

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

**23591**

Mayor Naughton 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, Mrs. Venables, Mr. Quinn, 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

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**Approval of Minutes**

Mrs. Venables offered a motion to approve the minutes of February 23, 2009, seconded by Mrs. Reilly.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Erbe

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**Council Comments & Staff Reports**

Mayor Naughton reported on the following:

- She and Barry Lewis met with representatives from the E&S on their fairly large construction project which they will be undertaking. There is some structural damage which must be repaired. There will be scaffolding through the end of June or beginning of July. In the fall, they will start a new section. It is a four phase project. There will be no tenants in the section they are working on. They are making sure the building will be structurally sound for many years to come.
- The Council will be introducing 2009 Municipal Budget this evening. The Public Hearing will be on April 20<sup>th</sup>. She couldn't be more pleased in this economic year with no increase. We are continuing the process to build capital so we do not incur debt and continue paying our debt down at an escalated rate. We have declined to defer our pension debt.
- Thanked DPW for quick removal of the snow.
- Letter of support from our Legislators on our CAFRA project as a result of the town meeting that they held here. She did call them but wanted to thank them publicly.
- She spoke at Cops vs. Kids sponsored by the Drug Alliance. She commended them on providing alternative things for the kids to do so that they avoid alcohol and drugs. These kids have stuck with it since 4<sup>th</sup> & 5<sup>th</sup> grade and are now in High School. She wanted to publicly commend them for the work they do.
- Last call for articles for the bridge.
- She noted that the meeting schedule change. She suggested having a meeting just for a workshop on the pool. It would not be a presentation to the public but a workshop on the pool issue. Mr. Avakian advised that it is timely. Mr. Fitzgerald felt that an Agenda had to be set outlining the items with a given time limit. There will be no meeting on April 6<sup>th</sup> and a workshop on March 30<sup>th</sup> with a 6 PM start time.

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Mr. Rich noted that Spring Lake was well represented at the St. Patrick's Day Parade. He noted the email which was sent out for flags being flown at half staff tomorrow for Army Specialist Connelly. He stated that often you go through town and do not know why the flags are half staff.

Mr. Rich questioned if there is plan for the summertime at the reclamation center if there is an impact because of Sea Girt? Mayor Naughton felt that there would be an impact but Mr. Phillips feels that we will be able to handle it. They handle much more than we do by curbside pickup. They have also offered a full-time recycling coordinator which we may take them up on for the summer to move the traffic through so that there is not a problem. Mr. Erbe noted that the people he has talked to do not use it, they utilize curbside pickup.

Mrs. Reilly thanked the two Boy Scouts who carried the banner during the parade. She reported on the meeting with the legislators. A couple members of Council were present and we kept mentioning the projects and the need for funding.

Mr. Erbe attended Reading is Fundamental at St. Catharine's School. He noted that even the budget has no increase; money was put into the budget to deal with some of the teenage situations we have been faced with. There are not any activities planned at this time but the money will be available.

Mrs. Venables reported that the Shade Tree Committee met last Saturday here at Borough Hall. The group wants to aggressively replace trees in the right of way. If a tree is requested, they hope that they will be cooperative and water the tree. She hopes that the people they approach will be receptive they are looking for people on the bare streets. The most beautiful streets in town are those that are tree lined. The group also hopes that the public will be committed to join the shade trees' mission to have all tree lined streets. She also mentioned the volunteers on the committee: Tom Burrus, Betty Robinson, Jane Haulenbeek, Gina Sapner, Rob Slifer and Gary Ciliberto. It is a great committee and everyone is energetic and work hard to make a contribution to the town.

Mr. Quinn stated that with respect to the budget that along with a no rate increase in taxes, there will be no increase in fees. There will not be a fee increase in the water/sewer fees. The pool and beach fees will remain the same. He stated that Dan Finn, Beach Supervisor would like the Council to consider a weekly pool/beach badge. For one week only and require sponsorship from a Spring Lake Resident who has a badge at a cost of \$50.00. This would be allocated \$30 to the beach and \$20 to the pool and relieves Dan and allows us to increase our revenues. He would like the Council's permission to include this in a fee Resolution. Mayor Naughton clarified that it has to be a Guest of a resident who already has a badge. They are working on finalizing the calendar for the beach season but do not foresee any significant changes. The pools will pretty much follow last year's schedule.

