

**23574**

**MAYOR & BOROUGH COUNCIL  
BOROUGH OF SPRING LAKE  
FEBRUARY 9, 2009**

Council President Erbe called the Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:04 P.M. with a moment of silent prayer and 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 Act and that adequate notice of the meeting has been published and posted per Chapter 231, P.L. 1975.

PRESENT: Mr. Rich, Mrs. Reilly, Mr. Erbe, Mr. Quinn, Mr. Fitzgerald  
ABSENT: Mrs. Venables, Mayor Naughton  
ALSO PRESENT: Jane L. Gillespie, Borough Clerk  
Joseph Colao, Esq., Borough Attorney  
Peter Avakian, Borough Engineer

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**Approval of Minutes**

Mr. Fitzgerald offered a motion to approve the minutes of December 23, 2008, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mrs. Reilly, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: Mr. Rich, Mr. Erbe

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Mr. Fitzgerald offered a motion to approve the minutes of January 1, 2009, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Mr. Fitzgerald offered a motion to approve the minutes of January 12, 2009, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Mr. Fitzgerald offered a motion to approve the minutes of January 26, 2009, seconded by Mr. Quinn.

ROLL CALL:

AYES: Mr. Rich, Mr. Erbe, Mr. Quinn, Mr. Fitzgerald

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: Mrs. Reilly

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**Council Comments & Staff Reports**

Mrs. Reilly reported that the Public Works Department has replaced the exit lights in the Police Department with energy efficient ones and that they will also be replacing the ones in Borough Hall in the near future. We have also purchased a waste oil heater for use in the mechanic shop which will utilize the old oil from the vehicles to heat the area.

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As to the Green Team, the group is assembled and will be meeting at Borough Hall on February 17, 2009. They will be discussing rain gardens. She attended a class on the topic. The Borough has received a \$6,000 Grant with the assistance from Mike Burke to put rain gardens in town and we have also received a \$1,000 Grant from Verizon. In her discussions with Public Works, they are checking to see what plants we can grow in our own greenhouse. She explained that the first year a rain garden does not look that great because the plants have not started growing yet. The second year it looks better and the third year it looks spectacular. There are existing rain gardens which are located in Belmar and at a County Site. The one in Belmar is located near Silver Lake.

Mr. Quinn reported on a recent meeting held with respect to the North End Pavilion. A cost estimate of the plan prepared by Frank Tomaino was discussed. These plans were based on maintaining the existing structure on three sides with possibly moving out the west side wall which faces Ocean Avenue. It was felt that this cost estimate was high and contained some errors. The Council and Mr. Tomaino are going to have to review the plan to see where it can be cut back to bring the numbers down. He has also asked that some of the work done back in 1995 by T&M Associates be looked at. Mr. Avakian will undertake a further review of that. There needs to be at least two alternatives for the Council to consider. Mr. Avakian will continue to work with the Council on this. Also we would engage in the process of surveying users of the facility to get a better handle on the number of lockers needed. As to the pricing, he felt that we need to retain the historical pricing mechanism for this year. He asked that the Council also keep the possibility of a non-binding referendum open. The impact will be on the pool users but he is not sure they will be able to carry the level of funding necessary.

Mr. Avakian stated that the key focus is to narrow down the scope and size that will get us what we want within the funding ceiling. Mr. Quinn asked Mr. Avakian to supply Council with a copy of the cost estimate if requested. Mr. Avakian stated that the design has to be decided before the elements are added.

Mr. Rich questioned the time frame. Mr. Avakian stated that in order to have the facility ready for the 2010 season, bids would have to be received by July of this year. He stated that this is possible now but if we delay it, it will make it difficult. We would have to move this forward in the next four to six weeks.

Mr. Erbe noted that the Council is no way ready to move forward with this project at this cost. Mr. Quinn added that in speaking with the Mayor, this is her feeling also.

Mr. Fitzgerald commented that it is a municipal pool not a country club. To change what it is now would be a mistake. He does not want to just do a patchwork job so by the end of three or four years it will be bad again. He would like to have it scaled down to an affordable level that will last another fifty years. He mentioned again the draft business plan he drafted as the current plan be used dates back to the 1930's when you had to shower and change before you left. He feels strongly that the number of lockers we have currently is not necessary. He stated on the existing fees, if it is for free who not want the locker. He would like to discuss this at our meeting two weeks from now that an Agenda is prepared as to the questions that need to be answered so that we can get a final drawing. We should try and get it done and perhaps put a 3-5 minute time limit on each item.

