

25133

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

Mayor Naughton called the 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. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables, Mayor Naughton

ABSENT: NONE

ALSO PRESENT: Dina Zahorsky, Deputy Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer (Arrived 7:45 pm)

Workshop Discussion - None

Approval of Minutes - None

Proclamations, Presentations & Special Guests - None

Public Comments

Mr. Harry Zarb, 2205 Third Avenue, asked for an update on the Borough's new website. Ms. Zahorsky reported that progress is being made and the next step involves a meeting with the web designer and Municipal Clerk Marban who is expected back at the end of the month.

Council Comments & Staff Reports

Mayor Naughton thanked Mr. Dempsey and Mr. Avakian for the tremendous work being done on the Wreck Pond pipe grant application noting that the DEP has requested additional information resulting in additional work for Peter and his firm.

Mr. Erbe reported that he attended the opening of the Duggan Building and stated that Ms. Cathleen McCusker extended an invitation to the council members to visit the building. Mr. Erbe suggested that the group meet at the Duggan building prior to the next Council Meeting. The Mayor suggested holding the next meeting at the building.

Mr. Judge reported that the beach commitment is continuing to address the concerns raised at the user meeting held two weeks ago including the issue regarding the filter at the south end pool. One issued already addressed, stated Mr. Judge, was to eliminate the sale of daily badges at the booth on the south side of the pavilion in an effort to better manage crowding in that area.

Mr. Sagui reported that he is in discussions with Mr. Dempsey regarding a possible ordinance in connection with grease traps. This is a result of some recent sewer backups due to excessive grease being placed in the drainage system, stated Mr. Sagui. Mr. Sagui also reported that there was another water main break in town reminding the council of the continued need to address the aging water/sewer system in the Borough. The Mayor added that there will be a workshop in two (2) weeks to review the report submitted by the group that was commissioned to do a town wide study of the Borough's water and sewer system.

Borough Engineer's Report

Mr. Avakian reported that the Wreck Pond infrastructure project is underway and brought attention to the change order on the consent agenda noting that there were a few revisions during construction as a result of finding some unmarked utilities and utilities that were in conflict with the sewer and water

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

improvements being made. This, Mr. Avakian stated, results in the need to increase the contract by just over \$20,000.

Borough Attorney's Report

Borough Administrator's Report

Mr. Dempsey reported that there is a drain pipe in front of the Essex and Sussex, that runs from Spring Lake to the ocean, that is being fixed and should be complete by the weekend.

Regarding the algae on Spring Lake, Mr. Dempsey stated that the contractor who services this has been contacted to investigate and clean it up. Also, regarding the lakes, Mr. Dempsey stated that they are looking to form a group or sub-committee to discuss the overall condition of the lakes in town.

Mr. Dempsey, adding to Mr. Sagui's comments, stated that the grease traps must be addressed noting that the Board of Health's health inspector does not inspect the grease traps since there's nothing in the Borough's ordinance that requires this. Mr. Dempsey stated that the Department of Public Works spent several hours on Memorial Day weekend on an issue that was caused by a grease trap. The Mayor asked if it was unusual that the traps aren't inspected. Mr. Dempsey responded that smaller towns with relatively few restaurants usually don't have them inspected but it may be best that the Borough puts an ordinance in place not as a way to penalize anyone but to ensure that grease traps get cleaned.

At the next meeting, Mr. Dempsey reported, the announcement of the Twomey Scholarship will be made.

The Duggan building is complete, reported Mr. Dempsey, stating that while finishing up the work there the foundation behind the police station was revised to allow for additional parking spaces.

Business Items Under Consideration

NJ Army National Guard – Army Physical Fitness Test Makeup – June 26 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Spring Lake Drug Prevention Alliance - Summer Surf Jam – Potter Park - June 25, 2015 - Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Ordinances for Introduction

Ordinances for Adoption

Borough Attorney Colao read Ordinance No. 2015-004 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 250, NOISE, SECTION 250-8(o) OF THE BOROUGH CODE", by title.

Mr. Judge offered a motion to open the public hearing of Ordinance No. 2015-004, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

25135

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

The Mayor reminded the public audience that this ordinance is in connection with the potential suspension of commercial landscaping in the Borough on Saturdays from Memorial Day to Labor Day.

Mr. Al Ferraro, 409 West Lake Drive, stated that he supports the idea stating that the change will go along with the noise ordinance and will give residents the opportunity to enjoy their porches and walk through town without the interruption of the landscaping services. Mr. Ferraro stated that this would improve the quality of life for all residents and stated that he doesn't believe it will have a negative impact on landscapers.

