

**REGULAR MEETING
MAYOR & BOROUGH COUNCIL
BOROUGH OF SPRING LAKE
OCTOBER 11, 2011**

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Mayor Naughton called the Regular 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. Fay, Mr. Kennett, Mr. Quinn, Mrs. Reilly, Mayor Naughton

ABSENT: Mrs. Venables

ALSO PRESENT: Jane Gillespie, Borough Clerk

W. Bryan Dempsey, Borough Administrator

Peter Avakian, Borough Engineer

Joseph Colao, Esq., Borough Attorney

Workshop

Discussion 2012 Municipal Staffing – Mayor Naughton explained the transition plan. By the end of the year and the end of January we will have two retirements. Our Tax Collector will be retiring effective January 31, 2012 and our Planning Board Secretary effective December 31, 2011. They both have served the Borough with a lot of commitment and professionalism. They will be recognized as their retirements get closer. The Personnel Committee has met with the Administrator and CFO to discuss restructuring and how we are going to handle this. She stated that they would like to recommend extending our Interlocal with Belmar to include Tax Collection as a license is needed. Payroll would be moved to the Borough Clerk. A part-time person would be hired for \$18,000 – \$20,000 per year to handle some of the duties. The Planning Board Secretary as a full-time position will be eliminated. The Planning Board volume has decreased significantly. We are losing two full-time employees and their benefits. Our Deputy Clerk has agreed to assume the position with a stipend and that full-time position will not be replaced. Mr. Drasheff stated that the savings that the savings is significant, next year in the budget it will exceed \$75,000 in payroll and benefit costs. The high level of service will be maintained by the people chosen to hold the positions. Discussion on number of full-time positions in the Borough. There are 48; 47 who receive benefits. There are approximately 40 part-time positions.

Mr. Kennett questioned how many we employ in the summer? Mayor Naughton stated a couple of hundred. He is advised that there are 144 lifeguards alone.

Mr. Drasheff noted that the Borough has been reducing staff over the last couple of years. Public Works has been down several employees and the Police Department has been reduced by one and we have maintained the quality of service with the existing staffing.

Proclamations, Presentations & Special Guests

Approval of Minutes - None

Public Comments - None

Council Comments & Staff Reports:

Mayor Naughton congratulated Councilwoman Reilly. The Borough has received a \$50,000 grant on an application the Borough made for new boilers in the Borough Hall. It is another step in making our municipality more green and replacing old infrastructure which costs a lot of

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money to run and maintain on a yearly basis. The total cost is \$56,000 so it will only cost the Borough \$6,000 to replace our ancient boiler in the basement with a newer energy efficient system that is primarily paid for by someone else. Mrs. Reilly noted that in total we have received \$150,000 worth of equipment which we have paid less than \$20,000 for.

7:13 p.m. Mrs. Venables arrived.

Mr. Drasheff reported on a shared services meeting he attended with Mr. Dempsey and Chief Kerr. It was sponsored by Freeholder Arnone and allowed Monmouth County municipalities to see what services are being offered by the County of Monmouth. The new dispatching system they are constructing was discussed. This year we were faced with the total cost of dispatching when Spring Lake Heights left us which is approximately \$330,000. We have eliminated one full-time position there this year to reduce costs. If we were to consider going into the County program, our yearly cost would be approximately \$140,000 which would be a significant savings. Mr. Dempsey is going to follow up with the County on this. The County would come in with a task force and evaluate the volume load that we generate and they would then come back with a proposal and a final cost analysis. He would like us to be able to implement something like this on January 1st. He noted that we have former Chief Dawson working with us.

Mr. Dempsey advised that Chief Kerr is on board. One of our current dispatchers has already left and went with the County. We are currently running with two full-time dispatchers with the remainder of the shifts being filled by part-time employees.

