

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REORGANIZATION MEETING
JANUARY 5, 2016**

Mr. Dempsey reported that the box culvert for Wreck Pond was delivered last week; hopefully by March 15 the project will be finished.

Mr. Dempsey further reported that Ocean Avenue water line will be done by the end of March.

Mr. Dempsey further reported that the train display was viewed by three thousand people. Mr. Drasheff stated that there were actually three thousand one hundred and thirty one. Mr. Drasheff thanked Richard Clayton and Pete Casagrande for allowing their train display to be held at the Duggan Building.

Public Comments

Lisa DeBerardine, 10 Brown Avenue congratulated Mayor Naughton, Janice Venables, and Robert Drasheff on their reappointments. She thanked the Borough on behalf of Wreck Pond homeowners, for all of the council's hard work and support with all of the activities.

Helen Motzenbecker, 4 Glenwood Avenue stated that she is absolutely amazed with how much progress was done on the water situation. She has never seen the town receive so much money and a council work so hard as this past year.

Adjournment

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

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 7:24 PM

Respectfully submitted,



DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: March 22, 2016

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JANUARY 26, 2016**

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. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables, Mayor Naughton
ABSENT: None

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

Workshop Discussion - None

Approval of Minutes

Mr. Judge offered a motion to approve the minutes of October 27, 2015, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Drasheff

Proclamations, Presentations, & Special Guests - None

Public Comments

Mr. Judge started the public comments section by discussing the beach bathrooms. He thanked the Alesio's for bringing their comments to the beach committee in such a respectful and well thought out manner. He also wanted to thank everyone else who has sent email both pro and con; the beach committee appreciates it as well.

Mr. Judge explained that last fall, the beach committee consisting of Mr. Frost, Mrs. Venables and himself, brought to the council's attention at two public meetings the concept of putting in a new public restroom on the beach. The idea of a bathroom he continued was to spread out the people on the beach since there is an overcrowding problem at both pavilions. He added that the idea of the beach boxes was originally an alternative since; the north end pavilion was being constructed. Because of that, Mr. Judge continued the beach boxes spread people out and it worked well. Mr. Judge noted that a new set of stairs were placed at Passaic Avenue, which there was some opposition to, in the end the council moved forward with this and it did also spread people out. He continued to say that badge sales were moved recently from a ticket booth in the south end pavilion to Pennsylvania Avenue, which moved people to the south. He believes that facilities should be provided to residents and non-residents who use the beaches. Mr. Judge explained that in 2013 a beach survey was conducted at the end of the season questioning how to improve the pavilions and beaches. Mr. Judge that the beach committee took a look at where the bathrooms should be located, the areas focused on were north of the north end pavilion and in between the two pavilions and the original location was in front of the 911 Memorial Park. He added that the issue with a bathroom at this location would be too far north to be of any service to beach goers. Mr. Judge

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explained that the focus was then on north of Howell Avenue, the structure would be approximately one foot above the top of the railing and designed to resemble the lifeguard sheds to make the structure as unobtrusive as possible.

Steve Alesio, 2505 Ocean Avenue stated that he has concerns as to whether the council has had enough time to think about the over plan for the beach and boardwalk. He then stated that if there was a plan it should be shared with more residents to ensure they are also engaged. He feels that the beach and boardwalk of Spring Lake is a treasure and has certain charm and serenity. He understands the idea of the beach boxes and moving badges sales however, the idea of toilet structures on the beach is a big decision. The issue at hand, he continued is really the crowdedness of the north beach itself. Mr. Judge stated that is not solely the purpose, the purpose is twofold, first to try and spread out the people on the beach and also to provide an amenity to beach goers.

Mr. Alesio explained that there are many reasons the north end beach area has become crowded. He added that there is no simple answer to the equation and he appreciates the council trying new ideas; however Spring Lake already has three bathroom structures at the beach and by adding more amenities this will bring more people into town.

Brian Froelich, 205 Washington Avenue explained that he always remembers both pavilions always being crowded and the people who don't want to be around the crowds will move to less crowded sections of the beach. He added that his entire family goes to the beach and he has never heard of and issue about bathrooms, they either go home or to the north end pavilion. He also agrees there should be an overall plan for the beach and boardwalk and residents should be involved in the process.

