

MAYOR & BOROUGH COUNCIL
BOROUGH OF SPRING LAKE
AUGUST 11, 2009

Mayor Naughton called the Workshop Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:05 P.M. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Rich, Mrs. Reilly, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald, Mayor Naughton

ABSENT: Mr. Erbe (Arrived at 6:15 p.m.)

ALSO PRESENT: Jane L. Gillespie, Borough Clerk
Barry Lewis, Borough Administrator
Joseph Colao, Borough Attorney
Andrew Bayer, COAH Legal Counsel

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

R-09-168 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 COAH Mediation; and

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. Rich, Mrs. Reilly, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ASBSENT: Mr. Erbe

ABSTAIN: NONE

Time of Adjournment to Executive Session: 6:05 P.M.

Meeting is reconvened at: 7:10 P.M.

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:10 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. Rich, Mrs. Reilly, Mr. Erbe, Mr. Quinn, Mrs. Venables, Mr. Fitzgerald, Mayor Naughton

ABSENT: NONE

ALSO PRESENT: Jane L. Gillespie, Borough Clerk
Barry Lewis, Borough Administrator
Joseph Colao, Esq., Borough Attorney
Peter Avakian, Borough Engineer

Council Comments

Mayor Naughton complimented Anna Kuntz and our Municipal Court Staff. We were just featured recently in the Court Administrator's magazine. She thanked Judge Pappas and all of the staff for making this interlocal successful. Anna Kuntz has also been asked to be a mentor.

In response to the concerns which have been raised as recently as the last meeting, Mayor Naughton advised that she discussed the bicycle issues with Chief Dawson. There are several programs which will be implemented. They have recognized the problem. Ptl. Ed Kerr who is our juvenile officer will assist with the programs.

Mrs. Reilly reported that she attended a course on how to become a Rain Garden Specialist and be able to teach others on the installation of rain gardens. She will be taking a test and get a

certificate. Our rain gardens here in town will hopefully be installed by the end of September or early October.

Mrs. Venables reported on the status of the proposed amendments to the sign Ordinance. She hopes that it will be completed within the next couple of weeks.

Mr. Quinn reported that there was a meeting earlier this week with the architect for the North End Pool. He should be submitting his report and he hopes to have this discussed at the Borough Council's next meeting.

Mr. Fitzgerald reported on the Spring Lake Education Foundation fundraiser that will be held later this month. Tickets are available at the Camel's Eye. They help raise money and do great things in the school.

Borough Engineer's Report

Mr. Avakian reported that Jersey Avenue punch list items are completed.

As to the light on Ocean Avenue, the stanchion is in but the contractor is not sure if the luminary has arrived. They were shipped separately. He will be meeting with them to schedule installation. The contractor understands that we did not want to wait this long and will not be waiting until after the season is over to install it.

Mrs. Venables questioned if there will be any other sign to direct vehicular traffic away from there? Mr. Avakian advised that the County has only approved the striping which will include the glass reflective material in it. They would not approve the reflective bollards. As far as the County is concerned it is done. Discussion on the fact that the striping and crosswalk help outline the roadway.

As to the Railroad Station improvements, they have received proposals for both portions of the improvements although they are within the budget they exceed the bid threshold. The option would be for the Borough to purchase the material and put the labor out to bid. He will be recommending this for the next meeting.

Second Avenue roadway improvements are part of a grant received by the DOT. He stated that there will be some infrastructure work with that and they are working on the plans.

Mr. Avakian reported that a video inspection was done in the area of the Ocean Road Pump Station due to the rate flows reported from SMRSA. There are two lines that are deep and submerged and they were unable to get a video camera through them and he felt that this may be a prime source of infiltration which we are paying for through SMRSA. He is in the process of obtaining prices on relining those pipes. By lining them, it will eliminate any means for infiltration. That pump station is receiving excessive flows. He felt that because it is only two lines it can be done in a reasonable amount of time but he will report back on these items.

Borough Administrator's Report

Mr. Lewis reported on the following items:

- **Ocean Road Flows** is something we need to stay on top of and by doing the relining it will pay for itself when the flows are reduced.
- **Sidewalks** the additional sidewalks have been completed by Fernandes Construction. This included the sidewalks around Potter Park. He noted that the Gazebo looks beautiful now that the sidewalks and pavers are complete in conjunction with the rehabilitation work on the Gazebo itself.
- As to the **Monmouth County Open Space Grant**, the application is due in September and he will be working with Mr. Avakian on this application. A lot of it will follow last year's application with the shack being removed as the Little League has completed those improvements. The Public Hearing and a Resolution will be on the next Agenda.