Mr. Drasheff stated that Chief Kerr had a concern with manning the building during certain hours for our citizens. He has asked as part of this for us to consider utilizing part-timers in some capacity to maintain hours that the building is currently open to the public. He felt that this would be a minimal cost.

Mrs. Reilly questioned if it would be open 24 hours? Mr. Drasheff stated that he thought the Chief was looking for normal business hours not around the clock.

Mr. Drasheff stated that upon receipt of additional information he will bring it back to the Council for review and approval.

Mr. Quinn stated that these would be his concerns. One that Chief Kerr is on board and the second would be the ancillary services performed by our dispatchers and we should not eliminate those services. That is the important part of the overall services provided to our residents.

Mr. Drasheff felt that maintaining the ancillary services is important to the town. He stated that the Chief knows the circumstances and whatever he recommends he would like to have considered.

Mr. Fay stated that he has been talking with a lot of the residents of Spring Lake and one of the comments or questions that have come up in many households is the North End project and its cost. Based on the feedback he has received, he wants to make a motion for the Council to have a vote on a referendum for the price North End Pavilion and asked for a second...Mayor Naughton asked when he planned on the referendum. Mr. Kennett seconded it while the Mayor was asking her question.

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Mr. Drasheff questioned if we are permitted to have a referendum at any other time than the November General Election. Mr. Fay felt that it could be part of the School Election; he is advised that it could not be part of the School Election. Mr. Drasheff stated that a referendum could not be done now until November 2012 unless the Borough held a Special Election and that would be costly in itself and the Borough would have to hold off any action on the project until next November. Mayor Naughton added that this would then become a project for the end of 2013. Mr. Drasheff felt that this would end the project.

Mr. Quinn felt that there should not be a vote tonight. There ought to be clear perimeters of what we are being asked to vote on. Mr. Quinn felt that this Council could not bar any future Council from bonding for the project. He stated that a long time ago he felt that a referendum would have been a good idea but he felt it to be late in the day now.

Mr. Drasheff felt that the upcoming election would be a determining factor because the residents know where the Mayor stands on the North End Pavilion and the people are well aware where Mr. Fay stands. Mr. Fay stated that the pool is not being voted on in November.

Mr. Venables expressed her feelings against delaying the project for a referendum. She felt that the voters made their feelings known based on the last election wherein the candidates ran on the North End Pavilion and Essex & Sussex as the issues.

Discussion amongst the Council on past election results and issues.

Mr. Fay clarified his motion to be "when the Council, when we finally get the costs out of Wallover, create a financial plan, which I don't know what it is yet, heard there is a plan, for the pool we will quickly move to place the referendum in front of the residents of Spring Lake as is legally allowed", seconded by Mr. Kennett.

ROLL CALL:

AYES: Mr. Fay, Mr. Kennett

NAYS: Mr. Drasheff, Mrs. Venables, Mr. Quinn, Mrs. Reilly

ABSENT: NONE

ABSTAIN: NONE

Mr. Drasheff stated while making his negative vote that he felt that this was an improper Resolution to go before this body.

MOTION DOES NOT CARRY

Mrs. Venables commented on how beautiful the downtown looks and complemented the BID on the work they have done. She was there for the Italian Festival which was a well attended event.

Mr. Kennett also felt that it was a nice day and that the downtown looked great but a couple of weeks ago our south end was under water. He stated that he would like to address the Council on pumps for the south end. He has spoken with dozens of people who live in the south end and researched this question thoroughly and things have become clear. He felt that we cannot wait to act until we get any grant money from the State or Federal Government because the grant process takes forever and any viable plan for Wreck Pond requires millions of dollars more

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in funding then any grant we can possibly receive. The urgency of this project is obvious. We have had two one hundred year floods in the past couple of years and another major flood can happen at any time and we must move as quickly as possible to prevent this from happening. He has studied the proposals contained in a submission from the Borough Engineer and Borough Administrator dated September 30, 2010 and there is only one viable proposal that will address this problem in any meaningful way which he felt was alternative 2 from page 9 of the submission.

