

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
June 13, 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. Mayor Naughton announced that the meeting is being held in accordance with the Open Public Meetings Act.

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

ABSENT: Mr. Erbe

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

Workshop Discussion: None

Approval of Minutes:

Mr. Judge offered a motion to approve the amended minutes of May 23, 2017, seconded by Mr. Frost.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

Proclamations, Presentations & Special Guests: NONE

Public Comments: NONE

Council Comments & Staff Reports:

Mr. Judge thanked Chief Kerr and all of his partners for the security they provided at the Spring Lake 5 mile run.

Mr. Frost reminded residents and any beachgoers that lifeguards are not on duty during the week yet and warned there have been strong rip currents.

Mr. Frost reported that summer recreation begins June 26th. There have been several revisions this year including a breakdown into three week sessions and weekly sessions this year. They are also revising the tennis program including a new instructor Robert Winchester, from the Atlantic Club.

Mr. Frost then reported that the North and South End Pavilions will be utilized yoga and for water fitness, which has become popular. All schedules and information is available on the Borough website.

Ms. Whalley reported the BID is working on a welcome packet for new businesses. It includes basic information to provide to new businesses to introduce them to the BID.

Ms. Whalley then reported that three of the forty six new trees that were planted have died. They will not be replanted until the fall since it is past planting season. The money to replace the trees will be coming out of the Shade Tree Friends Money, which has been privately raised.

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Ms. Whalley further reported that the League of Municipalities is in support of a change in liquor licenses but it is not out of committee as of yet; the BID will be writing letters of support once it is out of committee.

Borough Engineer's Report:

Mr. Avakian reported on the contract change order on the agenda tonight which included the paving stone crosswalks on Third Avenue, the paving of Elizabeth Court, and gutter line improvements to Worthington Avenue. The change order is \$44,000.00 but the entire cost of all of these changes came to \$112,000.00 but because of cost savings and some other items during the construction project they were able to increase the contract by only \$44,000.00. He added that once this project is closed out they will be able to move forward with Phase III of the project. The Borough will be receiving a \$250,000.00 grant from DOT for improvements on Third Avenue from Lake Como to Pitney Avenue. Mr. Avakian will have a streets and roads committee meeting shortly and plan for paving in the fall.

Borough Attorney's Report: NONE

Borough Administrator's Report:

Mr. Dempsey reported the south end ramp on the boardwalk is done. The boardwalk will no longer have to be removed for heavy equipment to access the beach. Beach rakers have begun to rake Brown Avenue beach. There have not been any complaints and it is working very well. Mr. Dempsey reported the railings at the South End Pavilion have been repaired. The problem with the railings was the station was rotten and loose. They have now all been replaced and inspected. Mr. Dempsey reported another issue is the concession area at Brown Avenue. The borough has gone out twice to bid with no response. He has met with a couple individuals with food trucks the only issue is having them to stay for a week at a time. Mr. Dempsey wasn't sure if the Borough would be interested in having rotating food trucks to get something there. Mr. Judge agreed. Mr. Dempsey added that there is enough space that he could put two at a time in the space. Mayor Naughton thinks that Mr. Dempsey should organize the foot trucks and use his best judgement to put something there.

Business Items Under Consideration:

Block Party- Corner Ocean Road and Fourth Ave- September 9- Mr. Judge offered a motion to approve the request, seconded by Mr. Drasheff. All in favor. None opposed.

Ordinances for Introduction:

Borough Attorney Colao read Ordinance No. 2017-008 entitled "AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 330, STREETS AND SIDEWALKS, OF THE BOROUGH CODE" by title.

Mr. Judge offered a motion to introduce Ordinance No. 2017-005, seconded by Mr. Drasheff. Public hearing to be set for

ROLL CALL:

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

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NAYS: NONE
ABSENT: Mr. Erbe
ABSTAIN: NONE

Ordinances for Adoption: NONE

Consent Agenda:

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

R-17-110- RESOLUTION – RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LIQUOR LICENSES FOR THE YEAR 2017/2018

WHEREAS, the holder of certain plenary retail distribution liquor licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following plenary retail distribution licenses be renewed for the year commencing July 1, 2017 and expiring June 30, 2018:

NAME	LICENSE NUMBER	ANNUAL FEE	LOCATION
YOJO, LLC	1348-44-005-005	\$746.00	Egan's Spring Lake Liquors

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley
NAYS: NONE
ABSENT: Mr. Erbe
ABSTAIN: NONE

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

R-17-111- RESOLUTION – RENEWAL OF CERTAIN CLUB LIQUOR LICENSES FOR THE YEAR 2017/2018

WHEREAS, the holders of a certain club liquor licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following club licenses be renewed for the year commencing July 1, 2017 and expiring June 30, 2018:

NAME	LICENSE NUMBER	ANNUAL FEE	LOCATION
Essex & Sussex Condominium Assoc.	1348-31-010-001	\$188.00	E&S Condo. Assoc.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Frost, Mr. Sagui, Ms. Whalley
NAYS: NONE

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ABSENT: Mr. Erbe
ABSTAIN: NONE

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

R-17-112- RESOLUTION – APPOINTING BEACH PERSONNEL FOR THE 2017 SEASON

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as of May 1, 2017 as Beach Employees for the 2017 Season:

Badge Sellers:

Reichey, Connor \$10.25/hr

Office Staff:

Mayer, Christine \$11.25/hr

Bauter, Megan \$11.25/hr

Wester, Maura \$11.25/hr

EMT:

Kenyon, Brian \$11.15/hr

Pool Lifeguards

Murry, John \$10.93 Murry, Matt \$10.93

Beach Lifeguards:

Ennis, Michael \$13.24 Rivera, Ian \$13.24

Watt, Jimmy \$10.93

Junior Guards:

Smith, Margaret Ann \$13.24

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

**R-17-113-RESOLUTION – RELEASING STREET OPENING BOND
15 ATLANTIC AVENUE- BLOCK 31 LOT 11**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Robert Schwartz for property located at 15 Atlantic Avenue, Block 31, Lot 11 and

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

WHEREAS, the Borough Engineer’s office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

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

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

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**R-17-114-RESOLUTION – RELEASING STREET OPENING BOND
100 HOWELL AVENUE- BLOCK 140 LOT 1**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Joe Sgroi/Southwest Builders for property located at 100 Howell Avenue, Block 140, Lot 1 and

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

WHEREAS, the Borough Engineer’s office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

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

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

**R-17-115- RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#17-2017– UNITED METHODIST WOMEN OF ST. ANDREWS -
ON-PREMISE RAFFLE**

WHEREAS, United Methodist Women of St. Andrews has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#17-2017, 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#17-2017 be and the same is hereby approved as follows:

**NAME: United Methodist Women of St. Andrews
907 Fourth Avenue, Spring Lake, NJ
Identification No.: 475-3-31760**
**LOCATION: Wesley Hall
Mercer Avenue, Spring Lake, NJ**
DATE: June 24, 2017 from 9:00 am to 2:00 pm

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

R-17-116- RESOLUTION – APPOINTING SUMMER RECREATION STAFF FOR THE 2017 SEASON

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as recreation staff for the 2017 Season:

Director Summer Recreation	David Attilio	\$5,000.00
Assistant Director/Sports	Sherri DeCorso	\$1,950.00

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Art Director	Jacklyn Hummer	\$1,650.00	
Director Pee Wee Recreation	Nancy Richey	\$1,800.00	
Hourly Staff:			
Theresa Petrik	\$17.50	Margaret Ping	\$18.00
Nicholas Kulka	\$17.00	Shawn Wood	\$17.00
Tara Ciufu	\$16.50	Jillian McManus	\$16.50
Hannah Sisti	\$13.50	Kristen Heine	\$10.50
Cecilia Wingard	\$10.50	Cole Stevens	\$10.50
Luke Fahy	\$9.25	Kristen DeCorso	\$9.25
Elizabeth Rooney	\$9.25	Megan Moore	\$9.25
Norah Dolan	\$9.00	Shaye Dolan	\$9.00
Heather Doherty	\$9.00	Michael O'Hearn	\$9.00
Lauren Hickey	\$9.00	Katie Keyes	\$9.00
Alexis Couseleous	\$8.44	Elizabeth O'Connor	\$8.44
Morgan Fahey	\$8.44	Ben Ryder	\$8.44
Shane Kileen	\$8.44	Charlie Franklin	\$8.44
Tennis:			
Katharine Parnell	\$9.00	Kelly Crines	\$9.00
Emily Boucher	\$9.00		
Pee Wee:			
Erin O'Dea	\$9.00	Isabella Matuch	\$9.00
Kiernan Hickey	\$8.44	Haley Petrosini	\$8.44
Abigael Gammond	\$8.44		

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

**R-17-117-RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - INCREASING
CONTRACT #01-2017 IMPROVEMENTS TO THIRD AVENUE PHASE II**

WHEREAS, contract #01-2017 for Improvements to Third Avenue Phase II was awarded on February 2, 2017 to Fernandes Construction, Inc. in the amount of \$398,065.00, and

