

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 6, 2011**

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. Fay, Mr. Kennett, Mr. Quinn, Mrs. Reilly, Mayor Naughton

ABSENT: Mrs. Venables (Arrived at 7:05 P.M.)

ALSO PRESENT: Jane Gillespie, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq., Borough Attorney
Peter Avakian, Borough Engineer

Workshop – None

Proclamations, Presentations & Special Guests – None

Approval of Minutes – None

Public Comments

Eleanor Twomey, Vroom Avenue, questioned if the bonding means an increase in our bills? Mayor Naughton explained that this is structuring for long term financing on our current short term notes. It is not a new project.

Council Comments & Staff Reports

Mayor Naughton reported on the following:

- **Permit Modification from DEP** – We received the permit and have it in hand to allow us to move sand deeper and wider around the boardwalk. We were holding off on the boardwalk work until we received the permit and so now that work has begun. They have started at the furthest ends where the most damage was done and where there are a lot of people walking. It will take several months but will be done by Spring. There may be a new proposal from Jersey Central Power & Light. Mr. Dempsey stated that he was advised to hold off on the invoice that the wire will be covered by them we just have to work out the light color issue which will save us the \$319,000 initially anticipated. More information will follow but it will not be yellow lights.

7:05 – Mrs. Venables arrived.

- **Notice on Website** – We have been advised BY FEMA and the State of NJ that homeowners in the flood area are potentially eligible for an additional \$30,000 if they undertake certain flood mitigation measures. The information is going to be on the website.
- **Dispatch** – She along with several members of the Council attended the Open House on the new call center in Neptune for the new County dispatch. She felt it was impressive. It is anticipated to open sometime in mid-January.

Mayor Naughton noted that Robbin Kirk our Chief Financial Officer is here this evening. There was a meeting to discuss the end of year budget issues and to start discussions on the 2012 budget. She will be with us again in 2012 and we look forward to her advice.

Mr. Drasheff reported on the county dispatch and stated that he was impressed and thanked Freeholder Arnone for his work and Undersheriff Bob Dawson. As to budget, he was glad to see that beach and pool revenues were on target even with the storm. The water and sewer utility needs to be

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looked at for cost effectiveness as part of the budget. Robbin advised that the budget was on target. The transfers are minimal so the budget has been run on target.

Mrs. Venables complimented everyone on the tree lighting. There was a change in location but it was beautiful. The new tree looked great and you could see much more and felt that it worked out very well. There was a huge crowd, it was a beautiful night and everyone loved it.

She also visited the new facility and was impressed. It looked to her like top of the line technology and felt that it looked very promising for us. Freeholder Arnone has been a great help and a friend to Spring Lake.

Mrs. Reilly agreed that the facility is top of the line and felt that it would be a great asset for the entire County. She also complimented everyone on the Christmas tree lighting. Santa Claus was a little delayed because of a fire but everything went well. There are a couple of things they will look into changing for next year. She complimented Richard Clayton on the award the BID received.

Mayor Naughton reminded everyone that tomorrow is the 70th Anniversary of Pearl Harbor Day.

Borough Engineer's Report

Peter Avakian, Borough Engineer reported on the following items:

- **Cafra Permit** - Happy to report the permit has been received. He felt that the meeting the Mayor coordinated assisted us in getting the modification approved. There is a condition that it be marked out every two hundred feet. We have about 7 feet of sound that can be removed to be compliant with the permit.
- **Newark & Adrian Avenues** - Masonry work is being completed. Both roads have curb, aprons and handicapped access. The sod has been installed. The project site will be winterized and they will come back in March and finish the project.

Borough Attorney's Report

Joseph Colao, Esq, Borough Attorney advised that he had one item for Executive Session.