Mr. Kennett offered the following motion, "the Council to authorize Pete to prepare plans and specifications to proceed alternative number 2 as contained in Bryan's submission of September 30, 2010", seconded by Mr. Fay.

Mr. Kennett explained that there were three proposals to fix the flooding at the south end. Mr. Avakian stated that they were part of the FEMA Grant.

Mr. Quinn questioned what the cost estimate was? Mr. Kennett reviewed the alternatives. Alternative 1 for protection of a ten year flood event. The approximate cost of this alternative was \$1.5 million. Level 2 with a level of protection was for the 100 year flood event, this is the one that can fix the problems of the flooding in the south end; the approximate cost of number 2 was \$2.6 million. Alternative 3, the level of protection was a 20 year flood event and the approximate cost of this one was \$1.9 million and that included the berms around the lake. He felt that when you start dealing with that, the amount of permits and what you would have to go through with the DEP and all of the other agencies, would take forever. He felt that the only one of these that would actually work and help the people down there is Alternative 2. That can be handled in house.

Mr. Avakian explained that the reason the pumps were scaled down to the more manageable storm is that in order to pump out 150 million cubic feet of water, which is over 1.1 billion gallons of water, that we would expect over a 100 peak flood event. He noted that this document was an exercise in theory. We have to make sure we do not have an impact on the dangerous species habitat. When they met with FEMA at the site, their strict directions were to avoid conflict with the environmentally sensitive areas. He is not sure we can get the permit to do what we need to for the 100 year flood event. He added that there are a number of issues that have to be a part of the mitigation plan, pumping is one of them. He does not feel that we will be able to pump the 100 year flood event efficiently and do it with our irreparable harm to our beachfront or the endangered species habitat. That is why Alternative 3A was designed which was the 20 year flood event with pumps and the shoreline enhancements. They were two of the five major components. The sixth was partial dredging. These are the things we are trying to manage under our grant. This would lower the peak of the other flood events so that they would not be as severe if they did occur. We were then going to go the State and Army Corp and Wreck Pond and say you have to help watershed wide. This may include going into Wall Township to develop some regional recharge basins and maybe retrofit 130 detention basins to hold that water back so that when we have an event such as Hurricane Irene we do not get all of the water at the same time. He felt we are probably experiencing the same amount of water from an event, but it is not as spread out time wise which causes a more serious flood event. The water is coming to us much faster. He is looking forward to working with the State and Army Corp but also is looking forward to get the authorization to move

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forward from FEMA to implement Alternative 3A from our grant application. This would require a majority of the funding to be spent on the pumping process and then perhaps when the Army Corp is done, if they feel that the pumping should be enhanced in any way, they will supplement what we have done.

Mr. Kennett stated that he is for any solution that will fix the problem.

Mayor Naughton stated that this Council has been working on this issue for a long time. The frustration that is felt now is what the Council has been feeling. As a Council we have been trying to obtain money to address this problem here in Spring Lake. To pretend that us addressing here in Spring Lake is going to be enough, it is not going to be enough. We are going to our project but we need the State and Federal Government to help us because that water comes from the watershed. She as Mayor cannot say to the Mayor of another municipality that they have to stop the flooding in Spring Lake but the State and Federal Government through a regional plan can do that. It is a long slow process but we are more than half way through that process. She understands the frustration but to say we are not doing anything is not accurate. She added that we were awarded the money and advised what we needed to get the funds released, we have to complete the environmental review; Mr. Avakian has advised us that it goes through the environmentally sensitive area and resubmitted our plan so that it would go around the environmentally sensitive area and is under review right now.

Mr. Avakian noted that he spoke to them the beginning of this week and rather than she processing it, she asked that he process it to the three other agencies to speed up their decision making. He is working on that right now. Once they report back to her, she would sign off and we can progress to the next stage which is design. He is looking to do that in a relatively short time. This is expected to complete in nine months. He projected that the work would be completed in September 2012.

