

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MARCH 13, 2018**

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and be it

FURTHER RESOLVED, that the Borough Administrator of the Spring Lake Borough is here by authorized to execute on behalf of the Spring Lake Borough any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Sagui

ABSTAIN: NONE

Public Comments:

Elsie Dubac, 415 St. Clair Avenue asked about the condition of the signs throughout town. Mayor Naughton explained that it is a working progress; they are still working on the list.

Ms. Whalley asked about the process of permitting boats around the lake. Mr. Dempsey explained that a permit is needed and the boat owners have been notified to remove the boats around the lake. Mayor Naughton asked Mr. Dempsey to ask Public Works to remove the boats around the lake.

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, Ms. Whalley

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Sagui

ABSTAIN: NONE

Time of Adjournment: 7:58 PM

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting: March 27, 2018

25800

**BOROUGH OF SPRING LAKE
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REGULAR MEETING
MARCH 27, 2018**

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

ABSENT: Mr. Erbe, Ms. Whalley

ALSO PRESENT: W. Bryan Dempsey, Borough Administrator

Peter Avakian, Borough Engineer

Dina M. Zahorsky, Borough Clerk

Proclamations, Presentations & Special Guests: NONE

Workshop Discussions:

Tent Prohibition on the Beach:

Mayor Naughton informed the public that the governing body has been approached by many beachgoers about the increase of large tents on the beach. Most surrounding towns have ordinances restricting the use of large tents on the beach. Mayor Naughton continued that the beach committee would like to recommend to the council to prohibit tents on the beach and limit it to single stick umbrellas and small baby tents.

Mr. Drasheff explained that it has become a problem in neighboring towns and is glad that it is being discussed before it becomes a problem in Spring Lake.

Mr. Judge agreed that it is bordering on an issue now explaining that the beaches have become very crowded. He has witnessed large tents that block the ocean and block the lifeguards. He was concerned about shading small children on the beach but the sample ordinance includes that.

Mr. Frost agrees and would like to see some sort of signage at the entrances to notify people that tents are not permitted.

Mr. Sagui agreed a separate sign makes sense.

Mayor Naughton asked the public if they had any questions or comments.

Dolores Cacace, 104 York Avenue asked for clarification on the tent sizes that would be permitted. Mayor Naughton explained they would only allow umbrellas and small child tents.

Susan Palombo, 313 South Blvd asked if there would be a fee or fine for non-compliance.

Mayor Naughton answered that they will typically just issue a warning; this is not intended to be a revenue generating ordinance.

Mr. Judge explained that if a ticket or summons was issued that fee of the fine would be determined by the Municipal Judge, however a warning will be issued first.

Mayor Naughton asked Mr. Dempsey if a ordinance introduction could be on for the next meeting. Mr. Dempsey answered yes.

Events on the Beach:

Mayor Naughton next brought up the issue of events on the beach, which is not on the agenda but is appropriate to discuss tonight. She explained that broadly commercial events have not been allowed

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but more recently there have been more marriage ceremonies and special events on the boardwalk. She gave the example of a one person wedding spilling over on the boardwalk at one of the gazebo. The council has come up with a couple ideas for addressing the many events, which will just be discussed tonight with the public and not voted upon. The suggestion to the council is to not permit any events at any of the gazebos, North and South End Pavilions, or the picnic area at Pier beach. They are considering allowing weddings on the beach, with a permit, in designated areas on the beach for not more than one hundred guests and after 6:00 pm, without a sound system and only allowing one event per day. In the off season, a permit would still be required but no fee would be collected. Mayor Naughton continued that the same regulations would be applied to the gazebo in Potter Park. She continued that they are trying to accommodate what people might want on the beach while keeping public walkways clean and clear.

Mr. Judge added that it is an ordinance for crowd control and not for marriage control; they want the opportunity to let the police know when events are going on.