**Public Comments**

Robert D'Andrea, 17 Vroom Avenue stated to decrease CO2 we need to plant more trees. He noted that there is a NJ State Supreme Court decision that it is unconstitutional to charge taxes to fund school. Mayor advised that we do collect the money and then we pay it to them. Council discusses fact that is not within their authority.

Eleanor Twomey, Vroom Avenue questioned when the school budget is available. Mayor Naughton advised that the School Board would like to come in for our March 23<sup>rd</sup> meeting to make a presentation on their budget as it is our only meeting before the vote on April 21<sup>st</sup>.

Gil Robinson, Sussex Avenue questioned when badges can be purchased? Mr. Quinn responded the middle of April. He then questioned if there will be more bathrooms in the north end. Mr. Quinn advised that it will be considered with any improvements that are done for the north end.

**MAYOR & BOROUGH COUNCIL  
BOROUGH OF SPRING LAKE  
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**2009 MUNICIPAL BUDGET**

Ordinance No. 2009-006 AN ORDINANCE OF THE BOROUGH OF SPRING LAKE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mrs. Venables offered a motion to introduce Ordinance No. 2009-006 with the publication at the convenience of the Borough Clerk, 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

ORDINANCE NO. 2009-006 in full/Ordinance Book No. 1

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Mr. Quinn offered a motion to introduce the 2008 Municipal Budget as follows, seconded by Mr. Erbe.

**R-09-049 INTRODUCTION OF 2009 MUNICIPAL BUDGET**

Section 1. Municipal budget of the Borough of Spring Lake, County of Monmouth for the Fiscal Year 2009.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009; and

BE IT FURTHER RESOLVED, that said Budget be published in *The Coast Star* in the issue of March 19, 2009.

THE GOVERNING BODY OF THE BOROUGH OF SPRING LAKE does hereby approve the following as the Budget for the year 2009.

RECORDED VOTE:	{Mr. Rich		ABSTAINED	{NONE
	{Mrs. Reilly			
	{Mr. Erbe			
AYES	{Mrs. Venables	NAYS	{NONE	
	{Mr. Quinn		ABSENT	{NONE
	{Mr. Fitzgerald			

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Spring Lake, County of Monmouth, on March 9, 2009.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 20, 2009 at 7:00 PM at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons.

**Explanatory Statement**

General Appropriations for:

- |  |                     |
|--|---------------------|
| 1. Appropriations within "CAPS"  |                     |
| a. Municipal Purposes  | 6,460,291.09        |
| 2. Appropriations excluded from "CAPS"   |                     |
| a. Municipal Purposes  | 3,195,787.20        |
| b. Local School District Purposes  | 0.00                |
|  | -----               |
| Total General Appropriations excluded from "CAPS"                                  | <u>3,195,787.20</u> |
| 3. Reserve for Uncollected Taxes Based on Estimated 98% Percent of Tax Collections | 426,152.17          |
| 4. Total General Appropriations  | 10,082,230.46       |
| 5. Less: Anticipated Revenues Other Than Current Property Tax                      | 3,334,520.77        |
| 6. Difference: Amounts to be Raised by taxes for Support of Municipal Budget       |                     |
| a. Local Tax for Municipal Purposes Including reserve for Uncollected Taxes        | 6,747,709.69        |
| b. Addition to Local District School Tax   | 0.00                |

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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**MAYOR & BOROUGH COUNCIL  
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**Ordinances for Introduction**

Ordinance No. 2009-005 – Zoning Amendments – Carried to March 23, 2009

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Borough Attorney read Ordinance No. 2009-007 entitled: "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 225, ARTICLE X, "DEVELOPMENT FEES" OF THE BOROUGH CODE."

Mr. Quinn offered a motion to introduce Ordinance No. 009-007, seconded by Mr. Erbe. Public Hearing to be set once approval is received from COAH on the Ordinance.

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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Ordinance No. 2009-008 – Parking Bikes on Boardwalks near Pavilions – Carried to March 23, 2009.

Mr. Lewis explained that the Ordinance would not permit bicycle parking in the areas of the pavilions where bicycle racks would be available so that the bikes would not have to be locked up on the boardwalk area.

