

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 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  
Peter Avakian, Borough Engineer  
Joseph Colao, Esq, Borough Attorney  
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**Oaths of Office**

Mayor Naughton administered the Oath of Office to Jack Gramlich, Fire Chief, Dennis Brown, Senior Deputy Chief, and Donald Brahn Jr., Deputy Chief.

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**Workshop Discussion** - NONE

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**Approval of Minutes**

Mr. Judge offered a motion to approve the minutes December 6, 2016 seconded by Mr. Drasheff.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mrs. Venables

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**Proclamations, Presentations & Special Guests** – None

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**Public Comments-** NONE

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**Council Comments & Staff Reports**

Mayor Naughton congratulated Mr. Gramlich, Mr. Brown, and Mr. Brahn and thanked them for their time and dedication for our volunteer fire department.

Mr. Drasheff reported that the numbers on Villa Park Way may need to be changed. Mr. Dempsey explained that the numbers will be staying the same only the street name will be changes however, he will check with the tax assessor.

Mr. Erbe reported that he has had many residents question the new assessments that came out from Realty Appraisal.

Mayor Naughton has also heard from residents about their assessments, they have made appointments to come in and discuss the results.

Mr. Dempsey explained that letters went out from Realty Appraisal with dates available to come in and discuss their assessment; appointments can be made on December 21, 22, and 23, additional dates of the 27 and 28 have been added if necessary. He added that the book will be filed with the

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

county around January 6 and around January 9 an official card with the new assessment will be sent out; there is a forty five day appeal time.

Lyle Marlowe, 110 Pennsylvania Avenue asked if the assessment letters that went out had a total value of the property and not a breakdown of property value and improvement. He questioned if the land is the same it has always been. Mr. Dempsey was unsure about land value going down. Mayor Naughton reported that the tax rate has gone down.

Mr. Judge reported that seasonal beach badges are on sale at Borough Hall; at the next meeting a resolution for the beach and pool schedule will be put together.

Mr. Frost reported that the borough has received the grant from the county for Devine Park which includes work around the lake such as retaining walls, pathways, and platforms. He added that the grant totals \$200,000 for a matching grant. Mr. Frost explained that a meeting will take place in January to begin talking about the scope of work needed.

Mr. Frost then reported that at the next meeting the appointments for boards and committees will be approved; the environmental commission is looking for a new member if anyone is interested.

Mr. Frost asked if appointment of council members on special committees creates a conflict of interest or if there are any policies in place. He then gave an example of the Library Board of Trustees who has a budget. Mr. Colao explained that it is unclear and it falls under a state statute. In his opinion he does not see any conflict, especially for the library, since the budget is set and mandated.

Mr. Drasheff explained that he was appointed about five years ago, this situation was discussed then, and there were no issues. The budget is set based off taxes and the surplus goes to the Borough.

Mr. Sagui reported that they are still waiting for Oswald to determine if the ground water level is sufficient for sewers around the Lake Como area; he is hoping for a determination by the first week of January.

Mayor Naughton reported that she spoke with the construction official after concern was raised for commercial construction vehicles at construction sites and there is an ordinance that governs this. She spoke with Code Enforcer, Steve Roe, about enforcing the ordinance. There are also regulations where portable toilets are located, which is being enforced. There are a couple things that can be added to the ordinance, which will be followed up with.

Mayor Naughton reminded the council about the sidewalk discussion raised at the last meeting; a solution or set of solutions needs to be made over the course of the next year.

Jen Combs, Steiner Avenue, Neptune City asked what kind of sidewalk ordinance Mayor Naughton was talking about. Mayor Naughton explained how the council is trying to come up with a plan to repair sidewalks and come up with a way to make repairs in an affordable way.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

Mayor Naughton also reminded the council that they received a note from the planning board concerning non-conforming structures related to principle dwelling and garage; this should be looked at in January.

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**Borough Engineer's Report –**

Mr. Avakian reported that the Borough received plan approval, so now the Borough can go out to bid. He plans to make a bid schedule by the January 3 meeting; the intent is to award the first meeting of February. He would like to meet with the road committee in February to discuss the next phase of improvements.

Mr. Avakian also reported that the outfall pipe is complete; the old and new gates have been opened, they have been measuring the high and low water levels. He found the old fluctuation was about eight to twelve inches from low to high tide in the pond. The goal is to determine equilibrium and determine which flumes to keep open and closed in order to regulate tidal fluctuation. He added that the more water that flows in and out of the pond will make the pond cleaner. Mayor Naughton asked if when the water recedes and there is debris can the borough remove it. Mr. Avakian explained that some debris can be removed without permit, especially if it was related to Hurricane Sandy.