Mr. Jim Worth, 101 Madison Avenue, stated that he's in agreement with the ordinance and believes it's a good first step. Mr. Worth added that he believes the noise from landscaper equipment is worse than any construction noise he's heard and stated that he encourages the council to approve. Further, Mr. Worth stated that an analysis of the decibel ratings would likely find that it's far in excess of reasonable.

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, stated that this ordinance is not equivalent to the construction ordinance stating that the construction ordinance bans any equipment, regardless of the level of noise, while this ordinance is limited to power driven maintenance equipment and doesn't eliminate edgers, weed wackers, tree trimmers or chain saws. The Mayor interjected that it is intended to eliminate those types of equipment. Mr. Marlowe stated that he believes the ordinance will be difficult for the Code Enforcement Officer to enforce and added that there will still be commercial lawn trucks coming and going.

Ms. Nancy Messina, 105 Madison Avenue, reported that they could not sit on their backyard patio from 1:00 pm to 4:30 pm as there were landscapers blowing leaves and working on the lawn the entire afternoon. Ms. Messina stated that she is in favor of the ordinance.

Ms. Barbara Brodie, 210 Howell Avenue, stated that she too supports the ordinance but believes that it doesn't go far enough. Ms. Brodie stated that she thinks it's a shame that the town has gotten so noisy.

Mr. John Fudge, 15 South Boulevard, asked for clarification that the ordinance is intended to prohibit the use of any gas powered equipment. The Mayor confirmed but reinforced that it does not apply to residents' use of equipment but only commercial landscapers.

Mayor Naughton voiced her support for the ordinance stating that she believes this is a reasonable amendment noting that she is not suggesting a ban on leaf blowers but is looking for a common sense suspension on loud blowers and mowers during the twelve (12) – thirteen (13) Saturdays of the peak summer season. The Mayor stated that she agrees this is indeed a quality of life issue and is an opportunity for residents to peacefully enjoy the summer months. Further, the Mayor stated, she hopes to achieve a level of balance between the landscapers' needs and the residents' desire to enjoy the outdoors during the three months of summer. The Mayor added that with a construction noise ordinance already in place, which is designed to prohibit noise, it makes sense that this ordinance be put in place when this type of activity is even louder than most construction noise. The Mayor agreed it's a modest step, only twelve (12) to thirteen (13) weekends, noting that the difference between a Saturday and Sunday is stark and she would like to see it quiet on Saturday as well. The Mayor closed her comments expressing hope that the council will consider the ordinance.

Mr. Erbe stated that he has been off work the last couple of days and made it a point to speak to a couple of landscapers who both knew about the ordinance being considered. The landscapers, Mr. Erbe continued, asked if modified hours would be considered, telling them that he did not think that would be considered, Mr. Erbe stated that they then asked if they could still do the quiet work. The

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

landscapers seemed to be okay with this, stated Mr. Erbe. Because of this, Mr. Erbe stated, and because he felt this would not be a terrible hardship for them, he would be supporting the ordinance. Mr. Judge stated that he agrees with all the comments made on the topic stating that they are all very valid points and in particular the Mayor's comment about striking a balance. Mr. Judge added that the council did receive a letter from a landscaper who claims the ordinance would impact his business especially if there is rain and in the case where a resident is hosting an event and needs their property landscaped on a Saturday. Mr. Judge added that they have heard from a couple of homeowners who spoke to their landscapers who stated that they would be impacted and may experience a price increase. Mr. Judge stated that in the spirit of striking a balance he believes there is a need to scale back the hours during the week, prohibiting noise after 5:00 pm and allowing noise on Saturday from 9:00 am to 1:00 pm or 8:00 am to 12:00 pm. Mr. Judge proposed an amendment to the ordinance prohibiting landscaper noise after 5:00 during the week and allowing it only from 9:00 am to 1:00 pm on Saturdays.

Mr. Frost stated that he too had thought about this type of proposal noting that he spoke with a couple of residents and a couple of landscapers. Mr. Frost stated that when they first began speaking about this topic it was mainly focused on leaf blowers and since then it's evolved to include mowing equipment which has a much greater impact on the landscapers' businesses. Mr. Frost stated that he would be in favor of scaling back the hours during the week to 5:00 pm and allowing work from 9:00 am to 1:00 pm on Saturdays. Some of the landscapers report that they do up to 20 lawns in a day and losing a Saturday could significantly impact their business, stated Mr. Frost. Further, Mr. Frost stated, with approximately 70% of residents using landscapers, when they discover they can't get their lawns cut, there will likely be some complaints. Mr. Frost suggested they discuss the topic further and look at other restrictions, such as the number of blowers that can be used on a given property or the decibel level on the equipment being used.