Paul Jordan, 318 Pitney Avenue asked how long the beach committee has been discussing this, are the units removable, and what the height above the rail is. Mr. Judge explained that the committee has been in discussion for many years and that the units are removable and it will be approximately one foot above the railing. Mr. Avakian added that the roof ridge line is about one and half foot above the top rail of the boardwalk. Mr. Jordan then asked what the beach front manager and life guard manager has said about this unit. Mr. Judge answered that Dan Finn, Beach Manager and Janet Carbin, Captain of Lifeguards have come to the committee with the idea for safety reasons.

John Fudge, 15 South Blvd asked if the only people who can use these bathrooms are paying beach goers. Mr. Judge answered yes. Mr. Fudge then asked if the bathrooms will open when the lifeguards arrive and close when they leave. Mr. Judge answered that the hours are up for discussion however, that is a good idea. Mr. Fudge explained that he frequently uses north end beach and sometimes sees people go the the bathroom under the boardwalk and he thinks this should be seriously considered.

John Fitzgerald, 113 Tuttle Avenue stated that over the years the beach population has grown. He added that as the beach goers increase they should not have to go through bumps and walk a long way to use the restroom. He agrees that the bathroom would be a good idea to spread people out.

Charles Longo, 16 Union Avenue asked if a decision has been made to put the bathrooms in. Mr. Judge answered yes. Mr. Longo asked if anyone has given consideration to the cleanliness of these

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bathrooms on a hot holiday weekend. Mr. Judge answered that they would not look any different than any other bathroom on the beach. Mr. Longo is not in favor of the bathroom.

Kathleen McCusker, 110 Ludlow Avenue stated that a broader study before a final decision is made may give the council the wisdom to come up with other solutions. She added the council did a fantastic job getting the north end pavilion to what it is today especially all of the new bathrooms. The difference in the past, she continued is that there were five more hotels along the beach that took care of those sections of the beach so it was more spread out. Being on the Preservation Alliance, she added that the town is running out of things to preserve, the beach should be.

Pat Daniels, 9 Jersey Lane explained that she used to walk her son along the beach and would have really loved a bathroom at the north end beach.

Joe Rizzo, 416 Tuttle Avenue stated that he sees the pros and cons of this bathroom and is concerned about the aesthetics of it. He also agreed that a broader over look is in order for the entire beach and boardwalk.

Luana Alesio, 2505 Ocean Avenue thanked the council for listening to the residents. She is concerned where the town is heading with their biggest asset which is the beachfront and boardwalk. She believes that it should be preserved and she does not want it to become something the town does not want it to become. She also believes this is a slippery slope and it would not stop at just bathrooms at Howell Avenue. She stated that Howell Avenue would be the worst location because it is the narrowest section of homes to the boardwalk itself and there are no sidewalks on the western side of the street. She added that toilets naturally just smell after awhile no matter how clean they are. She explained that even though the top of the structure will be one and a half feet above the railing it will be several feet above the boardwalk. Howell Avenue, she continued is not really a beach and there is not a lifeguard there. Ms. Alesio suggested placing a bathroom at Brighton, Newark, or Madison Avenues, it would be more logical.

Jim Curry, 212 Remsen Avenue asked why a bathroom is going to be placed at a location where there are not bathers. Mr. Erbe answered that it is a half of a block from a busy bathing beach. Mr. Curry stated that he brings his grandchildren on the Remsen Avenue beach and has never had an issue. He then asked what the maintenance cost would be for the next ten years. Mr. Dempsey answered that the structure itself will cost ten thousand dollars to build and the utility connection would be between twenty and thirty thousand dollars. Mr. Dempsey added that the maintenance would be no different than any of the other sheds or restrooms.

Frank McMahon, 404 Brighton Avenue explained that he is having a hard time understanding the problem that is trying to be solved and has a hard time believing that placing bathrooms on the beach is going to alleviate the problem. Mr. Frost explained that the idea is to alleviate some of the crowding in front of the north end pavilion beach. He added that when Hurricane Sandy hit and there was no pavilion, a bathroom was placed at Worthington Avenue so people sat two blocks north of Worthington Avenue or further and discovered this huge beach that no one is sitting on. Mr. Erbe added that there is a large crowd north of the north end pavilion. Mr. Judge believes that there are people who will make a decision on which beach to go to based on where bathrooms are.

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Ellen O'Day, 11 Brighton Avenue stated that the summer after Hurricane Sandy, she had a lovely view of the toilet from her front porch all summer, it was ugly.

