

25990

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 4, 2018**

Mayor Jennifer 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. He then proceeded with the Pledge of Allegiance to the Flag. Council President Mr. Judge announced that the meeting is being held in accordance with the Open Public Meetings Act.

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

ABSENT: None

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

Proclamations, Presentations & Special Guests:

Mayor Naughton explained William Noble who will be appointed as a probationary patrol man. She continued that Patrolman Palmer will be leaving Spring Lake to take a position with the Brielle Police Department and wished him well. She introduced Mr. Noble to the public adding that he grew up in Monmouth County, attended Colts Neck High School and St. Leo's College in Florida. He has worked in the Borough for the past six years, starting as a Class I Patrolman for three years and then attending the police academy to become a Class II for the past few years along with dispatching. Mayor Naughton recommended Mr. Noble to the Council for patrolman.

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

**R-18-189-RESOLUTION – APPOINTING PROBATIONARY PATROLMAN
SPRING LAKE POLICE DEPARTMENT – WILLIAM NOBLE**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, that William Noble be and hereby is appointed as a Probationary Patrolman with the Spring Lake Police Department effective December 1, 2018.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Mayor Naughton administered the oath of office to William Noble.

Chief Kerr wished Michael Palmer well in Brielle. Chief Kerr congratulated William Noble and thanked all of the officers and dispatches on their good jobs and thanked the Mayor and Council for their support.

Workshop Discussions: None

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Approval of Minutes:

Mr. Judge offered a motion to approve the minutes of November 19, 2018, seconded by Mr. Erbe.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Public Comments:

Mike Mattia, 313 Jersey Avenue as a SMRSA representative he said he been questioned about what is going on at the north end of town. He explained that they are putting in an access chamber from the plant in Wall Township out to the Ocean.

Mr. Frost wasn't sure what was going on over either but asked if Belmar is participating in finishing off the area of the new pipe in terms of landscaping. Mr. Dempsey explained that Belmar's plan was to landscape with seagrass but rather than use seagrass, they would like to plant grass and landscape around the bank of the lake.

Mayor Naughton recalled that Belmar has money in their grant to landscape the area.

Council Comments & Staff Reports:

Mayor Naughton acknowledged the passing of former police officer, Ed Desevo who served from 1970-1999 and recognized his years of service and gave her condolences to his family.

Mr. Drasheff reported that he and Councilman Sagui have looked at the large amount of properties that have been pumping out water after the recent rain events. He reported that currently the water table in Spring Lake is about two feet higher than average. Mr. Drasheff continued that many properties that have never had ground water issues are now pumping out large amounts of water. He added that from Vroom to Ocean and Second Avenues there is a large amount of water. He asked what Mr. Avakian's opinion on the issue and asked what they should be telling residents. Mr. Avakian explained the volume of the water from rain effects everything. He continued that when there is higher water elevation in the coastal lakes it is harder to drain.

Mr. Drasheff asked if the homes on Fifth Avenue that have sump pumps will be considered with the improvements to Fifth Avenue project. Mr. Avakian indicated that they have identified the properties with sump pumps and plan to tie them in to the storm drains. He added that the cross drains will now be all underground similar to the sump connections and drainage that they completed on South Blvd which is now working well.

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Mr. Erbe reported that the tree lighting was successful even though they had to reschedule due to the weather. He gave his compliments to everyone that participated in the event and thanked them for their help.

Mr. Erbe reported that he walked Morris Avenue with Councilwoman Whalley and urges the Council to move forward on Morris Avenue improvements.

Mr. Judge gave his condolences to Ed Desevo's family and acknowledged the passing of Bush 41. He continued that he would like to revisit the restriction on gatherings on the beach front. He thinks they should scale back on restrictions. He asked if they could meet as a committee and come back with proposed revisions to the ordinance.

Mayor Naughton asked what Mr. Judge had in mind. Mr. Judge explained that he would like to reduce the restrictions during the non-summer months or perhaps only having restrictions during the months of July and August. Mr. Judge asked if the committee could meet.

Mr. Frost said they could meet as a committee again in January to come back with recommendations to the Council.

Ms. Whalley asked what committee would meet to discuss. Mr. Judge answered it was an ad-hoc committee consisting of Mayor Naughton, Mr. Frost, and Mr. Judge.

Mayor Naughton asked if any of the Council has an opinion on the matter to please let the committee know.

