

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 18, 2012**

24745

Mayor Naughton called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 6:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly (Arrived 6:50 PM), Mayor Naughton
ABSENT: Mr. Fay

ALSO PRESENT: Dina Partusch, Deputy Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer (Arrived 6:55 PM)

Workshop Discussion - Possible Zoning Ordinance Amendments

Mayor Naughton introduced the Workshop Discussion noting that it was in connection with the possibility of changing the zoning ordinance with relationship to corner lots in the R-2 Zone. This issue has been kicked around by this Council and prior Councils over the years, stated the Mayor, and Council Member Reilly, who sits on the Planning Board, has spoken to the Council about the issues the Planning Board faces. Mr. Matt Zahorsky, Borough Zoning Review Officer, has also weighed in on the issue stated the Mayor. The Mayor thanked Mr. Nick Sapnar, Planning Board Chair, for his presence and noted that he will speak to what the Board is facing and also Mr. Joe Rizzo, Planning Board Member, who is familiar with the issues. The Mayor reminded the public that tonight's Workshop is a discussion only and formal action will not be taken. The Mayor asked Mr. Sapnar to open the discussion. Mr. Sapnar shared that the Planning Board frequently receives applications to sub-divide 100x150 lots noting that 99% are corner lots. Mr. Sapnar continued stating that they are compelled to award the sub-divide because the lots are conforming and later the property owner will apply for a variance on the set back. Mr. Sapnar detailed a recent scenario in connection with a property on Salem and Ocean resulting in a denial of their request for a variance and the ultimate construction of a 19 foot wide home. Mr. Sapnar stated his belief that if there was an ordinance in place requiring a property owner to face the Planning Board on the variance issue at or prior to the subdivision, the end result would be much better. Mr. Sapnar reported that the Planning Board attorney has put together a letter suggesting that the set backs on corner lots be moved to 65 feet versus 50 feet which may compel the property owner to apply for a variance at the point of subdivision allowing for the opportunity to look at the neighborhood and other considerations all at once. This approach, stated Mr. Sapnar, will give the Planning Board options they presently don't have. Mr. Sapnar reviewed a request where they had the opportunity to work with the property owner in advance of the subdivision and also get feedback from the neighbors to make it match the neighborhood. Mr. Judge asked if the neighbors were in favor of the project. Mr. Sapnar stated that they were in favor of it and shared that the neighbors even requested the house be built closer to the street to ensure compatibility with the other homes. In summary, Mr. Sapnar expressed his recommendation to make the minimum frontage for corner lots 65 feet allowing for a more thorough evaluation of corner lot subdivisions. Mayor Naughton asked for Mr. Rizzo's input. Mr. Rizzo shared the history of discussions on the topic and the concerns raised over the construction of narrow homes. Mr. Rizzo also spoke to the expenses incurred by owners in going through the Planning Board process. Mr. Rizzo stated that he initially felt that changing the ordinance may be the best solution, but stated that the great amount of variation in properties, particularly with corner lots, may make it necessary for the case-by-case approach. Mr. Rizzo offered additional details and referenced sketches to illustrate some of the various considerations. Mayor Naughton asked if there was agreement in keeping the decision making at the Planning Board level and not making it incumbent upon the Borough Council to rezone. Mr. Rizzo continued noting that he was at first against the 65 foot frontage thinking that it may be an infringement upon the property owners rights, however, Mr. Rizzo continued, that if left up to the developer and/or home owner it may result in a property that fits within the ordinance but may not fit within the overall character of the neighborhood. Mr. Rizzo noted that even if an ordinance is written in such a way to provide options, the property owner may select the wrong option. Mr. Colao asked Mr. Rizzo if the options in the Master Plan differ from what is currently being suggested. Mr. Rizzo reviewed the various options including those used by surrounding towns. Mr. Drasheff expressed concern that some residents are landscaping their side yards in such a way as to use it like a back yard and asked how the Board felt about this. Mr. Sapnar stated that this is another reason why the Board feels it's important to address the entire plan when the property owner comes before the Board. Mr. Sapnar noted that it's difficult to write an

