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**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 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 (appointed 7:05 pm), Mayor Naughton

ABSENT: Mr. Frost

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

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**Workshop Discussion:** NONE

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**Approval of Minutes:**

Mr. Judge offered a motion to approve the minutes January 24, 2017, seconded Mr. Erbe.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: Mr. Erbe

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Mayor Naughton took Business Item A first, before the rest of the agenda.

Mr. Drasheff offered a motion to appoint new council member Syd Whalley for the unexpired term of Janice Venables until December 31, 2017, seconded by Mr. Judge.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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**Oaths of Office:**

Mayor Naughton administered the Oath of Office to Ms. Whalley, newly elected Council Member.

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**Proclamations, Presentations & Special Guests:** NONE

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**Public Comments:** NONE

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**Council Comments & Staff Reports:**

Mayor Naughton thanked the council members for their consideration for the nomination and replacement of Janice Venables.

Mayor Naughton also complimented both Fire Departments for their incredible response to the fire on Tuttle Avenue this past Saturday evening.

Mayor Naughton also discussed the budget meeting this past week by meeting with all the department heads, along with Mr. Erbe, Mr. Judge, Borough CFO, Robbin Kirk, and Bryan Dempsey.

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She asked if any department heads have upcoming projects to please let her or Mr. Dempsey know so they can discuss and possibly adjust budget.

Mayor Naughton discussed the recent installment of the bicycle line on Ocean Avenue; it has been causing more confusion than what was intended, presenting a dangerous situation. Mr. Dempsey is looking into having a company test out what would happen to the road when the line is pulled up. Mr. Judge added that another option was to add signage to the lane; it was a good idea but didn't work out and definitely needs to be addressed before Memorial Day. Mr. Dempsey explained the different ways to get rid of the line by grinding, infrared, or hot water pressure. Mr. Avakian added the only time it would be really visible would be at night, if the Borough decides to grind the road along the line.

Mr. Drasheff reported that several months ago the traffic consultant did a presentation on road safety in order to address some of the problem areas around town. Mr. Frost and he, along with council permission, would like to have the traffic consultant back on February 28<sup>th</sup> or first meeting in March to further discuss. He would like to return to discuss the problem areas and hopefully addressing them before the start of summer.

Mr. Drasheff reported that the water/sewer committee is looking at a proposal to reline several problematic sewer mains, primarily Pitney and Lorraine Avenues along with Ocean Road. They would like to have a discussion with Mr. Avakian either before the next meeting or during. Mr. Avakian added that they will be ready by next meeting to present their findings on all reports.

Mr. Erbe gave his thanks to Mrs. Venables expressed how much of a pleasure it was to work with her. He also welcomed Ms. Whalley to the council. Mr. Erbe felt that the budget meeting had mostly good news, and he is looking forward to a good budget this year.

Mr. Judge welcomed Ms. Whalley to the council.

Mr. Judge reported that that the beach committee will be adding three new staircases for beach access on Monmouth, Madison, and Howell Avenues; the goal is to provide the best access for residents to the beach.

Mr. Judge reminded the council and residents that all year long dogs are not permitted on the boardwalk; the committee has ordered some signage to add along boardwalk.

Mr. Judge's final item was the possibility of changing the hours which bikes are permitted on the boardwalk; currently they are allowed from dawn to 8:00 a.m. He explained the observations are that 8:00 a.m. may be a little late during the summertime and perhaps after dark/at night it would be best to allow people to ride on the boardwalk, to keep cyclists off of the road. Mayor Naughton commented that at 8:00 am in the summer, the boardwalk is crowded with walkers, runners, and early beach goers. She feels it is something the council should consider. Mr. Erbe is okay with restricting the hours in the morning but is unsure about adding hours at night. Mr. Judge asked the council if it would be okay if they made the hours 10 p.m. through 7 a.m. Mr. Sagui feels like this is a beginning, however, many people fly down the boardwalk and it may be rather dangerous. Mayor Naughton added that the Police Chief might have some input.

Ms. Whalley reported that she is honored to be in this new position and humbled to fill the position of Janice Venables. She thanked the Mayor and Council for their vote and she is looking forward on working with the council and for the residents of Spring Lake.