Mr. Frost reported on how well the tree lighting was last week and thanked Kathy Heine on all of her hard work.

Mr. Frost stated that he would like to see the use of salt brine before snow storms. He sent the Council information on the benefits of using the brine and would like the Council to consider the use of brine.

Mr. Erbe would like to hear feedback from the Public Works Department on the use of brine.

Mayor Naughton added that she has looked into the use of brine but added that she read that forty percent of rock salt ends up in the gutter and is not as effective as brine. She asked if they have tanks to use brine. Mr. Dempsey answered that the trucks are equipped with the tanks and can salt and brine at the same time. He continued to explain that brine is only used before a snow event and you still have to salt after the snow begins.

Mr. Frost had read that brining is cost effective and proactive.

Mr. Sagui asked Mr. Avakian if they should consider looking at all of the storm drains in town. He's noticed how the new pipe at Lake Como is working getting water out. He asked if they should consider more roads in town to put in storm drains. Mr. Avakian explained that they talked about drainage on Morris and Third Avenue because historically they have flooded because of three factors; the well-developed infrastructure, the piping system is undersized in the area, and that the pipes that discharge into the coastal lakes which are already at elevated levels.

Mayor Naughton has observed the height in the lake and can't recall ever seeing it remain so high after a large rain event.

Ms. Whalley added that the new platforms were under about four to five inches of water for about seven days. She added that if they get the Open Space Grant for the nature trail, they will have to address the elevation because of flooding.

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Mayor Naughton asked Mr. Avakian if he is sure there isn't a drainage issue with Spring Lake. Mr. Avakian was unsure if the discharge pipe is working property, he will meet with Frank Phillips to address this.

Ms. Whalley added that shade trees capture about sixty percent of rain fall. She continued that they finished the tree inventory at Paziienza Park.

Ms. Whalley reported that the train exhibit has had over twenty five hundred people in the first ten days. She added that over forty retailers purchased buildings for the exhibit, the money raised goes to Common Ground Grief Center.

Ms. Whalley continued that this past Saturday was the Christmas Inn Tour, which went well with over one thousand tickets purchased.

Ms. Whalley reported that the Garden Club will be participating in Wreaths Across America on December 15th at noon. They are working with the American Legion and the Fire Company to put wreaths on Veterans cemeteries.

Ms. Whalley reported that they are working on a plan for Morris Avenue and that between the BID, Roads Committee, and Shade Tree Committee they have a basic plan and will add refinements on pavers and lighting and will report to the roads committee, finance, and Department of Public Works.

Borough Engineer's Report:

Mr. Avakian reported that they have four projects closed out including, Divine Park Platforms, 2018 Road Program, Atlantic Avenue, and Lorraine & Tuttle Avenues. He added that Fourth Avenue and Villa Park Way will be paved in the spring due to conflicts with the utilities. Mr. Avakian indicated they have begun the first phase of Fifth Avenue improvements from Salem to Warren Avenues. They are starting the project by removing the cross over drainage pipes. Mr. Avakian continued that a tremendous amount of work goes into this project because of the utility conflicts.

Mr. Drasheff asked what they will do with the old cross over pipes on Fifth Avenue. Mr. Avakian explained that they are removed and will re-profile the roadway to direct runoff.

Mr. Sagui suggested putting drainage grates on both sides of the roads. Mr. Avakian indicated that they will be putting grates on both sides.

Mayor Naughton added that they still need a plan for the intersection at Fifth and Warren Avenues. Mr. Avakian will reach out to the traffic engineer and work on it.

Ms. Whalley asked how long the project will take. Mr. Dempsey explained that they will do as much of the drainage work as they can and finish up in the spring. He added that they do not want to do concrete curbing work until after the winter.

Mr. Avakian finally reported that the Pitney Avenue sewer lateral project was awarded to North American Pipe and is hopeful that this will eliminate a lot of the sewer infiltration. Mr. Dempsey reported that a pre-construction meeting is next week. Mayor Naughton asked to make sure to let the homeowners know.

Borough Attorney's Report: None

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Borough Administrator's Report:

Mr. Dempsey reported that the town is part of the assessment demonstration program that requires the town to inspect twenty percent of properties every year for assessments. He continued that since the town did town wide assessment in 2016 they had off in 2017. This year they will inspect twenty percent of the properties and twenty percent in 2019. Appraisal Systems came in at twenty dollars per inspection and are expecting to begin at the end of the week. He added that they decided to go with Appraisal Systems because it was fifteen dollars less per inspection than other companies. He reached out to other municipalities that use Appraisal Systems and received good feedback. Mr. Dempsey has been in contact with the Police Department and supplied the inspector's information. They will be conducting inside and outside inspections to verify information on the property assessments.