Mr. Avakian reported that dredging of Wreck Pond should be finished by the end of December. He added that there were issues with the dredging and the movement of the tide; the sluice gate was adjusted to minimize the change in water level.

Lyle Marlowe, 110 Pennsylvania Avenue pointed out that the large rocks are still in the emergency spillway; months ago there was talk about moving them, but they have yet to be moved. Mr. Avakian explained during the construction of the outfall pipe, large jetty rocks were discovered about eight feet under the sand. Rather than paying to have the stones removed, the contractor saw a value to them; the value was to stabilize the side slope during construction. After construction, it was discovered they support a good amount of stabilization to the area. If there is ever a need to cut that emergency spillway, it would take less than a half an hour to move the stones. Mr. Avakian feels that the stones are a benefit to the area and will remain there. It was a field determination and was not included in any plan, but a plan can be created with a sketch, including the rocks, to show how they would be removed. Mr. Sagui pointed out that the slope looked more gradual before the new pipe was built than how it is now. Mr. Avakian added that the slope is steeper, and the stones keep that slope from migrating into the pond.

Mr. Marlowe asked about the hurricane protection dune height. Mr. Avakian explained that when the Army Corp did the beach project they put anywhere between eight to twelve feet of sand for a distance of one hundred to three hundred feet. The sand is considered a beach berm not a dune. The berm is designed to protect the borough infrastructure from a one hundred year storm event. He added that it is designed from flooding and tidal surges.

Mr. Marlowe questioned that in the case another storm was to strike this area again, is there any documentation to determine the Borough would not be liable for flooding. Mayor Naughton explained that there will be a document regarding management about both pipes.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

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**Borough Attorney's Report**

Mr. Colao reported that he has one item for closed session.

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**Borough Administrator's Report**

Mr. Dempsey reported that he had Frank Miscovkich look at the line along Ocean Avenue. Mr. Miscovkich suggested adding another line with hash marks. Mr. Dempsey will also be receiving a quote to infrared the original line and remove it all together since the line is not considered a bike lane in the eyes of the county. Mr. Dempsey's hope was to put bike symbols in that area.

Jen Combs pointed out that perhaps the bike lane in Bradley Beach is conforming because the road is larger. Mayor Naughton agreed.

Mr. Dempsey reported that the traffic study will have concept plans at the end of January.

Mr. Dempsey finally reported that the outfall pipe functions very well.

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**Business Items Under Consideration**

**Event Application- JSRC Jersey Shore Relay- April 22<sup>nd</sup>, 2017** - Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

**Event Application- JSRC Lake Como 5K- April 29, 2017-** Mr. Judge offered a motion to approve the request, seconded by Mr. Venables. All in favor. None opposed.

**Event Application- Christmas Eve Road March- December 24, 2016-** Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

Mayor Naughton explained that if they were to hold another event, they would need to complete an event application next time.

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**Ordinances for Introduction- NONE**

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**Ordinance for Adoption –**

Borough Attorney Colao read Ordinance No. 2016-008 entitled, "An ordinance amending and supplementing Chapter 225, Land Development, Section 25 "Signs and Awnings".

**ORDINANCE NO. 2016-008- AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 225, LAND DEVELOPMENT, SECTION 25 "SIGNS AND AWnings" OF THE CODE OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, Chapter 225, Land Development, Section 25 "Signs and Awnings" of the Borough Code governs zoning and land use issues in the Borough of Spring Lake; and

**WHEREAS**, the following sections of Chapter 225 are amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in underline;

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey as follows:

**Section 1.**

1. §225-25. Signs and Awnings.

H. Business Signs. Business signs are permitted in the GC and RC Districts in accordance with the following criteria:

- (6) Awnings and Awnings as Signs. Awnings are permitted as accessory structures, accessory to the building to which they are affixed, in accordance with the following criteria:

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

(d) The awning shall be made of a canvas or canvas-like material (such as Sunbrella brand) and shall be opaque so that light will not shine through. No Day-Glo or fluorescent colors are permitted. No plastic or vinyl permitted.