Anita Vanden-Bulcke, 409 Worthington Avenue asked how many toilets are already on the boardwalk including the north and south end pavilions. Mayor Naughton stated that there are seventeen woman's toilets at the north end pavilion and is unsure how many men's, approximately eight or ten at the south end pavilion and there are four at pier beach. Ms. Vanden-Bulcke asked if two more toilets will make a difference on a non-bathing beach. Mr. Frost answered that he has heard of many people would sit in this area away from the pavilion. Mr. Frost added that prior to last season there was a pool users meeting and there were approximately twenty people there who had suggestions and grievances. Mr. Judge stated that one thing he is hearing loud and clear is that the residents love Spring Lake and would like to be involved in this process which makes sense. Mr. Judge suggested having the bathrooms on a pilot basis; the sewer line would have to be put in if the bathrooms are going to go there even temporarily. Ocean Avenue, Mr. Judge continued will be paved by Monmouth County and then there will be a five year moratorium. He explained that another location could also be looked at between the pavilions; at the end of the season the bathrooms could be reassessed and possibly not placed back up the next year. Mr. Frost agreed and said a survey would be a good idea once the bathroom is there for the season.

Patty Hamilton, 10 Howell Avenue stated that if the goal is to move families down to this beach they will not be happy campers because it is not a family beach, it is a surfing beach.

Gina Kennedy, 112 Passaic Avenue stated that the surveys should have been done a couple of years ago instead of spending the money and then doing a survey. Mr. Frost explained that a survey was done two years ago. Ms. Kennedy asked who was given these surveys. Mr. Judge explained it went to everyone who bought a seasonal beach and a seasonal pool and beach badge in 2014. Mrs. Kennedy stated that she does not live in Spring Lake during the summer months however she still cares if there is a restroom on the beach. Mr. Frost said that the survey produced twelve hundred responses from people who used the beach at the time and the beach committee's intention is to send another survey out at the end of this year.

Muriel Sportelli, 318 Ludlow Avenue explained that she has never noticed a line waiting to go to the bathroom. She added that it is fun seeing all of the people in front of the north end pavilion.

Kevin Farmer, 200 Lorraine Avenue thinks that the idea of a bathroom is possibly a good idea however the location does not seem right. He added that the location of the homes to the beach is the closest in that area; it may make sense to have one somewhere in between the two pavilions.

Marie Curry, 212 Remsen Avenue explained that she purchases beach passes every year and she never received the survey.

Gwen Thompson, 2509 Ocean Avenue she also did not receive the survey. She agrees that between Remsen and Howell Avenues is the narrowest stretch and it doesn't make sense to impact that area with more people.

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Kathleen McCusker, 110 Ludlow Avenue suggested to put the plumbing in place but not the bathrooms until the council is positive that is the element in which is attracting people. Last year Ms. McCusker continued was a banner year for every beach. Mr. Judge explained that this is not a reaction to one year.

Anita Vander-Bulcke, 409 Worthington Avenue suggested to put the pilot in place in every spot that may be a possibility; what if Howell Avenue is not the correct location.

Matthew Sagui explained that the cost will be coming out of the beach utility. He believes that this council will look at problems and fix things if there is something wrong; if data comes back and the pilot program is not the right idea the council will not move forward with it the next year. He explained that the idea is only placing bathrooms on the beach and not concession stands.

Brian Froelich, 205 Washington Avenue stated that the survey was not an academic one or have scientific results; he does not know what a real survey would show.

Judy Hughes, 209 Atlantic Avenue stated that the council should look at the big picture and where to put the money and find out what the priorities are.

Mr. Erbe explained that over the past fifteen years there has been a lot of thought in regards to the beach and pools, a major renovation was done at the sound end pavilion. He added that the north end pavilion is extraordinary and well thought out. The hotels are gone, Mr. Erbe continued and people should be spread out, there are many day trippers that come on the weekends.

Mrs. Venables does not support this idea at all however; she knows her colleagues have the best intentions at heart but there needs to be balance.

Anne Butler, 411 Ludlow Avenue explained that the north end has really gotten crowded in the past few years. She understands people's concerns but the south end has the pavilion and also extra bathrooms at the end. She is in agreement with the pilot program which is more flexibility.