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ordinance to cover every potential scenario. Mayor Naughton inquired as to how many potential corner lots are available. There was discussion with a guesstimate of approximately ten (10) undeveloped corner lots. Mayor Naughton asked for the Zoning Review Officer's input. Mr. Zahorsky stated that this topic has been discussed at length considering various of options including having the Planning Board maintain control of variances as opposed to having a standard established by ordinance. Mr. Zahorsky also stated that he agrees with the idea of setting the corner lot requirements thus making it necessary to get a variance for subdivision noting that many towns have a similar requirement in place. Mr. Zahorsky also stated that the Board would then be given the opportunity to put restrictions on the approval, perhaps require concept architectural plans resulting in a final construction that the Board and Council are comfortable with and that is consistent with the overall neighborhood. Mr. Zahorsky also spoke to the potential regulation of landscaping which may help address the concerns about the side yard arborvitaes that interfere with the sight lines. Mrs. Venables asked if the Borough required a minimum frontage of 60 feet on the front of the lot thus making the interior lot 40 feet would that change things. Mr. Rizzo responded that the ultimate goal is to ensure that property owners wishing to subdivide a corner lot must go before the Planning Board. Borough Attorney Colao offered advice in connection with spot zoning and it was agreed to confirm if spot zoning was a potential concern. Mr. Rizzo stated that he believes that the Borough needs stricter regulations on landscaping not unlike the Borough has for fencing. Mr. Rizzo suggested restricting not only where landscaping is placed but also how high it can be grown noting that vegetation is basically being used to create the appearance of a gated community. Mr. Zahorsky stated that this issue is typically addressed in the Borough Code and not the Land Use Law. Mr. Judge asked the Planning Board to consider making a recommendation to the Council on the issue of landscape regulations. Mr. Lyle Marlowe, 110 Pennsylvania, complimented the Planning Board on their work and then suggested that perhaps the Borough considers an overall ban on subdivisions. Mr. Drasheff asked Mr. Sapnar if there was a reason the Board would not consider a ban on subdivisions. Mr. Sapnar and Mr. Rizzo stated that it would be difficult to do, based upon the lot sizes as determined by the Master Plan noting that in lieu of a ban the Borough would need to increase the minimum lot size. Mrs. Eleanor Twomey, 108 Vroom Avenue, stated that she was told that if the existing structure covered the proposed lots one could not subdivide the lot by taking the structure down. Mr. Sapnar responded explaining that in the case that Mrs. Twomey referenced, the lots were conforming and could be subdivided. Mayor Naughton suggested that the council members consider the information shared during the evening's discussion and be prepared to discuss it in more detail or even consider an ordinance in January. Mr. Colao suggested that the Borough contact Birdsall Engineering and review their data in connection with the development of the Master Plan and explore how they arrived at the three options.

Approval of Minutes – None

Public Comments

Eleanor Twomey, 108 Vroom Avenue, pointed out a typo on the date associated with the Henry B. King event application. Mayor Naughton confirmed that it should read 2013 versus 2012.

Lyle Marlowe, 110 Pennsylvania, asked about a discussion some months ago to have the Planning Board present a list of items to be considered by the Council. Mayor Naughton noted that the Council did approve a group of relatively small things but chose to pull the topic of corner lots from that list. Mr. Marlowe also stated that he believes lot coverage is too high and asked that it be reviewed.

Joe Rizzo, Tuttle Avenue, stated that changes were made to the downtown parking ordinance and noted that it will take some time to work it out. Mr. Rizzo also noted that the current ordinance allows for 70% coverage and 70% impervious coverage and although many of the properties do not fulfill the allowable coverage, there may be a need to reconsider the details of the ordinance. Mr. Rizzo also spoke to the parking concerns. Mr. Rizzo stated that storm repairs are underway and shared that he received some interesting information pertaining to new technology being used in Holland. Mr. Rizzo also stated that there has been so much done in terms of improvements since the 1992 storm that the public may be unaware of. Mr. Rizzo cited examples of the bulkheads and dunes that were put into place.

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Eleanor Twomey, 108 Vroom Avenue, stated that she is delighted to see the progress of the demolition of the North End Pavilion.

