provisions of the ordinance or the need for a commercial certificate of occupancy. Mr. Judge added that it's important to point out that the Borough's Code Enforcement Officer, Steve Roe, was doing his job and was in full compliance with enforcing the code. Mr. Mattia stated that Mr. Roe was very courteous and that he understood he was left with no option other than to enforce the code.

Mrs. Venables suggested that the BID be given the opportunity to review and voice their position on the topic before the council takes any action. Mr. Mattia stated that it was his understanding that the BID was created to bring in business and that this was their main goal and did not believe their role was to control the aesthetics of the town. Mrs. Venables responded stating that the BID does not control the aesthetics of the town and that the council passed the ordinance based on the BID's representation of the business community. This, Mrs. Venables continued, is why she feels they should be consulted on their position.

Mr. Erbe stated that it's his belief that this is an example of the maturation of the process and the BID's role. Mr. Erbe stated that he feels that they've done a great deal of good things in town, like the landscaping, and that people may not always like everything they do. Mr. Erbe stated that Mr. Mattia's point is well taken and questioned the need to have uniformity in regards to the awnings. Mr. Judge added that he does not believe the council should be mandating a bylaw such as this. Mayor Naughton stated that she doesn't fully recollect what prompted the legislation but would believe the BID didn't just dream up the guidelines without reason noting that her experience with the BID is that they are not an over-regulatory body and if there was someone from the BID who could speak to the genesis of the recommendation, perhaps it would be helpful.

Mr. Clayton, representing the BID, stated that it was a majority vote in favor of a slanted, angled, traditional awning. The committee, Mr. Clayton added, was large and it took roughly six (6) months for the committee to review. Mr. Clayton stated that the old ordinance was rather weak, noting that it was roughly one and one-half pages compared to the current ordinance that is twelve pages. What prompted the issue, Mr. Clayton stated, was that there were no rules. The awnings were in such bad shape, including large holes, stated Mr. Clayton. Mr. Clayton added that he first approached Mr. Barry Lewis, former Borough Administrator, in connection with the larger issue of signage. The initial thought was to ensure that shop owners presented signs that were more professional and fit the aesthetics of the town. As for awnings, Mr. Clayton stated that there was an architect on the committee who offered his expertise on the topic. Mr. Clayton added that he also sought out the advice of an independent architect just recently. Mr. Clayton read from this individual's response on the topic of awning aesthetics. Mr. Clayton continued stating that at the time they were most interested in putting something in place since up until this point there were no guidelines at all. Mr. Clayton stated that they were not necessarily concerned about uniformity but did want there to be something in place to ensure some level of aesthetics. Mr. Clayton stated that since the ordinance was put in place there have been approximately 13 awnings turned over without incident. Mr. Clayton reported that the BID's land use committee recently reviewed this ordinance again and the seven (7) members present voted not to change the part of the ordinance that addresses the issue of slanted versus round awnings but there was discussion about the use of common sense in an effort to reach mutually agreeable solutions. Mr. Clayton offered to take the topic back to the BID on behalf of Mr. Mattia and share the concerns that have been raised and also suggested that the BID revisit certain aspects of signage. Mr. Clayton reflected back on when the ordinance was originally drafted and presented to the mayor and council and noted that there was no opposition at the time but acknowledged that now that there is a concern it may warrant a review.

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Mr. Judge voiced his appreciation to Mr. Clayton and the BID acknowledging the good work that they do, but noted that they may need to just agree to disagree. Mr. Judge stated that he doesn't believe awning selection should be mandated by law. Mr. Clayton stated that he understood noting that the BID wants to work with the town and wants to do what's right for the town and that would include a movement in another direction as it pertains to this topic. Mr. Judge stated that the item can be addressed either through the ordinance or through the commercial certificate of occupancy. Mr. Clayton stated that he believes the most important aspect is the need for checks and balances.