WHEREAS, Engineer's Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increases the contract in the amount of \$44,736.73 for a total contract in the amount of \$442,801.73; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing Contract #01-2017 for Improvements to Third Avenue Phase II in the amount of \$44,736.73 for a total contract in the amount of \$442,801.73 is hereby authorized for the above contract awarded to Fernandes Construction, Inc.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: 2017 Road Improvement Capital Fund not to exceed \$44,736.73.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

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**R-17-118- RESOLUTION- AUTHORIZING THE EXTENSION OF RFP#2015-01 SURF/STAND UP
PADDLE BOARD CAMP- AT NORTH END/SURFERS BEACH**

WHEREAS, on April 2, 2015 Request for Proposals (RFP's) were received for the Surf/Stand Up Paddle Board Camp located at the North End/Surfers Beach and the RFP was awarded to Sam Hammer Surf Camp, 2315 Bennett Avenue, Point Pleasant, NJ 08742 for one (1) year by Resolution R-15-075, and

WHEREAS, said proposal provides for the option of extending for an additional three (3) years, and

WHEREAS, Sam Hammer Surf Camp will be extending the lease for the second year, 2017 season, in the amount of \$6,500.00 with the option of an additional (1) year, and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the least be and hereby is extended for the 2017 season with Sam Hammer Surf Camp for Surf/Stand Up Paddle Board Camp in the amount of \$6,500.00.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

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

R-17-119- RESOLUTION – PROJECT COMPLETION – CLOSING STATEMENT

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Borough of Spring Lake entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on May 14, 2015 that provided \$130,000 for Marucci Park Improvements Phase II under Application No. #14-16 that required certain conditions be met by the Borough of Spring Lake prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Spring Lake that all conditions of the May 14, 2015 Grant Agreement have been satisfied by the Borough of Spring Lake and that the project has been completed; and

BE IT FURTHER RESOLVED that the Borough of Spring Lake made final payment to the contractor Reilly Paving Company, Inc. and that payment was made per voucher on February 14, 2017 under check number 4855, which are hereby attached and also on file in the Municipal Clerk's Office.

BE IT FURTHER RESOLVED per the letter of the municipal engineer Leon S. Avakian, Inc. of June 1, 2017 certifying project completion.

I, Dina Zahorsky, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Spring Lake at a meeting held on the 13th day of June, 2017.

In Witness Whereof, I have hereunder set my hand and official seal of municipality this 13th day of June, 2017.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

Resolutions:

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

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R-17-120- RESOLUTION – APPROVAL OF BILLS – JUNE 13, 2017

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending June 13, 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.

<u>SUMMARY</u>	
CURRENT FUND (1)	500,232.01
GRANT FUND (2)	177,500.00
WATER/SEWER OPERATING (9)	33,128.72
SPRING LAKE TRUST (15)	2,500.00
MT LAUREL TRUST (16)	1,890.00
RECREATION (25)	1,635.82
BEACH OPERATING (81)	127,526.80
POOL OPERATING (91)	22,183.77
TOTAL	\$866,597.12

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

Public Comments:

Elsie Dubac, 415 St Clair Avenue noticed someone with a cart selling ice cream cart on Saturday along Fifth Avenue. She asked if this is allowed. Mayor Naughton and the council were not aware of this and will keep an eye out.

Dolores Cacace, 104 York Avenue asked when the raking of the beach between York and Brown Avenues is happening. Mr. Dempsey explained they are raking in the mornings from 7-10 am. Once the season is open full time, they will be raking about five mornings a week. Mayor Naughton explained that they cannot rake south of the boardwalk because of the DEP.

Ms. Cacace asked about the low water level in Wreck Pond. Mr. Dempsey explained there is nothing yet but with the beach closings they may have to close the shorter pipe.

Mr. Judge asked about the fish connectivity being an issue all summer or if it is just an issue during the spring. Mr. Dempsey explained it is only during the herring run in the spring.

Lastly Ms. Cacace asked if there are any plans for the berm planting. Mr. Avakian explained they have completed their survey work but are now working on design details. He explained that hopefully within the next few weeks they will have more details and will be able to move forward with the berm and living shore line.

Executive Session: NONE

Adjournment:

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

ROLL CALL:

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

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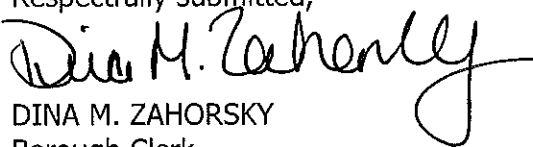
NAYS: NONE

ABSENT: Mr. Erbe

ABSTAIN: NONE

Time of Adjournment: 7:25 PM

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting: June 27, 2017