Dana Denton, 110 Union Avenue stated that before she moved to town when she would purchase beach badges she would have loved additional beach badges however, now as a resident she would not be in favor of this.

Mary Oliva, 700 Ocean Avenue asked if the objective is to attract more day trippers. Mr. Judge answered no. She added that as the population gets older the need for more bathrooms is greater.

Michael Grzelak, 409 Monmouth Avenue believes that there should be a plan for the beach and a better survey be done.

Luana Alesio, 2505 Ocean Avenue stated that she would like to understand what data will be collected, who is going to collect it, and how the appropriate people will obtain the survey. She does not understand the logic when there is a mile between the pavilions why isn't a bathroom in those locations such as Washington Avenue. She then asked if Washington Avenue will be tapped also. Mr. Judge answered that has not been decided yet but a decision will be made prior to the paving.

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Frank McMahon, 104 Brighton Avenue commented that there is an overwhelming concern for this bathroom and thinks there should be a better plan.

Mayor Naughton stated that she is not able to make a motion and she is non-supportive of the idea of the bathrooms on the beach front. She added that it is up to the council members to make a motion and have a second and pole the rest of the members. Mayor Naughton explained that the beach committee has spent many hours particularly after Hurricane Sandy trying to sort out what would be best for the beachfront. She added that she hopes that everyone leaves the meeting regardless of the outcome with the feeling that everyone is heard and that the council does care deeply what the residents think.

Gina Kennedy, 112 Passaic Avenue thinks it is outrageous that non-residents were surveyed. She added that non-residents are customers they do not pay taxes and it is not their town.

Mr. Judge made a motion to rather than having this bathroom on a permanent basis, this would be a pilot project for one year at which time would be reassessed after one year, with a survey and public meeting to review the results, Mr. Erbe seconded.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui,

NAYS: Mr. Drasheff, Mrs. Venables

ABSENT: NONE

ABSTAIN: NONE

Five minutes recess.

Council Comments & Staff Reports

Mayor Naughton reported that Borough dodged a bullet with the storm this past weekend and is grateful. She added that the Department of Public Works did an excellent job as well as the Police Department; some first aiders slept at the First Aid Building just in case they needed to rescue anyone.

Mr. Drasheff thanked Bryan Dempsey, Frank Phillips, and Chief Edward Kerr for all of the great work during this storm emergency.

Mr. Erbe thanked them as well, they did a great job.

Mr. Frost reported that a discussion needs to take place about snow removal on sidewalks. He added that when there is a significant snow storm people have to walk in the street and there is not an ordinance in place that makes the homeowner clear the sidewalk.

Mr. Sagui reported that Ocean Avenue is coming along very well. He thanked Mr. Drasheff for all of his help.

Borough Engineer's Report

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Mr. Avakian reported on the change order for the contract for the proposed bypass box culvert at Wreck Pond; the change order is for labor cost for the contractor to be able to have his employees work eight hour days on Saturday and two additional hours Monday through Friday from January 25 to March 15. He added that the money would come from the grant and the reason for this is to have the project done by March 15.

He then reported on the resolution for the rejection of the bids for the platform tennis courts; alternatives for this project will be discussed since the bids came in higher than the funding available.

Borough Attorney's Report

Mr. Colao had nothing to report on.

Borough Administrator's Report

Mr. Dempsey reported that the beach committee has been discussing a senior beach badge; the proposal is a senior beach badge for seventy five dollars. He added that many towns now offer season beach badges and they range in fees.

Mr. Frost offered a motion to have a senior beach badge price of seventy five dollars, seconded by Mr. Judge.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Mr. Dempsey then reported that the water line construction is going very well.

Mr. Sagui explained that there is concern about the tunnel at the Bath and Tennis Club and it was decided to take the water line down Jersey Avenue and it will still be one continuous line. He added that the new line could have damaged the tunnel.

Mr. Judge asked what the time line would be to make a decision on where another water and sewer line would go at the beach to provide additional bathrooms. Mr. Avakian answered that it would have to be installed before May 15. Mr. Dempsey added the sooner the better.

Business Items Under Consideration

Belmar Lake Como St. Patrick's Day Parade – March 6, 2016– Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Greater Spring Lake Chamber of Commerce – 2016 Schedule – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Event Application – Byrne Up The Road – March 5, 2016 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Event Application – National MS Society Walk – April 17, 2016 – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Event Application – Operation Beachhead – June 18, 2016 & July 30, 2016 – 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

Borough Attorney Colao read Ordinance No. 2016-002, "AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 225-8 ENTITLED "ZONING DISTRICTS" AND CREATING SECTION 225-14.2 ENTITLED "MIXED USE AFFORDABLE HOUSING CONTRIBUTION ZONE", by title.