As to the sump pumps, Mr. Fitzgerald asked Mr. Avakian if he had a chance to address this. Mr. Avakian advised that he, an engineer from his office and Mr. Lewis went out and looked, specifically at the residence at 315 Sussex Avenue. He reviewed the three mechanisms for addressing this. He explained that the property in question is approximately 450' from a basin and estimated the cost to repair this to that basin would be \$17,000-\$20,000. He explained the work involved.

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Mr. Fitzgerald stated that with SMRSA we are going to have a higher year because of the pump station being underwater and even though it is freshwater we are going to have to pay for it. Mr. Avakian advised that he is meeting with Mr. Lewis and Frank Phillips tomorrow and this is one of the issues they will be discussing. They will be looking at the Borough's options to see what we can do to eliminate this. He stated an analysis can be done in conjunction with rainfall calculations to see where it spikes.

**Engineer's Report**

As to the Arch Rehabilitation Project, the second phase is the reconstruction of the wall. Bids were received last week and were within our budgetary constraints at \$368,000. It is within the funding for the overall project. That bid can be awarded once the Ordinance is adopted this evening. He wants to have this work begin as soon as possible and completed before Memorial Day Weekend. Mr. Avakian explained the existing construction of the wall and stated that there is a footing designed and a steel wall for stability on the ocean side. The landscaping project will then be completed on the Ocean Avenue side.

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Mr. Colao advised that he left a copy of a letter from the Attorney with respect to the E&S summarizing where they are at. He stated that this can be discussed later this evening or at the next meeting.

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Ms. Gillespie advised that the town meeting originally scheduled for Tuesday, February 3<sup>rd</sup> but was cancelled because of the snow has been rescheduled for Wednesday, February 25<sup>th</sup> at 7:00 P.M. here at Borough Hall. Senator Kean, Assemblyman Rible and Assemblywoman Angelini will be here. Mr. Erbe advised that anyone with questions of them can come and address them.

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**Public Comments**

Mike Burke, 309 Jersey Avenue stated that it is understanding that we will be accepting the recycling from Sea Girt. He is concerned with fecal chloroform and stated that the Borough should considered sealed containers which would not allow the rainwater in as the runoff will go to Black Creek. This is also true for cans. He stated that we are also paying to get rid of these items and questioned how we will factor this in by adding an additional town to the recycling center.

Mr. Rich stated that Kevin Thompson from Sea Girt advised him that they do most of their recycling by curbside pick-up. He also spoke to Woody at the Reclamation Center who advised that so far he has not seen an impact with the addition of Sea Girt. He noted that it is also not summertime.

Mrs. Reilly stated that Mayor Naughton arranged with Sea Girt that they are going to pay any costs we incur as a result of this agreement.

Mr. Rich stated that in talking with Kevin he advised that they will not be done with the repairs for almost a year and at that point they evaluate whether or not to open a recycling center. This is a consideration we will have to have because he is concerned with.

Mr. Quinn stated that this was rushed through because it was an emergency so that the public knows. Mr. Quinn stated that Mr. Lewis is not present but these questions should be addressed to him as he will be working the details out with them.

Mr. Burke stated he did a survey and most towns do have covered containers. We should be concerned about this because our runoff does go directly into Black Creek. Mr. Avakian added that annually he has stormwater coordinators from the State come in and meet with him to ensure that the towns are following the stormwater best practices regulations. This is the key element that they are going to be focusing on in the future.

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As to the benches, he stated that there was a bench near Washington Avenue that is falling apart. Ms. Gillespie advised that the benches have all been checked and that perhaps that was an act of vandalism but it will followed-up on tomorrow. He questioned the plaques. Ms. Gillespie advised that we were waiting for the temperature to be above 40 degrees, they should be installing the remainder of the plaques this week.

Mr. Burke questioned if a rain garden would assist the property with the sump pump? Mr. Avakian stated that the home is on a higher elevation. He stated that there are rain gardens that are built into the tree lawn. Discussion of the homes at Third & Jersey and the fact that there is a spring that runs through there.

Mr. Burke questioned if the light at the arch that was hit was going to be replaced. Mr. Avakian advised that Mr. Lewis had received prices for the replacement and an additional light across the street. Mr. Burke mentioned that the lights should have deflectors which points the light down and eliminates light pollution. He stated that if these would be better on Third Avenue. Mr. Avakian stated that they also make a very similar light that has a crown on the top which does not allow the light out of the top.

Mr. Avakian stated the light out of the top of the fixture did not create the accident nor would light deflected down have prevented it. He noted that is trying to get reflectors placed in the middle line and reflective bollards added but were not received well by the County.