Mr. Frost asked if store owners are consulted when a committee such as the BID's land use committee discusses a topic. Mr. Clayton stated that they are invited to meetings and receive emails on topics being discussed. Mr. Clayton stated that the board, made up of twenty (20) people, is very diverse and includes business owners, residents, professionals, restaurant owners and realtors noting that the diversity of the group generates many different ideas and suggestions and results in win-win solutions.

Mr. Mattia offered that one of the best looking businesses in town is Kate and Company noting that this store has a curved awning. Mr. Mattia added that if this business was to sell, under the current legislation, the buyer would be required to add all new awnings. Mr. Mattia also brought attention to another business that was recently sold that was not required to change their awning and further violates the ordinance by including a web address on the awning. Mr. Mattia detailed the timeline of his tenant's move and voiced hope that whatever discussions and decisions are made are done quickly or allow the tenant to move in without removing the awning in case the ordinance changes eliminating the need for him to do so.

Mrs. Venables stated that she believed Mr. Roe issued summons to a couple of businesses that stated that any pursuit of the summons would be held until the council reviewed this issue. Mr. Clayton added that the BID now feels, unlike the thoughts in 2009, that if a business sells their business and the buyer intends to keep the same name and the same location and the only thing that is changing is the ownership they would not be required to change the awning.

Mayor Naughton voiced her thoughts stating that she believes the commercial certificate of occupancy should remain in place. Further, the Mayor stated that although she does not have a vested interest in the shape of the awnings she appreciates the effort that went into the creation of the ordinance and feels a discussion of the BID members makes sense. The Mayor added that although the council has the power to change the ordinance without input from the BID she would be most interested in hearing the BID's thoughts on the topic.

Mr. Clayton stated that they will happily discuss and get back to the council in a reasonable period of time. Mr. Clayton added that it's a topic that was discussed thoroughly at the time and the people involved will gladly discuss it thoroughly again in an effort to do what's best for the town.

Mr. Judge consulted with Borough Attorney Colao the ability to hold enforcement while this reconsideration takes place. Mr. Colao stated that this level of discretion would rest with the Borough Administrator and Code Enforcement.

Mr. Mattia asked for clarification on the grandfather clause currently in the ordinance stating that the use of the property in question is the same, namely real estate, and asked if this would qualify under the grandfather clause. Mr. Clayton responded that the ordinance refers to new owners and/or tenants and noted that typically businesses under the same name rarely change ownership in Spring Lake and typically they just close which is why there has been a need to look at a business like the Irish Centre which was unique in that the business didn't close but rather was sold under the same

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name. The Mayor suggested Mr. Clayton offer some suggestions at the next Mayor and Council meeting and then the council can consider possible options.

Ed Hale, 216 Lorraine Avenue, highlighted two (2) items on the agenda for consideration, the Little League Parade and the Old Timers Game, encouraging support.

Council Comments & Staff Reports

Mayor Naughton reported that the engineer commissioned to do the water/sewer study in the Borough has informed the Borough that with the weather clearing the hydrant and water work will be scheduled for April 6th and April 7th and residents may experience some slight discoloration in their water not unlike when hydrants are flushed.

Mayor Naughton reported that the council finance committee met again this past week and although there is still work to be done, the budget appears to be on track for introduction the first week in April. In connection with Wreck Pond and the addition of a second pipe, the Mayor reported that a meeting with Fish and Wildlife, DEP and the Army Corps will take place on March 25th and they hope to learn more about the progress of the permits and other aspects of the project.

