

**MAYOR & BOROUGH COUNCIL
BOROUGH OF SPRING LAKE
JANUARY 12, 2009**

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Mayor Naughton called the 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 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, Mrs. Venables, Mr. Quinn, Mr. Fitzgerald, Mayor Naughton
ABSENT: NONE

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

Council Comments & Staff Reports

Mayor Naughton discussed the Suicide Prevention and Awareness meeting for parents she took part in last week. The meeting was put together in 48 hours and over 200 people attended. It was put together by Mark Leddy and the Monmouth County Traumatic Loss Coalition. This is the single biggest challenge facing our communities. The Principals from the schools and the Police Chiefs and Council people attended. It was an adult only meeting. The group is serious about trying to raise awareness. She has documentation that will be available here at the Borough Hall. The County was very responsive.

Mr. Rich also felt that the meeting was informative.

Mrs. Reilly stated that parents miss the signs. Hindsight is 20/20. Recreation had a meeting about the 2009 budget to be sure the programs would all be funded. It was informative and they were pleased. She stated that Kathy Heine & Cindy Lustrino both do an excellent job with recreation. Shared programs were discussed. Additional items for teenagers are being looked at. As to the liquid natural gas, there is not a need for plants or islands out in the ocean. They are more detrimental to the environment. It would be her recommendation to not support this type of action and do a resolution and support the Clean Ocean Action position to not support the liquid natural gas.

Mr. Erbe also had attended the Suicide Prevention and Awareness meeting and felt that it was a great meeting. He noted that Reverend DuBois was there and that he does a great job with the Drug & Alcohol Alliance.

Mrs. Venables expressed the need to move ahead with design standards for downtown. She felt that the Subcommittee needs to move forward with the parking issues, the bulk issues. Mr. Lewis explained the process. She then questioned the status of the removal of the towers on Washington and Monmouth Avenues. Mayor Naughton explained that to remove the tower on Washington Avenue is quite costly and we would only gain approximately four parking spaces by doing it. If the tower remains, the Borough would be able to lease out space and perhaps bring in as much as \$100,000 per year towards the water utility.

Mr. Quinn questioned if we need to look at both towers? After a discussion amongst the Mayor and Council, Mr. Lewis advised that he would look into just having Monmouth Tower removed at this time.

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Mr. Quinn asked for an update on the Master Plan and explained he is concerned about this. Do we have a time frame for the completion of the Master Plan. Mr. Lewis to follow-up on the Master Plan. He will underscore the urgency with Birdsall. Discussion of a potential risk. Mr. Quinn asked to receive an update from the Borough's COAH attorney or Birdsall about the comfort level for a development plan for the Warren Avenue property to comply with the COAH regulations. The building there is almost becoming an eyesore. He would like to move forward on that. Mr. Lewis explained that he is solicited for quotes on the demolition of the existing structure.

Mr. Quinn asked that the following Resolutions on the Consent Agenda be taken in a separate vote as he has a conflict: R-09-006, R-09-007, R-09-014 and R-09-019.

Mr. Fitzgerald stated that something has to be done with the sump pumps which are emptying into the street. He stated that there is one at the corner of Sussex and Fourth Avenues where the water runs for three blocks and this time of year causes an ice condition and becomes a safety hazard. This matter to be discussed at the next meeting.

Discussion on rain gardens and the fact that the Garden Club would like to put one in at Marucci Park. Mike Burke from the Environmental Commission has made some recommendations. It is noted that the Borough also received a \$1,500 grant from Verizon for the installation of a rain garden.

Engineer's Report

Mr. Avakian reported that the CAFRA Application for the beach was filed. They have received a notice of insufficient items which is common. They will be submitting the deficient items within the week for their consideration. One of the requirements was the publication which they have done.