Mr. Frost added that they tried to be consistent with the current rules in the parks throughout town with groups larger than twenty five people. As the policy stands right now the Borough doesn't know when events are going on and it is a matter of public safety.

Mr. Drasheff asked how they arrived at the 6:00 pm start time because most of the weddings that occur are typically mid-afternoon. Mayor Naughton explained that the beach is crowded and she does not the ceremony asking people to move after they have paid for beach badges.

Mr. Drasheff agrees with what they are leaning towards but doesn't agree with the 6:00 pm start time.

Mr. Sagui agrees that it is something that needs to be addressed, the beach is crowded, and there is a problem with pushing people out of the gazebos.

Mayor Naughton reminded the council and public that Spring Lake is one of the only communities that do not have an ordinance regulating such events.

Dolores Cacace, 104 York Avenue asked how they are going to let everyone know that there is now an ordinance for beach weddings. Mr. Frost explained that many times people call Borough Hall asking about regulations.

Mayor Naughton added that the Coast Star will report on the ordinance.

Mr. Frost asked about the time restriction for in-season and off season weddings.

Mr. Dempsey explained that they didn't see any need for a time after October 1st, as long as the Borough knows the event is happening.

Mr. Sagui added that the time could be tweaked as needed, using the example that in August it is cooler out at night.

Mayor Naughton asked the council to think about this and will discuss it at a future meeting.

Approval of Minutes:

Mr. Judge offered a motion to approve the minutes of March 13, 2018, seconded by Mr. Drasheff.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Frost

NAYS: NONE

ABSENT: Mr. Erbe, Ms. Whalley

ABSTAIN: Mr. Sagui

Public Comments:

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Steve Breen, 108 Tuttle Avenue asked about the fees that would be required for wedding permits. Mayor Naughton clarified that the suggested fees would be \$250.00 for the permit and a deposit of \$250.00 that would be returned after the site was cleaned up.

Mr. Breen asked about police enforcement with large groups. Mayor Naughton explained that there are Special I's and II's that patrol the boardwalk all year long.

Mr. Breen feels that the fee should be larger especially since it will require a police presence, clean up, and maintenance.

Council Comments & Staff Reports:

Mayor Naughton thanked the residents, businesses, schools, and recycling coordinator for the efforts made in recycling throughout the Borough. For the first time since 2016 they have collected more recycling than trash, which shows the trend reversing significantly. She continued that even the Spring Lake 5 has changed the cups they use so that they are able to recycle.

Mr. Frost asked for the status on recycling cans at the parks. Mr. Dempsey stated that is being worked on. Mr. Frost asked if they can include recycling cans around the lake, especially for the Fishing Tournament. Mr. Dempsey agreed.

Mr. Judge reported that they are in good shape with the budget.

Mr. Sagui reported they have finished up the relining of the Pitney Avenue sewer line and only have a few areas left in town that need to be addressed. He continued that several years ago they were sending twice as much water to SMRSA than the Borough was billing, driving up the fixed costs from SMRSA. He explained that several sewers throughout town are located in the water table, which takes in a lot of water flow.

Mr. Frost asked how quickly a report will be ready regarding the sewers on Pitney Avenue. Mr. Sagui answered probably in about six months.

Mr. Sagui continued his report by presenting the BID incentive program for bikes which was put together with the help of Sean Duggan. The concept is to give an instant snap bracelet to kids using the bike racks, which they can use for a free ice cream cone downtown. He is hoping positive reinforcement to use the racks will help.

Borough Engineer's Report:

Mr. Avakian reported that Dave Holwarth, Project Engineer from Mr. Avakian's office, found the contractor that did the Devine Park tennis court improvements and spoke with him about the design. The project went out to bid and will be ready to award a contract at the April 10th meeting. The other Devine Park projects are still out for design. He found that there is a drainage inlet curb around the court which is elevated. Mr. Avakian will be presenting the plans before they award the contract.

