

September 15, 2014

Meeting Called to Order

The public meeting convened at 7:00 PM.

In accordance with the requirements of Section 4(a) of C.231, P.L. 1975, the required 48 hour advance notice of this meeting was given by mailing/faxing a copy of the agenda to the Asbury Park Press and the Two River Times, in addition, to posting on the bulletin board in the Municipal Building on September 12, 2014 by the Municipal Clerk.

Roll Call

Present: Mayor Burden, Councilwoman DerAsadourian, Councilman DeSalvo & Councilman Meyer
Also Present: Borough Attorney Martin Barger, Clerk Kathleen P. Krueger & Deputy Clerk Bonnie Brookes
Absent: Councilman DeNofa, Councilman Dodge & Councilman Pellegrino.

Salute to Flag

Led by Council Mayor Burden

Approval of Minutes: Special Borough Council Meeting August 14, 2014

Councilman DeSalvo motioned to approve the August 14th 2014 Council Meeting Minutes, seconded by Councilwoman DerAsadourian, and approved by the following vote:

AYES: DerAsadourian & DeSalvo
NAYS: None
ABSTAIN: Meyer

Approval of Minutes: Borough Council Meeting August 18, 2014

Councilwoman DerAsadourian motioned to approve the August 18th 2014 Council Meeting Minutes, seconded by Councilman DeSalvo, and approved by the following vote:

AYES: DerAsadourian & DeSalvo
NAYS: None
ABSTAIN: Meyer

Resolution #2014-57 (Hire Probationary Police Officer: Angel Marrero Jr.)

Councilman Meyer read the resolution in full. Councilman Meyer motioned to approve Resolution #2014-57, seconded by Councilman DeSalvo, and approved by the following vote:

AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

Swearing in of Officer Angel Marrero Jr.

Mayor Burden swore in Officer Angel Marrero Jr. while his mother Elma Acevedo held the Bible and pinned the badge on his uniform.

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Presentation of Monmouth County Multi-Jurisdictional Hazard Mitigation Plan by Jerzy Chojnacki

Mr. Chojnacki informed the Council that natural hazards such as lightning, high winds, and winter storms can impact our lives on a daily basis while others like river and coastal flooding, shoreline erosion, and landslides may not affect us but they can occur. He explained that these hazards have potential to cause property loss, loss of life, economic hardships, and threats to public health and safety. Mr. Chojnacki noted that an important part of emergency management is disaster recovery and hazard mitigation which is protecting things before they get damaged. He reviewed various ways of hazard mitigation including elevating homes above the flood zone, installing hurricane shutters, and adjusting building codes.

Mr. Chojnacki explained what is included in the Hazard Mitigation Plan and why it is needed. He informed the Council that the current plan for the Borough dates back to 2009 and was a collaborative project with Monmouth County and other municipalities in the County. He added that the plan is required to be updated every 5 years which is ongoing and expected to be reapproved by FEMA and adopted by the community later this year. Mr. Chojnacki reviewed all the work that has been put into the updated plan. He mentioned that the plan will be available for review prior to Borough adoption. Mr. Chojnacki informed the Council that the grant they just received for a new generator for the Municipal Building was obtained because they had this plan adopted.

Mayor Burden thanked Mr. Chojnacki and Mr. Cranmer for their work on this.

Resolution #2014-58 (Authorize the Monmouth County Grant for the Municipal Building Generator)

Councilman Meyer motioned to approve Resolution #2014-58, seconded by Councilwoman DerAsadourian, and approved by the following vote:

AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

ORDINANCE NO. 1008 – INTRODUCTION/FIRST READING: Bond Ordinance Providing for the Acquisition of a Generator for the Shrewsbury Municipal Building and Appropriating \$100,000 Therefor and Authorizing the Issuance of \$95,000 in Bonds and Notes to Finance a Portion of the Costs

Mayor Burden stated that the public hearing on this ordinance would be held on October 6, 2014. Councilman Meyer motioned to introduce Ordinance No. 1008, seconded by Councilman DeSalvo, and approved by the following vote.

AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

Request by J. Jill to Extend the Hours of Construction

Councilman Meyer motioned to approve J. Jill's request to extend the hours of construction, seconded by Councilwoman DerAsadourian, and approved by the following vote:

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AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

Request for Amendment to the Zoning Ordinance - Michael Bruno, Esq.

Mr. Michael Bruno, Esq. explained that he was there on behalf of Toll Brothers, the developers of The Enclave, a community of 66 active adult residencies. He noted that as a result of the size of the lots, many of the homes would not be permitted to have a deck or patio due to the impervious and pervious coverage calculations required by Borough ordinance. He added that Toll Brothers made an application to the Planning Board to allow a minimum of 300 square feet of raised deck or porous paver's for each home without a variance and the Planning Board felt that it would be better for them to request a change to the ordinance rather than requiring everyone to obtain a variance. Mr. Bruno pointed out the sentence in the ordinance that does not allow these homes to have a deck or patio and asked that these particular 300 square feet decks or patios be excluded from the 45% calculation as set forth by ordinance. He noted that a representative from Toll Brothers and an engineer were in attendance at the meeting.

Libby Waterbury, Chair of the Planning Board, pointed out that the definition in the ordinance is very different from other ordinances in town because it included sidewalks and patios. She explained these calculations are normally set for two reasons: storm water management and intensity of use within a lot. Ms. Waterbury explained how these 300 square feet allotments could impact the calculations and reviewed the calculation for the development as a whole. She stated that the Planning Board has no recommendation of wording for amending the ordinance or how to deal with the issue due to the fact they did not know if it was in their jurisdiction and added that the Planning Board attorney suggested that they go to the Council.

Councilwoman DerAsadourian questioned how many homes this affected and Mr. Bruno stated that he believed it was around 20.

The Borough Zoning Officer and Borough Engineer, Dave Cranmer was sworn in for testimony.

Mr. Cranmer gave the Council some history of the request and the property. He noted that he does not have difficulty with the request but recommended that the Council be very careful how they word the ordinance to prevent abuse. Mr. Cranmer also explained that there needs to be more discussion on what would be a reasonable size and the materials that can be used. He also recommended that the Council hear from the experts that accompanied Mr. Bruno to the meeting.

Mr. Cranmer explained how pervious coverage pavers worked, and their impact on the environment and the development as a whole. Councilman Meyer inquired about the drainage of the development and Mr. Cranmer explained how it functioned. The Council along with Mr. Cranmer and Mr. Bruno discussed the issue of drainage of the development.

Mr. Cranmer explained the process required to amend this ordinance.

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Partick Lynan, Engineer at Maser Consulting, reviewed the site plan with the Council. Councilwoman DerAsadourian noted that people were more concerned that the homes on the interior lots would have patios abutting up to each other. Mr. Lynan explained that the interior lots are larger and the exterior lots are the ones that need the amendment to build a patio.

The Council authorized Mr. Barger along with input from Mr. Cranmer to prepare an amendment to the ordinance to be introduced at a future meeting. This ordinance would change the wording of the current zoning ordinance to allow for certain homes in The Enclave development to have up to 300 square ft. decks or patios made from pervious materials if they have already exceeded their impervious coverage calculations for the individual lot.

Many of The Enclave residents in attendance thanked the Council for their decision.

Resolution #2014-59 (Authorizing Tax Exemption for Block 38.01, Lot 4)

Resolution #2014-60 (Refund of Tax Overpayments)

Resolution #2014-61 (Establishing “No Passing Zones” on Route 35)

Resolution #2014-62 (Participation in Monmouth County Mutual Aid Agreement)

Authorization for the Mayor to Sign the Declaration of Joinder for the Monmouth County Mutual Aid Agreement

Authorization for the Mayor to Sign the Monmouth County Mutual Aid Agreement

Resolution #2014-63 (Authorize Application to Monmouth County for Open Space trust Funds for Improvements to Manson Park)