Angelo Moliterno, 412 Worthington Avenue, questioned the premium on the reclamation center stickers. He is advised of the reason for the change and why there is a limitation. He understood but was advised that if there are extenuating circumstances, additional stickers can be obtained. He then noted that the Gas Company was working on his meter and told him that the town would only let them work this time of year which concerned him because they have to turn off the gas. He is advised that we were not aware of this. He then asked about the railings on the boardwalk. He was advised that the Borough Administrator was authorized to go out to bid for the railing and would be doing so shortly. Mr. Erbe explained that it is a long term plan due to the cost.

Mr. Moliterno then commented on the condition of the dunes and that something needs to be done. He is advised that the town currently has a CAFRA Application pending to be able to address his concern. Mr. Avakian is working with the DEP on this application and we hope to have an answer soon. The permit requested would allow us to move the sand and remove the excess sand from under the boardwalk and prevent sand from migrating into the dune system. Mr. Erbe stated that the Borough is aware and this is a serious problem.

Lastly, was Mr. Moliterno's concern for people parking in the no-parking area in the vicinity of the arches in the summer. He felt that signs should be erected and this creates a dangerous situation. He was bicycling there last year and called the Police because of this situation.

Eleanor Twomey, Vroom Avenue questioned if there is any consideration being to fresh salt water to the north end pool rather than treated salt water. Mr. Quinn explained that various systems are being looked at and is part of the cost estimate. He stated that there are no plans to modify the south end. Ms. Twomey stated that she did not want anything added just ocean water. He stated that there is an operating system at the south end pool that satisfies those customers and there is another operating system at the north end pool that satisfies a different set of our customers and we are not going to revisit that issue at the present time.

Ms Twomey questioned if the new plan discussed earlier covered 4 pools? Mr. Quinn explained what was included. That was what discussed at the Council Meeting in May 2008. He stated that in order to bring down the cost, one of the options is to bring it down to one large pool and a kiddie pool. Nothing has been agreed to. He has not agreed that there is anything more than repairs

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needed there. The costs have to be looked into. She questioned if each item has been priced out? Mr. Quinn advised yes, each item has been given a cost so that the savings can be determined. She questioned the restroom facilities, are there more? Mr. Quinn stated that they when they reviewed the costs, there may be too many and this is something that Mr. Avakian will be reviewing. Ms. Twomey stated that she did not feel that any additional deck space was needed. Mr. Quinn stated that the Borough needs to comply with the code requirements. That is why the move of the western wall is anticipated. If this is not done, it would result in a hot dog shaped pool.

Mike Burke mentioned using solar collectors on the roof for the pools. He stated in the winter the energy could be sold. Mr. Fitzgerald stated that solar is a good thing to do but we also have seagulls that drop shells which will be dropped on the solar panels.

**Ordinances for Introduction**

Ordinance No. 2009-001 – AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING THE SUM OF EIGHTY FIVE THOUSAND DOLLARS (\$85,000.00) FROM THE BEACH UTILITY CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF EQUIPMENT AND IMPROVEMENTS. Mr. Erbe explained this is for a tractor, a pick-up truck and lifeguard stands which have all exceed their useful life.

Mr. Quinn offered a motion to introduce Ordinance No. 2009-001 with the Public Hearing set at the convenience of the Borough Clerk, seconded by Mr. Fitzgerald.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

Ordinance No. 2009-001 in full/Ordinance Book #1.

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**Ordinances for Adoption**

Borough Attorney, Joseph Colao read ORDINANCE NO. 2009-002 entitled: "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING THE SUM OF FOUR HUNDRED FIVE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$405,250.00) FOR OCEAN AVENUE, ARCHWAY AND WALL IMPROVEMENTS AND PROVIDING FOR FUNDING THEREOF THROUGH A JOINT FUNDING AGREEMENT WITH THE COUNTY OF MONMOUTH FOR SAFETY IMPROVEMENT PROJECT ON COUNTY ROUTE 18, OCEAN AVENUE, IN THE BOROUGH OF SPRING LAKE."

Mr. Quinn offered a motion to open the Public Hearing on Ordinance No. 2009-002, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW OPEN**

There being no comments from the public, Mr. Quinn offered a motion to close the Public Hearing on Ordinance No. 2009-002, seconded by Mr. Fitzgerald.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW CLOSED**

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Mrs. Reilly offered a Resolution to adopt Ordinance No. 2009-002, seconded by Mr. Fitzgerald.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Borough Attorney, Joseph Colao read ORDINANCE NO. 2009-003 entitled: "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY VACATING PARK PLACE."