Mayor Naughton stated that we have \$600,000 for a project that will cost \$1.5 million. This Council will have to make a decision down the road if we are going to fund the remainder of the cost. This has been discussed at the last couple of meetings. This money would have to be bonded for.

Mr. Avakian stated that the plan is to move forward with the 20 year flood plan mitigation. He felt that if we get this done and then get assistance with the dredging we are going to be well on our way to resolving the issue.

Mr. Kennett stated that the motion he wanted to continue with is the one he just said. Mayor Naughton advised that that is what we are doing, there is no motion needed. It is underway, it is going to happen.

Mr. Kennett offered a motion to rescind his previous motion, seconded by Mr. Venables. Unanimously approved.

Mr. Quinn noted the closing of the South End Pool on Columbus Day and stated that there has been a great deal of appreciation on the part of the residents and users of the pool. They really took advantage of the pool during the month of September and without the extraordinary effort of our Public Works employees under the direction of Bryan Dempsey and Frank Phillips those

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residents and those pool users would not have had those benefits. He hoped that in the future the Council would continue the practice of the Columbus Day closing as the pool really does get a lot of use.

Mrs. Reilly reported that soccer is under way and on October 26th there will be basketball sign-ups at the HW Mountz School and it will be the first foray into everyone signing up online.

Borough Engineer's Report

Peter Avakian, Borough Engineer, reported on the following:

- **Two Grant Applications** – The two applications have been filed. The first for Third Avenue which is a Transportation Trust Fund application and the second is for improvements to Morris Avenue under Safe Routes to Transit.
- **Newark & Adrian Avenues** – The award of contract is on the Agenda this evening for \$339,000, the bid came in slightly less than his estimate and well within the funding. A preconstruction meeting will be held next week and we will move forward with improvements and paving will take place first thing in the Spring.
- **Marucci Park Improvements – Open Space Grant** - The walkway is done at Marucci Park. It looks beautiful. He felt that we went a long way with a relatively limited amount of funding.
- **CAFRA Individual Permit Modification** – The application was submitted to DEP to allow us to remove more sand from the westerly side of the boardwalk which we feel contributed to the damage as a result of Hurricane Irene. He felt that modification applications are processed faster and he hoped to hear back within sixty (60) days.

Borough Attorney's Report

Mr. Colao advised that he had three items for Executive Session.

Borough Administrator's Report

Mr. Dempsey reported on the following:

- **Newark & Adrian Avenues** – Mr. Phillips is ok with doing everything but paving before the Spring as it gives the work a chance to settle. The paving would be done in March or April weather permitting. Mr. Avakian advised that there is not major construction as it is mostly curb line work. This would be excavated and backfilled. Mayor Naughton was just concerned that the roadway would be milled for the winter months. She was advised that this would not happen.
- **Dredging – Spring Lake Heights – Wreck Pond** – He did notice that the Jimmy Byrnes' site has silt fence put up and he thinks the dredging the County is going to do is going to begin soon and it will help with Wreck Pond
- **Commercial Vehicles in Train Station Park Lot** - The commercial vehicles are gone from the train station but he has to look at the Ordinance with the Chief. The vehicles seem to be shifting to other areas such as Morris and Ocean Avenues.

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- **FEMA** - He has another meeting next week with FEMA for our cost reimbursement as a result of Hurricane Irene. These are the monies we have already put out and also for the cost for rebuilding the boardwalk.
- **Marucci Park** – The project is complete. There are some small items to that we still want to complete and then the County will come out and inspect it for grant compliance to be sure we have done everything we agreed to.

Business Items Under Consideration - None

Ordinances for Introduction

"Ordinance No. 2011-012 - AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 225, LAND DEVELOPMENT OF THE BOROUGH CODE" will be on the October 25, 2011 meeting for Public Hearing and possible adoption. The Planning Board will be reviewing it at their meeting tomorrow night.