Mr. Judge, responding to Mr. Lyle Marlowe's email to the Beach Committee, voiced appreciation to Mr. Marlowe for providing his comments and questions respectfully and acknowledged understanding of the importance of the dune walkover issue to Mr. Marlowe. Mr. Judge stated that the issue first arose in 2013 after Superstorm Sandy as the council, in collaboration with the Superintendent of Public Works and the Borough Engineer, considered whether to rebuild the access ramps through the dunes or over them and ultimately decided to go over the dunes. Mr. Judge stated that he didn't recollect any focus on the actual materials that would be used for the railings. Mr. Marlowe first brought the suggestion to use metal railings versus wood railings to the attention of the council after the walkover was put in place on York and Union Avenues, stated Mr. Judge. Mr. Phillips, the Superintendent of Public Works, has recently offered a couple of thoughts, stated Mr. Judge, one that a metal railing at Union Avenue could not be done due to the curvature of the ramp and the other issue was the expense. Regarding Pennsylvania Avenue, a walkover was also recommended and Mr. Marlowe again suggested a metal railing be installed, stated Mr. Judge. Continuing, Mr. Judge added that Mr. Phillips was once again consulted and the issues of curvature of the ramp and cost still remain. In more recent months, the Borough is now working on the ramp at Brown Avenue which is a much larger undertaking and includes a 100 foot perpendicular stretch to the street. So the beach committee decided the cost associated with using a metal railing at this location was aesthetically worth it. As such, Mr. Marlowe has asked if the Borough would reconsider the use of metal at the other locations, stated Mr. Judge. Mr. Judge added that they have learned that the curvature of the ramp can be navigated with metal but that it's not perfect pointing out that the joints do not match up. Mr. Judge stated that the beach committee has not had an opportunity to address Mr. Marlowe's request, but stated that in his frank opinion he does not believe it's a priority to go back and undo work that's already been done. Mr. Judge acknowledged Mr. Marlowe's other ideas and agreed to have them considered. Mr. Judge invited additional comments from the other committee members.

Mr. Frost stated that he agrees with Mr. Judge's thoughts in connection with the ramp railings stating that they look nice and they have received many compliments on them and not unlike the discussion about the awnings, although they may be different what's important is that they look good. Mr. Frost stated that he does agree with some of Mr. Marlowe's other suggestions such as landscaping in front

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of the guardrail and in front of the parking lot at Brown Avenue and agreed to have these items discussed at the next beach committee meeting.

Mr. Marlowe voiced that he was definitely in favor of the ramps over the dunes but has also always been in favor of the Spring Lake railings. Mr. Marlowe stated that it's his understanding that there are about 3,000 stanchions along the boardwalk, new ones were put in at Brighton and several hundred were put in at Brown Avenue and he feels strongly that they should be put in at York, Pennsylvania and Union Avenues. Mr. Marlowe opined that it looks atrocious and is also a safety hazard. Mr. Marlowe voiced understanding and agreement in being careful on how money is spent but feels this expense is warranted. Regarding landscaping, Mr. Marlowe stated that the north end seems to be well landscape but that the south end is in need of some attention.

Harry Zarb, 2205 Third Avenue, stated that he passes by those locations all the time and he agrees that it is different looking and stands out and agrees that they should be standardized.

Mr. Frost reported that the parks and recreation committee has met several times and are moving forward on paddle tennis in Marucci Park and other improvements. Mr. Frost added that they have met with the Department of Public Works and other groups to discuss various additional ideas for the park. They have met with the Friends of Marucci Park group, stated Mr. Frost, to get their input and hope to meet with other groups to get as much input as possible. Mr. Frost committed to updating the Mayor and Council and hopes to have a presentation developed when the final plans are ready.

Mr. Frost further reported that he and Mr. Dempsey met with Michael Burke, head of the environmental commission, to discuss Divine Park and Spring Lake in connection with the overall condition of both the park and the lake. New Jersey Clean Communities, Mr. Frost continued, runs a program to secure volunteers to help clean out lakes on a regular basis. By doing so, Mr. Frost stated, the Borough may be entitled to some grant money. The Shark River Anglers will be hosting their annual event on April 4th and they were hoping we could get the lake cleaned up prior to this. Mr. Frost stated that he was unsure if this could happen but emphasized the importance of focusing on this particularly given the possible rehab of the bridge. Mr. Frost opined that Divine Park and Spring Lake are areas of the town that have been overlooked and encouraged the Borough to take a good look at both of these areas including the possibility of dredging. In connected with possible dredging, the Mayor asked if permits were necessary. Mr. Avakian stated that there's a difference between removing sediment and removing organic material and it's not uncommon to use an apparatus to take up the leaves and organic material without taking up the sediment. Mr. Frost stated that they would be looking into various resources and equipment available to the Borough for assisting with this effort but suggested the need to at least move forward on cleaning up the trash around the perimeter of the lake.