Borough Administrator's Report

W. Bryan Dempsey, Borough Administrator reported on the following items:

- **First & Second Avenue Road Improvements** – There are a couple of minor punch list items to be completed by the Contractor.
- **Newark & Adrian Road Improvements** - The project is going well. Cosmo Scardino and the residents on Adrian are pleased with the work and the Contractor.
- **Dispatching** – the center was viewed. Chief Kerr and the Police Department aware on board so it should be a smooth transition. Chief Kerr is working on some of the issues that could come up.
- **Resolution – Home Grant** – A County Home Funds Resolution will be on the next agenda as requested by the Affordable Housing Alliance. The rendering has to be finalized and then we will move forward with the project on Warren Avenue.
- **Third Avenue** – The NJ Natural Gas project has been completed. The services will be installed after the first of the year but the businesses will not be affected.

Business Items Under Consideration - None

Ordinances for Introduction - None

Ordinances for Adoption - None

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Consent Agenda

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-243 RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#26-2011 - PTA ST. CATHARINE SCHOOL- ON PREMISE 50/50**

WHEREAS, the PTA St. Catharine School has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#26-2011, 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#26-2011 be and the same is hereby approved as follows:

NAME:	PTA St. Catharine School	Identification No.:	475-5-7331
LOCATION:	St. Catharine School		
	2nd & Salem Avenues, Spring Lake, NJ 07762		
DATE:	December 15, 2011	6:00 P.M. - 9:00 P.M.	

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-244 A RESOLUTION TO APPROVE
SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY**

WHEREAS, The State of New Jersey has mandated the use of the MODIV Property Assessment Computer System for all New Jersey Municipalities; and,

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth, in conjunction with the County Board of Taxation, is offering the County's MOD IV Property Assessment Computer System services to the municipalities; and,

WHEREAS, A Shared Services Agreement has been proposed for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq.; and,

WHEREAS, It is in the best interest of the Borough of Spring Lake to enter into such an Agreement;

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and Borough Council of the Borough of Spring Lake, that the agreement entitled, "**Agreement Between the County of Monmouth and the Borough of Spring Lake for MODIV Property Assessment Computer Services**", a copy of which is attached hereto, be approved for the First of January, 2012 through December 31, 2021; and,

BE IT FURTHER RESOLVED, That the Mayor and Clerk be and are hereby authorized and directed to execute the contract agreement.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-245 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT
AS RESULT OF TAX APPEAL**

WHEREAS, taxes on the following property has been overpaid as the result of a Tax Court Appeal Settlement.

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Tax Year	Block	Lot	Street Address	Name	AMOUNT
2009	141	5	5 Remsen Avenue	Robert Fogari	\$1,028.13

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refunds in the amount specified are hereby approved for the aforementioned property.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayment to be a total of \$1,028.13. /s/ SUSAN M. SCHRECK, TAX COLLECTOR

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-246 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT
AS RESULT DOUBLE PAYMENT**

WHEREAS, taxes on the following property has been overpaid as the result of Double Payment of Taxes.

Tax Year	Block	Lot	Street Address	Name	AMOUNT
2011	43	1.333	700 Ocean Avenue Unit 133	Jose Chavez-Cacho & Laura Chavez	\$408.93

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refunds in the amount specified are hereby approved for the aforementioned property.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayment to be a total of \$408.93. /s/ SUSAN M. SCHRECK, TAX COLLECTOR

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-247 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT
AS RESULT OF ERROR IN VETERAN DEDUCTION**

WHEREAS, taxes on the following property has been overpaid as the result of an error in Veteran Deduction.

Tax Year	Block	Lot	Street Address	Name	AMOUNT
2011	126	55	321 Pitney Avenue	Costanzo & Helen Albino	\$250.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refunds in the amount specified are hereby approved for the aforementioned property.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayment to be a total of \$250.00. /s/ SUSAN M. SCHRECK, TAX COLLECTOR

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

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Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-11-248 RESOLUTION – APPROVING OFF-DUTY PAY AND RETAINING ADMINISTRATIVE FEES

WHEREAS the Borough of Spring Lake has received the monies as set forth below in connection with the employment of off-duty Police Department employees, and