Council Comments & Staff Reports

Mayor Naughton shared that Borough representatives participated in a very good FEMA meeting today stating that the Borough received solid guidelines from FEMA on how to proceed to ensure that the Borough is reimbursed to the fullest extent. The Mayor also stated that new advisory base flood elevations were released this past weekend. The Mayor noted that FEMA looked again at a 100-year storm scenario along with changes in the environment and topography and made recommendations of where they thought the base flood elevations would be. In some areas of the Borough, the Mayor continued, the elevations are higher. Mr. Avakian's team will be looking at existing flood maps with this new data so we can be clear with residents about any changes. Mr. Avakian gave a brief overview noting that there is a rise in the V-Zone, velocity zone, which is the zone along the oceanfront where the storm surge would come ashore. Looking at this, along with the flooding from a water body such as Wreck Pond, continued Mr. Avakian, we may get a rise in water elevation. Mr. Avakian continued, stating that they intend to create an on-line interactive map for Borough residents and noted that there are currently maps available on the FEMA website that can be accessed by address. Mr. Avakian noted that FEMA is recommending that municipalities adopt ordinances that in effect make the FEMA maps the Borough's base maps. Mr. Avakian further stated that residents could face certain consequences for non-compliance including increased insurance premiums, the possibility of not being able to secure flood insurance, and not being reimbursed for storm related damage. It's clear that the Borough and its residents must become more proactive, stated Mr. Avakian. Mayor Naughton detailed some examples of items included in the Borough ordinances that address recommendations for materials that should be used for reconstruction and repair after a storm along with the potential raising of one's home. The Mayor took a moment to recognize Mr. Jim Mullen, Office of Emergency Management Coordinator, stating that Mr. Mullen was in the lead during both Hurricane Irene and Hurricane Sandy and took charge of many things including training a number of people on how to handle emergency situations. The Mayor shared how the team practiced diligently then placed the information on a shelf and hoped to never use it. The Mayor expressed how remarkably accurate the information was both during Irene and then again during Sandy and publicly thanked Mr. Mullen for his diligence in preparing the document as well as making the team train. Mr. Mullen was also responsible for a number of critical things for the Borough, the Mayor continued, including helping the Borough secure the Hazard Mitigation Grant and the myriad of paperwork that goes into the FEMA reimbursement process. The Mayor reported that Mr. Mullen intends to step down from his position as OEM Coordinator at the end of the month to spend time with family and the Mayor publicly acknowledged his efforts and wished him well. The Mayor also took a moment to recognize the passing of long-time resident, Mr. Gil Robinson, who passed away last month. The Mayor spoke to Mr. Robinson's contribution to the Borough as an active volunteer, leader of the Trend Setters Tai Chi classes, Shade Tree Committee member, and active participant at council meetings. The Mayor acknowledged Mr. Robinson publicly and extended condolences to Mrs. Robinson on behalf of the Borough Council. The Mayor thanked the Garden Club for their recent participation in the Reach Across America ceremony. Finally, the Mayor noted that Governor Chris Christie is hosting a Town Hall Meeting in the Borough of Belmar on Thursday at 3:00 pm noting that the event is open to the public.

Mr. Robert Drasheff publicly thanked Mr. Bill Wingard for his annual Pearl Harbor Day Memorial.

Mr. Paul Jordan reported that the Beach and Pool Committee has been hard at work noting that they recently visited the South End Pavilion and that work on the Boardwalk is already underway. Mr. Jordan reported that they are tracking progress on three (3) separate projects including the South End Pavilion down to Pier Beach, the north end from Worthington Avenue north to the end of the boardwalk and the center section of the boardwalk. Mr. Jordan noted that due diligence is underway and the Borough will be looking at a comparison of costs associated with putting the work out to bid versus having the Department of Public Works do the work. High quality and timeliness are of critical importance as well as ensuring the best use of resident tax dollars, stated Mr. Jordan.