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Mr. Colao advised that he had one item for Executive Session.

Public Discussion

Gil Robinson, Sussex Avenue, questioned what happened to the weather vane that was on top of the train station? Mrs. Venables advised that it has been repaired and they are just waiting to make all of the improvements on the roof to restore it to the roof. Mr. Avakian explained that the installation is included in the cost estimates that they have obtained.

Eleanor Twomey, Vroom Avenue, questioned if there were changes being made to the train station? Mr. Avakian advised no, there are structural things that need to be addressed.

Ordinances for Introduction

Mayor Naughton advised that Ordinance No. 2009-015 has been carried to the next meeting.

Borough Attorney Colao read Ordinance No. 2009-016 entitled: "AN ORDINANCE AMENDING CHAPTER 186 (FLOOD DAMAGE PREVENTION) OF THE BOROUGH OF SPRING LAKE" by title only.

Mr. Erbe offered a motion to introduce Ordinance No. 2009-016 with the Public Hearing being set at the convenience of the Borough Clerk, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Ordinance No. 2009-016 in full/Ordinance Book No. 1

Borough Attorney Colao read Ordinance No. 2009-017 entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 2006-010 TO AMEND DESCRIPTION OF PURPOSE FOR EMERGENCY GENERATORS AUTHORIZED FOR ACQUISITION BUT NOT INCREASING APPROPRIATIONS AND NOT AUTHORIZING ADDITIONAL DEBT" by title only.

Mr. Erbe offered a motion to introduce Ordinance No. 2009-017 with the Public Hearing being set at the convenience of the Borough Clerk, seconded by Mr. Fitzgerald.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Ordinance No. 2009-017 in full/Ordinance Book No. 1

Ordinances for Adoption

Borough Attorney Colao read Ordinance No. 2009-014 entitled: "AN ORDINANCE AMENDING CHAPTER 43, SUBSECTION 43-24 OF THE CODE OF THE BOROUGH OF SPRING LAKE TO REQUIRE FINGERPRINT INVESTIGATIONS FOR FIRST AID MEMBERS" by title only.

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Mrs. Venables offered a motion to open the Public Hearing on Ordinance No. 2009-014, seconded by Mr. Rich.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mr. Lewis explained that this was requested by the First Aid Squad. There was an Ordinance on the books that required the background checks for the Fire Departments.

There being no questions from the public, Mrs. Venables offered a motion to close the Public Hearing on Ordinance No. 2009-014, seconded by Mr. Rich.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Mr. Erbe offered a Resolution to adopt Ordinance No. 2009-014, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Consent Agenda

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

**R-09-163 RESOLUTION –APPROVING VOLUNTEER APPLICATION
FOR FIREMAN – KEITH R. BRANCHE**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Keith R. Branche to become a volunteer firefighter with Spring Lake Fire Company # 1 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-09-164 RESOLUTION –APPROVING VOLUNTEER APPLICATION
FOR FIREMAN – PADRAIC M. CAHILL**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Padraic M. Cahill to become a volunteer firefighter with Spring Lake Fire Company # 1 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-09-165 RESOLUTION –APPROVING VOLUNTEER APPLICATION
FOR FIREMAN – JOHN J. TARZY

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of John J. Tarzy to become a volunteer firefighter with Spring Lake Fire Company # 1 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Resolutions

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

R-09-166 RESOLUTION – APPROVAL OF BILLS – AUGUST 11, 2009

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending August 11, 2009, 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.