Ed Hale, 215 Lorraine Avenue, stated that his son, as part of the boy scouts organization, was planning on requesting permission to volunteer to help the borough with lake clean up the weekend of May 16th and reported that there are approximately 40 kids available to assist. Mr. Frost indicated that this would be good timing in that prior to that there will be many fisherman on the banks of the lake making it difficult to do clean up.

Mr. Sagui reported that bids will be received on Thursday in connection with the water/sewer project on Ludlow Avenue and the project will be awarded at a special meeting on April 1st.

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Mrs. Venables reported that she's been working with Mr. Frost in connection with Marucci Park noting the plans include a great deal of tree planting particularly the replacement of trees removed on the north end of the park and to screen the paddle tennis courts.

Borough Engineer's Report

Mr. Avakian reported that he will be evaluating the low bidder to ensure compliance with the bid requirements and statutory requirements and if there are any issues his firm will let the council know. Mr. Avakian further reported that there will be another meeting in connection with the Wreck Pond outfall pipe and stated that his firm was approved for an agreement with the American Littoral Society which removes the funding component from the Borough and puts it into the US Fish and Wildlife's grant. The project timeline, Mr. Avakian stated, calls for bidding in June of this year. Although ambitious, stated Mr. Avakian, they have a head start on the project and have met with a consultant to do geotechnical borings to ensure the subsurface is adequate. The grant applications, added Mr. Avakian, were returned with a request for more information including a benefit/cost analysis which is due April 7, 2015.

Borough Administrator's Report

Mr. Dempsey reported that the Spring Lake First Aid Squad will be providing AEDs, Automated External Defibrillators, for each of the municipal buildings. The Chamber of Commerce has reported that attendance at their annual Irish Festival has dropped off in recent years and they believe it's due to competing with other towns who offer a beer garden at their event, stated Mr. Dempsey. The Chamber is requesting approval to include a beer garden at their event, added Mr. Dempsey, noting that it would be operated in a similar fashion to the beer pavilion at the Big Sea Day event where it's fenced off. Mr. Sagui asked where they would have the beer garden. Mr. Dempsey responded that it would be located on Morris Avenue. Mr. Sagui asked how the BID feels about the idea. Mr. Clayton stated that the Chamber did ask the BID's opinion on the topic. Mr. Clayton stated that he understands their concerns about the decrease in attendance and although he and Mr. D'Amico, Chamber President, tend to operate more cautiously they do agree that sometimes they need to take a bit of a chance. Mr. Clayton further stated that it's important that Chief Kerr is involved and he feels that the Chamber will do a good job in running and managing the event. Mayor Naughton sought clarification as to whether the BID supports the idea. Mr. Clayton stated that they do believe it's worth a try to see if it will increase attendance. Mr. Judge added that given the success of the beer garden at Big Sea Day, he too would be willing to support it. Mr. Dempsey added that he spoke to Chief Kerr who confirmed that he's okay with having the beer garden and that it would be managed like the beer garden at Big Sea Day and that the hours would be 12:00 pm to 4:00 pm. The event, Mr. Dempsey stated, would be May 16th with a rain date of May 17th.

Mr. Judge offered a motion to approve the inclusion of a beer garden at the Irish Festival on May 16th (rain date of May 17th), seconded by Mrs. Venables. All in favor. None opposed.