Mr. Avakian continued reporting on the 2018 road program. Mr. Dempsey added that the first phase of the road project will be going out to bid next week and awarding at the second week in April. This phase will include South Blvd between Third and Church, Atlantic Avenue from First to Fifth, Fourth Avenue from Monmouth to Ocean Road, and Central Avenue, Monmouth Shire, driveway of Marucci Park, Second Avenue from Warren to Lake Avenue, and Prospect Avenue from Pitney to Remsen. In the fall they are planning on paving Fifth Avenue and by that time there will be a design for Morris Avenue and hopefully will receive a loan that the BID is working on to finance Morris

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Avenue. The first phase is expected to begin as soon as they award the contract and be completed by Memorial Day Weekend.

Mayor Naughton asked about the second island at Marucci Park that is under consideration. Mr. Avakian explained that it will be a separate project but the plans are done.

Mayor Naughton reminded the public that they have the one traffic island on Third Avenue coming from Lake Como into Spring Lake and there has been some discussion about adding one additional island on that same stretch.

Mr. Avakian suggested there may be more success by treating this as a separate project and receiving quotes from companies who do this type of work rather than a paving company. Mr. Avakian will work with Mr. Dempsey on it for next meeting. Mr. Avakian continued that his office has begun survey work for the intersection at Fifth and Warren Avenues. He is hoping to meet with the traffic consultant before next meeting.

Borough Attorney's Report: None

Borough Administrator's Report:

Mr. Dempsey reported that the boats around Spring Lake have been removed.

Mr. Dempsey then reported that they have received the CSIP shade tree grant and have gone out to bid for the tree planting in Devine Park. They received five to six quotes with Alex Burke being the lowest. They are planning to plant fifty three trees and the project completed by May.

Mr. Dempsey also reported that a new paddle league is set to begin for this spring and summer. Mr. Dempsey reported that the Shark River Lacrosse has requested to use the upper field at Marucci Park for practice this season from 5-6:30 pm, then as the weather gets nicer from 6-7:30 pm.

Lastly, Mr. Dempsey had a meeting with the Spring Lake 5 committee to discuss ways to keep people in town after the race. They came up with the idea of possibly having an event on Morris between Third and Fourth with a beer garden and food vendors, along with the band that is already planned to be there. He stated that the BID did a survey of downtown businesses and most were in favor of an event.

Mr. Judge asked if the fire department would be interested in running the beer garden. Mr. Dempsey explained the problem with the fire department is that they are busy the day of the Spring Lake 5 with volunteering at the water stops and intersections.

Mr. Clayton, 1207 Third Avenue, reported that the survey was about 36-1 in favor. Unfortunately some food establishments were against it because they are already busy that day and will have trouble finding help. He suggests trying it to see if it works, because the in the past the chamber has tried everything.

Anthony Scardino, 1507 Ocean Avenue went back to the wedding permit discussion pointing out that he isn't sure how realistic the 6:00 pm start time is. He asked the council to reconsider as it may cause more problems than being a solution. He understands the concern about running weddings all day, but feels like a 5:00 pm start time would be more realistic. He also asked the council to reconsider the council only allowing one wedding per day. He understands that they don't want the beach to become a wedding factory but suggested allowing two to three weddings per day, maybe permitting weddings at other venues rather than in front of the Breakers Hotel. Mr. Scardino suggested perhaps allowing 2-3 weddings each day in each individual permitted section of beach. He added that he has not seen any issues regarding traffic control.

25804

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Mayor Naughton explained that they are trying to compromise with beach events but it isn't as easy as it sounds. Mr. Scardino then questioned the end of the season being considered October 1st when beach badges are not needed after Labor Day. Mayor Naughton explained that the pools are open through September so it is still considered in season after Labor Day.

Steve Breen, 108 Tuttle Avenue asked the council to consider making the event holder to take out their own party liability insurance policy to protect the Borough in the event that something happens. Mr. Judge agreed that it is a good idea.