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Borough Attorney read Ordinance No. 2009-009 entitled: "ORDINANCE AUTHORIZING THE EXECUTION, ACKNOWLEDGMENT AND DELIVERY BY THE BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, OF A MANASQUAN RESERVOIR WATER TREATMENT SYSTEM TREATED WATER PURCHASE CONTRACT WITH THE SOUTHEAST MONMOUTH MUNICIPAL UTILITIES AUTHORITY IN RELATION TO, AMONG OTHER THINGS, THE TREATMENT AND TRANSMISSION OF WATER BY SUCH AUTHORITY".

Mr. Lewis explained the Ordinance and advised that all of the member towns are adopting the same Ordinance. Mr. Rich questioned the new arrangement. It is explained that there was a lot of authority given to the Monmouth County Improvement Authority to incur debt on behalf of the member towns; under the new arrangement the towns run the authority and make the decisions on incurring debt.

Mr. Fitzgerald offered a motion to introduce Ordinance No. 2009-009, seconded by Mr. Erbe.

Publication to be set at the convenience of the Borough Clerk.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Ordinance No. 2009-009 in full/Ordinance Book #1

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**Ordinances for Adoption**

**Consent Agenda**

Mr. Erbe noted that he has to vote separately on R-09-050.

Mr. Quinn offered a motion to approve the following Resolution and moved its adoption, seconded by Mr. Fitzgerald.

**MAYOR & BOROUGH COUNCIL  
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**R-09-050 RESOLUTION – APPOINTING TED FREEMAN III AS ALTERNATE FIRE OFFICIAL**

BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Ted Freeman III be and hereby is appointed Alternate Fire Official for the Borough of Spring Lake effective immediately.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Erbe

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

**R-09-051 RESOLUTION – APPOINTING DINA PARTUSCH AS DEPUTY BOROUGH CLERK**

BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Dina Partusch be and hereby is appointed Deputy Borough Clerk for the Borough of Spring Lake effective immediately.

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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R-09-052 Appointment of Seasonal Public Works Staff - Carried to March 23, 2009

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

**R-09-053 RESOLUTION – REFUNDING UNUSED ENGINEERING FEES**

WHEREAS, various engineering fees for zoning approval have been submitted to the Borough, and

WHEREAS, the Zoning Official has reviewed these accounts and found that there are monies that should be returned to the applicants.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following monies be returned as recommended by the Zoning Official, Philip Kavanaugh:

Anthony & Sylvan Pools	Block 105	Lot 17	210 St. Clair Avenue	\$250.00
Brian & Jeanne Froelich	Block 80	Lot 3	205 Washington Avenue	\$500.00
Broadview Development Group, LLC	Block 102	Lot 6.01	511 Tuttle Avenue	\$500.00
Christine Keating	Block 146	Lot 17	212 Lorraine Avenue	\$250.00
Kevin & Lisa Crawford	Block 66	Lot 10	15 Morris Avenue	\$500.00
Mark & Lucyna Lupicki	Block 70	Lot 2	403 Morris Avenue	\$500.00
Renee Vassallo	Block 140	Lot 8	108 Howell Avenue	\$250.00

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

**R-09-054 RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION  
RA #01-2009 - SISTERS OF CHARITY OF SAINT ELIZABETH - OFF PREMISE RAFFLE RAFFLE**

WHEREAS, the SISTERS OF CHARITY OF SAINT ELIZABETH has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA #01-2009, and

WHEREAS, said license has been forwarded to the Spring Lake Police Department for their review and no objection was received, and

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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 #01-2009 be and the same is hereby approved as follows:

**NAME: SISTERS OF CHARITY OF SAINT ELIZABETH Identification No.: 322-3-1324**  
**LOCATION: Spring Lake Bath & Tennis Club**  
**Ocean Avenue, Spring Lake, NJ**  
**DATE: May 19, 2009 2:00 P.M.**

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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**Resolutions**

**R-09-033 Authorizing Execution of Agreement with Friends of the Spring Lake 5**

Mayor Naughton noted that the spokesman for the Spring Lake 5, Walter "Chip" Craig is present if anyone has any questions or comments.

