

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
MARCH 22, 2016**

Mayor Naughton called the Reorganization 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. 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, Mr. Judge, Mr. Sagui, Mrs. Venables, Mayor Naughton

ABSENT: Mr. Erbe, Mr. Frost

ALSO PRESENT: Dina M. Zahorsky, Borough Clerk
W. Bryan Dempsey, Borough Administrator
Joseph Colao, Esq, Borough Attorney
Peter Avakian, Borough Engineer

Workshop Discussion

Energy Market Exchange (EMEX) – John Smith, Director of National Accounts, presented a pilot program for local units to procure electricity using an electronic process through a reverse auction which is a five minute online auction. He added that his company has helped over one hundred and fifty government agencies. He explained that the auction contracts can be for one year, eighteen months, or two year fixed rates. He added that energy prices are currently down, making it an ideal time to purchase a fixed contract from a third party supplier. Mr. Smith continued by added that EMEX is paid by commission by the supplier chosen, even though an auction is run, the purchaser does not have to accept the bid.

Mr. Judge asked if townships have encountered any issues with using the auction and also third party providers. Mr. Smith answered billing, sometimes if the town is sixty or ninety days late, PSEG and JCPL will bump the town off and the town would receive dual billing and possible late fees.

Mayor Naughton then asked if there would be an advantage for municipalities to bid together. Mr. Smith answered yes. Mayor Naughton opined that one downside would be if the town accepted a bid and then energy prices continue to drop. Mr. Smith agreed and added that JCPL is on a tariff rate; the rate does not drop that much. He added that rates are based off of a three-year rolling average, new tariff rates will be announced in June and he predicts the rates will remain the same or will be slightly increased. Mayor Naughton suggested talking to neighboring towns to see if they would be interested in bidding together to cut costs. Mr. Smith added that if another town or authority had larger meters this would help bring the cost down.

Mr. Drasheff thinks it would be a good idea for other municipalities to join together however, this may take a few months to get everyone on board. He added that it is a good idea to at least do the auction and possible one year agreement.

Mr. Smith explained that the auction can be set up on a day that there is a council meeting so that if the Borough decides to enter into the agreement it can be done at the meeting that same evening.

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

**R-16-062 - A RESOLUTION OF SPRING LAKE BOROUGH AUTHORIZING THE PURCHASE OF
ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

WHEREAS, the Borough of Spring Lake has determined to move forward with the EMEX Reverse Auction in to order procure electricity for the Borough of Spring Lake; and

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WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Borough of Spring Lake will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

BE IT RESOLVED, that the Mayor of the Borough of Spring Lake be and he hereby is authorized to execute on behalf of the Borough of Spring Lake any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

Mr. Smith set the auction date to be April 12, 2016 at 11:00 a.m.

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of December 28, 2015, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: Mr. Drasheff

Mr. Judge offered a motion to approve the minutes of January 5, 2016 seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

Proclamations, Presentations, & Special Guests - None

Public Comments

Melissa Foy, 500 Prospect Avenue received notification from the town in reference to renaming Second Street and possibly Prospect Avenue. She has been a resident for six years on Prospect Avenue and there has never been an issue with the name of the street; this would be a great inconvenience. Mr. Dempsey explained that this is a public safety concern in the case of an emergency; the Borough wants to make sure that help gets to the right street. Mr. Judge added that he appreciates that Ms. Foy can out tonight to give some input on the topic however; he thinks that maybe Ms. Foy should consider the public safety aspect by discussing the topic with Police Chief Edward Kerr.

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Mrs. Venables agreed with the public safety risk issues since two streets are named the same and nowhere near each other.

Mr. Sagui added that a decision does not need to be made tonight if Ms. Foy would like to think about the situation.

Mayor Naughton explained that the Historical Society did some research. Mr. Dempsey added that was the Villa Park section of town so the Historical Society recommended Villa Park Way. Mr. Dempsey then stated that one of the residents on Second Street suggested Clover Lane.

Mayor Naughton suggested carrying this decision to the April 12, 2016 meeting.