WHEREAS this money has been deposited by the Borough of Spring Lake in an account designated 'RESERVE FOR OFF-DUTY EMPLOYMENT";

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that payment be made to the employees as shown on the payroll voucher as follows:

10/15/11 County of Monmouth – DWI Checkpoint \$180.00

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the administrative fee(s) are to be retained by the Borough of Spring Lake as unanticipated revenue.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-249 RESOLUTION – APPOINTMENT OF PART-TIME PUBLIC WORKS
RECYCLING ATTENDANT – JOSEPH APPLGATE**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that Joseph Applegate be and hereby is appointed as a part time Recycling Attendant for the Department of Public Works effective this date at an hourly wage of \$15.00 due to the resignation of a current employee.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Resolutions

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-250 RESOLUTION – AUTHORIZING TRANSFERS BETWEEN 2011 BUDGET
APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers as permitted between budget appropriations during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that transfers between 2011 Budget Appropriations be made as follows:

TITLE	FROM	TO
CURRENT FUND		
GENERAL ADMINISTRATION MISC OTHER 0100	315.34	
GENERAL ADMINISTRATION SALARY & WAGE 0100		315.34
	315.34	315.34
BEACH UTILITY		
BEACHFRONT OPERATION MISC OTHER 8002	4,000.00	
BEACHFRONT OPERATION SALARY & WAGE 8002	1,000.00	
STATUTORY EXPENDITURES/UNEMPLOYMENT 8011		5,000.00
	5,000.00	5,000.00

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ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-11-251 RESOLUTION – CANCELLING CERTAIN BALANCES TO SURPLUS

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following balances are hereby cancelled to operations:

Current Fund

0935	Interest on Notes	\$	5,047.35
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Water/Sewer Utility

6009	Payments to SMRSA	\$	12.08
	Operations	\$	12.08

Beach Utility

8010	Interest on Bonds	\$	331.80
8010	Interest on Notes	\$	4,472.65
	Operations	\$	4804.45

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-11-252 RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF
WATER/SEWER UTILITY BONDS OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY
OF MONMOUTH, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING
\$3,500,000 IN PRINCIPAL AMOUNT.**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Borough of Spring Lake, in the County of Monmouth, New Jersey (the "City") authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water/Sewer Utility Bonds in the principal amount of \$3,500,000 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$92,000	#26-2001	South Boulevard sewer improvements, finally adopted October 9, 2001.	40 years
\$1,524,500	#29-2002	Various water tower improvements, finally adopted December 2, 2002.	20 years
\$875,500	#22-2004	Various water-Sewer improvements, finally adopted July 13, 2004.	20 years
\$1,008,000	#27-2005	Various water-Sewer improvements, finally adopted August 23, 2005.	20 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 20.52 years.

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b. The Bonds of the combined issue shall be designated "Water/Sewer Utility Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 5. This resolution shall take effect immediately.

Robbin Kirk, Chief Financial Officer explained that what these Resolutions do is combine four ordinances dating back to 2001 for projects that have already been completed. We have been paying off \$50,000 per year on this and this year we paid \$100,000 due to the fact that there was other debt that dropped. One of the issues in the water are some of the payments are starting to drop off. The Bond market is good right now. These bonds will sell at 3.4% which is a good rate for long term bonds. It will increase to \$80,000 but will not change our existing rate for water/sewer. This will get us on an even keel on what we should be paying down on these. She has discussed this with the Auditor, Monmouth County Improvement Authority and Bond Counsel. She is holding one bond which was passed in 2006 for the purchase of a utility truck for \$60,000. She stated that unfortunately there is a only a ten year useful life on that so she will hold that as a note and pay it off in the next few years.

Mr. Kennett questioned what interest rate now are we paying on these bonds? She stated that currently they are out there at 2% but that could change. She explained that BAN rates will fluctuate each year. With the premium it may have sounded lower but it was about 2%. Mr. Quinn felt that this did not make sense to him. Mrs. Kirk advised that she will send the information to the Council on the BANS that were sold in October. Mr. Quinn noted felt that there should have been a presentation to the Finance Committee with alternatives. He suggested taking the additional \$80,000 and instead maintain the BANS for another year adding that \$80,000 to the debt service and pay down \$80,000 principal. He suggested taking the principal and splitting it in half and only finance half of it. He suggested going to a 15 year instead of a 20 year bond.

