

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 23, 2013**

Council President Venables called the Regular Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:02 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. Council President Venables announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Drasheff, Mr. Fay, Mrs. Venables, Mr. Jordan, Mr. Judge (via telephone), Mrs. Reilly

ABSENT: Mayor Naughton

ALSO PRESENT: Jane L. Gillespie, Borough Clerk  
Joseph Colao, Esq, Borough Attorney (arrived 7:42 pm)  
Peter Avakian, Borough Engineer

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**Workshop Discussion**

**Permitting Dogs on Beach at Certain Times at North Beach**

Mr. Drasheff opened the discussion giving a brief history of the topic. Mr. Drasheff stated that Mr. Harry Zarb along with other dog enthusiasts presented the Council with a signed petition containing 204 signatures requesting dogs be allowed on the beach during the summer months. Mr. Drasheff reported that the Beach Committee, Mr. Zarb's group, and Borough Administrator, Bryan Dempsey have had discussions on the topic which led to the creation of a resolution that the group believes will be well received by the Borough's dog owners. Mr. Drasheff summarized, stating that an area at the north end of town has been identified as the potential dog beach and the recommended times allowing for dogs in this area would be sunrise until 9:00 am. It's been also suggested that a later time be established which can be discussed, Mr. Drasheff stated. In addition, it's been recommended that the area be fenced off using snow fencing, added Mr. Drasheff. Mr. Drasheff stated that this would be a pilot program from August 1, 2013 until September 30, 2013 emphasizing that at any time if recommended changes are made that warrant implementation during the pilot, they may be put into place. Mr. Drasheff stated that he was very impressed with how the group presented their recommendations and their expressed commitment to monitor the program.

Mr. Jordan added that the program will be monitored closely and any need for changes will be immediately considered and implemented if necessary. Mr. Jordan complimented Mr. Zarb on the rules document he prepared. Mr. Jordan stated that he is in favor of running the pilot program yet his preference would be to limit the hours to the sunrise to 9:00 am citing the volume of beachgoers at this hour is relatively light.

Mr. Drasheff pointed out that the resolution should also contain a statement that all of the dogs should be licensed in the State of New Jersey.

Mrs. Reilly agreed and stated that she too is in favor of the early morning hours.

Mr. Judge added that one of the concerns is the potential for dog overcrowding and the potential accumulation of waste. One option would be to use the 9:00 am to 11:00 am time frame but require beach badges, stated Mr. Judge, thus potentially keeping the numbers of owners with dogs more manageable. Mr. Judge stated that he is in favor of the dog beach but cautioned Mr. Zarb that the pilot may be at risk of failing if there are too many dogs there.

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Harry Zarb, 2205 Third Avenue, expressed concern that the 9:00 am to 11:00 am time period is later than when most dog owners exercise their dogs particularly in the summer months when it's hot.

Mary Harz, 10 Pitney Avenue, added that she too feels that the early morning hours are best for the dogs in the summer. Ms. Harz also stated that she would support the need to purchase a beach tag for the dogs.

Joan McCarn, Third Avenue, stated that there are permits for lake fishing and tennis playing and therefore there should be permits for taking a dog on the beach. Mr. Judge suggested that perhaps we implement the pilot with the early morning hours with an eye toward putting in place a permitting process should the pilot program be a success. Mrs. Venables express support for Mr. Judge's suggestion stating that attempting to put in place a permit process now would delay the pilot program. Mrs. Reilly agreed.

Mary Lou Oliva, 700 Ocean Avenue, expressed an expectation that dog owners will be required to pick up the dog waste immediately and avoid any accumulation of waste.

Lisa Deberardine, 10 Brown Avenue, asked how the dogs will gain access to the beach and inquired as to whether they would need to go on the boardwalk. Mr. Drasheff responded noting that the area targeted for use is past the end of the boardwalk with ample access to the beach without the need to go on the boardwalk. Mr. Judge added that the dogs must be leashed while walking to and from the enclosed area.

Mrs. Venables stated that she does not love this idea noting that it is nothing against dogs but more about Spring Lake's history of having pristine beaches without a summer dog beach. Mrs. Venables stated that although she wouldn't rule out a future vote in support of the dog beach, tonight she will be voting against it.