Consent Agenda

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

**R-11-213 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 Department 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:

9/22/11	County of Monmouth – DWI Checkpoint	\$1,080.00
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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. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-214 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 Department 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:

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5/17/2011	New Jersey Transit	\$600.00	\$560.00	Admin Fee \$40.00
7/12/2011	New Jersey Transit	\$637.50	\$595.00	Admin Fee \$42.50
7/19/2011	New Jersey Transit	\$737.50	\$685.00	Admin Fee \$52.50
7/26, 7/28, 8/2, 8/4/2011	New Jersey Transit	\$3,337.50	\$3,115.00	Admin Fee \$222.50

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. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-215 RESOLUTION – AUTHORIZING REFUND OF TAX OVERPAYMENTS
AS RESULT OF TAX APPEALS**

WHEREAS, taxes on the following properties have been overpaid as the result of a Tax Court Appeal Settlement.

Tax Year	Block	Lot	Street Address	Name	AMOUNT
2011	43	1.027	700 Ocean Avenue	Elizabeth & William Riordan	\$75.71
2011	43	1.430	700 Ocean Avenue	Raymond & Nancy DuBois	\$153.99
2011	43	1.538	700 Ocean Avenue	Roseberry, LLC	\$14.48
2011	54	7	113 Mercer Avenue	Thomas & Danielle Mercora	\$1,125.78
2011	85	2	302 Washington Avenue	Franwalt Inc. c/o W. MacGowan	\$2,318.49
2011	149	20	337 South Blvd	Timothy & Noelle Giblin	\$14.82

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that refunds in the amounts specified are hereby approved for the aforementioned properties.

I, Susan M. Schreck, Tax Collector of the Borough of Spring Lake hereby certify the total amount of overpayments to be a total of \$3,688.45. /s/ SUSAN M. SCHRECK, TAX COLLECTOR

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-216 RESOLUTION –AUTHORIZING FY2012 TRANSPORTATION TRUST FUND
APPLICATION - MA-2012-Spring Lake Borough -00490
IMPROVEMENTS TO THIRD AVENUE FROM PASSAIC AVENUE TO BRIGHTON AVENUE**

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2012; and

WHEREAS, the Borough of Spring Lake is desirous of submitting an application under this program for the following purpose:

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- Improvements to Third Avenue from Passaic Avenue to Brighton Avenue

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that it formally approves the grant application for the above stated project, and

BE IT FURTHER RESOLVED that the Borough Engineer, Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Spring Lake Borough-00490 to the New Jersey Department of Transportation on behalf of the Borough of Spring Lake, and

BE IT FURTHER RESOLVED that the that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Spring Lake and that their signature constitutes acceptance of the terms and conditions of the grant agreement an approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above Resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the Resolution above.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-217 RESOLUTION –AUTHORIZING FY2012 TRANSPORTATION TRUST FUND
APPLICATION - SST-2012-Spring Lake Borough-00077 IMPROVEMENTS TO MORRIS
AVENUE-SAFE STREETS TO TRANSIT FROM THIRD AVENUE To FOURTH AVENUE**

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2012; and

WHEREAS, the Borough of Spring Lake is desirous of submitting an application under this program for the following purpose:

- Improvements to Morris Avenue – Safe Streets to Transit from Third Avenue to Fourth Avenue

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that it formally approves the grant application for the above stated project, and

BE IT FURTHER RESOLVED that the Borough Engineer, Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as SST-2012-Spring Lake Borough-00077 to the New Jersey Department of Transportation on behalf of the Borough of Spring Lake, and

BE IT FURTHER RESOLVED that the that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Spring Lake and that their signature constitutes acceptance of the terms and conditions of the grant agreement an approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above Resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the Resolution above.