Approval of New Members for the Shrewsbury First Aid Squad: Francis Borowsky & Christopher Ulbricht

Mayoral Appointment to Recreation: Laurie Williams as Member

Councilman Meyer motioned to approve Resolutions #2014-59, 60, 61, 62, 63, Authorizations for the Mayor to sign the Declaration of Joinder and Mutual Aid Agreement with Monmouth County, and new members of the First Aid Squad and a new member for Recreation as a consent agenda, seconded by Councilman DeSalvo, and approved by the following vote:

AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

Administrator’s Report

On behalf of Mr. Seaman, Ms. Krueger reported that he had submitted a voucher to the NJDOT for the Patterson Avenue Traffic Calming Project.

Reports of Council

Councilwoman DerAsadourian reported that the Red Bank Regional High School’s budget was on hold.

Councilman DeSalvo reported that there were 53 First Aid’s calls with 17 of them being mutual aid calls for the month of August and the progress of the Community Alliance’s Red Ribbon Week.

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Councilman Meyer reported that the Recreation Committee is still holding the micro soccer games on Patterson Avenue Park even with construction on the road after all safety concerns were addressed.

Councilman DeSalvo, on behalf of Councilman DeNofa, reported that the work on Patterson Avenue will start on September 16th and noted that the Borough received a bid to repair the lights on the end of Beechwood Drive in the amount of \$2,953.50. Councilman DeSalvo motioned to authorize the repairs, seconded by Councilman Meyer, and approved by the following vote:

AYES: DerAsadourian, DeSalvo & Meyer

NAYS: None

ABSTAIN: None

Mayor's Report

Mayor Burden reported on upcoming events he would be attending and updated the Council on Shrewsbury Day planning. He mentioned many of the local events that were occurring in October.

Correspondence

Municipal Clerk Krueger stated that she received a letter from Shrewsbury Township requesting renewal of the Shared Service Agreement for website maintenance and fire protection services for 2015. The Council agreed that they would be interested in continuing this shared service and for Ms. Krueger to advise them to draw up a contract.

Open the Meeting to the Public

Councilman DeSalvo motioned to open the meeting to the public, seconded by Councilwoman DerAsadourian and approved by the rest of the council.

Keith Glauber, 153 White Street, Shrewsbury stated that he came to the meeting to discuss the condition of the baseball fields at Sickles Park which are deteriorating rapidly. He noted that he is a coach and has children who use the fields. He pointed out that if these fields do not get maintained that the Borough will have to redo the fields. Mr. Glauber mentioned that he does not feel that the DPW is maintaining the fields beyond just mowing the grass and dragging the dirt. He explained there was a bench broken for months in one of the dugouts, he had to reach out to DPW who came and removed the bench, and a year later has yet to replace the bench. Mr. Glauber stated that the field is no longer square, the home plate is crooked and there is a dangerous divot in the big field. He added that when a plate is blown onto the grass that DPW does not pick them up but just mows around them, and that the mounds are not properly stored in the winter causing them to be damaged. He reported that he has talked to DPW about this in the past and had recently e-mailed Chris Kelly about his concerns. Mr. Glauber stated that he is not trying to battle DPW but is seeking solutions.

The Council stated that they would look into this issue.

Close the Meeting to the Public

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Councilwoman DerAsadourian motioned to close the meeting to the public, seconded by Councilman DeSalvo with all members present voting yes.

Payment of the Bills

Councilman Meyer motioned to approve the bills list in the amount of \$1,139,792.31 seconded by Councilman DeSalvo, and approved by the following vote:

AYES: DerAsadourian, DeSalvo & Meyer
NAYS: None
ABSTAIN: None

Adjourn

Councilwoman DerAsadourian motioned to adjourn the meeting at 8:03PM, seconded by Councilman DeSalvo, and approved by Roll Call Vote with all members present voting yes.

Attest: _____
Kathleen P. Krueger, RMC – Municipal Clerk

Approve: _____
Mayor Donald Burden