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**Borough Engineer's Report:**

Mr. Avakian reported that there is an award of contract for the Improvements on Third Avenue between Brighton and Pitney Avenues; the low bid received was from Fernandez Construction. Mr. Avakian's office has worked with the company in the past, along with the Borough so they recommend the award; all work will be completed in time for the Spring Lake 5.

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**Borough Attorney's Report:** NONE

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**Borough Administrator's Report:**

Mr. Dempsey reported that the purchase of a garbage truck is from two different vendors; one is for the purchase of the vehicle through a State Contract while the other is for the packer, which is the body of the truck. He added that when they are put together the cost is about \$220,000.00. This vehicle will be the second new piece of equipment purchased by the Borough since he has been with the borough; all other vehicles the borough has purchased have been used.

Mr. Dempsey also reported that the award of contract is on the agenda awarding to Verizon Wireless; this is for the satellite antenna on the existing water tank. When it was first built it was designed for five different carriers however there are no longer five.

Mr. Dempsey added that he requests during the fishing contest that they do not put banners on the new footbridge. The second bridge should be completed within the next two weeks.

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**Business Items Under Consideration:**

**Spring Lake Chamber of Commerce Calendar of Events- 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Shark River Anglers- Annual Fishing Contest- April 8, 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Goodwill Fire Company #2- Use of Roll-off Truck- 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Event Application-St. Patrick's Day Parade Committee- March 5, 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Event Application- Huntington's Disease Society of America- June 3, 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

**Event Application- National MS Society Coast the Coast Ride- May 20, 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Erbe. All in favor. None opposed.

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**Ordinances for Introduction:** NONE

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**Ordinances for Adoption:**

Mr. Judge offered a motion to open the public hearing for Ordinance No. 2017-001 seconded by Mr. Erbe. All in favor. None opposed.

**PUBLIC HEARING NOW OPEN**

There were no council or public comments.

Mr. Judge offered a motion to close the public hearing for Ordinance No. 2017-001, seconded by Mr. Erbe. All in favor. None opposed.

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**PUBLIC HEARING NOW CLOSED**

Mr. Judge offered a motion to adopt Ordinance No. 2017-001, seconded by Mr. Erbe.

**ORDINANCE NO. 2017-001- BOND ORDINANCE PROVIDING FOR VARIOUS  
CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SPRING LAKE,  
IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$760,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$720,000 BONDS OR NOTES OF THE  
BOROUGH TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Spring Lake, in the County of Monmouth, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$760,000, and further including the aggregate sum of \$40,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$720,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Public Works Department</u></b> The acquisition of a sanitation truck, including all related costs and expenditures incidental thereto.	\$284,800	\$270,000	5 years
<b>b) <u>Fire Department</u></b> The acquisition of a fire truck and related equipment, including all related costs and expenditures incidental thereto.	\$475,200	\$450,000	10 years
<b>Total:</b>	<b><u>\$760,000</u></b>	<b><u>\$720,000</u></b>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.12 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$720,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such

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undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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**Consent Agenda:**

Resolution R-17-042 AUTHORIZING EXECUTION OF AGREEMENT WITH VISITING NURSE ASSOCIATION OF CENTRAL JERSEY was removed from the consent agenda.

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

**R-17-042 RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH  
VISITING NURSE ASSOCIATION OF CENTRAL JERSEY**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Visiting Nurse Association of Central Jersey for the furnishing of public health services for 2017.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: Mr. Erbe

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

**R-17-036- RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#6-2017 – ST. MARKS ALTER ROSARY SOCIETY -  
ON PREMISE 50/50 RAFFLE**

WHEREAS, St. Marks Alter Rosary Society has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#6-2017, 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#6-2017 be and the same is hereby approved as follows:

**NAME: St. Marks Alter Rosary Society  
215 Crescent Parkway, Sea Girt, NJ 08750  
Identification No.: 447-1-6617**

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**LOCATION:** Breakers Hotel  
1507 Ocean Avenue, Spring Lake, NJ 07762

**DATE:** May 17, 2017 11:30 AM - 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-037- RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#7-2017 – ST. MARKS ALTER ROSARY SOCIETY -  
ON PREMISE DRAW**

WHEREAS, St. Marks Alter Rosary Society has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#7-2017, 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#7-2017 be and the same is hereby approved as follows:

**NAME:** St. Marks Alter Rosary Society  
215 Crescent Parkway, Sea Girt, NJ 08750  
Identification No.: 447-1-6617

**LOCATION:** Breakers Hotel  
1507 Ocean Avenue, Spring Lake, NJ 07762

**DATE:** May 17, 2016 11:30 AM - 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-038- RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#8-2017- CATHOLIC CHARITIES DIOCESE OF TRENTON -  
ON PREMISE 50/50 RAFFLE**

WHEREAS, Catholic Charities Diocese of Trenton has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#8-2017, 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#8-2017 be and the same is hereby approved as follows:

**NAME:** Catholic Charities Diocese of Trenton  
383 W. State Street, Trenton, NJ 08607  
Identification No.: 495-4-31777

**LOCATION:** Spring Lake Bath & Tennis Club

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**Ocean & Jersey Avenues, Spring Lake, NJ**

**DATE: May 25, 2017 6:00 PM - 11:00 PM**

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-039-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#9-2017- CATHOLIC CHARITIES DIOCESE OF TRENTON -  
ON PREMISE DRAW RAFFLE**

WHEREAS, Catholic Charities Diocese of Trenton has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#9-2017, 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#9-2017 be and the same is hereby approved as follows:

**NAME: Catholic Charities Diocese of Trenton  
383 W. State Street, Trenton, NJ 08607  
Identification No.: 495-4-31777**

**LOCATION: Spring Lake Bath & Tennis Club  
Ocean & Jersey Avenues, Spring Lake, NJ**

**DATE: May 25, 2017 6:00 PM - 11:00 PM**

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-040-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA#10-2017 – THE WOMAN’S CLUB OF SPRING LAKE –  
ON PREMISE 50/50**

WHEREAS, The Woman’s Club of Spring Lake has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#10-2017, 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#10-2017 be and the same is hereby approved as follows:

**NAME: The Woman’s Club of Spring Lake  
PO Box 328, Spring Lake, NJ 07762  
Identification No.: 475-8-32847**



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**LOCATION:** Spring Lake Bath & Tennis Club  
1 Jersey Avenue, Spring Lake, NJ 07762  
**DATE:** May 17, 2017 11:00 am to 4:00 pm

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-040A-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:

Jump	Block 128	Lot 10	409 Church Street	\$2,824.00
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ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-041-RESOLUTION – APPOINTMENT OF PUBLIC WORKS PART TIME EMPLOYEES**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the following individuals be appointed as of as public works part time employees effective as of February 6, 2017.

Michael Frangipane

Part-Time DPW

\$12.50 per hour

Anthony Goglia

Recycling

\$12.50 per hour

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-043- RESOLUTION – APPOINTMENT OF ENVIRONMENTAL  
COMMISSION MEMBER- PATRICK BONNER**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Patrick Bonner, be and hereby is appointed as Environmental Commission member for the Borough of Spring Lake.

ROLL CALL:

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

NAYS: NONE

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ABSENT: Mr. Frost  
ABSTAIN: NONE

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

**R-17-044-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. 26:9-27 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 Division 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 understanding that:
  - a. the County shall utilize pesticides, application equipment and aircraft that are approved for areal applications by the applicable Federal (USEPS) and State (NJDEP) agencies, and
  - b. such operations will be performed in compliance with applicable Federal and State regulations, 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. Drasheff, Mr. Erbe, Mr. Judge, Mr. Sagui, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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**Resolutions:**

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

**R-17-045- RESOLUTION – AWARD OF CONTRACT #01-2017 IMPROVEMENTS TO THIRD AVENUE- PHASE II**

WHEREAS, on February 2, 2017 bids were received for Improvements to Third Avenue – Phase II, and

WHEREAS, three (3) packages were purchased and two (2) bids were received, and

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WHEREAS, Fernandes Construction, Inc. South River, N.J. submitted the lowest responsible bid for the Improvements to Third Avenue - Phase II at a total bid of \$398,065.00, and