(e) The awning shall emulate the character of a traditional folding awning or a round or barrel type awning and provide for an unobstructed area of not less than seven (7) feet in height between the lowest part of the awning and the ground. ~~Dome-type and curved awnings are allowed only on windows that have arched or curved openings.~~

(g) Lettering shall be on the drop flap of the awning, not exceed eight (8) inches in height, be a single color, and not utilize more than two fonts.

(13) Window covering during construction. Windows may be covered with ~~brown construction paper during construction provided that the paper is applied neatly and maintained in good condition, with white paper to include the name of the new business and an approximate opening date. The window covering should be neat and maintained.~~

(16) Change of tenants. All ~~non-conforming signs~~ signage shall be removed from the façade of a building within ten (10) days of the tenant vacating the space. ~~Sign faces of conforming signs shall be covered with an opaque material compatible with the appearance of the sign within seven (7) days of a tenant's vacation of the space.~~

**Section 2.**

This ordinance shall take effect on upon passage and publication in accordance with applicable law.

Mr. Judge offered a motion to open the public hearing of Ordinance No. 2016-008, 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

**PUBLIC HEARING NOW OPEN**

Richard Clayton, 1207 Third Avenue explained that the Business Improvement District is in favor of this ordinance and believes that the ordinance should not have to be amended again. He thanked the council.

Mr. Judge offered a motion to close the public hearing of Ordinance No. 2016-008, 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

**PUBLIC HEARING NOW CLOSED**

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Mr. Judge offered a motion to adopt Ordinance No. 2016-008, seconded by Mrs. Venables.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

25510

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

ABSTAIN: NONE

**Consent Agenda**

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

**R-16-201- RESOLUTION – A RESOLUTION AUTHORIZING THE BOROUGH OF SPRING LAKE TO  
ENTER INTO A JOINT PURCHASING AGREEMENT**

WHEREAS N.J.S.A. 40A:11-11(10) authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the Borough of Neptune City, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

WHEREAS, the following towns Borough of Bradley Beach, the Borough of Avon by the Sea, the City of Asbury Park, the Borough of Belmar, the Borough of Spring Lake, the Borough of Spring Lake Heights, the Borough of Sea Girt, the Borough of Manasquan, the Borough of Brielle, the Township of Neptune, and the Township of Wall; and

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Borough of Spring Lake.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-10 the Chief Edward Kerr is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

**ROLL CALL:**

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**R-16-202-RESOLUTION – CANCELLING OUTSTANDING CHECKS**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following outstanding checks be and the same are hereby cancelled:

<u>General Account</u>		<u>Bail Account</u>	
Check	Amount	Check	Amount
#1289	\$1.00	#1660	\$184.00
#1290	\$2.00	#1681	\$20.00
#1354	\$50.00	#1770	\$11.00
#1356	\$6.00	#1793	\$11.00
#1365	\$1.00		
#1420	\$2.00		
#1441	\$31.00		
#1443	\$1.00		
		Total	\$388.00

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

#1450           \$8.00  
#1500           \$50.00  
#1502           \$5.00  
#1504           \$3.00  
#1521           \$2.00

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Drasheff.

**R-16-203- RESOLUTION – AUTHORIZING EXECUTION OF AGREEMENT WITH THE  
BOROUGH OF BELMAR FOR A DRAINAGE PIPE EASEMENT**

BE IT RESOLVED, by Mayor and Borough Council of the Borough of Spring Lake that the Mayor and Borough Clerk be and hereby are authorized to execute an Agreement with the Borough of Belmar for a Drainage Pipe Easement in the form annexed hereto and made a part hereof as if 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

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

**RESOLUTION – OCEANFIRST BANK AGREEMENT**

WHEREAS, the Municipality Borough of Spring Lake has determined at a of legal meeting of the governing body of the Municipality, to designate OceanFirst Bank as an approved depository for the Municipality's funds for the performance of banking transactions;

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Municipality, as follows:

1. OPENING THE ACCOUNT: That an account or accounts be opened (or continued and maintained) with OceanFirst Bank, titled: BOROUGH OF SPRING LAKE: DEVELOPER ESCROW; DEVELOPER DISBURSEMENT under the Taxpayer Identification Number (TIN) 21-6001203 and there may be deposited to its credit in one or more accounts with the Bank any monies, checks and other instruments which may come into possession of this Municipality. It is agreed that said account or accounts shall be subject to the Bank's rules and regulations as may be in effect from time to time. Any other property may be deposit with the Bank for safekeeping, custody or other purpose. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or the endorsement thereof may be made in writing or by facsimile signature stamp without designation of the person so endorsing.
2. AUTHORIZED SIGNERS: Any two of the following Council/Committee Members, officers, employees, or agents (use titles, not names): CMFO; BOROUGH CLERK of this Municipality and in its name, (a) to sign checks, savings withdrawals, drafts, notes, wire transfer requests, acceptances and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank to receive any thereof, and to issue instructions for the conduct for any account of this Municipality with the Bank; (b) to accept drafts, checks, any other instruments or orders, including any payable to the Bank, and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Municipality; and (c) to enforce, negotiate, and receive, or authorize the payment of or the proceeds of any negotiable or other instruments or orders for the payment of money payable to or belonging to the Municipality; and (d) to open and have access to a safe deposit box or boxes subject to the terms and conditions specified in the applicable lease.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

3. TERMS AND CONDITIONS:

- A. The Bank may honor all such checks and other instruments for the payment or delivery of money or property when signed as authorized above, regardless of whether such action would create or increase an overdraft and regardless of amount, including any payable to the Bank or to any signer or other officer or employee of the Municipality or to cash or bearer, and may receive the same in payment of or as security for the personal indebtedness of any signer or other officer or employee or other person to the Bank or in any transaction whether or not known to be for the personal benefit of any such person, without inquiry as to the circumstances of their issue or the disposition of their proceeds, and without liability to the Bank, and without any obligation upon the Bank to inquire whether the same be drawn or required for the Municipality's business or benefit.
- B. The Bank shall be entitled to honor and charge the Municipality for all such checks, drafts or other orders regardless of by whom or by what means the facsimile signature or signature on the checks, drafts or other orders may have been affixed, if such facsimile signature or signatures resemble the facsimile specimen duly filed with the Bank by any of the named Council/Committee Members, officers, employees or agents
4. INSTRUCTIONS TO THE BANK: Those persons authorized by the preceding resolution are also authorized on behalf of this Municipality to give instructions to the Bank as to the account(s) or other dealings between this Municipality and the Bank by any means including (but not limited to) telephone, telegraph, telex, audio response, fax transmission, computer or data link, electronically, orally or in writing and the Bank shall be entitled to follow such instructions without inquiry or confirmation as long as the Bank honestly believes at the time of receipt that such instructions were given by a person authorized by the preceding resolution.
5. INSTRUCTIONS TO THE BANK: Those persons authorized by the preceding resolution are also authorized on behalf of this Municipality to give instructions to the Bank as to the account(s) or other dealings between this Municipality and the Bank by any means including (but not limited to) telephone, telegraph, telex, audio response, fax transmission, computer or data link, electronically, orally or in writing and the Bank shall be entitled to follow such instructions without inquiry or confirmation as long as the Bank honestly believes at the time of receipt that such instructions were given by a person authorized by the preceding resolution.
6. INSTRUCTIONS TO THE BANK: Those persons authorized by the preceding resolution are also authorized on behalf of this Municipality to give instructions to the Bank as to the account(s) or other dealings between this Municipality and the Bank by any means including (but not limited to) telephone, telegraph, telex, audio response, fax transmission, computer or data link, electronically, orally or in writing and the Bank shall be entitled to follow such instructions without inquiry or confirmation as long as the Bank honestly believes at the time of receipt that such instructions were given by a person authorized by the preceding resolution.
7. LIABILITY: The Municipal Clerk or other Municipal Officer is authorized to certify to the Bank the persons now holding these offices and any changes hereafter in the persons holding these offices together with specimens of the signatures of such present and future officers, and this Municipality shall fully protect, defend, indemnify, and hold the Bank harmless from any claim, loss, cost, damage, or expense arising out of its acting on such certification.
8. CHANGES TO RESOLUTION: The Municipal Clerk is authorized, if the Bank shall so request, to furnish a certified copy of these resolutions to the Bank, which shall be entitled to assume conclusively that the foregoing resolutions remain in full force and effect until the Bank has received express written notice of their rescission or modification, accompanied by a copy of the resolution effecting such rescission or modification duly certified by the Municipal Clerk of this Municipality.
9. AUTHORIZED SIGNORS: I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing resolutions and their actual signatures are as follows:

10.

NAME	TITLE	SIGNATURE
ROBBIN D. KIRK	CMFO	
DINA M. ZAHORSKY	BOROUGH CLERK	

11. TAXPAYER IDENTIFICATION NUMBER (TIN) CERTIFICATION:

Under penalties of perjury, I certify that:



25513

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

1. The number shown on this form is the Municipality's correct taxpayer identification number and  
2. The Municipality is not subject to backup withholding because: (A) it is exempt from backup withholding, or (B) it has not been notified by the Internal Revenue Service that it is subject to backup withholding as a result of a failure to report all interest or dividends, or (C) the IRS has notified the Municipality that it is no longer subject to backup withholding.