Council Comments & Staff Reports

Mayor Naughton reported that Ms. Zahorsky spoke with the website designer about the minutes and ordinances organization; the information will be organized by date rather than by alphabetical order. Mayor Naughton then reported that the lights at the Veteran's Memorial will be back on within the next two weeks.

Mr. Judged reported that there are still a number of residents who purchased lockers/boxes last year and have yet to purchase them this year. Mr. Judge explained that the lockers/beach boxes were reserved however, the reserve will be lifted soon; residents have to purchase by Friday, March 25, 2016; after this date the lockers will be opened but to other residents and non-residents with a sponsor.

Borough Engineer's Report

Mr. Avakian reported on the award of the contract for the Marucci Park bid; he explained that he did exactly what council directed which was to remove the platform tennis courts out of the bid and bid them separately. He added that he removed the relocation of playground equipment and site clearing, which will now be done by the public works department. Mr. Avakian explained that two bids were received and the lowest bid was \$173,054.00 which is within the amount of funding available.

Mr. Avakian then reported on Wreck Pond which is progressing well, on or about April 1st they will have an additional fifty feet beyond the four hundred and twenty feet that is already done.

Mr. Avakian lastly reported that the Ocean Avenues projects are going well and it will be ready for the county to come in and pave in May.

Borough Attorney's Report

Mr. Colao has one matter for executive session.

Borough Administrator's Report

Mr. Dempsey reported on the Warren Avenue railroad crossing, there will be a meeting on April 12th to discuss the rehabilitation project; he will push for the project to start in the fall.

Mr. Dempsey then reported on the striping of Ocean Avenue there is a possibility it may have to go out to bid, the cost would probably be within twenty-five to thirty thousand dollars to ensure it will be done by Memorial Day weekend.

Business Items Under Consideration

Second Street Name Change – Tabled to April 12, 2016.

Bare Wires Surf Shop – South End Surf Contest – June 25, 2016 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

HW Mountz Kitchen Tour – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

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Ordinance for Introduction - None

Ordinance for Adoption - None

Consent Agenda

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

**R-16-056 RESOLUTION – APPOINTING LINDSAY WALKER
ALTERNATE MUNICIPAL REGISTRAR**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Lindsay Walker be and hereby is appointed Alternate Municipal Registrar for the Borough of Spring Lake.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-057 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#13-2016 – ST. CATHARINE'S SCHOOL PTA -
ON PREMISE 50/50**

WHEREAS, St. Catharine's School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#13-2016, and

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

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#13-2016 be and the same is hereby approved as follows:

**NAME: St. Catharine's School PTA
301 Second Avenue, Spring Lake, NJ 07762
Identification No.: 475-5-7331**

**LOCATION: St Catharine School
301 Second Avenue, Spring Lake, NJ**

DATE: May 18, 2016 7:00 PM - 9:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-058 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#14-2016 – THE WOMAN'S CLUB OF SPRING LAKE –
ON PREMISE RAFFLE**

WHEREAS, The Woman's Club of Spring Lake has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#14-2016, 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#14-2016 be and the same is hereby approved as follows:

NAME: The Woman's Club of Spring Lake
PO Box 328, Spring Lake, NJ 07762
Identification No.: 475-8-32847

LOCATION: The Essex and Sussex
700 Ocean Avenue, Spring Lake, NJ

DATE: November 16, 2016 11:30 AM - 4:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-059 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#15-2016 – THE WOMAN'S CLUB OF SPRING LAKE –
OFF PREMISE 50/50**

WHEREAS, The Woman's Club of Spring Lake has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#15-2016, and

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

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#15-2016 be and the same is hereby approved as follows:

NAME: The Woman's Club of Spring Lake
PO Box 328, Spring Lake, NJ 07762
Identification No.: 475-8-32847

LOCATION: The Essex and Sussex
700 Ocean Avenue, Spring Lake, NJ

DATE: November 16, 2016 11:30 AM - 4:00 PM

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-060 - RESOLUTION – RELEASING STREET OPENING BONDS
137 MONROE AVENUE – BLOCK 135, LOT 9**

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from Environmental Landscape Design, LLC for property located at 137 Monroe Avenue, Block 135, Lot 9 for work to be done on the curb, sidewalk, and driveway apron, and