Mr. Colao explained that this is to rezone a particular property on Morris Avenue to accommodate a resident use where a resident use is not permitted and to gain a monetary contribution to the affordable housing fund. He added that only one property is being rezoned which can be done for affordable housing; this also related to the settlement agreement on the agenda this evening.

Mr. Judge offered a motion to introduce Ordinance No. 2016-002, seconded by Mrs. Venables. Public Hearing to be set for February 23, 2016.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Ordinance for Adoption - None

Consent Agenda

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

**R-16-014 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#1-2016--SAINT DOMINIC ACADEMY ALUMNAE ASSOCIATION-
ON PREMISE DRAW RAFFLE**

WHEREAS, Saint Dominic Academy Alumnae Association, has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#1-2016, 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#1-2016 be and the same is hereby approved as follows:

**NAME: Saint Dominic Academy Alumnae Association
2572 JF Kennedy Blvd, Jersey City, NJ 07304
Identification No.: 232-5-3089**

**LOCATION: The Breakers
1507 Ocean Avenue, Spring Lake, NJ**

DATE: April 16, 2016 12:00 PM - 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

25301

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

**R-16-015 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION
RA#2-2016 – SAINT DOMINIC ACADEMY ALUMNAE ASSOCIATION
ON-PREMISE 50/50**

WHEREAS, Saint Dominic Academy Alumnae Association has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#2-2016, 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#2-2016 be and the same is hereby approved as follows:

**NAME: Saint Dominic Academy Alumnae Association
2572 JF Kennedy Blvd, Jersey City, NJ 07304
Identification No.: 232-5-3089**
**LOCATION: The Breakers
1507 Ocean Avenue, Spring Lake, NJ**
DATE: April 16, 2016 12:00 PM - 3:00 PM

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-016 - RESOLUTION –APPROVING VOLUNTEER APPLICATION
FOR FIREMAN – GREGORY YOUNG**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the application of Gregory Young to become a volunteer firefighter with Goodwill Fire Company #2 is hereby approved as the necessary background investigation has been completed and found to be favorable.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-017 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL
SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE FOR THE
PROVISION OF PROFESSIONAL SERVICES**

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a

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professional services contract between following listed persons/firms and the Borough for the provision of said services; and

					Amount not to exceed
PS#08-2016	Planning Services	John Maczuga	JDM Planning Services, LLC	614 Harbor Road Brick, NJ 08724	\$7,500.00

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the anticipated term of this contract is 1 year or until a successor is appointed; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, they are required to complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or candidate committee in the Borough of Spring Lake in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with their fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, the Business Entity Disclosure Certification and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURTHER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-018 - RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 - INCREASING CONTRACT
#04-2015 PROPOSED BYPASS BOX CULVERT AT
WRECK POND OUTFALL**

WHEREAS, contract #04-2015 for the Proposed Bypass Box Culvert at Wreck Pond Outfall was awarded on September 17, 2015 to Simpson & Brown in the amount of \$1,747,390.50, and

WHEREAS, Engineer's Certificate (annexed hereto and made a part hereof) includes Change Order #1 which increases the contract in the amount of \$159,250.00 for a total contract in the amount of \$1,906,640.50; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Spring Lake that Change Order No. 1 increasing Contract #04-2015 for Proposed Bypass Culvert at Wreck Pond Outfall in the amount of \$159,250.00 for a total contract in the amount of \$1,906,640.50 is hereby authorized for the above contract awarded to Simpson & Brown.