Mr. Fay asked if a police officer would be stationed at the dog beach and if not how would the dog beach be monitored. Mrs. Venables responded that she doesn't envision an officer stationed there but that the police would patrol that area no differently than any other area of the beach. Mrs. Reilly stated that there would be a sign posted detailing the rules and regulations. Mr. Dempsey suggested that the resolution should detail the specific designated area as well as note that the dogs must have a valid NJ dog license and must be leashed outside the enclosed area. In addition, Mr. Dempsey offered additional suggestions for the Resolution to ensure there is no confusion with the Borough's General Ordinance prohibiting dogs on the beach in other areas.

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**Approval of Minutes** - None

**Proclamation, Presentations & Special Guests** - None

**Public Comments**

Kaitlyn Kanzler, The Coast Star, asked how large the dog beach area would be. Mr. Drasheff stated that it would be roughly 300 feet wide, from Pitney Avenue to the Arches.

Lyle Marlowe, 110 Pennsylvania Avenue, asked about a purchase on the bills list for a VHF Radio. Mr. Dempsey stated that he believes it is equipment for the lifeguards but that he would check into it and get an answer for him. Mr. Marlowe also asked about the status of the tower at the pumping station on Pennsylvania Avenue. Mr. Dempsey confirmed that the intention was always to put it back in place. Finally, Mr. Marlowe asked about the walkways being built over the dunes. Mr. Dempsey responded that

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the two (2) sections where walkovers have been built are areas of the beach that did not have dunes but a ground level path to the boardwalk. Mr. Marlowe questioned why the cut through was not put back in place. Mr. Dempsey stated that what they learned with Superstorm Sandy is that when the storm surge came in, it went directly through these open areas and onto Borough streets. With a continuous dune, Mr. Dempsey continued, this surge will better be stopped at the beach. Mr. Marlowe stated that he understands but that he expressed disappointment for those who will now have to use stairs versus a level entry. Mr. Jordan added that the critical strategy for the Borough is to protect Borough residents and their property and building the walkways up and over the dune is part of that strategy. Mr. Marlowe suggested a different material be used in the construction of the dune. Mr. Avakian reminded Mr. Marlowe that the DEP would not approve those materials.

Lisa Deberardine, 10 Brown Avenue, asked about the status of the dune construction at Brown Avenue. Mr. Dempsey stated that he would research the status of this. Ms. Deberardine asked for an update on the beach replenishment effort. Mr. Avakian responded that he and Mr. Dempsey had a conference call yesterday with the Army Corps and the State of NJ to discuss the Army Corps' plans which the Borough felt were insufficient in addressing the Borough's needs. In particular, Mr. Avakian stated, about 300 feet to both the north and south of the South Pavilion the Army Corps has now recognized as warranting inclusion in the plans and therefore the sand profile in these areas will now be increased. Also, Mr. Avakian stated, they have agreed to a couple of site meetings during the process to assess any additional needs for increase to the sand profile. Mr. Judge asked if they intend to increase the sand at the North End Pavilion location. Mr. Avakian responded that they have not confirmed this at this time but that he suggests when they are mobilized in that area the Borough should be present and encourage as much increase to the profile as possible. Mr. Fay asked if the north end plan is sufficient. Mr. Avakian responded that they fully intend to add sand to the north end but there are areas that they may skip over based on their analysis including an area from Brighton to Ludlow Avenues. Mr. Avakian agreed to request more accurate documentation regarding the sand fill plan and to more formally request additional fill at the north end pavilion location. Mrs. Venables asked what part, if any, of the plan involves the dunes. Mr. Avakian stated that the Borough has requested a betterment, which basically means that the Army Corps will leave the volume of sand that the Borough needs to construct the westerly dunes.

Pat Boyle, 107 York Avenue, voiced a concern that Spring Lake will continue to have the ability to cut the beach when there is inland flooding into Wreck Pond and asked if once the Army Corps project is completed will there be too much sand inhibiting the ability to cut the beach. Mr. Avakian stated that he is hopeful but not positive, yet confirmed that this issue has been addressed in the overall plan. Mr. Boyle reminded the Council that this has been the only effective measure in keeping water out of that area and reiterated the importance of keeping that area open. Mr. Avakian and the Council agreed. Mr. Gil Santaliz, 101 Monroe Avenue, stated that the north end fared pretty well with Sandy in terms of beach erosion yet the small dunes that were there are now gone and asked if dunes will be erected in this area to protect this area in the event of another storm. Mr. Avakian stated that until the Borough gets sand it can't reconstruct the dunes and added that once the replenishment project begins at the south end, it would be prudent to start moving sand in place to rebuild the dunes. Mr. Dempsey added that the only dune in the area around Monroe Avenue would've been a seasonal dune put in place by the Borough's DPW. Once the beach fill is in place, there may be an opportunity to create a dune in that location, Mr. Dempsey stated. Mr. Avakian also agreed to look at that area.