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Mrs. Rielly reported that she, Mr. Judge, Mr. Jordan, Mr. Dempsey, Mr. Avakian and Mr. Phillips visited the South End Pavilion to see the damage. What we learned, Mrs. Rielly stated, is that the west and south walls are in tact and will only need minor repairs while the east and north sides sustained the most damage. The recommendation is to remove the damaged facade on the east side and construct temporary facilities which will house the daily badge booth and restrooms. This, continued Mrs. Rielly, will allow the Borough to have it up and running for the summer season. Mrs. Rielly noted that the debris removal and design work is underway with plans to evaluate whether to go out to bid or to have the work done by our Department of Public Works. As for the north wall, Mrs. Rielly stated there was significant damage and it's in need of stabilization. The plan would be to temporarily stabilize the wall for the summer and make permanent repairs in October, stated Mrs. Rielly. Mrs. Rielly also reported that FEMA will pay for both the temporary and permanent repairs. The pools, reported Mrs. Rielly, are in phenomenal shape and the lockers will need only minor repairs.

Mr. Judge reported that there is an emergency appropriation of four million dollars in place and the Borough is confident that FEMA will reimburse the Borough for 75 percent of this. Mr. Judge stated that although they are hopeful that the reimbursement rate will be increased to 90 percent, they intend to use the more conservative figure of 75 percent for budget purposes. Therefore, Mr. Judge continued, the challenge will be to identify means to pay for the debt service on the anticipated expenditures of one million dollars. Also, Mr. Judge stated, that the Borough needs to take into consideration the loss of north end locker revenue but indicated that they anticipate some north end locker users will switch to the south end for this summer. Mr. Judge reported that for the 2012 season 437 lockers were sold at the south end. With over 600 available, Mr. Judge continued, the committee is projecting sales of 500 for budgeting purposes. As a result, the committee feels the Borough will have no choice but to raise the fees on the pool and beach badges. After several meetings with CFO Robbin Kirk, Mr. Judge stated that they intend to raise the seasonal beach badge fee by \$5.00, going from \$100 to \$105 and to raise the rate on the lockers by \$155, and raise the rate on the daily beach badge by \$1.00 going from \$9.00 to \$10.00. Mr. Judge noted that they believe their estimates are conservative and expressed confidence in their sales goal of 500 lockers. Mr. Jordan added that there was already a planned increase in place so the increase is not entirely attributed to Sandy. Anne Butler, 411 Ludlow Avenue asked if there would be seasonal beach badges available at the north end. Mr. Jordan noted that there would be but that beachgoers will not be able to use the beach directly in front of the north end pavilion. Mayor Naughton also stated that the Borough intends to provide temporary facilities such as a snack bar and restrooms near the north end. Ms. Butler asked if there would be facilities available for storage of chairs at the north end. Mr. Jordan and Mrs. Rielly responded that they are discussing this yet no final decision has been made. Mr. Jordan stated that one very positive note is that all the work and analysis that was done prior to the storm, helping us better understand where the sales occur, where people access the beach, where we need better access to both the boardwalk and beach, etc. can now be taken fully into consideration as we rebuild the boardwalk. Mr. Judge added that one thing we are considering after Sandy is to, in the spirit of mitigation, limit the number of access points to the beach given that these access points are where the water came into town. Mayor Naughton expressed thanks to the Beach Committee acknowledging the many hours they've put into the effort.

Lyle Marlowe, 110 Pennsylvania Avenue, asked what the height of the boardwalk is. Mr. Avakian responded stating that the north end elevation is 17 feet above mean sea level and noted that it does decrease a bit going south. Mr. Avakian noted that they are evaluating the elevation from south end down to pier beach. Mr. Marlowe asked about the far north end which is lower. Mr. Avakian stated that this portion of the boardwalk was built to grade and for all intents and purposes is a ramp access to the boardwalk. Mr. Avakian indicated that they could still look at possible ways to raise it.

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Mr. Avakian spoke to the on-going dredging project noting that the County is approximately 75% complete and they feel comfortable that they will be done by the end of the year but to be safe, Mr. Avakian stated he will most likely request an extension to the permit to mid-January. The other project in Wreck Pond, Mr. Avakian continued, is the inlet created due to Superstorm Sandy noting that the surge took out an 18-20 foot high dune which ultimately exposed the emergency spillway alleviating the flood water from Wreck Pond. Mr. Avakian shared additional technical details in connection with the pond noting that the objective is to keep the inlet open in the event of a storm. Mayor Naughton added that the DEP and others have been very supportive of this project.