Mr. Judge asked if a homeowner was inspected two years ago, would they be inspected again. Mr. Dempsey explained that the idea of the program is that every five years the entire town is set to one hundred percent.

Mr. Drasheff asked how much will these inspections cost annually. Mr. Dempsey indicated ten thousand dollars.

Ms. Whalley asked how we are communicating with property owners. Mr. Dempsey explained that the company will be mailing out individual letters to homeowners.

Mayor Naughton agreed that there should be some kind of communication that explains the inspections and why they are happening. Mr. Dempsey will send out a notice through the newsletter.

Peter Meade, 300 Worthington Avenue asked if they have the option to ask for only the exterior to be inspected. Mr. Dempsey explained they are going to do the exterior no matter what and if they don't get into the house, they are going to attempt an interior inspection three times, that will be noted.

Mayor Naughton agreed that at this time of year a lot of homes are empty.

Lyle Marlowe, 110 Pennsylvania Avenue met with the tax assessor three times and still doesn't understand the assessments.

Mr. Erbe explained that one of the reasons why they decided to join in on this program is because it is more cost efficient.

Mayor Naughton is sure that Mr. Enright, Tax Assessor, will come to a meeting to explain the process.

Mr. Dempsey had a meeting with the Department of Environmental Protection last week in regard to building the berms on the beach to allow for some relief to build them. He continued that they had a CAFRA permit to build seasonal dunes which recently expired so they are in the process of getting a new permit. The DEP does not like seasonal dunes because they feel it takes sand from the beach and potentially causes beach erosion. He continued that the Borough has been building seasonal dunes for thirty years without any problems. Mr. Dempsey met with them to convince them to allow seasonal dunes. He continued that they are willing to work with Spring Lake but would like to wait until the new CAFRA permit is issued. He believes the new CAFRA permit should be issued within the next thirty to forty-five days. The day after his meeting with the DEP an information notice went out to municipalities about the building of seasonal dunes and that they now require a

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CAFRA permit and they will now enforce it. He continued that annually they will now have to have a survey of the beach profile and if the elevation is above ten they will be able to build dunes.

Mr. Frost asked how often the Borough has to apply for a CAFRA permit. Mr. Dempsey indicated every five years. Mr. Frost asked what the differences are between building a dune and using a snow fence. Mr. Dempsey explained that a snow fence would run about two miles down the beach with posts but the problem is if it gets destroyed in a storm, they have to remove the entire stretch of fencing. He continued that if there is not a storm, sand builds up against the fence over the course of the winter and in the spring, they have to bulldoze sand away from the fence to remove it. Mr. Dempsey explained that this is why they push to build the dunes rather than putting a snow fence up. Mr. Frost asked if they need a permit for the snow fence. Mr. Dempsey indicated no. Mayor Naughton added that all they want to do is catch the westward blowing sand to stop it collecting under the boardwalk and on access paths.

Mr. Avakian is going to call Stuart Farrell from Stockton Data to get the data about beach erosion with the dunes to see if they could present that information to the DEP.

Mr. Dempsey finally reported that the good news was the Borough was approved the six foot bump out at the South End Pool.

Business Items Under Consideration:

a. Public Hearing - Spring Lake BID 2019 Budget

Mr. Judge made a motion to open the public hearing for the Spring Lake 2019 BID Budget, seconded by Mr. Frost. All in favor. None opposed.

PUBLIC HEARING NOW OPEN

Rich Clayton, 1207 Third Avenue reviewed the information regarding the Business Improvement District (BID) Budget that was provided to the Mayor and Council ahead of time. He continued that the BID Budget isn't used for just flowers and plantings but also for Capital Improvements, he explained that the capital improvements are only for the district. He explained that they all work together to accomplish their goals and have excellent cooperation and communication.

Mr. Sagui thinks the BID is valuable to the town; they do a great job with the Boroughs money. Mayor Naughton agreed and thinks the downtown has never looked better and gave her support.

Mr. Erbe agreed and believes it is working well and they have an obligation to support the BID.