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Peter Cahill, Essex & Sussex, asked for an update on the benches. Mr. Dempsey responded that 180 benches out of 240 have been sold. The benches are in production, Mr. Dempsey continued, and they expect that they should start taking delivery of them in the next two (2) weeks.

Harry Zarb, 2205 Third Avenue, in connection with the opening from the street to the boardwalk at Passaic Avenue, stated that there is snow fencing there, however, surfers are going on the walkway and then slipping through the railings and suggested the Council take a look at this.

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**Council Comments & Staff Reports**

Mr. Drasheff reported that he attended the Spring Lake Educational Foundation's fundraiser and complimented the parents involved on their fundraising efforts in bolstering the school's finances.

Mr. Jordan reported that FEMA recently released the 2013 rate guidelines for flood insurance and stated that there is a website called floodsmart.gov where residents may find additional information. Also, Mr. Jordan referenced a newspaper article in connection with the WRAT radio tower detailing the status of that issue and reminded residents that the Borough continues to monitor the status of the situation. Regarding the beach revenues, Mr. Jordan reported that some revenue has been made up since the last meeting yet the budget is still down by about \$122,000.

Mr. Judge reported that the O'Malley appeal has been withdrawn by his attorney. It is very good. Mrs. Venables stated that they also withdrew their appeal before the Appellate Division.

Mrs. Reilly reported that the walls at the North End Pavilion are in the process of being erected and there continues to be progress on the project.

7:42 P.M. – Borough Attorney Colao arrived.

Mr. Dempsey reported that the infrastructure assessment will begin this Thursday which will involve viewing with cameras, smoke testing, and GPS tracking of the sanitary and storm sewers in the Wreck Pond drainage area with hopes of identifying what's causing the pollution going into Wreck Pond. Also, Mr. Dempsey reminded the Council that the DEP has set aside \$500,000 to be used in the event the Borough identifies a major issue that needs to be addressed.

Mr. Avakian reported that all of the sluice gate permits have been submitted including the dam safety permit that is required. Sediment sampling will begin tomorrow. Mrs. Venables asked for an update regarding the living shoreline and the berm. Mr. Avakian responded that the County has solicited a proposal which Najarian is taking the lead on with Avakian's assistance. Najarian will be working on the living shoreline design while Avakian will ensure that the berm is evaluated properly and possibly included in future projects. Mr. Dempsey added that grant money was applied for and granted.

Lyle Marlowe, 110 Pennsylvania Avenue, asked for confirmation that the living shoreline and the berm are two (2) separate items. Mr. Avakian stated that they have been discussed as two (2) items but it's in the best interest of the Borough to make sure both projects are addressed.

Frank Suozzi, 112 Brown Avenue, suggested the Borough continue to put pressure on the State in order to get something done. Mr. Dempsey reported that the Governor announced there is \$30,000 available for residents to elevate their homes and suggested residents see the Borough's website for more details.

Mr. Colao, in connection with Mr. Judge's report on the O'Malley lawsuit, reported that the DEP Commissioner affirmed the Borough's prior actions and denied the neighbors' request for adjudicatory hearing and basically confirmed that the Borough's permit by rule was in fact correct and has been

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correct for over two (2) years. Further, Mr. Colao reported that the Borough was deemed upfront, forthright and transparent in it's actions in connection with the North End Pavilion. Mr. Colao also reported that there was never a temporary restraining order in place, there is no threat of a stop work order, and there is nothing pending that would jeopardize the North End Pavilion project from moving forward. Mr. Drasheff stated that the Borough has spent a great deal of money defending this case and asked if the Borough should pursue legal action to attempt to recoup the monies spent. Mr. Colao suggested that be discussed in closed session. Mr. Judge voiced his gratitude for Mr. Colao's efforts on this case.