Mr. Dempsey reported that there is an award of contract on the agenda stating that the apparent low bidder is a local company named Jaeger Lumber. One difference in the boardwalk rebuild from this year to last year is that the material to be used is Timbertech versus Trex. Mr. Dempsey stated that Mr. Avakian's office has evaluated the material and report that it's likely better than Trex. Mr. Dempsey reported that there was about a \$47,000 difference between the Jaeger bid and the Trex bid yet those that have work with the Timbertech report that it protects significantly better. Mrs. Venables asked in what ways the Timbertech is different than Trex. Mike, a representative from Jaeger, responded that there is a long list of differences the most significant being that the material is denser, more rigid, and less vulnerable to temperature fluctuations. Mrs. Venables asked if the material was used by other shore towns and was given an affirmative response. Mr. Jordan asked if the material is more or less slippery and what were the variations in color. The Jaeger representative stated that it is less slippery and the color is gray with a grain pattern noting that it will get grayer over time as it fades. Mayor Naughton asked for details in connection with the delivery time. Mike responded that Jaeger has enough product in stock to make the boardwalk and have the ability to produce roughly six truck loads per week. Mayor Naughton asked for confirmation that if Jaeger were to bid similar jobs to other towns that Spring Lake would be first to obtain product. Mike confirmed that with their ability to produce the product, they would be able to meet Spring Lake's demand as well as other towns. Mr. Jordan asked Mr. Avakian how close the Borough was to getting a bid packet out for the boardwalk. Mr. Avakian stated that the advertisement of the bid is set for Thursday. Mr. Dempsey confirmed that the bid awarded tonight is for the lumber only. Mr. Dempsey also reported that Spring Lake, Lake Como, Belmar and South Monmouth Sewerage Authority will be meeting with the County to discuss the work being done in the area around Ocean Avenue.

Business Items Under Consideration

Public Hearing - Spring Lake BID 2013 Budget

Mrs. Venables offered a motion to open the public hearing, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

PUBLIC HEARING NOW OPEN

Mayor Naughton invited Mr. Clayton from the Spring Lake Business Improvement District to offer comments regarding the BID's 2013 budget. Mr. Clayton expressed his gratitude for the on-going cooperation the BID has received from Council and other Borough departments which has largely contributed to the success of the BID. Further, Mr. Clayton stated, the Spring Lake BID is one of the best managed BIDs in the state with one of the smallest budgets and this is due to the involvement of some very talented people. Mr. Clayton opined that communities need a solid school system and vibrant downtown area to survive. Mayor Naughton inquired as to whether there were any significant changes in the budget from 2012. Mr. Clayton reflected on how the downtown area adjusted in response to Superstorm Sandy.

Mrs. Venables shared that a hotel tax was enacted several years ago and stated that at the time she felt the tax should have been exclusively used for downtown improvements, beachfront and public areas. In 2012, Mrs. Venables continued, the Borough collected approximately \$234,000 in hotel tax revenue and the Business Improvement District is asking for only \$34,000 which she feels is money well spent. Mrs. Venables expressed that she is thrilled with the success of the BID and will fully support their 2013 budget.

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Mrs. Venables offered a motion to close the public hearing, seconded by Mrs. Reilly.

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

PUBLIC HEARING NOW CLOSED

Business Items Under Consideration

Event Application - Mama Mare Breast Cancer Foundation - March 23, 2013 - Mrs. Venables offered a motion to approve the Event Application - Mama Mare, seconded by Mrs. Reilly. All in favor. None opposed.

Ordinances for Introduction - NONE

Ordinance for Adoption - NONE

Consent Agenda

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

R-12-201 - RESOLUTION - APPOINTMENT OF TEMPORARY FULL TIME EMPLOYEES

BE IT RESOLVED, by the Mayor and Council of the Borough of Spring Lake, that the following individuals are hereby appointed as temporary full time employees with the Borough of Spring Lake for the Department of Public Works at the following rates:

Nicholas Austin	\$15.00 per hr
Robert Kelsey	\$15.00 per hr
Ryan Commesso	\$15.00 per hr
Brett Brahn	\$15.00 per hr
Nicholas Ciliberto	\$15.00 per hr
Joseph Drew	\$15.00 per hr
Matthew Glassford	\$15.00 per hr
Justin Slattery	\$15.00 per hr