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ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-218 RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH COUNTY
OF MONMOUTH FOR PHYSICAL CUSTODY OF HISTORIC SPRING LAKE RECORDS**

WHEREAS, the MONMOUTH COUNTY ARCHIVES is a department within the office of the Monmouth County Clerk in the State of New Jersey, having its principal office at 125 Symmes Drive, Manalapan, NJ 07726, and

WHEREAS, said institution was established for the purpose of perpetuating knowledge of, and encouraging public interest in, the history of the Borough of Spring Lake, and to acquire and preserve materials and information relevant to the social, economic and political history of the Borough of Spring Lake; and

WHEREAS, it has been recommended to the Borough of Spring Lake that it would be to the mutual advantage of both the Borough of Spring Lake and the MONMOUTH COUNTY ARCHIVES to enter into a deposit agreement providing for the transfer of physical custody, but not the legal custody, of certain historical public records to the MONMOUTH COUNTY ARCHIVES, to be kept and maintained by the Society; and

WHEREAS, the Borough of Spring Lake has considered said recommendation and is of the opinion that such transfer of said public records, reserving to the Borough of Spring Lake the right to recall said public records, would be beneficial to the residents of the Borough of Spring Lake and other persons interested in the history of the Borough of Spring Lake; and

WHEREAS, the *New Jersey Administrative Code*, at 15:3-6.3(e)(3), providing that historically significant public records may be deposited in another institution with the approval of the Division of Archives and Records Management, Department of State; and

WHEREAS, it appears that the MONMOUTH COUNTY ARCHIVES is able to provide sufficient storage space, environmental controls, and security for the preservation of said public records in its facilities, and there to permit public access to said records during its regular business hours; and

WHEREAS, the MONMOUTH COUNTY ARCHIVES has requested physical custody of said public records, and desires to enter into a deposit agreement with the Borough of Spring Lake stating the terms and conditions of the transfer of custody:

NOW THEREFORE, BE IT RESOLVED by the Borough of Spring Lake that the physical custody, but not the legal custody, of the historical public records listed in Exhibit 1 of the proposed deposit agreement as attached, and/or any future additions or corrections made to this list under the terms of the said deposit agreement, shall be transferred to the MONMOUTH COUNTY ARCHIVES; and that the said records shall be maintained and made publicly accessible by said institution in its facilities for an indefinite period; and that the deposit agreement containing the specific terms and conditions of this transfer be executed by authorized officials of both the Borough of Spring Lake and the MONMOUTH COUNTY ARCHIVES and made part of the official minutes of the governing body of the Borough of Spring Lake.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Resolutions

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

**R-11-219 A RESOLUTION SETTING THE 2011 SALARY AND HOURLY WAGES
FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE BOROUGH OF SPRING
LAKE, MONMOUTH COUNTY, NEW JERSEY**

Whereas, the Borough Code provides for the establishment of salaries for various officials and employees of the Borough to be set forth in a Salary Ordinance; and

Whereas, in order to permit flexibility in the hiring, transfer, and/or promotion of new or current employees, the Mayor and Council have adopted Ordinance No. 2008-006 establishing ranges for salaries and hourly wages;

Whereas, the specific salaries for officers and employees for 2011 are to be set by Resolution;

Now Therefore, Be It Resolved, by the Mayor and Council of the Borough of Spring Lake in the County of Monmouth, New Jersey, as follows:

1. Unless otherwise specified, all salaries and wages of Borough Officials and Employees shall be payable biweekly. Further, the salaries and wages payable herein shall be in lieu of all fees.

2. All ordinances in conflict with this ordinance, or any part thereof, are hereby repealed as to conflicting part or parts.

3. In addition to the compensation provided for the Borough Officials and Employees enumerated in Article IV of this Ordinance, certain qualified employees may be entitled to an annual longevity payment, uniform allowance, overtime payment, and other supplemental stipends, as may be specified in the Borough's Personnel Policy Handbook/Manual, a current labor contract, or a current individual employment agreement.