Mr. Sagui stated that he concurs with Mr. Judge's and Mr. Frost's comments noting that the landscapers will now need to get 100% of their work done in a reduced window of 84% of the time and if it rains, they need to get 100% of the work done in what could be 60% of the time. Mr. Sagui stated that he feels the ordinance ties their hands too tight. Mr. Sagui stated that he is home during the day and walks at least two (2) hours a day and although there is some noise in town it's not constant. Mr. Sagui stated that he believes most residents don't cut their lawns on Saturday but that it's used as a makeup day if it rains or they get their quiet work done. Mr. Sagui added that he grew up in this town and the quality of the lawns has never looked better and it's due to the fact that people care about their homes. Mr. Sagui further stated that this ordinance affects a service that 70% of our residents use and the council would never implement an ordinance that would affect the downtown area without speaking to the shop owners. Mr. Sagui agreed limiting the times landscapers can operate and requiring registration are good ideas which will allow the Borough to address certain issues. Mr. Sagui voiced concern about prices rising noting that economies of scale may be lost and the ability to hire may be impacted.

Mr. Jim Worth, 101 Madison Avenue, stated that he doesn't agree with his neighbor Mr. Sagui, noting that he cannot sit on his porch at any time during the week and hold a conversation with his wife because of the constant noise of landscapers. Mr. Worth expressed agreement with a 5:00 pm cutoff. Mr. Sagui stated that he respectfully disagrees with Mr. Worth stating that he readily enjoys his porch and that he doesn't believe that it's that bad.

Mrs. Venables stated that she's in favor of the ordinance as it's drafted stating that she believes it's a reasonable compromise and although she understands Mr. Sagui's points there has not been complaints from residents paying more for construction because contractors can't work on Saturdays.

25137

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

Mr. Alan Ferraro, 409 Warren Avenue, opined that a passing bus in NYC is enough to cause hearing damage and the decibel level of a leaf blower is far greater. If the time on Saturdays is condensed, it may create a larger issue of a greater concentration of noise in a shorter period of time, stated Mr. Ferraro. Mr. Ferraro added that the accommodation should be for the resident not the businesses, the businesses will figure it out.

Mr. Frost stated that limiting the number of blowers on a lot at any given time and restricting the decibel level on equipment are two areas that he believes warrant additional review and again feels a compromise may be achievable. Mr. Frost expressed concern that they are changing an ordinance that will significantly impact people's businesses and doing it right before their busiest season.

Mrs. Venables stated that the issue of decibel levels is addressed in some sections of the Borough's ordinance and voiced concern about enforcement of this as well as the number of blowers.

Mr. Frost stated that the registration requirement would facilitate the enforcement aspect stating that if a landscaper fails to comply with the restrictions, they will be given a summons.

Mayor Naughton stated that enforcement of the hours restriction is easy and agreed that the enforcement of the decibel level would be much more challenging. The Mayor added that she looked at many noise ordinance examples throughout the country and stated that the enforcement component is very difficult noting that the most straight forward criteria is the hours of operations. The Mayor further commented that she believes the landscaper businesses are pros at scheduling and will be able to work around this.

Mr. Frost offered a suggestion that was presented to him which was the option to cut on Saturdays from 9:00 am to 1:00 pm but not allow the use of blowers which will alleviate the noise of blowers and is easy to enforce.

Mr. Judge voiced support for this suggestion stating that it would address the concern of rain on Thursdays or Fridays and added that the principle complaint that they're hearing is the noise of the leaf blowers.

Mr. Judge added that he has a motion pending and would like to amend his amendment based on this discussion to include language that prohibits the use of leaf blowers on Saturdays.

The Mayor asked Mr. Coloa if they can amend and still adopt the ordinance.

Mr. Coloa stated that if they vote to amend the ordinance tonight they would need to hold another hearing in two weeks.

The Mayor stated that she is in favor of leaf blowers being completely banned on Saturdays and would consider this proposal.

Mr. Saguì stated that he believes this is reasonable.

Mrs. Venables asked for clarification of the definition of power driven lawn maintenance equipment.

Mr. Coloa stated that it would include leaf blowers and lawn mowers.

Mrs. Venables asked how the ordinance could be amended to prohibit leaf blowers.