Arch going out to bid

Administrator's Report

Mr. Lewis reported on the North End Pavilion and advised that we were awaiting the preliminary cost estimate. The budget progress for 2009 is progressing and he hopes to have it to the Finance Committee in the next couple of weeks. They will be reviewing requests received with the Department Heads and finalizing figures. Capital budget items are being evaluated. He requested that if any Council members have proposed capital projects that they let him know. He is working on the pending zoning amendments and hoped to have them ready for the next meeting. He advised that he is proposing a Wreck pond neighborhood meeting to inform the residents of the results of the Borough and County studies and the proposed course of action so that they know things are happening.

He had is quarterly meeting with the BID had they put forth some good ideas. He noted that the bike racks are coming. They are also looking into small information kiosks that would have a community bulletin board.

Public Comments

Eleanor Twomey, Vroom Avenue commented on the port-a-johns in the front yards. She felt that if an Ordinance is enacted it would bring in revenue.

Ordinances for Introduction – None

Ordinances for Adoption – None

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Consent Agenda

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

R-09-006 RESOLUTION – DESIGNATING DEPOSITORIES FOR 2009

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Chase Bank, Bank of America, Ocean First Bank and PNC Bank be and here hereby designated as depositories for the Borough of Spring Lake serving as follows:

Water/Sewer Account, Water/Sewer Capital Account, Spring Lake Recreation, Spring Lake Trust, Spring Lake Trust Mt. Laurel, Spring Lake Divine Park Rehabilitation Trust Fund and NJ State Unemployment Trust Account in Chase Bank, Spring Lake; the Tax Account, Tax Capital, Payroll Account, Marriage License Trust Account, Dog License Account, and Spring Lake Police Law Enforcement Trust Account, Monmouth Avenue Trust Account, Water-Sewer, Water-Sewer Capital in the Ocean First Bank, Spring Lake Heights; Merchant Services Account, Planning Board Escrow Accounts and Jumbo CD Maintenance Account in Bank of America, Belmar; Water/Sewer Account in PNC Bank, New Brunswick.

BE IT FURTHER RESOLVED that the Mayor and Council reserve the right to change the location of said accounts as a result of the intent to consolidate all banking services into one or more institutions.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Quinn

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

R-09-007 RESOLUTION – CASH MANAGEMENT PLAN

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake, County of Monmouth, that for the year 2009, the following shall serve as the cash management plan of the Borough of Spring Lake.

The Chief Financial Officer is directed to use this Cash Management Plan as the guide in depositing and investing the Borough of Spring Lake's funds.

The following are suitable and authorized investments:

- Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.
- Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1(e).
- Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey State Cash Management Fund.
- Repurchase agreements (repos) or fully collateralized securities that comply with N.J.S.A. 40A:5-15.1(a).

Each month, the Chief Financial Officer shall prepare a schedule of investments purchased and redeemed, investment earnings, fees incurred and market value of all investments.

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

Bank of America, Belmar Chase Bank, Spring Lake Manasquan Savings Bank, Manasquan Provident Savings Bank, Manasquan
First Union National Bank, Spring Lake Trust Company Bank, Sea Girt Central Jersey Bank, Spring Lake Heights
Ocean First Bank, Spring Lake Heights Commerce Bank, Wall Township Trust Company Bank, Sea Girt PNC Bank, New Brunswick

The CFO shall report to the Governing Body any account that does not earn interest.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Quinn

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

R-09-014 RESOLUTION – MUNICIPAL COURT – LEGAL PERSONNEL

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that that the following are appointed as Legal Staff for the Municipal Court for the Borough of Spring Lake:

Colin Quinn, Esq.	Municipal Prosecutor
James D. Carton, Esq.	Alternate Municipal Prosecutor
Charles Shaw, Esq.	Public Defender

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Quinn

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

R-09-019 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 taxes on the following property has been paid due to an added assessment appeal creating an overpayment by property owner as certified by the Borough Tax Collector.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Maureen Quinn 410 Salem Avenue Spring Lake, NJ 07762	27	21	\$75.80

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that a refund in the amount of \$75.80 is hereby approved for the aforementioned property.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the amount of overpayment to be \$75.80.
/S/ SUSAN M. SCHRECK, TAX COLLECTOR

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Quinn

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

R-09-008 RESOLUTION – DESIGNATING OFFICIAL NEWSPAPERS

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Asbury Park Press, The Coast Star and The Star Ledger be and are hereby designated as the official newspapers of the Borough of Spring Lake.

