

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
April 11, 2017**

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley, Mayor Naughton

ABSENT: Mr. Frost

ALSO PRESENT: Dina M. Zahorsky, Borough Clerk

W. Bryan Dempsey, Borough Administrator

Peter Avakian, Borough Engineer

Joseph Colao, Borough Attorney

Workshop Discussion:

R-17-072- Introduction of 2017 Municipal Budget

Mayor Naughton introduced Robbin Kirk, Chief Financial Officer to discuss the introduction of the 2017 Municipal Budget. Mayor Naughton thanked Ms. Kirk for her hard work putting the budget together. She explained the budget is broken down into multiple budgets including, current, water/sewer, pool, and beach. Shea added that there will be no tax increase in any of the four budgets. Mayor Naughton discussed some capital funds projects which will include the south end pool, improvements at Devine Park, public buildings in need of repair, roads, the beach access at the south end pavilion, along with other capital projects. A detailed presentation on the 2017 Municipal Budget will be at the public hearing held on May 9, 2017.

Mr. Judge offered a motion to approve the resolution R-17-072 and moved its adoption, seconded by Mr. Erbe.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Approval of Minutes: NONE

Proclamations, Presentations & Special Guests:

PROCLAMATION- CHILD ABUSE PREVENTION MONTH- APRIL 2017

WHEREAS, we all have a responsibility as individuals, neighbors, community members, and citizens of the borough of spring lake to help create, healthy, nurturing, and safe experiences for children; and

WHEREAS, healthy and safe childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect often occur when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, incidences of child abuse and neglect can be reduced by making sure all families have the support they need and deserve to raise their children in a healthy environment; and

WHEREAS, it is recognized that no person can do everything but that everyone can do something, and together we can create change for the better; and

WHEREAS, effective prevention programs succeed because of partnerships among nonprofit organizations, government agencies, volunteer organizations, schools, service clubs, houses of worship, law enforcement agencies, and the business community; and

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WHEREAS, display a pinwheel or planting a pinwheel garden in April will serve as a positive reminder that all children deserve great childhoods- happy, healthy, and safe.

NOW THEREFORE, I, Mayor Naughton, do hereby proclaim April 2017 as child abuse prevention month in the borough of spring lake and I urge all citizens to engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow, and thrive so that all children have the benefit of happy, healthy, and safe childhoods.

Public Comments:

Lyle Marlowe, 110 Pennsylvania Avenue asked if the Borough will be using the new tax assessments for this upcoming tax year along with the county. Ms. Kirk explained the county will be using the new assessments this year. Mr. Marlowe asked for an update on the potential liquor license. Mayor Naughton explained it is an uphill battle. Mr. Erbe added that they haven't received any help from legislatures. Mr. Marlowe added he heard Maplewood, New Jersey has banned the use of leaf blowers during the summer months and suggested the Borough seeing how that works out for them and to possibly consider.

Elsie Dubac, 415 St. Clair Avenue asked what percentages of homes were visited and which were not when reassessments were taking place. Mr. Dempsey explained that the target was to inspect eighty percent of the homes in town. Ms. Dubac asked why the town doesn't inspect homes that are rented during the summer season, when there are people at the property. Mayor Naughton explained the county reevaluation of town is complete and had to be completed by a certain date not allow for the inspections to be done during this upcoming summer season. Mr. Dempsey added that when the homes were not inspected they estimated the inside conditions higher. Mr. Sagui explained that the appraisers assume that the home has been completely upgraded when they are unable to inspect the inside.

Council Comments & Staff Reports:

Mr. Drasheff asked Mr. Dempsey could have someone from the construction department look at 1 Passaic Avenue; they are beginning to build on the site, leaving it in awful condition. He stated that it is unfair that some builders do not respect the town or the neighbors of the property. Mr. Dempsey will look into it.

Mr. Judge thanked the Shark River Anglers and the American Legion post for putting on the fishing contest. Mr. Dempsey added a thank you to the students at H.W. Mountz for helping with the clean up after the contest. Mayor Naughton also thanked the students from Manasquan High School who helped clean up the park before the contest.

Mr. Sagui reported they are finishing the water/sewer loop down Atlantic Avenue and looping into Fourth Avenue. He explained that upon revising the plan, it was not a surprise that there are more issues. Sagui asked Mr. Avakian for help with a cost benefit analysis. Mr. Dempsey explained they will be opening the bid and start the project even if it is during the summertime; Atlantic, Fourth, and Lorraine will all be one project and all be completed by one contractor. Ms. Whalley asked about the hydrant on First Avenue that now has grass growing over it; it is an eyesore. Mayor Naughton explained the work will be completed by the fall and explained this hydrant would be no issue in the case of a fire emergency.