Mayor Naughton and Mr. Coloa discussed possible wording.

Mr. Tom Dobrowski, 117 York Avenue, opined that some of the large lawn mowers make far more noise than some leaf blowers and stated that he didn't think banning leaf blowers will solve the issue.

Ms. Barbara Brodie, 210 Howell Avenue, offered that when leaf blowers were banned in California during certain times, the landscapers became far more efficient. Ms. Brodie also voiced concern about landscapers blowing clippings into the street and not cleaning it up.

Mayor Naughton reported that there were approximately fifteen notices of violation issued in the last week for issues such as this.

Mr. Randy Messina, 105 Madison Avenue, stated that he believes there should be a complete ban on landscaping on Saturdays adding that he feels the businesses will adjust accordingly.

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

Mr. Tom Dobrowski, 117 York Avenue, stated that there is no landscaping on Saturday where he lives because the residents insist that their landscapers do the work before Saturday emphasizing that if homeowners insist that their landscaper work on another day, they will or they will risk losing the business to another landscaper.

Mr. Jim Worth, 101 Madison Avenue, reminded the council that they are elected by the taxpayers and citizens and not the landscapers. Mr. Worth added that this is a quality of life and health and safety issue. Mr. Worth further stated that although he is pro-business there is an overwhelming call by the residents to eliminate noise on Saturdays.

Mr. Judge stated that the council is trying to represent the 70% or more of residents that use commercial landscapers and that they are not looking to benefit commercial landscapers but rather focus on the best interests of the residents.

Mayor Naughton asked Mr. Fay if he had any comments.

Mr. Fay stated that he agrees with the ordinance as it stands.

Mr. Judge proposed an amendment to the ordinance permitting landscapers to work between the hours of 8:00 am and 5:00 pm on weekdays and on Saturdays leaf blowers be completely banned and other lawn maintenance including the use of power driven equipment be permitted between the hours of 9:00 am to 1:00 pm.

Mr. Erbe confirmed Mr. Judge's intent to cut the hours back by one hour during the week.

Mr. Judge confirmed stating that he felt the comments regarding eliminating noise around the dinner hour were very legitimate.

Mayor Naughton asked Mr. Colao if there was a need to vote on the amendment prior to voting on the original ordinance.

There being no more comments from the public, Mr. Judge offered a motion to close the Public Hearing on Ordinance No. 2015-004, 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

PUBLIC HEARING NOW CLOSED

Mr. Judge offered a motion to amend the ordinance as detailed in his comments, seconded by Mr. Frost.

ROLL CALL:

AYES: Mr. Judge, Mr. Frost, Mr. Sagui

NAYS: Mr. Erbe, Mr. Fay, Mrs. Venables, Mayor Naughton

ABSENT: NONE

ABSTAIN: NONE

Mrs. Venables offered a motion to motion to adopt Ordinance No. 2015-004, seconded by Mr. Erbe.

ROLL CALL:

AYES: Mr. Erbe, Mr. Fay, Mrs. Venables, Mayor Naughton

25139

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

NAYS: Mr. Judge, Mr. Frost, Mr. Sagui
ABSENT: NONE
ABSTAIN: NONE

Mayor Naughton thanked the public audience for attending the public hearing and thanked the council members for their thoughtful and respectful conversation on the ordinance.

CONSENT AGENDA

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

R-15-110 – RESOLUTION – APPOINTMENT OF PART-TIME DISPATCHERS

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following are hereby appointed as part-time dispatchers by the Borough of Spring Lake at an hourly rate of \$15.00 per hour:

- Joseph Liddy
- Kevin Orender
- Matthew Niebling

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-15-111 – RESOLUTION – APPOINTING ADDITIONAL BEACH/POOL PERSONNEL FOR THE 2015 SEASON

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as Beach Employees for the 2015 Season:

Pool Cleaning

Dancer, Scott \$30.00
Lyman, Patrick \$30.00

Pool Maintenance

Henry, Jonathan P. \$12.50

Beach Rake Operator

Burr, Michael \$15.00

Lifeguards

Grothues, Meghan \$17.68
Kacsmar, Thomas \$16.00
King, Justin \$10.73

ROLL CALL:

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

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-15-112 – RESOLUTION – RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT TO BE EXECUTED BY THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Spring Lake, in the County of Monmouth, New Jersey (the "Borough"), has determined that there exists a need within the Borough to provide for various improvements at Wreck Pond, including, but not limited to, sanitary and storm sewer infrastructure rehabilitation of drainage area and installation of an outlet control system sluice gate, including all work and materials necessary therefor and incidental thereto (the "Project") as defined in each of that certain Loan Agreement (the "Loan Agreement") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by the State (the "Loan") pursuant to the Loan Agreement;