25303

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I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from: Bond Ordinance No. 2015-007 Wreck Pond Mitigation available funds are not to exceed \$1,906,640.50.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-019 RESOLUTION – RELEASING STREET OPENING BOND
504 BRIGHTON AVENUE – BLOCK 101, LOT 24**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from Mark Herrman Construction for property located at 504 Brighton Avenue, Block 101, Lot 24 and

WHEREAS, a \$1,250.00 bond was posted for each property 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 bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-16-020 RESOLUTION – APPOINTMENT OF 2016 AEROBICS INSTRUCTORS

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that the following aerobics instructors are hereby appointed with their rate of pay as aerobic employees for the Borough of Spring Lake for the 2016 as recommended by the Recreation Department:

Jill Garfunkel	\$33.00 per class
Linda Foy	\$33.00 per class
Sue Gillam	\$33.00 per class
Joell Beaton	\$33.00 per class (substitute only)

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JANUARY 26, 2016**

**R-16-021 - RESOLUTION – AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO
CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS
WITHIN THE BOROUGH OF SPRING LAKE**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Spring Lake is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticides, application equipment and aircraft that are approved for areal applications by the applicable Federal (USEPS) and State (NJDEP) agencies, and
 - b. such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Resolutions

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

**R-16-022 - RESOLUTION – APPROVING EMPLOYMENT AGREEMENT
CHIEF OF POLICE - EDWARD M. KERR, JR.**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby authorized to execute an employment agreement with the Chief of Police Edward

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JANUARY 26, 2016**

M. Kerr, Jr. a copy of which is annexed hereto and made a part hereof as if set forth at length herein. Said Agreement shall become effective on January 1, 2016.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-023 - RESOLUTION – APPROVING EMPLOYMENT AGREEMENT
BOROUGH ADMINISTRATOR – W. BRYAN DEMPSEY**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby authorized to execute an employment agreement with the W. Bryan Dempsey a copy of which is annexed hereto and made a part hereof as if set forth at length herein. Said Agreement shall become effective on January 1, 2016.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-024 - RESOLUTION – REJECTING BIDS CONSTRUCTION OF THE
PLATFORM TENNIS COURTS AT MARUCCI PARK**

WHEREAS, a recommendation was made by the Mayor and Borough Council of the Borough of Spring Lake ("Borough") to seek a contract for the construction of the Platform Tennis Courts at Marucci Park (hereinafter "Project"); and

WHEREAS, the project was properly advertised to prospective bidders in accordance with N.J.S.A. 40A:11-4 and;

WHEREAS, eight (8) bids were picked up, four (4) complete bid packets were received on December 22, 2015.

WHEREAS, upon review of the bid submitted, the Borough had determined that the bid received exceeds the budget for the Project; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough hereby rejects the bid as unresponsive pursuant to N.J.S.A. 40A:11-13.2(a) & (b), and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Project be rebid pursuant to Local Public Contract Laws, N.J.S.A. 40A:11-1, et seq

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JANUARY 26, 2016**

**R-16-025 - RESOLUTION – AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT
WITH HELEN MOTZENBECKER/308 MORRIS AVENUE**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute a Settlement Agreement with the Helen Motzenbeck owner of 308 Morris Avenue a copy of which is annexed hereto and made a part hereof as it set forth at length herein.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

R-16-026 - RESOLUTION – APPROVAL OF BILLS – JANUARY 26, 2016

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending January 26, 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)	876,420.06
GENERAL CAPITAL (4)	285,862.01
WATER/SEWER CAPITAL (8)	571,967.78
WATER/SEWER OPERATING (9)	13,911.07
OTHER TRUSTS (12)	668.47
DOG TRUST (13)	1.20
SPRING LAKE TRUST (15)	450.00
MT LAUREL TRUST (16)	4,028.81
MARRIAGE TRUST (19)	75.00
RECREATION (25)	840.64
BEACH OPERATING (81)	2,729.81
POOL OPERATING (91)	217.66
TOTAL	\$1,758,082.51

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Erbe

Public Comments

Rich Clayton, 1209 Third Avenue thanked the public works department for the storm clean up and asked if the commercial district could be included in the snow removal conversation because there is a lot of confusion on who is responsible. Mayor Naughton agreed.

Adjournment

25307

**BOROUGH OF SPRING LAKE
MAYOR AND BOROUGH COUNCIL
REGULAR MEETING
JANUARY 26, 2016**

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

ROLL CALL:

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

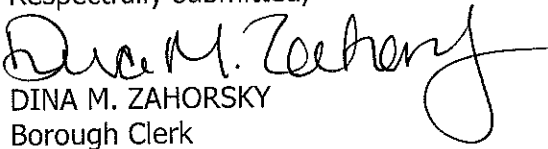
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 9: 15 PM

Respectfully submitted,


DINA M. ZAHORSKY
Borough Clerk

Approved at a meeting held on: April 12, 2016