4. The following list shall represent the hourly wages and annual base salaries ranges for Officials and Employees of the Borough of Spring Lake not covered by a Collective Bargaining Agreement.

<u>Position Title</u>	<u>Base Salary</u>	<u>Hourly Wage</u>
Administration		
Borough Business Administrator	\$131,879	
Borough Clerk/Municipal Registrar	\$74,731	
Deputy Borough Clerk	\$41,000	
Chief Municipal Finance Officer/Treasurer	\$26,735	
Assistant Treasurer	\$44,554	
Tax & Utility Collector	\$67,874	
Assistant Collector		\$15.00 - \$16.00
Tax Assessor	\$29,089	
Planning, Zoning, Code Enforcement Secretary	\$35,350	
Secretary to Board of Health	\$3,240	
Code Enforcement Officer		\$25.00 - \$30.00
Zoning Review Agent	\$500	Weekly
Clerical Part-Time		\$10.00 - \$15.00
Construction Administrative Clerk	\$34,648	
Electrical Sub-Code Official/Inspectors	\$12,000 - \$16,000	
Plumbing Sub-Code Official/Inspectors	\$12,000 - \$16,000	
Library		
Library Director	\$55,111	
Library Page (p/t)		\$7.25 - \$7.50
Library Staff (f/t)	\$37,829 - \$42,273	
Emergency Services		
Police Dept. – Chief of Police	\$133,000	
Police Dept. – Lieutenant	\$128,000	
Police Dept. – Special Officer Class II		\$15.00 - \$20.00

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Police Dept. – Special Officer Class I		\$9.50 - \$18.00
Police Dept. - Secretary/Records Personnel		\$16.20 - \$17.00
Police Dept. – Dispatcher	\$50,000 – \$61,653	
Police Dept. – Dispatcher (p/t)		\$13.00-\$18.00
School Crossing Guard		\$14.00 - \$15.00
Matron		\$25.00
Emergency Management Coordinator	\$3,000	
Fire – Asst. Inspector		\$15.00 - \$20.00
Public Works		
Public Works Dept. – Superintendent/CPWM	\$96,623	
Public Works Dept. – Foreman	\$88,168	
Public Works Dept. - Asst. Foreman	\$84,939	
Public Works Dept. - p/t Laborer		Min. Wage- \$19.00
Recycling Attendants (p/t)		Min. Wage- \$16.00
Recycling Coordinator (p/t)		Min. Wage - \$18.00
Beach, Pool and Recreation		
Beach Director	\$10,877	
Pool Director	\$10,877	
Beach Bookkeeper	\$15,696.20	
Beach/Pool Asst. Director		\$15.00 - \$20.00
Head Lifeguard		\$14,324.20
Beach/Pool Seasonal Employees		Min. Wage - \$18.00
Recreation Dept. – Supervisor	\$16,000	
Recreation Dept. – Program Director	\$14,150	
Mayor	\$4,429	
Councilmember	\$3,690	

5. The salaries and wages of those employees in the Borough Police Department, Department of Public Works, and Beach Lifeguards covered by the provisions of Collective Bargaining Agreement shall be as provided in those Agreements as approved by the Mayor and Borough Council.

6. In the event any employee is specifically appointed by name to a position in a Resolution setting for a specific salary or wage, which salary or wage is different than provided herein, the specific individual Resolution shall be controlling.

7. This Resolution and the wages and salaries set forth herein shall be retroactive to January 1, 2011.

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-11-220 RESOLUTION – AWARD OF CONTRACT #04-2011
IMPROVEMENTS TO NEWARK AVE AND ADRIAN AVE EARLE ASPHALT COMPANY**

WHEREAS, on October 6, 2011 bids were received for Improvements to Newark Avenue and Adrian Avenue, in the Borough of Spring Lake, in accordance with specifications prepared by Leon S. Avakian, Inc. Borough Engineer, and

WHEREAS, seven (7) packets were picked up and six (6) bids were received, and

WHEREAS Earle Asphalt Company submitted the lowest bid for the Improvements to Newark Avenue and Adrian Avenue in the amount of \$339,513.13.