Mr. Quinn stated that the agreement contemplates using an accounting and asked Mr. Craig if for 2008 and 2009 an independent auditors report will be done? Mr. Craig responded that he expected everything to remain the same. Mr. Quinn questioned if it would be more practicable to have a July 31<sup>st</sup> deadline for the reporting in the year subsequent to the race. Mr. Quinn stated that the contract also refers to an accounting, and he asked if Mr. Craig would agree to change that to the independent auditor's report and a list of the donations made. Mr. Quinn wants to see everyone be in compliance. We would like to see the list of donations and it is better to be submitted all at the same time. He feels that this would eliminate any ambiguities.

Mr. Colao clarified the changes to the agreement being the auditor's report and list of donations and would be due by July 31<sup>st</sup> in the year subsequent to the race.

Mrs. Reilly offered the following Resolution with the amendments to the Agreement as mentioned by the Borough Attorney and moved its adoption, seconded by Mrs. Venables.

**R-09-033 RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT  
WITH FRIENDS OF THE SPRING LAKE 5**

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 Friends of the Spring Lake 5 for the years 2010, 2011 and 2012.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Naughton thanked Mr. Craig for their contributions to the Borough.

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

**R-09-055 Temporary 2009 Capital Budget TEMPORARY CAPITAL BUDGET – 2009**

WHEREAS, the Borough of Spring Lake desires to constitute the 2009 Temporary Capital Budget by inserting therein the Projects set forth hereinafter.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, as follows:

1. The 2009 Temporary Capital Budget of the Borough of Spring Lake is hereby constituted by the adoption of a schedule to read as follows:

<u>Project</u>	<u>Est. Cost Budget</u>	<u>Cap. Imp. Fund</u>	<u>Grants</u>	<u>Debt Authorized</u>
<b>General Capital</b>				
Ocean Ave. Arch. and Wall Improvements	\$ 405,250		\$405,250	
<b>Beach Utility Capital</b>				
Purchase of Beach Tractor	\$ 65,000	\$ 65,000		
Purchase of Pick Up Truck	\$ 15,000	\$ 15,000		
Replace Lifeguard Stands	\$ 5,000	\$ 5,000		

2. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

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. Venables.

**R-09-056 RESOLUTION – AWARD OF CONTRACT #01-2009  
OCEAN AVENUE ARCH REHABILITATION & WALL RECONSTRUCTION – PHASE II**

WHEREAS, on February 5, 2009 bids were received for the Ocean Avenue Arch Rehabilitation & Wall Reconstruction – Phase II for the Borough of Spring Lake with David Howarth of Leon S. Avakian, Inc. and Jane L. Gillespie, Borough Clerk present, and

WHEREAS, fourteen (14) bids were received, and

WHEREAS, Precise Construction, Inc., 1016 Highway 33, Suite 1, Freehold, NJ has submitted the lowest bid in the total amount of \$368,160.00 and references have been checked and found to be satisfactory.

WHEREAS, it is the recommendation of Peter Avakian of Leon S. Avakian, Inc., Project Engineer that said contract be awarded to Precise Construction, Inc., 1016 Highway 33, Suite 1, Freehold, NJ in the amount of \$368,160.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #01-2009 be and the same is hereby awarded to , Precise Construction, Inc., 1016 Highway 33, Suite 1, Freehold, NJ, in the amount of \$368,160.00.

I, Susan Schreck, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Ordinance No. 002-2009 \$368,160.00 /s/ Susan Schreck, Chief Financial Officer

Mr. Lewis explained the funding mechanism for this project. The County is contributing almost 1/2 of the cost to the entire project. Mayor Naughton noted that this was an important project and was done because of structural issues and not just for aesthetics. Mr. Lewis noted that there was insurance money received from an accident at the location several years ago. Mrs. Venables added that the Friends of the Spring Lake 5 paid for the lights and will be paying for the landscaping once the construction is completed and the nice piece of the boardwalk extension.

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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**MAYOR & BOROUGH COUNCIL  
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Mr. Erbe offered the following Resolution and moved its adoption, seconded by Mrs. Reilly.