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-202 - RESOLUTION – SETTING FEES FOR THE YEAR 2013 BEACHES AND POOLS
PURSUANT TO ORDINANCE NO. 2007-007 AS ADOPTED BY THE MAYOR
AND BOROUGH COUNCIL OF THE BOROUGH OF SPRING LAKE**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following fees be and hereby are set for the year 2013:

BEACHES AND POOLS:

Pursuant to §114-19: Charges for use of beaches and pools shall be as follows:

A. Beach Badges:	
(1) Seasonal beach badge	105.00
(2) Late season beach badge	65.00
(3) Daily beach badge	10.00

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B. Regular Locker (Includes five (5) badges)	
(1) Regular locker	1,150.00
(2) Each additional person over twelve (12) years	230.00
(3) Each child six (6) to twelve (12) years	135.00
(4) Individual pool/beach badge (without locker privileges)	230.00
C. Deluxe Shower Locker (Includes five (5) badges)	
(1) Deluxe shower locker	1,400.00
(2) Each additional person over 12 years	230.00
(3) Each child six (6) to twelve (12) years	135.00
D. Regular Shower Locker (Includes five (5) badges)	
(1) Regular shower locker	1,260.00
(2) Each additional person over 12 years	230.00
(3) Each child six (6) to twelve (12) years	135.00
F. Resident Senior Citizen (Pool Only)	80.00
G. Single Guest Badge:	
(1) Single guest per day over twelve (12) years (resident non-guest)	20.00
(2) Single guest per day age six (6) to twelve (12) years (guest of registrant)	10.00
(3) Single guest per day age five (5) and under (guest of registrant)	N/C
I. Non-Resident Facilities Fee	175.00
J. Pursuant to §114-22 Broken or Lost Badges.	

Beach Badges and/or Pool Badges which are lost shall be replaced for the following charges for each badge lost:

A. Pool and Beach Seasonal (before July 31)	70.00
B. Pool and beach Seasonal (after July 31)	35.00
C. Seniors & Children Pool Only, seasonal (before July 31)	70.00
D. Seniors & Children Pool Only, seasonal (after July 31)	35.00

Beach Badges and/or Pool Badges only which are damaged or discolored shall be replaced at no charge.

K. Spring Lake Junior Guard Registration	
Juniors I	\$205.00
Juniors II	\$105.00
Mini Guard	\$55.00
L. Spring Lake Swim Team Registration	
Spring Lake Residents	\$105.00
Non-Residents	\$205.00
N. Spring Lake Swim Clinic	
Single ½ hour lesson	\$30.00
Double (2 People) ½ hour lesson	\$45.00
Five (5) Single ½ hour lessons	\$105.00
Five (5) Double ½ hour lessons	\$155.00

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-203 - RESOLUTION – APPROVAL OF ADOPTION OF SPRING LAKE BUSINESS
IMPROVEMENT DISTRICT 2013 BUDGET**

WHEREAS, the Mayor and Council of the Borough of Spring Lake authorized and created the Spring Lake Business Improvement District (hereafter the "SLBID") in Ordinance No. 2007-018 adopted August 14, 2007; and

WHEREAS, Ordinance No. 2007-018 requires the introduction, approval, public hearing and adoption of an annual budget for the SLBID; and

WHEREAS, pursuant to Ordinance No. 2007-018, the Spring Lake Business Development Corporation, Inc., (hereafter the "SLBDC") a duly organized 501(c)(3) corporation, has been designated in Ordinance No. 2007-018 as the District Management Corporation; and

WHEREAS, pursuant to Section 10 of Ordinance No. 2007-018, the SLBDC is charged with the responsibility of submitting a detailed annual budget for approval by the Borough Council together with a report explaining how the budget contributes to the goals and objectives of the SLBID;

WHEREAS, the SLBDC has submitted a detailed annual budget and report as required and the Mayor and Borough Council adopted Resolution R-12-190 entitled "Approval of Introduction of Spring Lake Business Improvement District 2013 Budget; and

WHEREAS, a copy of said Resolution as approved by the Mayor and Borough Council on November 12, 2012 was published in the November 15, 2012 issue of the Coast Star newspaper and on November 13, 2012 copies of said Resolution were posted on the Bulletin Board at Borough Hall, and copies were made available to each person requesting the same, during that week and during the public hearing, as required by Ordinance No. 2007-018, and

WHEREAS, the Mayor and Borough Council find that the budget submitted by the SLBDC and the accompanying report are appropriate and that the Budget should be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the attached 2013 Spring Lake Business Improvement District is hereby adopted.