Mrs. Kirk advised that she has talked to several professionals and there is concern on what the rates will be next year. Some of this debt has to be financed in the next couple of years and put in permanent financing.

Mr. Quinn noted that process matters and it was not previously brought before the Council.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mrs. Reilly

NAYS: Mr. Kennett, Mr. Quinn

ABSENT: NONE

ASTAIN: NONE

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Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-11-253 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS AND PROVIDING FOR THE DETERMINATION OF OTHER TERMS OF NOT TO EXCEED \$3,500,000 WATER/SEWER UTILITY BONDS OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND PROVIDING FOR THEIR SALE TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS (not less than 2/3 of all members thereof affirmatively concurring):

Section 1. Water/Sewer Utility Bonds of the Borough of Spring Lake, in the County of Monmouth, New Jersey (the "Borough"), referred to and described in a resolution of the Borough adopted on December 6, 2011, and entitled, "Resolution Providing for the Combination of Certain Issues of Water/Sewer Utility Bonds of the Borough of Spring Lake, in the County of Monmouth, New Jersey Into a Single Issue of Bonds Aggregating \$3,500,000 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law shall be issued in an amount not to exceed \$3,500,000 as "Water/Sewer Utility Bonds" (the "Bonds").

Section 2. The Bonds are hereby authorized to be sold to the Monmouth County Improvement Authority (the "Authority") at a purchase price determined by the parameters set forth below and otherwise consistent with the terms included in the application submitted by the Authority to the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board") on October 19, 2011 (the "Application"):

- (a) the aggregate principal amount of the Bonds does not exceed \$3,500,000;
- (b) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to the Local Finance Board in the Application; and
- (c) all conditions described in the Application as submitted to the Local Finance Board for the sale of the Bonds are satisfied.

Section 3. The Bonds are hereby authorized to be sold and issued to the Authority in accordance with the terms of a bond purchase agreement to be entered into by and between the Authority and the Borough (the "Bond Purchase Agreement"). The Bonds may be issued in one or more series. The purchase price for the Bonds shall be as set forth in the Bond Purchase Agreement. The Mayor and Chief Financial officer are each hereby authorized and directed, without further authorization, to enter into and execute the Bond Purchase Agreement on behalf of the Borough in the form satisfactory to McManimon & Scotland, L.L.C., bond counsel for the Borough ("Bond Counsel"), in accordance with the provisions of this resolution. Upon execution of the Bond Purchase Agreement, the signature of the Mayor and Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale and issuance of the Bonds.

Section 4. (a) The Bonds shall be issued in the par amounts as determined by the Chief Financial Officer.

(b) The Bonds shall be dated and shall bear interest at the interest rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix as determined necessary by the Chief Financial Officer or as required by the Bond Purchase Agreement, and shall be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Bond Purchase Agreement.

(d) The Bonds shall mature in the years 2012 through 2031, or such other years as may be determined by the Chief Financial Officer and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds shall be sold at such price or prices as the Chief Financial Officer shall determine.

(f) The Bonds may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer.

(g) One certificate shall be issued for the entire principal amount of Bonds being issued by the Borough, unless otherwise required by the Authority, and shall be numbered WSU-1. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of the "Monmouth County Improvement Authority" unless otherwise specified in the Bond Purchase Agreement.

(h) Any other details that may need to be determined in connection with the sale and issuance of the Bonds shall be determined by the Chief Financial Officer.