WHEREAS, by letter dated February 3, 2017 from Peter Avakian, Borough Engineer, the award of this contract is recommended to Fernandes Construction, Inc., and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #01-2017 is hereby awarded to Fernandes Construction, Inc. for Improvements to Third Avenue – Phase II at a cost not to exceed \$398,065.00.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: NJDOT Grant in the amount of \$177,500.00 and 2017 Road Improvement Capital Fund not to exceed \$220,565.00.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-046- RESOLUTION AUTHORIZING FINAL PAYMENT AND CHANGE ORDER  
NO. 3 - DECREASING CONTRACT #05-2015 OCEAN AVENUE INFRASTRUCTURE  
BY \$5,928.83 AND RELEASING PERFORMANCE BOND AND ACCEPTING  
MAINTENANCE BOND POSTED BY MSP CONSTRUCTION CORPORATION**

WHEREAS, a contract #05-2015 Ocean Avenue Infrastructure was awarded on November 20, 2015 to MSP Construction Corporation in the amount of \$1,896,589.00, and

WHEREAS, Final Engineer's Certificate (annexed hereto and made a part hereof) includes Change Order #3 which decreases the contract in the amount of \$5,928.83 for a total contract in the amount of \$1,950,835.25; and

WHEREAS, the Engineer has recommended that the Performance Bond be released as a Maintenance Bond has been posted in accordance with said contract.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 3 decreasing Contract #05-2015 Ocean Avenue Infrastructure in the amount of \$5,928.83 for a total contract in the amount of \$1,950,835.25 is hereby authorized for the above contract awarded to MSP Corporation and that the Performance Bond being held by the Borough be and the same is hereby released and that final payment in accordance with the contract documents be made.

I, Robbin Kirk, Chief Financial Office of the Borough of Spring Lake hereby certify that funds are available from: Bond Ordinance No. 2015-006 not to exceed \$1,950,835.25.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-047- RESOLUTION AUTHORIZING FINAL PAYMENT AND CHANGE ORDER  
NO. 1 - DECREASING CONTRACT #02-2015 FOR IMPROVEMENTS TO LUDLOW  
AVENUE BY \$50,405.66 AND RELEASING PERFORMANCE BOND AND  
ACCEPTING MAINTENANCE BOND POSTED BY EARLE ASPHALT COMPANY**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2017**

WHEREAS, a contract #02-2015 for Improvements to Ludlow Avenue was awarded on September 17, 2015 to Earle Asphalt Company in the amount of \$336,213.13, and

WHEREAS, Final Engineer's Certificate (annexed hereto and made a part hereof) includes Change Order #1 which decreases the contract in the amount of \$50,405.66 for a total contract in the amount of \$285,807.57; and

WHEREAS, the Engineer has recommended that the Performance Bond be released as a Maintenance Bond has been posted in accordance with said contract.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 decreasing Contract #02-2015 for Improvements to Ludlow Avenue in the amount of \$50,405.66 for a total contract in the amount of \$285,807.57 is hereby authorized for the above contract awarded to Earle Asphalt Company and that the Performance Bond being held by the Borough be and the same is hereby released and that final payment in accordance with the contract documents be made.

I, Robbin Kirk, Chief Financial Office of the Borough of Spring Lake hereby certify that funds are available from: 2015 NJDOT Road Improvements available funds not to exceed \$280,000 and 2015 Capitol Improvement Fund Road Improvement Projects not to exceed \$5,807.57.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-048- RESOLUTION - AUTHORIZING A PURCHASE THROUGH A  
COOPERATIVE PURCHASING CONTRACT**

**WHEREAS**, the Borough Council of the Borough of Spring Lake wishes to purchase a 2017 Tahoe PPV from an authorized vendor under the Cranford Police Pricing System Co-op # 47- CPCPS; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

**WHEREAS**, Mall Chevy, 75 Haddonfield Road, Cherry Hill, NJ 08002 is under the State Contract #A89939 (T2776); and

**WHEREAS**, the Chief of Police recommends the utilization of this contract on the grounds that they can provide the quality of product at the most reasonable price; and

**WHEREAS**, the cost for the purchase of one 2017 Tahoe PPV is \$36,900.00; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council that the purchase of this equipment be ordered and is hereby ratified.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-049-RESOLUTION AUTHORIZING CONTRACT PURCHASE  
FOR A CHASSIS FOR A GARBAGE TRUCK**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2017**

**WHEREAS**, the Mayor and Council of the Borough of Spring Lake wish to purchase a chassis for a garbage truck from Hunter Jersey Peterbuilt an authorized vendor under the National Joint Powers Alliance, NJPA; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

**WHEREAS**, the Borough of Spring Lake is a member of the NJPA, Member #29825; and

**WHEREAS**, the Superintendent of Public Works Borough recommends the utilization of this contract on the grounds that they can provide the quality of product at the most reasonable price; and

**WHEREAS**, the cost for the purchase of the chassis is not to exceed \$135,090.00; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the purchase of the garbage truck be and is hereby ratified.