WHEREAS, to evidence the Loan, the State requires the Borough to authorize, execute, attest and deliver the Borough's note in an aggregate principal amount not to exceed \$520,000 (the "Borough Note") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreement.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Loan Agreement is hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Financial Officer in substantially the form attached hereto as Exhibit A, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the "Borough Consultants") and after further consultation with the New Jersey Environmental Infrastructure Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Borough Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Loan Agreement by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Loan Agreement by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such Loan Agreement.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Loan Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

25141

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

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-15-113 – RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - INCREASING
CONTRACT #01-2014 PHASE I INFRASTRUCTURE IMPROVEMENTS IN WRECK POND
AREA BY \$20,533.96**

WHEREAS, contract #01-2014 for Phase I Infrastructure Improvements in Wreck Pond Area was awarded on December 29, 2014 to Mark Woszczak Mechanical Contractors, Inc. in the amount of \$362,268.10, and

WHEREAS, Engineer’s Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increases the contract in the amount of \$20,533.96 for a total contract in the amount of \$382,802.06; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing Contract #01-2014 for Phase I Infrastructure Improvements in Wreck Pond in the amount of \$20,533.96 for a total contract in the amount of \$362,268.10 is hereby authorized for the above contract awarded to Mark Woszczak Mechanical Contractors, Inc.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Bond Ordinance No. 2014-015.

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-15-114 – RESOLUTION – APPROVAL OF BILLS – JUNE 9, 2015

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending June 9, 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)

600,771.81

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

GENERAL CAPITAL (4)	315,884.55
WATER/SEWER OPERATING (9)	15,776.17
OTHER TRUSTS (12)	1,250.00
DOG TRUST (13)	910.00
MT LAUREL TRUST (16)	1,926.00
RECREATION (25)	600.00
BEACH OPERATING (81)	18,330.84
POOL OPERATING (91)	18,054.84
TOTAL	\$973,504.21

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, stated that the information on the website regarding the bills approved is confusing and requested a copy of the bills list that the council approves. The Mayor stated that what she sees is the same document that is on the website. The Mayor acknowledged that the format is different than what they used prior to Edmunds.

Mr. Marlowe asked if there was money allocated for a temporary berm at Wreck Pond. The dollars allocated, Mr. Dempsey stated, is \$130,000. Mr. Dempsey added that the scope of the work is being sent to the Department of Environmental Protection (DEP) for their final approval and once obtain they will move forward.

Ms. Barbara Brodie, 210 Howell Avenue, suggested that if landscapers were going to be required to be registered it might be useful for them to know of any decibel reading requirements in advance so they can buy equipment that will be in compliance.

Mr. Alan Ferraro, 409 Warren Avenue, commented on the vegetation growing through the lake and stated that he was happy to hear that it will be getting some attention. Mr. Ferraro voiced concern that the lake may be impacted by the various fertilizers that are being used on lawns in town. Mr. Frost stated that it's primarily algae bloom that has arrived early this season coupled with the fact that the aerator was broken. Further, Mr. Frost stated that they are trying to get approval from the DEP to remove leaves and conduct a full dredging and further keeping water in the lake has been difficult.

Mr. Ferraro also asked about why there is only one fountain. The Mayor stated that the lake wasn't deep enough for it to function properly. The Mayor stated that they intend to petition the DEP again to see what it takes to get a permit to remove the leaves via the use of a crane.

Ms. Dolores Cacace, 106 York Avenue, acknowledged the progress with Wreck Pond yet expressed frustration after reading about the Lake Como project being approved while they continue to get requests for more paper work in connection with Wreck Pond. The Mayor expressed understanding and stated that the Lake Como project will benefit Spring Lake as well and then detailed the current cost/benefit analysis that is required to receive the flood resiliency grant. The Mayor further expressed confidence that the DEP will accept the revised submission and hope that this will move the approval forward.

25143

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JUNE 9, 2015**

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

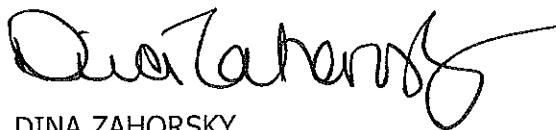
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:08 PM

Respectfully submitted,



DINA ZAHORSKY
Deputy Borough Clerk

Approved at a meeting held on: July 14, 2015