Mr. Dempsey reported that there is a request from the buyers of the properties sold by the Borough on Second Street to change the name. The Chief had also voiced concerns in the past about the potential confusion with Second Avenue, added Mr. Dempsey. Mr. Pat O'Connor, who wrote the letter, along with the other owners have suggested the name be changed to Clover Road. As for Prospect, Mr. Dempsey stated that this may also need to be reviewed and changed at the same time.

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The Mayor stated that there seems to be agreement that the names of the two streets need to be changed but that there should be additional consideration given to how the names are determined.

Mr. Dempsey reported that there is a recreational trails grant available for Devine Park, that is due April 30th, and that it may offer an opportunity to improve the bridges or the trails. Mr. Dempsey added that the maximum available is \$24,000 and after speaking with the state, Mr. Dempsey feels it's something the Borough should explore.

Another issue, Mr. Dempsey stated, is the need to give refunds in connection with the many programs offered by the Borough (lockers, beach boxes, etc.). The refunds, Mr. Dempsey stated, result in a 3½ % processing fee by the credit card company. The refunds can be as high as \$1,000 or more and at present the Borough has no means to pass this expense on, when warranted, continued Mr. Dempsey. Mrs. Marban, Municipal Clerk, added that in recent weeks there has been several nonresidents who represent themselves as a resident and purchase pool/beach badges which subsequently need to be refunded. The Mayor confirmed that this is not a means to generate profit but to recover administrative costs and directed the question to Borough Attorney Colao as to whether this could be accomplished via a resolution. Mr. Colao suggested the need to research this but felt it was likely the Borough could accomplish this through the passing of a resolution. It was agreed to review it further and put it on the agenda for consideration at the next meeting.

Mr. Dempsey reported that the Historical Society is revealing their new First Responder Exhibit on April 19th from 2:00 pm to 4:00 pm and invited the council and members of the public to stop by.

Lastly, Mr. Dempsey suggested a need to review the ordinance in connection with the Recreation Committee/Commission noting that it's outdated and doesn't fully reflect how the Borough operates. The Mayor agreed that there has not been a need for an advisory committee and the way they've operated in recent years has worked well and further agreed the ordinance should be updated to reflect this. Mr. Frost added that the addition of select or ad hoc committees when needed, like the paddle tennis committee, seems to work well and has for many years. The Mayor agreed. Borough Attorney Colao added that with a commission there is a need to have three (3) members and that he has not heard a reason for the need for a commission. Ms. Marban added that the need exists for a commission in order to keep the recreation trust fund. Mr. Dempsey stated that they can further research this with CFO Kirk. The Mayor suggested Attorney Colao ensure that we're in compliance as well.

Business Items Under Consideration

Spring Lake Sea Girt Little League – Annual Parade – April 25, 2015 – Mr. Judge offered a motion to approve the Annual Little League Parade, seconded by Mrs. Venables. All in favor. None opposed.

Event Application – Someone Special Needs You – June 6, 2015 – Mr. Judge offered a motion to approve the event, seconded by Mrs. Venables. All in favor. None opposed.

NJ Army National Guard – Army Physical Fitness Test – May 21, 2015

The Mayor stated that this is a first time request and is detailed as a two (2) mile run on the Borough's boardwalk for about 70 participants who will arrive by bus and leave by bus. The Mayor confirmed that this activity is to take place at 9:30 am and they expect to be finished no later than 11:00 am. Mr. Lyle Marlowe, 110 Pennsylvania, suggested that the boardwalk may need to be blocked off. The Mayor stated that the Chief of Police will be made aware of the event and can assist with the coordination of the event.