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Ms. Whalley thanked Mr. Dempsey, Mrs. Zahorsky, and Mayor Naughton for putting "Shop, Dine, Stay" on the Borough mobile website; the BID is extremely happy with how the website looks. She added that the BID also just completed two hour training on Facebook marketing strategies.

Ms. Whalley reported that the matching grant was received and the committee will be meeting with a lake expert in order to draft plans. She added that the tree removal in Devine Park is a part of this project; the Shade Tree Committee picked out the dead and diseased trees to be removed. She explained that the County is almost finished with the project and the stumps will be removed by public works by Memorial Day. Ms. Whalley mentioned that now that the trees have been removed the Shade Tree Committee is working on a thirty thousand dollar grant, which the State will match fifty percent to replace the removed trees.

Ms. Whalley reported that an Arbor Day Ceremony is scheduled for April 26th at 10 a.m. at H.W. Mountz, two trees will be planted at the ceremony.

Borough Engineer's Report:

Mr. Avakian reported that Third Avenue work is scheduled to begin next week; there will be two weeks of concrete work followed by one week of milling and paving. He added that the project must and will be completed by May 15th. Mayor Naughton asked about the traffic calming at the intersection of Ludlow and Third Avenues. Mr. Dempsey explained a textured roadway would be the most effective way to change the texture in the road. Mayor Naughton feels this is one of the worst intersections in town, now that the road is being paved; it provides the opportunity to address the intersection. Mayor Naughton does not think paint will look nice or help with the intersection; it will look like a highway. Mr. Avakian brought up the issue of letting the concrete set before allowing traffic to travel on the road; it typically takes about three weeks for the concrete to set. Mr. Sagui asked why they would not install the stamped concrete first then pave after the concrete has set. Mr. Drasheff thinks the Borough should try and see if it is successful and then consider using it for other problematic intersections. Mr. Avakian explained they would change the elevation slightly of the intersection so drivers can both see and feel the change in the roadway. This is an effective traffic calming device that does not have any issues with snowplows. Mr. Dempsey added that Fernandez Construction, who is doing the project, has been briefed on the intersection and is aware of the possible change to the intersection.

Mr. Marlowe, 110 Pennsylvania Avenue said he did not remember this recommendation during the initial traffic study workshop presentation. Mr. Avakian explained this was one recommendation out of four or five recommendations. Mr. Marlowe doesn't agree with this recommendation. Mayor Naughton explained that is it much more than a crosswalk, it serves as a visual cue in the road. Mr. Sagui added that twenty one days is a long time to have the road closed however, there are a lot of ways to get around.

Mr. Drasheff made a motion to include stamped concrete structures on Ludlow and Third Avenues, seconded by Mr. Sagui.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Borough Attorney's Report:

Mr. Colao reported he has two matters for closed session.

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Borough Administrator's Report:

Mr. Dempsey reported the line has been removed on Ocean Avenue; it can be seen still however it looks better than it did before.

Mr. Dempsey then reported that the South End Pavilion has been power washed and a picnic area was put in, similar to the picnic area at the North End Pavilion.

Mr. Dempsey further reported that he met with the DEP today to discuss further dredging in Wreck Pond; looks like they have the potential to get a permit to dredge.

Business Items Under Consideration:

Event Application-Arthritis Foundation- December 2, 2017-

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

Goodwill Fire Company #2- Annual Easter Egg Hunt- April 15, 2017-

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

Ordinances for Introduction:

Borough Attorney Colao read Ordinance No. 2017-002 entitled "AN ORDINANCE OF THE BOROUGH OF SPRING LAKE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK" by title.

Mr. Judge offered a motion to introduce Ordinance No. 2017-003, seconded by Mr. Erbe
Public hearing to be set for April 25, 2017.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Saguí, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Ordinances for Adoption: NONE

Consent Agenda:

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

**R-17-073-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#14-2017 – ST. CATHARINE CHURCH - OFF PREMISE CALENDAR RAFFLE**

WHEREAS, St. Catharine Church has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#14-2017, 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#14-2017 be and the same is hereby approved as follows:

**NAME: St. Catharine Church
215 Essex Avenue, Spring Lake, NJ 07762**

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Identification No.: 475-1-372

LOCATION: St. Catharine Church
215 Essex Avenue, Spring Lake, NJ

DATE: Last Monday of Each Month from May 2017
to October 2017 10:30 A.M.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-074-RESOLUTION – APPOINTMENT OF CLASS I & CLASS II OFFICERS
SPRING LAKE POLICE FOR THE YEAR 2017**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that the following are hereby appointed EFFECTIVE April 11, 2017 at the hourly rates as listed below as recommended by the Chief of Police, Edward Kerr:

NAME	POSITION	HOURLY WAGE
MICHAEL O'NEILL	CLASS I/PT DISPATCH	\$9.53/\$15.00
MICHAELA KOPP	CLASS I/PT DISPATCH	\$9.53/\$15.00
MATTHEW BENJAMIN	CLASS I	\$9.53
KEVIN ISTVANDITSCH	CLASS I	\$9.53
JOAN MORENO GARCIA	CLASS I	\$9.53
NICHOLAS STEELE	CLASS I	\$9.53
PETER MAYER IV	CLASS I	\$9.53
MICHAEL TANTUM	CLASS I	\$9.53
MATTHEW MCGADY	CLASS I	\$9.53
TYLER MAHON	CLASS I	\$9.53
THOMAS GORMAN	CLASS I	\$9.53
LYNDSAY FERKO	CLASS I	\$9.53
RYAN ZACCO	CLASS I	\$9.53
TIFFANY BRAHN	CLASS I	\$13.52
WILLIAM FLOCKHART	CLASS I	\$13.52
STEPHEN R. STERNIK JR.	CLASS I	\$11.81
ANDREW GARRITY IV	CLASS I/PT DISPATCH	\$11.81/\$15.00
KEVIN O'CONNOR JR.	CLASS I	\$11.81
CHRISTOPHER W. MCDERMOTT	CLASS I	\$11.81
MICHAEL J. WEBER	CLASS I	\$11.81
BROOKE COSTA	CLASS I	\$11.81
MATTHEW MERKLINGER	CLASS II/DISPATCH	\$15.24/\$15.00
TYLER VADAS	CLASS II/DISPATCH	\$15.24/\$15.00
JOSEPH LIDDY	CLASS II/DISPATCH	\$15.24/\$15.00
HARRY CUTTRELL	CLASS II/DISPATCH	\$21.00/\$15.24
DAVID BOWEN	CLASS II/DISPATCH	\$15.24/15.00
IAN DAVIS	CLASS II/DISPATCH	\$15.24/15.00

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ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-075- RESOLUTION – APPROVING RELEASE OF PERFORMANCE GUARANTEES
FOR BLOCK 74, LOT 17 – 308 MORRIS AVENUE – PELMONT, LLC**

WHEREAS the Borough of Spring Lake has received performance guarantee monies as the result of a site plan application approved by the Spring Lake Planning Board for Block 74, Lot 17, 308 Morris Avenue, and WHEREAS, said funds were deposited by the Borough of Spring Lake in accordance with law, and WHEREAS, the Borough Engineers Office has recommended the release of the guarantee as the required improvements have been completed and are acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that performance guarantees posted for Block 74, Lot 17, 308 Morris Avenue be and hereby are released.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-076-RESOLUTION – APPOINTMENT OF PUBLIC WORKS PART-TIME
EMPLOYEE RAY RAFFERTY**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that Richard Henn be and hereby is appointed as a part-time Department of Public Works employee at a rate of \$12.50 per hour effective April 11, 2017.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-077- GRANT AGREEMENT BETWEEN SPRING LAKE BOROUGH AND
THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The governing body of Spring Lake Borough desires to further the public interest by obtaining a grant from the State of New Jersey in the amount up to \$30,000.00 with up to a fifty percent match to fund the following project: Community Stewardship Incentive Program (CSIP) to plant additional trees at Devine Park.

Therefore, the governing body resolves that W. Bryan Dempsey or the successor to the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount up to \$30,000.00 and not more than \$30,000.00 with up

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to a fifty percent match, and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Resolutions:

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

R-17-078-RESOLUTION – APPROVAL OF BILLS – APRIL 11, 2017

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending April 11, 2017, 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)	229,023.73
GRANT FUND (2)	2,000.00
WATER/SEWER OPERATING (9)	244,205.77
SPRING LAKE TRUST (15)	84,876.75
MT LAUREL TRUST (16)	562.50
BEACH OPERATING (81)	62,078.96
POOL OPERATING (91)	13,062.38
TOTAL	\$635,810.09

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Public Comments:

Elise Dubac, 415 St. Clair Avenue suggested notifying St. Catherine's about any road closures. Mayor Naughton agreed and thanked Ms. Dubac.

Rich Clayton, 1209 Third Avenue asked for the date the project will begin on Third Avenue. Mr. Dempsey said the scheduled start date is April 17th. Mr. Avakian will let him know.

Executive Session:

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

R-17-079-RESOLUTION – PURSUANT TO N.J.S.A. 10:4-13 – EXECUTIVE SESSION

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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that pursuant to N.J.S.A. 10:4-13, the Mayor and Council shall adjourn to Executive Session for the purpose of discussing: Greater Media vs. Spring Lake and Harz vs. Spring Lake.

BE IT FURTHER RESOLVED that upon conclusion of said matter(s) this discussion will be disclosed by the Borough Clerk via Executive Session Minutes upon written authorization from the Borough Attorney.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 7:50 PM

MEETING IS RECONVENED AT: 8:00 PM

Adjournment:

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Time of Adjournment: 8:01 PM

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting: May 9, 2017