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. Reilly.

R-09-009 RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the eight percent (8%) and eighteen percent (18%) over \$1,500.00 be established as the legal percentage rates on all delinquent taxes.

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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. Reilly.

R-09-010 RESOLUTION

WHEREAS, N.J.S.A.54:4-67 has been amended to allow a year-end penalty of 6% on a delinquency in excess of \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Tax Collector is hereby authorized to charge a 6% penalty if a delinquency is in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

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. Reilly.

R-09-011 RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that the Chief Financial Officer, for the year 2009, be and is hereby authorized to execute the following as specific circumstances occur:

1. Refund Over paid Taxes on Appeal
2. Refund Senior Citizens and Veterans Deductions
3. Refund Duplicate Tax Overpayments
4. Cancel Taxes Receivable

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. Reilly.

R-09-012 RESOLUTION – APPOINTING MUNICIPAL COURT JUDGE

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that George Pappas, Esq., be and hereby is appointed as Municipal Court Judge for the Borough of Spring Lake. Term to expire: 12/31/2011.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Quinn

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

R-09-013 RESOLUTION – APPOINTING MUNICIPAL COURT PERSONNEL

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that that the following are appointed as Municipal Court Personnel for the Borough of Spring Lake:

Anna M. Kuntz, Municipal Court Administrator
Michelle Abbott, Deputy Court Administrator

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. Reilly.

**R-09-014 RESOLUTION – RELEASING PERFORMANCE GUARANTEES
AND WAIVING MAINTENANCE GUARANTEES – RBA HOMES
CUSTOM BUILDERS – BLOCK 27, LOT 24 – 404 SALEM AVENUE**

WHEREAS, RBA Homes Custom Builders has requested release of performance guarantees he posted for Block 27, Lot 24 known as the 404 Salem Avenue, and

WHEREAS, by letter dated December 18, 2008 the Engineer for the Project, T&M Associates has recommended the release of the guarantee as the required improvements have been completed and that the improvements involved zoning compliance issues and recommended that the Maintenance Guarantee be waived retaining \$250.00 for final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the performance guarantees be and hereby are released for RBA Homes Custom Builders posted for Block 27, Lot 24 – 404 Salem Avenue, and that the required maintenance guarantee be and hereby is waived, and

BE IT FURTHER RESOLVED that the escrow posted be and hereby is released retaining \$250.00 for final inspection.

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. Reilly.

**R-09-016 RESOLUTION – APPOINTING MONMOUTH COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT REPRESENTATIVES**

BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that that the following are appointed as representatives to the Monmouth County Community Development Block Grant Program:

John Fitzgerald, Councilman – Representative
Dr. Arthur Aria – Alternate
Barry R. Lewis, Jr., Borough Administrator - Alternate

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

R-09-017 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 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:

12/09/2008 Kiely Construction Company \$292.50 Admin. Fee \$19.50
Total Received: \$312.00

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. 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. Reilly.

R-09-018 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of 2008 taxes on the following property has been paid due to an added assessment appeal creating an overpayment by property owner as certified by the Borough Tax Collector.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Sean Flaherty 320 Passaic Avenue Spring Lake, NJ 07762	69	11	\$1,055.24

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that a refund in the amount of \$1,055.24 is hereby approved for the aforementioned property.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the amount of overpayment to be \$1,055.24.
/S/ SUSAN M. SCHRECK, CHIEF FINANCIAL OFFICER

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. Reilly.