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-204 - RESOLUTION – CANCEL REMAINDER OF 2012 TAXES –
EXEMPTION FOR DISABLED VETERAN- JAMES LONSDALE – BLOCK 149, LOT 36**

WHEREAS, the owner of property known as 314 Pitney Avenue, Block 149, Lot 36, in the Borough of Spring Lake is owned by a 100% Permanently and Totally Disabled Veteran, as noted in a letter from the Department of Veterans Affairs dated May 3, 2011 which was effective August 6, 2010, and

WHEREAS, the property owner James Lonsdale, being determined to be totally and permanently disabled by the Department of Veteran Affairs applied to the Borough of Spring Lake for the tax exemption on October 22, 2012, for Block 149, Lot 36, and

WHEREAS, the Tax Assessor of the Borough of Spring Lake was unable to enter the tax exemption into the 2012 tax levy causing Block 149, Lot 36 to reflect full tax billing for the 2012 year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Chief Financial Officer/Tax Collector is hereby authorized to cancel 2012 taxes as levied, and

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ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-205 - RESOLUTION – RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, Spring Lake is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Municipality and the Fund; and

NOW THEREFORE, be it further as follows:

1. The Borough of Spring Lake agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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

**R-12-206 - RESOLUTION – AWARD OF CONTRACT #08-2012
SUPPLY AND DELIVERY OF BOARDWALK LUMBER**

WHEREAS, on December 14, 2012 bids were received for the Supply and Delivery of Boardwalk Lumber.

WHEREAS, twenty-one (21) packages were picked up and eleven (11) bids were received, and

WHEREAS, Jaegar Lumber Company, 2322 Morris Avenue, P.O. Box 126, Union, NJ 07083-0126 was the lowest responsible bidder for the Supply and Delivery of Boardwalk Lumber.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #08-2012 is hereby awarded for the Supply and Delivery of Boardwalk Lumber to Jaeger Lumber, 2322 Morris Avenue, P.O. Box 126, Union, NJ 07083-0126 not to exceed \$1,545,279.50, and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Borough Council reserve and retain their right to award a contract for the Supply and Delivery Boardwalk Lumber in accordance with the time limits provided by law.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Beach Utility CAP Emergency Appropriations for an amount not to exceed \$4,000,000.00. /s/ Robbin D. Kirk, Chief Financial Officer

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

24754

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
DECEMBER 18, 2012**

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

R-12-207 - RESOLUTION – APPROVAL OF BILLS – DECEMBER 18, 2012

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 18, 2012, 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

CURRENT FUND (1)	888,965.32
GENERAL CAPITAL (4)	14,605.14
WATER/SEWER OPERATING (9)	87,184.72
DOG TRUST (13)	912.40
SPRING LAKE TRUST (15)	7,161.25
MT LAUREL TRUST (16)	652.50
RECREATION (25)	3,654.78
BEACH OPERATING (81)	67,544.30
POOL OPERATING (91)	11,013.26
TOTAL	\$1,081,693.67

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Public Comments

Eleanor Twomey, 108 Vroom Avenue, asked when railings are required on the boardwalk. Mayor Naughton stated that the Borough intends to replace the railings.

Lyle Marlowe, 110 Pennsylvania Avenue, asked about the status of the Lake Como tower. Mr. Jordan reported that the meeting has been moved to January.

Matt Sagui, 14 Washington Avenue, asked if the spill lane is left open can one assume that water would be flowing out of Wreck Pond on a regular basis. Mr. Avakian responded reporting that at least three (3) samples have been taken at the out flow end and each sample is cleaner than the pre-storm samples.

Adjournment

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

ROLL CALL:

AYES: Mr. Drasheff, Mrs. Venables, Mr. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Time of Adjournment: 8:50 P.M.

Respectfully submitted,

/s/ Dina Partusch-Zahorsky

DINA PARTUSCH-ZAHORSKY
Deputy Borough Clerk

Approved at a meeting held on: February 26, 2013