**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

I Robbin Kirk, Chief Financial Officer of the Borough of Spring lake hereby certify that funds are available from the following accounts: Bond Ordinance No. 2017-001 not to exceed \$135,090.00.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-050- RESOLUTION AUTHORIZING CONTRACT  
PURCHASE FOR A GARBAGE PACKER**

**WHEREAS**, the Mayor and Council of the Borough of Spring Lake wish to purchase a garbage packer from Sanitation Equipment Corp. an authorized vendor under the Middlesex Educational Cooperative Purchasing; an

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

**WHEREAS**, the Borough of Spring Lake is a member of the Middlesex Educational Cooperative Purchasing, Member #65MCESCCPS; and

**WHEREAS**, the Superintendent of Public Works Borough recommends the utilization of this contract on the grounds that they can provide the quality of product at the most reasonable price; and

**WHEREAS**, the cost for the purchase of the garbage packer is not to exceed \$77,923.75; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the purchase of the garbage truck be and is hereby ratified.

**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

I Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following accounts: Bond Ordinance No. 2017-001 not to exceed \$77,923.75.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2017**

**R-17-051-RESOLUTION – AWARD OF CONTRACT #02-2017 – CO –  
LOCATION OF CELL COMMUNICATIONS – NEW YORK SMSA LIMITED  
PARTNERSHIP D/B/A VERIZON WIRELESS**

WHEREAS, bids were received on January 27, 2017 for Cellular Co-Location on the Water Tower located at the Borough Public Works yard on Monmouth Avenue for a five (5) year lease with four (4) five (5) ear renewal options, for a maximum of twenty-five (25) years to renew, and

WHEREAS, one bid was received, and

WHEREAS, New York SMSA Limited Partnership D/B/A Verizon Wireless submitted a bid in the amount of \$36,120.00 per year, and

WHEREAS, New York SMSA Limited Partnership D/B/A Verizon Wireless was found to be responsible and its bid responsive to the bidding documents,

NOW, THEREFORE, BE IT RESOLVED that New York SMSA Limited Partnership D/B/A Verizon Wireless be and hereby is awarded a lease for Cellular Co-Location on the Monmouth Avenue water tower in accordance with the Bid specifications and the Mayor, Borough Administrator and Borough Clerk be and are hereby authorized to execute the Lease and all other necessary paperwork.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

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

**R-17-052-RESOLUTION – APPROVAL OF BILLS – FEBRUARY 14, 2017**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending February 14, 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**

<b>CURRENT FUND (1)</b>	<b>116,021.35</b>
<b>GRANT FUND (2)</b>	<b>5,000.00</b>
<b>WATER/SEWER CAPITAL (8)</b>	<b>65,697.86</b>
<b>WATER/SEWER OPERATING (9)</b>	<b>7,837.01</b>
<b>DOG TRUST (13)</b>	<b>81.60</b>
<b>SPRING LAKE TRUST (15)</b>	<b>7,849.00</b>
<b>COAH TRUST (16)</b>	<b>1,127.00</b>
<b>RECREATION (25)</b>	<b>4,836.00</b>
<b>BEACH OPERATING (81)</b>	<b>6,319.81</b>
<b>POOL OPERATING (91)</b>	<b>3,413.49</b>
<b>TOTAL</b>	<b>\$218,183.12</b>

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: Mr. Erbe, Ms. Whalley

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**Public Comments:**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2017**

Joe Rizzo, 416 Tuttle Avenue mentioned the work on Third Avenue between Pitney and Lake Como; he is concerned with some kind of traffic suppression. He knows that American Water uses that area and that it is used for parades.

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**Executive Session:** NONE

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**Adjournment:**

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

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Frost

ABSTAIN: NONE

Time of Adjournment: 7:36 PM

Respectfully submitted,

  
DINA M. ZAHORSKY  
Borough Clerk

Approved at a meeting held on: February 28, 2017