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WHEREAS, it is the recommendation of David J. Howarth, Project Manager of Leon S. Avakian, Inc., Borough Engineer that said contract be awarded to Earle Asphalt Company, PO Box Drawer 556, Farmingdale, NJ 07727, for the Improvements to Newark Avenue and Adrian Avenue, in the amount of \$339,513.13, subject to the approval of the New Jersey Department of Transportation Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Contract #04-2011 be and the same is hereby awarded to Earle Asphalt Company, PO Box Drawer 556, Farmingdale, New Jersey 07727, for the Improvements to Newark Avenue and Adrian Avenue, in the amount of \$339,513.13.

I, Robbin D. Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: NJ Department of Transportation 2011 Grant \$160,000.00; 2011 Municipal Budget - Capital Improvements – Road Improvements \$68,290.77 and 2011 Municipal Budget – 2007-17 – Improvements Roads \$111,222.36. /s/ Robbin D. Kirk, Chief Financial Officer

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-11-221 RESOLUTION – APPROVAL OF BILLS – OCTOBER 11, 2011

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending October 11, 2011, 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 (1)	573,515.51
WATER/SEWER CAPITAL (8)	3,658,317.00
WATER/SEWER OPERATING (9)	354,093.82
SPRING LAKE TRUST (15)	598.75
MT LAUREL TRUST (16)	217.50
MARRIAGE TRUST (19)	400.00
RECREATION (25)	1,267.52
JUNIOR GUARDS (26)	1,355.15
BEACH OPERATING (81)	45,625.15
BEACH CAPITAL (84)	75,000.00
POOL OPERATING (91)	15,349.00
POOL CAPITAL (94)	225,000.00
TOTAL	\$4,950,739.49

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Public Comments

Lyle Marlowe, Pennsylvania Avenue, questioned what the Salary Resolution was and felt that it should have been discussed more. Mr. Dempsey explained these are the salaries as set forth in the budget. He is advised that it is implicit in the budget.

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He then questioned when the final plans on the pool would be available. Mrs. Reilly advised that it should be at the end of the month as the schedule was pushed back a little because there were some minor changes that needed to be made. He questioned if they would be made available to review and if they would be on the website? Mayor Naughton advised both the website and at a meeting in early November is what is anticipated.

He then cautioned getting too deep in the County to get Police responding appropriately especially during the summer months. Mr. Drasheff stated that we have an advocate with former Chief Dawson who is handling this section for the Sheriff.

Harry Zarb, 2205 Third Avenue questioned if all notices of Ordinances would be posted on the website prior to the Public Hearing? He is advised that they would be in the future. He then questioned being able to make a payment without fee for a credit card through the website.

Mr. Quinn stated that looking prospectively, he felt that it would be a good practice to commit the posting on our Website of an Ordinance after it has been introduced. It is a matter of public record. Mayor and Council agreed.

Mr. Marlowe questioned why we are not asking Spring Lake Heights or even Monmouth County to help us out with Wreck Pond. Why aren't we going to the Freeholders saying help we need help. Members of the Governing Body should be showing up at Spring Lake Heights Meetings and asking them for their help.

Executive Session

Mrs. Venables offered a motion to approve the following Resolution and moved its adoption, seconded by Mrs. Reilly.

R-11-222 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: State vs. Feeley, Lake Como Zoning Ordinance Litigation, Behrman Park Communication Tower Diversion and Personnel-Planning Board Secretary.

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. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8:13 P.M.

MEETING IS RECONVENED AT: 8:22 P.M.

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

ROLL CALL:

AYES: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Kennett, Mr. Quinn, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT: 8:22 P.M.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jane L. Gillespie".

JANE L. GILLESPIE
Borough Clerk

Approved at a meeting held on: January 24, 2012