**R-09-057 RESOLUTION OF INTENT TO BOND IN THE UNLIKELY EVENT THAT THERE IS A SHORT FALL IN FUNDING TO FULLY FUND THE BOROUGH'S THIRD ROUND AFFORDABLE HOUSING PLAN**

WHEREAS, the Borough Council of the Borough of Spring Lake adopted a resolution endorsing Spring Lake's Third Round Housing Element and Fair Share Plan (the "third round affordable housing plan") as adopted and approved by the Planning Board and authorized the submission of a Petition for Substantive Certification to be filed with COAH seeking the approval of its third round affordable housing plan; and

WHEREAS, the Borough's third round affordable housing plan includes various programs that will or may require the expenditure of affordable housing trust fund monies and municipal monies as a last resort such as the construction of a 100% municipally sponsored project and a rehabilitation program that could conceivably require the expenditure of Borough monies in the event there are insufficient monies in the Borough's affordable housing trust fund and/or the developers of the municipally sponsored projects cannot secure adequate subsidies from some other source; and

WHEREAS, the Borough wishes to make clear its intentions to fully and timely fund its third round affordable housing plan.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Spring Lake that it hereby announces its intent to adopt appropriate bond ordinances in order to fully and timely fund its third round affordable housing plan in the unlikely event that the funds in its existing affordable housing trust fund, projected funds from the Borough's continued collection of development fees as required by Borough's ordinance and any subsidies that may be obtained from other sources are insufficient to enact these aforementioned affordable housing programs.

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

**R-09-058 RESOLUTION – APPROVAL OF BILLS – MARCH 9, 2009**

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

<u>SUMMARY</u>	
<b>CURRENT FUND</b>	<b>48,240.03</b>
<b>GENERAL CAPITAL</b>	<b>3,972.50</b>
<b>WATER/SEWER CAPITAL</b>	<b>1,025.00</b>
<b>WATER/SEWER OPERATING</b>	<b>10,250.72</b>
<b>DOG TRUST</b>	<b>54.60</b>
<b>SPRING LAKE TRUST</b>	<b>6,004.44</b>
<b>RECREATION</b>	<b>1,467.58</b>
<b>BEACH OPERATING</b>	<b>6,988.41</b>
<b>POOL OPERATING</b>	<b>1,943.66</b>
<b>TOTAL</b>	<b>\$879,946.94</b>

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

**23599**

**Business Items Under Consideration**

Letter from Avon – Participation in GeesePeace Management Program – Informational

Code Enforcement Recommendation – Soil Stabilization at Construction Sites - Mayor Naughton noted that she spoke with Mr. Roe and asked for the recommendation. The construction sites around town are allowing runoff. This affects our Stormwater Management Plan. Mr. Avakian noted that Freehold Soil requirements exclude single properties and he hoped that this would tighten this problem up. Council in favor of same. Mr. Lewis to prepare an Ordinance for introduction at the next meeting.

Belmar Fire Mile Run – July 11, 2009 – Mr. Rich offered a motion to approve the event, seconded by Mrs. Venables. Unanimously approved.

Clean Ocean Action – Beach Sweeps – Spring Beach Sweep on Saturday, April 25, 2009 and then they will come back in the fall on October 24<sup>th</sup>. They are there from 9-12

**Public Comments**

Lyle Marlowe, Worthington Avenue, questioned what was being done about the beach maintenance. Mayor Naughton explained that the Borough has submitted a CAFRA Application which is in the public comment phase so that we can control the sand. We need DEP Permission to do this.

**Executive Session**

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

**R-09-055 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 308 Morris Avenue Litigation and personnel. (Gregg Keniston and Philip Kavanaugh)

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: 8:10

MEETING IS RECONVENED: 8:24 P.M.

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Mr. Erbe offered a motion to accept resignation of Gregg Keniston effective February 27, 2009, 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

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**23600**

**MAYOR & BOROUGH COUNCIL  
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Mr. Fitzgerald offered a motion to allow Borough Administrator, Barry Lewis to work with Philip Kavanaugh on an hourly rate to perform the duties of Zoning Review Officer for the Borough, 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

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Discussion on COAH. Mr. Quinn wanted to be sure that we are taking care of the items required to make our submission to COAH that is due tomorrow. Mr. Lewis stated that he has had several conversations with Birdsall's office and that everything should be ready for tomorrow. Mr. Quinn asked that he be notified via email when everything is completed.

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Mrs. Reilly 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

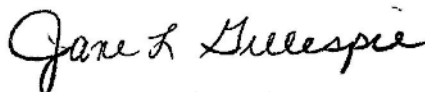
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT: 8:27 P.M.

Respectfully submitted,



JANE L. GILLESPIE  
Borough Clerk

Approved at a meeting held on: May 12, 2009