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**Business Items Under Consideration**

**Event Application - American Foundation for Suicide Prevention - September 21, 2013**

Mrs. Reilly offered a motion to approve the American Foundation for Suicide Prevention event, seconded by Mr. Jordan.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Ordinances for Introduction** - None

**Ordinance for Adoption**

**Consent Agenda**

Mr. Fay, in connection with R-13-140, asked if Mr. Maczuga worked for the Borough in the past. Mr. Dempsey acknowledged that Mr. Maczuga is the Planner through an agreement the Borough has with Wall Township to share services. The Borough's Planner has historically been provided through Birdsall Engineering which is no longer in business, stated Mr. Dempsey.

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

**R-13-135 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#25-2013 - JAMES ACKERMAN FOUNDATION, INC. - ON PREMISE RAFFLE**

WHEREAS, James Ackerman Foundation, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#25-2013, 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#25-2013 be and the same is hereby approved as follows:

NAME:	James Ackerman Foundation, Inc. 323 Shadow Lawn Drive, Neptune, NJ 07753 Identification No.: 334-4-26818
LOCATION:	Spring Lake Bath & Tennis Club Jersey & Ocean Avenues, Spring Lake, NJ
DATE:	September 23, 2013 11:00 AM - 3:00 PM

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ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-13-136 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#26-2013 - JAMES ACKERMAN FOUNDATION, INC. - ON PREMISE 50/50**

WHEREAS, James Ackerman Foundation, Inc. has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#26-2013, 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#26-2013 be and the same is hereby approved as follows:

<b>NAME:</b>	<b>James Ackerman Foundation, Inc. 323 Shadow Lawn Drive, Neptune, NJ 07753 Identification No.: 334-4-26818</b>
<b>LOCATION:</b>	<b>Spring Lake Bath &amp; Tennis Club Jersey &amp; Ocean Avenues, Spring Lake, NJ</b>
<b>DATE:</b>	<b>September 23, 2013 11:00 AM - 3:00 PM</b>

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-13-137 - RESOLUTION - APPROVING RAFFLE LICENSE APPLICATION RA#27-2013 - PTA ST. CATHARINE SCHOOL - ON PREMISE 50/50**

WHEREAS, PTA St. Catharine School has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#27-2013, 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#27-2013 be and the same is hereby approved as follows:

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**NAME:** PTA St. Catharine School  
301 Second Avenue, Spring Lake, NJ 07762  
Identification No.: 475-5-7331  
**LOCATION:** South End Pavilion  
Ocean & Essex Avenues, Spring Lake, NJ  
**DATE:** September 15, 2013 1:00 PM - 4:00 PM

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

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

**R-13-138 - RESOLUTION - INTERLOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF WALL AND THE BOROUGH OF SPRING LAKE FOR THE SERVICES OF THE TOWNSHIP'S CRISIS INTERVENTION TEAM (CIT) TO THE BOROUGH OF SPRING LAKE FOR THE VICTIMS OF DOMESTIC VIOLENCE**

WHEREAS, the Township of Wall and the Borough of Spring Lake are municipal corporations in the County of Monmouth, State of New Jersey, and have been formed in compliance with the applicable statutes; and

WHEREAS, the Township of Wall and Borough of Spring Lake desire to enter into an agreement under the provisions of N.J.S.A. 40:8A-1, et seq., known as the "Interlocal Service Act" in order to allow the Borough of Spring Lake to utilize the services of the Wall Township Crisis Intervention Team (CIT) to offer support, comfort and resource information to victims of domestic violence.

NOW, THEREFORE, BE IT AGREED that:

1. The Borough of Spring Lake will be able to utilize the services of the Wall Township Crisis Intervention Team (CIT) for a one (1) year period commencing on May 1, 2013, and terminating on April 30, 2014.
2. The Borough of Spring Lake will pay the Township of Wall the sum of \$1,500.00 per year for the services of the Township's Crisis Intervention Team. Said sum will be applied to the cost of the Township's liability insurance policy that it shall maintain for the duration of this Agreement.
3. If a dispute should arise from this Agreement or a refusal to perform the contract, or should there be an issue of interpretation of the terms of the Agreement, or the issue of satisfactory performance of the contract, then the parties hereto do agree to submit the same to dispute resolution pursuant to the New Jersey Alternative Procedure for Dispute Resolution Act, N.J.S.A. 2A:23A-1, et seq. Nothing in this paragraph shall preclude either party from exercising its rights under paragraph five (5) of this Agreement.
4. This Agreement is in compliance with the terms and requirements of N.J.S.A. 40:8A-1 et seq.
5. Either party reserves the right to terminate this Agreement upon thirty (30) days written notice to the other party by way of regular and certified mail.