WHEREAS, a street opening application and appropriate fees was received by the Borough of Spring Lake from Finn Construction, Inc. for property located at 137 Monroe Avenue, Block 135, Lot 9 for work to be done for underground electric and utility lines, and

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WHEREAS, a \$1,250.00 bond was posted for the property by each company to ensure that the work was completed satisfactorily, and

WHEREAS, the Borough Engineer's office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bonds in the amount of \$2,500.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-061 -RESOLUTION – AWARD OF CONTRACT #02-2016
MARUCCI PARK PLATFORM TENNIS COURTS**

WHEREAS, on March 17, 2016 bids were received for the Ocean Avenue Infrastructure Improvements.

WHEREAS, four (4) packages were picked up and two (2) bids were received, and

WHEREAS, RPTC, LLC a/b/a Reilly Green Mountain Platform Tennis, Orange, CT submitted the lowest responsible bid for the Marucci Park Platform Tennis Courts at a total bid of \$173,054.00, and

WHEREAS, by letter dated March 17, 2016 from Peter Avakian, Borough Engineer, the award of this contract is recommended to RPTC, LLC a/b/a Reilly Green Mountain Platform Tennis, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #02-2016 is hereby awarded to RPTC, LLC a/b/a Reilly Green Mountain Platform Tennis for the Marucci Park Tennis Courts at a cost not to exceed \$173,054.00.

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Reserve for Marucci Park.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

Resolutions

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

R-16-063 - RESOLUTION – APPROVAL OF BILLS – MARCH 22, 2016

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending March 22, 2016, 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)

715,220.63

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WATER/SEWER OPERATING (9)	18,127.66
OTHER TRUSTS (12)	668.47
DOG TRUST (13)	952.00
MT LAUREL TRUST (16)	1,895.07
RECREATION (25)	93.86
BEACH OPERATING (81)	55,111.68
POOL OPERATING (91)	12,631.22
TOTAL	\$804,700.59

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

**R-16-064 - RESOLUTION – APPOINTING DAVID GOGLIA
FULL-TIME – DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that David Goglia be and hereby is appointed full-time for the Department of Public Works as a Class 7 Mechanic – Probationary in accordance with the Collective Bargaining Agreement with the Spring Lake Employees Association - to replace Kevin Walker.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

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

R-16-065 RESOLUTION – APPOINTMENT OF PUBLIC WORKS PART-TIME EMPLOYEE

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that Ryan Willis be and hereby is appointed as a Public Works recycling employee at a rate of \$12.50 per hour effective as of April 4, 2016.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

Public Comments

Harry Zarb, 2205 Third Avenue stated that Mr. Drasheff and he drove around town and found thirty three lights that were out of service; he believes a procedure should be set in place going forward. Mayor Naughton thanked Mr. Zarb and Mr. Drasheff then added that Borough has a good relationship with an employee named John Meehan and he should be the first contact. Mr. Dempsey added that there has been a problem on Ocean Avenue with the contractor and the mark outs of the utility lines; the mark outs do not indicate where the lines are and the contractor has been hitting lines. Mayor Naughton asked what company is doing the mark outs. Mr. Dempsey answered a subcontractor of JCP&L. Mayor Naughton then thanked Mr. Zarb for his hard work.

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Lyle Marlowe, 110 Pennsylvania Avenue asked for clarification for the Marucci platform tennis courts, whether they would be heated or not. Mr. Dempsey added that they are heated with a heater underneath the court to burn off any ice or dew.

Executive Session

Mr. Judges offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

R-16-066 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: Potential Acquisition of Real Property for COAH Obligation.

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. Erbe, Mr. Fay, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Judge

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8:05 P.M.

MEETING IS RECONVENED AT: 8:35 P.M.

Adjournment

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Judge, Mr. Sagui, Mrs. Venables

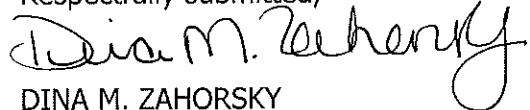
NAYS: NONE

ABSENT: Mr. Erbe, Mr. Frost

ABSTAIN: NONE

Time of Adjournment: 8: 35 P.M.

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: June 14, 2016