Mr. Fitzgerald offered a motion to open the Public Hearing on Ordinance No. 2009-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW OPEN**

Mr. Quinn asked Mr. Colao if he confirmed that the Borough owned the property. Mr. Colao stated that this was one of the questions he raised in an email to Mr. Lewis. Mr. Quinn stated that a resident mentioned to him that we have an obligation to sell it versus vacating it. Discussion on fact that the lot is non-conforming and has been maintained by those property owners. Mr. Colao stated that he raised similar issues with Mr. Lewis but he is not present this evening to respond. Mr. Erbe stated that to get it back on the tax rolls is a good. Discussion of other paper streets in town that have been vacated in the past.

Mr. Rich asked Mr. Colao about identifying all of the paper streets so that we are aware because need to treat them all the same.

Mr. Cox, one of the adjacent property owners advised that he has actually maintained this property for the last twenty five years.

Mr. Avakian stated it is a municipally owned right of way on the tax map and is only 22 ft. wide. Based on the law, half of the property will go to each owner on each side.

There being no further comments, Mr. Fitzgerald offered a motion to close the Public Hearing on Ordinance No. 2009-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW CLOSED**

Mr. Fitzgerald offered a Resolution to adopt Ordinance No. 2009-003, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Borough Attorney, Joseph Colao read ORDINANCE NO. 2009-004 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 180, "FIRE PREVENTION", ARTICLE II "ENFORCEMENT OF UNIFORM FIRE CODE", TO ADD SECTION 180-21(F.) AUTHORIZING THE APPOINTMENT OF ALTERNATE FIRE OFFICIAL."

Mrs. Reilly offered a motion to open the Public Hearing on Ordinance No. 2009-004, seconded by Mrs. Rich.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW OPEN**

Mr. Rich questioned the current official and who would be appointed. Ms. Gillespie advised it is Michael Giblin who is currently ill and the Fire Chief has recommended Ted Freeman III. Mr. Rich then questioned the compensation. Ms. Gillespie advised that they are paid hourly.

There being no comments from the public, Mr. Fitzgerald offered a motion to close the Public Hearing on Ordinance No. 2009-004, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

**PUBLIC HEARING NOW CLOSED**

Mr. Fitzgerald offered a Resolution to adopt Ordinance No. 2009-004, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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**Resolutions**

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

**R-09-037 RESOLUTION – APPROVING FIREWORKS TO BE  
HELD IN LAKE COMO – JUNE 13, 2009**

WHEREAS, the Mayor and Borough Council of the Borough of Spring Lake have received notice from the Borough of its intent to hold a fireworks display at Lake Como on June 13, 2009, and

WHEREAS, the Borough of Lake Como has included the Borough of Spring Lake as an additional insured on their policy for the event, and

WHEREAS, the Borough Administrator, Spring Lake Fire Chief and Chief of Police have taken part in meetings to insure the safety of the residents of the Borough of Spring Lake.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that it hereby acknowledges and approves the fireworks to be held at Lake Como on June 13, 2009 provided any and all recommendations from the Spring Lake Borough Administrator, Fire Chief and Chief of Police are adhered to and that all safety precautions are followed and all statutory requirements are met.

Mr. Rich questioned why we are approving fireworks in Lake Como? He is advised that it is a State requirement and is the same Resolution we adopted last year.

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ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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

**R-09-038 RESOLUTION – EMERGENCY TEMPORARY – PRIOR TO ADOPTION  
OF BUDGET PURSUANT TO N.J.S.A. 40A:4-20**

WHEREAS, an emergent condition has arisen with respect to the current fund – as to Recreation Salary & Wage and Accumulated Leave Compensation and no adequate provision has been made in the 2009 Temporary Budget for the aforementioned purpose, and N.J.S.A.4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96 P.L. 1951 as amended) including this resolution total \$9,192.50.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby appropriated for Recreation Salary & Wage for an additional \$1,692.50 and Accumulated Leave Compensation in the amount of \$7,500.00 in the total amount of \$9,192.50.
2. That said emergency temporary appropriation will be provided for in the 2009 budget under the titles of Recreation Salary & Wage and Accumulated Leave Compensation.
3. That three (3) certified copies of this Resolution be filed with the Director of Local Government Services.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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