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Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Spring Lake Historical Society – Vintage Baseball Game at Marrucci Park – July 11, 2015 –

Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Ordinances for Introduction - None

Ordinances for Adoption - None

Consent Agenda

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-056 – RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#9-2015 –LEGAL AID SOCIETY OF MONMOUTH COUNTY, INC.- ON PREMISE 50/50**

WHEREAS, Legal Aid Society of Monmouth County, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#9-2015, 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#9-2015 be and the same is hereby approved as follows:

NAME:	Legal Aid Society of Monmouth County, Inc.
	PO Box 2006, Ocean, NJ 07712
	Identification No.: 12-4-29564
LOCATION:	The Breakers
	1507 Ocean Avenue, Spring Lake, NJ
DATE:	April 15, 2015 6:00 PM - 9:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-057 – RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#10-2015 – ST. CATHARINE SCHOOL PTA - CASINO NIGHT**

WHEREAS, St. Catharine School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#10-2015, 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.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#10-2015 be and the same is hereby approved as follows:

NAME: St. Catharine School PTA
301 Second Avenue, Spring Lake
Identification No.: 475-5-7331
LOCATION: Spring Lake Bath & Tennis Club
1 Jersey Avenue, Spring Lake, NJ
DATE: May 9, 2015 7:00 PM - 11:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-058- RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#11-2015 – ST. CATHARINE’S SCHOOL PTA - ARMCHAIR RACE**

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#11-2015, 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#11-2015 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: Spring Lake Bath & Tennis Club
1 Jersey Avenue, Spring Lake, NJ
DATE: May 9, 2015 7:00 PM - 11:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-059 - RESOLUTION – APPROVING RAFFLE LICENSE APPLICATION
RA#12-2015 – ST. CATHARINE’S SCHOOL PTA - ON PREM 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#12-2015, 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.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#12-2015 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:	Spring Lake Bath & Tennis Club 1 Jersey Avenue, Spring Lake, NJ
DATE:	May 9, 2015 7:00 PM - 11:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-060 - RESOLUTION – RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH
MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS
WITHIN THE BOROUGH OF SPRING LAKE**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:0-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Spring Lake is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understating that:

- a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b. such operations will be performed in compliance with applicable Federal and State regulation, and
- c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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REGULAR MEETING
MARCH 24, 2015**

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

R-15-061 – RESOLUTION – REFUNDING UNUSED ESCROW FEES

WHEREAS, escrow fees were submitted to the Borough Planning Board for the block and lot set forth below, and

WHEREAS, said applications has been completed and any unused monies returned to the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following monies be returned:

Fudge	Block 144	Lot 8	15 South Blvd.	\$2.50
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ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Resolutions

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

R-15-062 - RESOLUTION – APPROVAL OF BILLS – MARCH 24, 2015

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending March 24, 2015, 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)	311,332.57
WATER/SEWER OPERATING (9)	36,294.29
DOG TRUST (13)	910.00
SPRING LAKE TRUST (15)	2,610.00
RECREATION (25)	19.98
BEACH OPERATING (81)	5,132.26
POOL OPERATING (91)	20.59
TOTAL	\$356,319.69

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

R-15-063 - RESOLUTION – APPROVAL OF BILLS – MARCH 24, 2015 #2

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending March 24, 2015, and

WHEREAS, the Borough Finance Committee has reviewed said claims.

250386

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MARCH 24, 2015**

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)	23,369.00
GENERAL CAPITAL (4)	17,452.50
WATER/SEWER OPERATING (9)	551.70
BEACH OPERATING (81)	900.00
TOTAL	\$42,273.20

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Rich Clayton, Business Improvement District, stated that he has received a couple of emails from local business owners asking if there would be any signage for the availability of restroom facilities in connection with the Duggan Building. The Mayor stated that they will consider this issue further.

Harry Zarb, 2205 Third Avenue, asked who was responsible for opening the restrooms on the boardwalk noting that it's been locked a number of times. Mr. Dempsey stated that it's the police department and that he would discuss the topic with the Chief.

Adjournment

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

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:29 PM

Respectfully submitted,


JANE L. MARBAN
Borough Clerk

Approved at a meeting held on: April 14, 2015