R-09-020 RESOLUTION FOR LOCAL GOVERNMENT ENERGY AUDIT

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Borough of Spring Lake, are served by a New Jersey regulated public utility, and that the Borough of Spring Lake has not already reserved \$100,000 in the Program this year as of this application; and

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and

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WHEREAS, upon acceptance into the Program, the Borough of Spring Lake will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Part B application; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Spring Lake, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities; and

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. Reilly.

**R-09-021 RESOLUTION – AUTHORIZING TRANSFERS BETWEEN 2008 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 2008 Budget Appropriations be made as follows:

TITLE	FROM	TO
CURRENT FUND		
POLICE MISC. OTHER 0240	6,687.50	
ENGINEERING 0165		6,687.50
	6,687.50	6,687.50

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Resolutions

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

**R-09-022 RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH
VISITING NURSE ASSOCIATION OF CENTRAL JERSEY**

BE IT RESOLVED by the 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 Visiting Nurse Association of Central Jersey for the furnishing of public health services for 2009.

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-09-023 RESOLUTION - AUTHORIZING THE EXECUTION OF A COMMODITY
RESALE AGREEMENT WITH THE COUNTY OF MONMOUTH**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

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WHEREAS, the County of Monmouth has authorized the creation of the Monmouth County Commodity Resale System; and

WHEREAS, it would be in the best interest of the Borough of Spring Lake to become a member of the Monmouth County Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Spring Lake that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-09-024 RESOLUTION – APPROVAL OF BILLS – JANUARY 12, 2009

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending January 12, 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.

	<u>SUMMARY</u>
CURRENT FUND	720,149.96
GENERAL CAPITAL	5,130.00
WATER/SEWER OPERATING	231,805.56
SPRING LAKE TRUST	2,896.75
MT. LAUREL TRUST	137.00
MARRIAGE TRUST	150.00
RECREATION	840.00
BEACH OPERATING	72,596.90
POOL OPERATING	13,548.71
TOTAL	\$1,048,931.69

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. Reilly.

**R-09-025 RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL ASSISTANCE/
SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH**

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into shared service agreements with other local units; and

WHEREAS, the County of Monmouth, a local unit, has offered to provide municipal assistance / shared services to the Borough of Spring Lake; and

WHEREAS, it is in the best interest of the Borough of Spring Lake to into enter the proposed Municipal Assistance /Shared Services Agreement with the County of Monmouth.

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NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Spring Lake that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Municipal Assistance / Shared Services Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Municipal Assistance / Shared Services Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

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-09-026 RESOLUTION AUTHORIZING THE EXECUTION OF 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

WHEREAS, the Borough of Spring Lake and the County of Monmouth have agreed to jointly participate in the funding of a Safety Improvement Project on County Route 18, Ocean Avenue, in the Borough of Spring Lake;; and

WHEREAS, the terms of the Agreement have been set forth in the Agreement attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of the Borough of Spring Lake to into enter the attached Joint Funding Agreement with the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Spring Lake that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Joint Funding Agreement with the County of Monmouth for Safety Improvement Project on County Route 18, Ocean Avenue, in the Borough of Spring Lake.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with six (6) original executed copies of the Joint Funding Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

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

Correspondence – Clean Ocean Action – Council to review information and consider adopting a Resolution in opposition.

Monmouth County Park System – Open Space Grant Application – Marucci Park Not Funded as part of the 2008 Grant. After a brief discussion, the park improvements to be evaluated and the improvements are to be prioritized and possibly consider the most important for funding as part of the 2009 Budget.

Goodwill Fire Company – Request to use Roll-off Truck to Transport Antique Fire Truck –

Mr. Fitzgerald offered a motion to approve the request, 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

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Public Comments - NONE

Executive Session

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

R-09-027 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 the 308 Morris Avenue Litigation, Contract Negotiations, William Philbrook, Jonathan Rea, Spring Lake Guards.

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: 8:30 P.M.

MEETING IS RECONVENED AT: 9:15 P.M.

Mr. Quinn offered a motion to adjourn, 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

TIME OF ADJOURNMENT: 9:16 p.m.

Respectfully submitted,



JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: February 9, 2009