**R-09-039 RESOLUTION – EMERGENCY TEMPORARY – PRIOR TO ADOPTION  
OF BUDGET PURSUANT TO N.J.S.A. 40A:4-20**

WHEREAS, an emergent condition has arisen with respect to the Water-Sewer Utility – as to Payments to SMRSA and the Monmouth County Improvement Authority and no adequate provision has been made in the 2009 Temporary Budget for the aforementioned purpose, and N.J.S.A.4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96 P.L. 1951 as amended) including this resolution total \$73,808.00.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby appropriated for Payments to SMRSA for an additional \$3,062.00 and Payments to Monmouth County Improvement Authority for an additional \$70,746.00 in the total amount of an additional \$73,808.00.
2. That said emergency temporary appropriation will be provided for in the 2009 budget under the titles of Recreation Salary & Wage and Accumulated Leave Compensation.
3. That three (3) certified copies of this Resolution be filed with the Director of Local Government Services.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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**23582**

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

**R-09-040 RESOLUTION APPROVING AGREEMENT WITH MARK WOSZCZAK MECHANICAL CONTRACTORS FOR THE DEMOLITION OF HOUSE AT 520 WARREN AVENUE TO CLEAR SITE FOR FUTURE COAH DEVELOPMENT**

WHEREAS, the Borough of Spring Lake is the owner of property located at 520 Warren Avenue which has been identified for redevelopment and construction of affordable housing units in furtherance of the Borough's COAH obligations; and

WHEREAS, there is an older existing structure on the property which must be demolished and removed to facilitate the redevelopment; and

WHEREAS, the abandoned state of the existing structure creates an attractive nuisance and is a security risk due to vandalism, dictating that the demolition and removal be undertaken immediately rather than await the finalization of the development plans; and

WHEREAS, the Borough has received three quotes for the demolition and has determined that the quote submitted by Mark Woszczak Mechanical Contractors is the lowest responsible and responsive quote, which quote has been recommended for acceptance by the Borough's COAH Committee;

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Borough of Spring Lake, that the quote submitted by Mark Woszczak Mechanical Contractors in the net amount of \$17,800.00, after deducting the \$450.00 water and sewer terminations which will be completed by the Borough, is accepted and approved and the Administrator and Clerk are authorized to accept such quote and enter into an Agreement with Mark Woszczak Mechanical Contractors for the demolition and removal of the structure at 520 Warren Avenue

Mr. Rich stated he has no problem with taking the house down but questioned if there is a plan. He stated that there are cars that go back there. Mrs. Reilly stated that Mr. Lewis responded that it would be seeded and taken care of like other Borough lots until it is built out. Mr. Quinn stated that the macadam is not going to be removed. Mr. Rich stated that getting it safe and clean is important.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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

**R-09-041 RESOLUTION – APPROVAL OF BILLS – FEBRUARY 9, 2009**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending February 9, 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.

**SUMMARY**

<b>CURRENT FUND</b>	<b>2,654,146.17</b>
<b>GENERAL CAPITAL</b>	<b>8,480.00</b>
<b>WATER/SEWER CAPITAL</b>	<b>24,885.89</b>
<b>WATER/SEWER OPERATING</b>	<b>16,474.09</b>
<b>SPRING LAKE TRUST</b>	<b>2,768.75</b>
<b>MT. LAUREL TRUST</b>	<b>1,081.50</b>
<b>RECREATION</b>	<b>1,838.71</b>
<b>BEACH OPERATING</b>	<b>15,335.14</b>
<b>POOL OPERATING</b>	<b>3,893.16</b>
<b>TOTAL</b>	<b>\$2,728,903.41</b>

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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**Business Items Under Consideration**

American Legion – Annual Fishing Contest Request – Mrs. Reilly offered a motion to approve the request from the American Legion’s request, seconded by Mr. Fitzgerald.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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Alcohol & Drug Alliance – Request to Sell Beverages – March 1, 2009 (St. Patrick’s Day Parade) – Mr. Quinn offered a motion to approve the Alcohol & Drug Alliance’s request to sell beverages at the St. Patrick’s Day Parade, seconded by Mr. Fitzgerald.

ROLL CALL:

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

NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

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**Public Comments**

Eleanor Twomey, Vroom Avenue, questioned if the \$18,000 was coming out of COAH funding. She is advised yes.

Mr. Moliterno, Worthington Avenue, questioned why the fountains on the beachfront were shut down? This will be checked into.

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

ROLL CALL:

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


NAYS: NONE

ABSENT: Mrs. Venables

ABSTAIN: NONE

TIME OF ADJOURNMENT: 8:33 P.M.

Respectfully submitted,

  
JANE L. GILLESPIE  
Borough Clerk

Approved at a meeting held on: February 23, 2009