**ROLL CALL:**

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

**NAYS:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

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

**R-13-139 - 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 professional services contract between following listed persons/firms and the Borough for the provision of said services; and

PS#11-2013	Engineering Services Wreck Pond Infrastructure Assessment	Peter Avakian	Leon S. Avakian, Inc	788 Wayside Road Neptune, NJ 07753
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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; 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.

**ROLL CALL:**

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-13-140 - 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 professional services contract between following listed persons/firms and the Borough for the provision of said services; and



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PS#12-2013	Planning Services	John Maczuga	JDM Planning Associates, LLC	614 Harbor Road Brick, NJ 08724
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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; 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.

**ROLL CALL:**

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Resolutions**

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

**R-13-141 - RESOLUTION - PILOT PROGRAM FOR TEMPORARY BEACH ACCESS FOR DOGS**

WHEREAS, the Borough of Spring Lake is a municipal corporation in the County of Monmouth, State of New Jersey, and has been formed in compliance with the applicable statutes; and

WHEREAS, the Borough of Spring Lake wishes to test the desirability and feasibility of dogs on the beach during summer months and temporarily suspend the enforcement of the applicable prohibitive ordinance.

NOW, THEREFORE, BE IT AGREED that:

1. Dogs will be permitted on the beach from dawn to 9:00 a.m., 7 days a week, in a designated fenced in area from Pitney Avenue north to the border with the Borough of Belmar.
2. The designated area will be fenced on the North and South and possibly the West leaving the ocean side open so that dogs may go in the ocean.
3. This limited beach access for dogs will begin on August 1<sup>st</sup> and end on September 30<sup>th</sup>.
4. Section 107-8 of the General Ordinance of the Borough of Spring Lake which prohibits dogs on the beach from May until September 30 will be suspended during said pilot period for the designated area only.

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- 5. Ordinance 114-25 permits the Borough Council to make additional rules and regulations pertaining to the beach.
6. All Dogs must have a 2013 Dog License.
7. All Dogs must be kept on a leash outside of the designated area.
8. Owners must obey additional Regulations as posted at the entrance to the fenced in area.

ROLL CALL:

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

NAYS: Mrs. Venables

ABSENT: NONE

ABSTAIN: NONE

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

R-13-142 - RESOLUTION - APPROVAL OF BILLS - JULY 23, 2013

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending July 23, 2013, 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

Table with 2 columns: Fund Name and Amount. Rows include CURRENT FUND (1), GENERAL CAPITAL (4), WATER/SEWER OPERATING (9), DOG TRUST (13), MT LAUREL TRUST (16), RECREATION (25), JUNIOR LIFEGUARDS (26), BEACH OPERATING (81), POOL OPERATING (91), POOL CAPITAL (94), and TOTAL.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Public Comments

Harry Zarb, 2205 Third Avenue, extended his thanks to the Council and Mr. Drasheff in particular for their efforts and consideration on the dog beach pilot program.

Lisa Deberardine, 10 Brown Avenue, shared that she had a lengthy conversation with FEMA and reported that it was her understanding that the rates in connection with the new maps for a primary resident will not go into affect until sometime in 2015. Mr. Colao responded that the Borough will need to follow the DEP and flood control construct. Mr. Dempsey agreed to look into the specifics in more detail.

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

**R-13-143 - 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: Behrman Park Diversion – Lake Como Cell Tower

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.

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: Lake Como/Behrman Park DEP Diversion.

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. Jordan, Mr. Judge, Mrs. Reilly

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8:01 P.M.

MEETING IS RECONVENED: 8:16 P.M.

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**Adjournment**

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

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Time of Adjournment: 8:16 P.M.

Respectfully submitted,

  
 JANE L. GILLESPIE  
 Borough Clerk

Approved at a meeting held on: January 7, 2014