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to conform the Bonds to the requirements of the Bond Purchase Agreement:

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ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mrs. Reilly

NAYS: Mr. Kennett, Mr. Quinn

ABSENT: NONE

ASTAIN: NONE

Mrs. Venables offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-11-254 RESOLUTION – APPROVAL OF BILLS – DECEMBER 6, 2011

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 6, 2011, 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)	511,847.02
GENERAL CAPITAL (4)	1,622.51
WATER/SEWER OPERATING (9)	143,067.12
DOG TRUST (13)	1,783.50
UNEMPLOYMENT TRUST (14)	55,000.00
SPRING LAKE TRUST (15)	3,750.00
RECREATION (25)	4,649.73
BEACH OPERATING (81)	103,268.64
BEACH CAPITAL (84)	431.95
POOL OPERATING (91)	15,322.24
POOL CAPITAL (94)	473.49
TOTAL	\$841,216.20

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Public Comments

Lyle Marlowe questioned if there would be new fixtures at the boardwalk? Mr. Dempsey advised no, the existing fixtures would remain. JCP&L will replace the wiring only. He then questioned the new handrails? Mr. Dempsey advised some of them will be replaced. Mr. Marlowe felt that it should be done now instead of coming back. Mayor Naughton agreed. Mr. Marlowe expressed his concern with paying twice for the installation. He felt that the 75% they will pay for the new galvanized pipe should be put towards the new railing instead.

He asked that the new plans for the North End Pavilion be placed on the website. He questioned the cost estimate? Mr. Dempsey hoped to have that in the next couple of weeks. He then questioned work on Wreck Pond. He was advised that there is nothing further to report on. Mr. Dempsey reported that the County received their permit.

Ms. Twomey questioned the time schedule on the pool? Mr. Dempsey stated that the final plans should be here in the next two weeks. She questioned the bid date changing? Ms. Twomey would like to see a contract signed before the pool opens next year so that construction/demolition can be done right after Labor Day.

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Mayor Naughton stated that on Wreck Pond, Mr. Avakian has provided Fish & Wildlife with the revised plans for the pumps and that we are awaiting our approval on them. Mr. Marlowe expressed his concern with the work ending at the railroad tracks with the border of Spring Lake Heights.

Ms. Twomey questioned the two Resolutions that were approved not unanimously can they be carried to the next meeting. Mr. Quinn stated that it had to be acted upon tonight to move forward.

Helen Motzenbecker, Glenwood Drive, questioned if permits for the work are being made? Mr. Dempsey advised that we have the CAFRA permit and we are meeting with the County this week. Freehold soil we have an exemption from.

Executive Session

Mrs. Venables offered the following Resolution, seconded by Mrs. Reilly.

Borough Attorney, Joseph Colao advised that action may be taken following Executive Session.

R-11-255 RESOLUTION – PURSUANT TO N.J.S.A. 10:4-13 – EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that pursuant to N.J.S.A. 10:4-13, the Mayor and Council shall adjourn to Executive Session for the purpose of discussing: Lake Como Behrman Park Communication Tower Diversion with possible action being taken following the Executive Session discussion.

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 7:36 P.M.

TIME MEETING IS RECONVENED: 7:52 P.M.

Mr. Quinn offered the following Resolution and moved its adoption, seconded by Mrs. Venables.

**R-11-256 RESOLUTION – AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH THE TOWNSHIP OF WALL FOR PLANNING SERVICES RELATED
TO OPPOSITION TO LAKE COMO BEHRMAN PARK DIVERSION**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that that the Mayor and Borough Clerk be and hereby authorized to execute an Agreement with Township of Wall for the Planning Services of John D. Maczuga, P.P., AICP with respect to opposition to the Lake Como Behrman Park diversion for the construction of a radio communications tower for an amount not to exceed \$10,000.00.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

24496

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 6, 2011**

Mrs. Venables offered a motion to adjourn the meeting, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

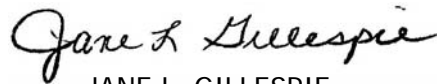
NAYS: NONE

ABSENT: NONE

ASTAIN: NONE

Time of Adjournment: 7:53 P.M.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jane L. Gillespie".

JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: February 14, 2012