Peter Meade, 300 Worthington shared that the downtown looks great.

Mr. Judge made a motion to close the public hearing for the Spring Lake 2019 BID Budget, seconded by Mr. Erbe. All in favor. None opposed.

PUBLIC HEARING NOW CLOSED

b. Mr. Judge made a motion to approve the following resolution, seconded by Mr. Erbe.

**R-18-190- RESOLUTION – APPROVAL OF ADOPTION OF SPRING LAKE
BUSINESS IMPROVEMENT DISTRICT 2019 BUDGET**

WHEREAS, the Mayor and Council of the Borough of Spring Lake authorized and created the Spring Lake Business Improvement District (hereafter the "SLBID") in Chapter 317 of the Borough Code adopted August 14, 2007; and

WHEREAS, Chapter 317, Section 10 requires the introduction, approval, public hearing and adoption of an annual budget for the SLBID; and

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WHEREAS, pursuant Chapter 317, the Spring Lake Business Development Corporation, Inc., (hereafter the "SLBDC") a duly organized 501(c)(3) corporation, has been designated in Chapter 317, as the District Management Corporation; and

WHEREAS, pursuant to Chapter 317, Section 10, the SLBDC is charged with the responsibility of submitting a detailed annual budget for approval by the Borough Council together with a report explaining how the budget contributes to the goals and objectives of the SLBID;

WHEREAS, the SLBDC has submitted a detailed annual budget and report as required and the Mayor and Borough Council adopted Resolution R-18-171 entitled "Approval of Introduction of Spring Lake Business Improvement District 2019 Budget; and

WHEREAS, a copy of said Resolution as approved by the Mayor and Borough Council on October 23, 2018 was published in the October 25, 2018 issue of the Coast Star newspaper and on October 24, 2018 copies of said Resolution were posted on the Bulletin Board at Borough Hall, and copies were made available to each person requesting the same, during that week and during the public hearing, as required by Chapter 317, Section 10, and

WHEREAS, the Mayor and Borough Council find that the budget submitted by the SLBDC and the accompanying report are appropriate and that the Budget should be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the attached 2019 Spring Lake Business Improvement District is hereby adopted.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

c. Fire Chief Nomination- Dennis Brown

Mr. Judge offered a motion to approve the nomination of Dennis Brown for Fire Chief, seconded by Mr. Erbe.

ROLLCALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

d. Event Application- Mama Mare Breast Cancer Foundation 5K- Saturday, April 13, 2019

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

e. Event Application- Belmar Five Mile- Goodwill Hose Company- July 13, 2019 - Mr. Judge offered a motion to approve the event, seconded by Mr. Erbe. All in favor. None opposed.

Ordinances for Introduction: None

Ordinances for Adoption: None

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Consent Agenda:

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

**R-18-191-RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT FOR
2019 WITH ASSOCIATED HUMANE SOCIETY**

BE IT RESOLVED, by 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 Associated Humane Society for animal control services for the year 2019.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-18-192-RESOLUTION – REFUNDING WATER SERVICE FEES
346 SOUTH BLVD – BLOCK 151, LOT 15**

WHEREAS fees were received from Colleen Panzini for 346 South Blvd, Block 151, Lot 15 for the installation of a 1 1/4" water service by the Borough of Spring Lake in the amount of \$3,500.00, and

WHEREAS, said money was deposited by the Borough of Spring Lake in accordance with law, and

WHEREAS, it was found that the service already existed and there was no additional work needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that a refund in the amount of \$3,500.00 be and the same is hereby approved for Colleen Panzini for 346 South Blvd, Block 151, Lot 15.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-18-193-REORGANIZATION AND REGULAR MEETING DATES FOR 2019

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Regular Meetings of the Governing Body of the Borough of Spring Lake for the year 2019 shall be held at the Municipal Building, 423 Warren Avenue, Spring Lake, New Jersey at 7:00 PM prevailing time unless otherwise noticed on the following dates:

JANUARY 7, 2019	Reorganization Meeting	MAY 14, 2019	SEPTEMBER 10, 2019
		MAY 28, 2019	SEPTEMBER 24, 2019
JANUARY 22, 2019			
		JUNE 11, 2019	OCTOBER 8, 2019
FEBRUARY 12, 2019		JUNE 25, 2019	OCTOBER 22, 2019
FEBRUARY 26, 2019			
		JULY 9, 2019	NOVEMBER 12, 2019
MARCH 12, 2019			
MARCH 26, 2019		AUGUST 6, 2019	DECEMBER 3, 2019
		AUGUST 20, 2019	DECEMBER 17, 2019
APRIL 9, 2019			
APRIL 23, 2019			