You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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**Resolutions**

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

**R-16-205- RESOLUTION - RESOLUTION OF THE BOROUGH OF SPRING LAKE  
AMENDING THE BOROUGH'S PERSONNEL POLICIES AND PROCEDURES  
MANUAL IN COMPLIANCE WITH THE NEW JERSEY MEL'S 2017-2018  
EMPLOYMENT PRACTICES RISK CONTROL PROGRAM**

WHEREAS, the New Jersey Municipal Excess Liability Joint Insurance Fund ("MEL") has established an employment practices risk control program ("incentive program") for its member municipalities; and

WHEREAS, the incentive program requires member municipalities to adopt the MEL's model employment practices risk control program in order to be eligible for premium and deductible incentives; and

WHEREAS, in order to be eligible for the MEL's premium and deductible incentives, the Borough of Spring Lake must adopt all of the required policies contained in the MEL's Model Personnel Policies and Procedures Manual; and

WHEREAS, the Borough Council has determined to adopt all of the MEL's required policies and to include same in the Borough of Spring Lake Personnel Policies and Procedures Manual; and

WHEREAS, many of the Borough's Personnel Policies and Procedures already comply with the MEL's requirements and, as such, only certain policies must be updated.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the following section of the Personnel Policies and Procedures Manual be updated and are hereby adopted, as of December 20, 2016, to comply with the MEL's Model Personnel Policies and Procedures:

Section 5: Managerial/Supervisory Procedures; Appeals Process

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual containing all of the changes adopted above is incorporated into this Resolution by reference and made a part hereof;

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual will be distributed to all Borough employees and that a copy of same will be kept on file in the Borough Clerk's office.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Drasheff.

**R-16-RESOLUTION – APPROVING RELEASE OF PERFORMANCE GUARANTEES**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

**FOR BLOCK 144, LOT 17.01 – 206 REMSEN AVENUE – KEVIN HUDY**

WHEREAS the Borough of Spring Lake has received performance guarantee monies as the result of a subdivision application approved by the Spring Lake Planning Board for Block 144, Lot 17.01, 206 Remsen Avenue, and

WHEREAS, said funds were deposited by the Borough of Spring Lake in accordance with law, and

WHEREAS, the Zoning Officer has recommended the release of the guarantee as the required improvements have been completed and are acceptable

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that performance guarantees posted for Block 144, Lot 17.01, 206 Remsen Avenue be and hereby are released.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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Mr. Judge offered the following resolution and moved its adoption, seconded by Mr. Drasheff.

**R-16-207-RESOLUTION – APPROVAL OF BILLS – DECEMBER 20, 2016**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending December 20, 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.

<u>SUMMARY</u>	
CURRENT FUND (1)	\$670,738.20
GRANT FUND (2)	219.00
WATER/SEWER OPERATING (9)	42,701.43
DOG TRUST (13)	910.00
SPRING LAKE TRUST (15)	1,250.00
MT LAUREL TRUST (16)	763.00
RECREATION (25)	3,330.43
BEACH OPERATING (81)	3,759.19
POOL OPERATING (91)	2,501.89
TOTAL	\$726,173.14

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: Mr. Erbe

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**Public Comments**

Mike Mattia, 313 Jersey Avenue asked about Third Avenue which has been paved recently and has a lot of cracks already. Mr. Avakian answered that when there is an underlying concrete roadway sometimes the concrete slabs reflect through in the asphalt; he will take a look at it. Mr. Dempsey suggested looking at it now to get a good price before winter sets in.

25515

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2016**

Dolores Cacace, 104 York Avenue asked when the meeting for the berm plan will be. Mr. Dempsey answered it will be during the second meeting in January.

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**Executive Session**

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

**R-16-208 -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: Spring Lake vs. Harz, Spring Lake vs. Devine Park.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

TIME OF ADJOURNMENT TO EXECUTIVE SESSION: 8: 10 P.M.

MEETING IS RECONVENED AT: 8:25 P.M.

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**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: 8:26 PM

Respectfully submitted,



DINA M. ZAHORSKY  
Borough Clerk

Approved at a meeting held on: January 24, 2017