Table with 2 columns: CURRENT FUND and SUMMARY. Rows include GENERAL CAPITAL, WATER/SEWER OPERATING, DOG TRUST, SPRING LAKE TRUST, RECREATION, BEACH OPERATING, BEACH CAPITAL, POOL OPERATING, POOL CAPITAL, and TOTAL.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-09-167 RESOLUTION – AWARD OF CONTRACT #04-2009
DEMOLITION OF FIFTH & MONMOUTH ELEVATED WATER STORAGE TANK

WHEREAS, on July 28, 2009 bids were received for the Demolition and Removal of Fifth & Monmouth and/or Washington Avenue elevated Water Storage Tanks, and

WHEREAS, two (2) bids were received, and

WHEREAS, Iseler Demolition, Inc., 71231 Burlison Lane, Romeo, MI 48065 was the lowest responsible bidder for each tank individually and for the combined removal of both tanks its bid was found to be responsive and satisfactory.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #04-2009 is hereby awarded to Iseler Demolition, Inc., 71231 Burlison Lane, Romeo, MI 48065 for the demolition and removal of the Fifth and Monmouth Elevated Water Storage Tank in accordance with the Bid and Specifications, in the amount of \$15,800.

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NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council reserve and retain their right to award a contract for the demolition and removal of the Washington Avenue Elevated Water Storage Tank in accordance with the time limits provided by law.

I, Susan Schreck, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Ordinance 2009-11 \$15,800. /s/ Susan Schreck, Chief Financial Officer

Mr. Lewis explained that the work would probably be done early to mid-September.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Business Items Under Consideration

American Legion Post #432 – Request to hold 911 Remembrance Ceremony in conjunction with the Jersey Shore Running Club – September 11, 2009

– Mayor Naughton explained that she had spoke to Keith Kology on this. The purpose is to have one joint ceremony for the families. In respect for the run he was coordinating it with them. Mrs. Venables noted that the families are part of that run and she is sure had input into the ceremony. It would be held at 6:00 P.M. Mayor Naughton stated that it would be a low key ceremony. They will also be working with the Police Chief and will see how it is received this year.

Mrs. Fitzgerald offered a motion to approve the request of American Legion Post #432 to hold a 911 Remembrance Ceremony with the Jersey Shore Running Club, seconded by Mr. Rich.

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Discussion

Eleanor Twomey, Vroom Avenue commented how lovely the area of the monument is kept. She expressed her concern over not being able to see it from the Ocean Avenue side. Mayor Naughton explained that it was designed for that purpose. They wanted people to know it was there but to blend into the seascape and enable people to be there without being seen from the Ocean Avenue side. Ms. Twomey commented how well it is kept but felt that some of the shrubbery is going to overgrow the area. Mrs. Venables noted that when Dave designed it, it was so that when the hedges were full grown it would block the cars on Ocean Avenue. Mrs. Venables felt it was a beautiful design.

Wayne Patterson, Sussex Avenue, questioned the Flood Ordinance and asked if the problems encountered with the last flood are being addressed as part of this Ordinance? It is usually what FEMA requires. Mr. Avakian advised yes, it is at or a foot above the 100 year flood elevation. Mr. Patterson stated that his concern is because everyone wants to build on every last foot available. Mr. Fitzgerald stated that this has been discussed with members of the Planning Board. They have to be allowed to raise the house to allow for the water to flow under it. Mr. Avakian to review it to be sure that it is addressed but advised that this Ordinance is required by FEMA in accordance with the new maps.

Mr. Quinn confirmed that this Ordinance was word for word what was required by FEMA and he is advised yes.

Eleanor Twomey, Vroom Avenue, questioned the status of a decision on the establishment of a Commission with respect to Wreck Pond? Mr. Fitzgerald stated that he attended a meeting today.

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The Commission topic was discussed today. He mentioned Mr. Quinn's position and the need for accountability. The consensus was that it did not need to be a commission. The concept was to put the four Mayor's and Administrator's in a room together and decide how this can be done. In order for this to work each one of the town's must be involved, cooperative and accountable for what goes on. There are certain things that each town will have to do based on an overall plan. The Mayor's will work this out as to structure. It is abiding by the 2007 Stormwater Plan that was developed. This way we can ask for funds to do this. It will be run by Turner Shell of the Monmouth County Planning Board. They will determine the rules and regulations it will be run by.

EXECUTIVE SESSION

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

R-09-169 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 Ocean Avenue Joint Funding Agreement; and

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. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 7:46 P.M.

MEETING IS RECOVERED AT: 7:52 P.M.

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

ROLL CALL:

AYES: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald


NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT: 7:52 P.M.

Respectfully submitted,


JANE L. GILLESPIE
BOROUGH CLERK

Approved at a meeting held on: October 13, 2009