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The foregoing Resolution is in accordance with the applicable provisions of the "Open Public Meetings Act", approved October 21, 1975, per Chapter 231, P.L. 1975.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Resolutions:

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

**R-18-194-RESOLUTION – AWARD OF RFP #2018-0001 SURF/STAND UP PADDLE
BOARD CAMP – AT NORTH END/SURFERS BEACH**

WHEREAS, on November 20, 2018 bids were received for the Surf/Stand Up Paddle Board Camp located at the North End/ Surfers Beach in the Borough of Spring Lake for the 2019 Summer Season, and

WHEREAS, one (1) packet were picked up and one (1) bid was received, and

WHEREAS, Sam Hammer Surf Camp, 2315 Bennett Ave, Pt Pleasant, NJ 08742 submitted the Highest Bid for the Surf/Stand Up Paddle Board Camp at North End/Surfers Beach in the amount of \$6,800.00 for one (1) year with an option of three (3) additional years with mutual consent.

NOW, THEREFORE, BE IT RESOLVED that Sam Hammer Surf Camp be and is hereby awarded the bid for the Surf/Stand Up Paddle Board Camp the amount \$6,800.00 for year 2019. This contract may be extended for up to three seasons. And that the Mayor and Borough Clerk be and are hereby authorized to execute the necessary paperwork.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-18-195-RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING
LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES**

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

					Amount not exceed
PS#10-2018	Engineering Services – South End Pavilion & Pool Complex Modifications Phases II through IV	Joseph Griffin	Griffin Engineering	PO Box 316 Sea Girt, NJ 08750	\$149,740.00

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year or until a successor is appointed; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract

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and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURTHER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available for PS#10-2018 from 2018 General Capital Pool Improvements with an available balance of \$358,000.00.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

**R-18-196-RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING
LAKE FOR THE PROVISION OF PROFESSIONAL SERVICES**

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

					Amount not exceed
PS#11-2018	Architecture Services – Conceptual Plan South End Pavilion	Eric Wagner	Architects Kellenyi Johnson Wagner	21 Peters Place Red Bank, NJ 07701	\$110,000.00

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year or until a successor is appointed; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURTHER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available for PS#11-2018 from 2018 Current Fund Capital Improvement Fund Pool Improvements with an available balance of \$358,000.00.

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

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

R-18-197-RESOLUTION – APPROVAL OF BILLS – DECEMBER 4, 2018

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 4, 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)	177,353.45
WATER/SEWER OPERATING (9)	23,881.11
WATER/SEWER CAPITAL (8)	63,716.25
GENERAL CAPITAL (4)	22,051.25
GRANT FUND (2)	1,417.50
TURST OTHER FUND (12)	4,655.00
DOG TRUST FUND (13)	913.60
COAH TRUST (16)	780.00
SPRING LAKE TRUST (15)	3,028.57
RECREATION (25)	2,750.00
JR GUARDS (26)	81.00
BEACH OPERATING (81)	11,444.00
POOL OPERATING (91)	5,544.31
TOTAL	\$317,616.04

ROLL CALL:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Public Comments:

Mike Mattia, 313 Jersey Avenue asked if Mr. Avakian could look at the two settling trenches on Jersey Avenue East of Fourth Avenue that have sunk quite a bit. He asked if a repair could possibly be done. Mr. Judge asked Mr. Mattia if the crack in the pavement by store was repaired. Mr. Mattia indicated it has not. Mr. Avakian looked at it and will see where it stands with the contractor.

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REGULAR MEETING
DECEMBER 4, 2018**

Peter Meade, 300 Worthington Avenue followed up regarding sump pumps, asking who is responsible if the water freezes and someone slips and falls. Mr. Sagui explained that it is the pop-ups that are draining onto either the street or sidewalk after the drywells have filled. Mr. Drasheff added that some homes are pumping water from hoses out of their basements. Mr. Meade asked if this puts the Borough at risk. Mr. Colao indicated that it would be the homeowner's responsibility.

Executive Session:

Adjournment:

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

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:12 P.M.

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting: December 18, 2018