Mr. Breen continued that the fee should be more than \$250.00 per event because than the money can be allocated into a maintenance fee.

Business Items Under Consideration:

Spring Lake Kitchen Tour- October 20, 2018- Mr. Judge offered a motion to approve the request, seconded by Mr. Drasheff. All in favor. None opposed.

Ordinances for Introduction: NONE

Ordinances for Adoption: NONE

Consent Agenda:

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

**R-18-054-RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#09-2018- ST. CATHARINE'S SCHOOL PTA -
ON PREMISE 50/50**

WHEREAS, St. Catharine's School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#09-2018, 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#09-2018 be and the same is hereby approved as follows:

**NAME: St. Catharine's School PTA
301 Second Avenue, Spring Lake, NJ 07762
Identification No.: 475-5-7331**

**LOCATION: St Catharine School
301 Second Avenue, Spring Lake, NJ**

DATE: April 25, 2018 from 6:00 to 9:00 pm

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe, Ms. Whalley

ABSTAIN: NONE

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

**R-18-055-RESOLUTION - AUTHORIZING EXECUTION OF A MEMORANDUM OF
AGREEMENT FOR A BEACH MANAGEMENT PLAN WITH U.S. DEPARTMENT OF THE
INTERIOR FISH AND WILDLIFE SERVICE**

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BE IT RESOLVED, by Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk are hereby authorized to execute a Memorandum of Agreement with the U.S. Department of the Interior Fish and Wildlife Service for a Beach Management Plan for the Protection of Federally and State-Listed Species.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe, Ms. Whalley

ABSTAIN: NONE

Resolutions:

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

R-18-056-RESOLUTION – APPROVAL OF BILLS – MARCH 27, 2018

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending March 27, 2018, 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)	674,490.18
GENERAL CAPITAL FUND (4)	34,852.50
WATER/SEWER UTILITY CAPITAL (W08)	48,712.50
WATER/SEWER OPERATING (9)	33,424.51
TRUST OTHER FUND (12)	668.47
DOG TRUST (13)	828.40
ESCROW TRUST (15)	3,510.00
RECREATION (25)	150.00
BEACH OPERATING (81)	9,828.20
POOL OPERATING (91)	109.75
TOTAL	\$806,574.51

ROLL CALL:

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

NAYS: NONE

ABSENT: Mr. Erbe, Ms. Whalley

ABSTAIN: NONE

Public Comments:

Dolores Cacace, 106 York Avenue asked for an update on the berm around Wreck Pond. Mr. Avakian explained that they applied for a jurisdiction determination if they can build it with a permit by rule. It is currently under review by the DEP and Rebecca Jones who is the head of the department. He is hoping to have answers within the next few weeks. He also added that they applied for a Freehold Soil Permit so there will be silt fences up once they begin the project.

Mrs. Cacace asked what kind of a material will be used for the berm. Mr. Avakian answered that it will be made up of gravel, top soil, and vegetation. He explained that it isn't a huge berm but is intended to level out the elevation.

Elsie Dubac, 415 St. Clair Avenue asked if the lights on the bridges will be there all year long. Mayor Naughton explained that they decided to keep them up throughout the winter but they do not have a determination on keeping them on all year long.

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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, Ms. Whalley

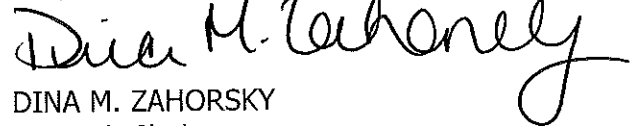
NAYS: NONE

ABSENT: Mr. Erbe, Mr. Sagui

ABSTAIN: NONE

Time of Adjournment: 7:48 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dina M. Zahorsky". The signature is fluid and cursive, with a long, sweeping tail on the last letter.

DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting: April 10, 2018