

July 21, 2014

Meeting Called to Order

Mayor Burden called the meeting to order 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 July 18, 2014 by the Municipal Clerk.

Roll Call

Present: Mayor Burden, Council Members DeNofa, DerAsadourian, DeSalvo
Dodge, Meyer & Pellegrino
Also Present: Borough Attorney Martin Barger, Borough Administrator Thomas
Seaman, Clerk Kathleen Krueger

Salute to Flag

Led by Mayor Burden.

Approval of Minutes: Borough Council Meeting: June 2, 2014

Councilman Pellegrino motioned to approve the Council Meeting minutes of June 2, 2014, seconded by Councilman Dodge, and approved by the following vote:

AYES: DerAsadourian, DeSalvo, Dodge, Meyer & Pellegrino
NAYS: None
ABSTAIN: DeNofa

Approval of Minutes: Borough Council Meeting: June 16, 2014

Councilman Pellegrino motioned to approve the Council Meeting minutes of June 16, 2014, seconded by Councilman Dodge, and approved by the following vote:

AYES: DerAsadourian, Dodge, Meyer & Pellegrino
NAYS: None
ABSTAIN: DeNofa & DeSalvo

Resolution #2014-47 (Reappoint Vito Marra as Fire Marshal)

Resolution #2014-48 (Refund of Tax Overpayments)

Resolution #2014-49 (Authorize Dedication By Rider Community Day)

Authorize the Mayor to Sign the Rights-Of-Way Use Agreement with Cross River Fiber, Inc.

Approval of New Member for Shrewsbury First Aid Squad: John G. Barney

Request for Block Party at the Ivy on Saturday, August 23rd

Councilman Dodge motioned to approve Resolutions #2014-47, 48, 49, Authorize the Mayor to Sign the Rights-Of-Way Use Agreement with Cross River Fiber, Inc., Approve Shrewsbury First Aid Squad new member John G. Barney, and Approve the Request for Block Party at the Ivy on Saturday, August 23rd, seconded by Councilman Pellegrino, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Dodge, Meyer & Pellegrino

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NAYS: None
ABSTAIN: None

Resolution #2014-50 (Authorize the Length of Service Award Program for 2013 for active Fire and First Aid Members)

Administrator Seaman briefly explained the LOSAP program which has been in effect since 2003. Councilman DeSalvo motioned to approve Resolution #2014-50, seconded by Councilman DeNofa, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, & Dodge
NAYS: None
ABSTAIN: Meyer & Pellegrino

Memorialize Phone Vote Authorizing Purchase of Fire Chief's Vehicle

Councilman DeSalvo explained that the Fire Chief's vehicle was checked out by a mechanic who found it required over \$7,000 in repairs. A phone vote was conducted with a majority of the Council in favor of authorizing this purchase given the situation. Councilman DeSalvo motioned to approve the purchase of the Fire Chief's vehicle, seconded by Councilman DeNofa, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Meyer & Pellegrino
NAYS: Dodge
ABSTAIN: None

Administrator's Report

Mr. Seaman reported on the COAH spending plan that was submitted to the COAH attorney and the feedback he received upon its review. He explained that he would be meeting with Councilman Pellegrino and the COAH committee to form detailed plans for how the funds will be used in an effort to facilitate the spending plan's approval while keeping the Borough in compliance. Mr. Seaman reported there wasn't enough money accumulated at this time to take advantage of the Green Acres Grant which requires matching funds. He noted there will be a pre-construction meeting for Patterson Avenue which he would be attending.

Reports of Council

Councilman DeNofa informed the Council that Public Works Magazine has named Shrewsbury Borough's DPW as DPW of the month in their July issue. He updated the Council on various upcoming and completed DPW projects which included line painting on the street, the crosswalks on White Street and Sickles Place having the cross hatches painted, obtaining prices from Navesink Electric for the stone pillars located on Sycamore Avenue and other streets, the sink hole repair on Thomas Avenue, the repair of the water main break on Henry Street, signs that were installed on Haddon and Thomas Avenue and the County's repainting of the Sycamore Avenue crosswalk by the school crossing.

Additionally Councilman DeNofa explained the new written "Work Order System" being used to coordinate work required from DPW. He reported on the computer upgrades being done at DPW and the hiring of Bruce MacDonald for the summer to work for DPW. Mr. DeNofa reported on the Patterson Avenue pre-construction meeting along with the details of when the

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project will start, as well as, the process that will be used to inform the residents affected by the construction. He noted the road will not be closed but will have traffic enforcement present during the project. Mr. DeNofa reported on the 89 Newman Springs Road project which they are hoping to finish by Thanksgiving, as well as, a status update on the Ivy and Toll Brothers properties. Mr. DeNofa reported on the Shade Tree volunteers work that was performed in front of Borough hall and informed the Council that they would be presenting information at a meeting in the spring on the Emerald Ash Borer.

Councilwoman DerAsadourian commented that when the budget is prepared next year that she would like to see consideration given to more passive recreation space, as well as, some indoor space. She referred to the standards set by Rutgers and how that related to Shrewsbury's need for passive recreational space. She discussed the difficulties and expense that residents have experienced trying to procure space for different recreational activities. The Council discussed the issues involved with this topic and possible solutions.

Ms. DerAsadourian spoke about the Board of Education meeting she attended at RBR and discussions that were shared at that meeting. She stated that the recent 90 to 95% revaluation that was done in Shrewsbury ended up with an increase of \$211,000,000 which is calculated towards the school's revaluation. She stated that with rounding off the numbers, Little Silver's evaluation went up \$34,000,000 and Red Bank went down \$22, 000,000 which created a big difference. She noted that the current percentage share for Shrewsbury is 25% this year and when she plugged in last year's number of \$788,000 into the equation, Shrewsbury is at about 18.8% of the percentage share and she noted that this was a 6% jump based on that valuation. She discussed with the Council how the revaluation played into the increase share of school tax and the fact the percentage of high school students has changed as well. She explained how she factored in the different variables to get the final numbers of the percentage share. Ms. DerAsadourian stated that at the meeting she attended, they pointed out that this is not a Red Bank Regional decision that it is a legislative equation. Ms. DerAsadourian recapped that Shrewsbury is 25%, Little Silver is 33.6% and Red Bank is 41% percentage share of the school budget. The Council discussed the fact that Shrewsbury represents about 15.5% of the RBR student body and are paying \$28,600 per student while non sending districts are paying \$15,000. The Council discussed their concerns with the formula and logic currently being used to determine the cost per student and the cost of subsidizing the cost of out of district students attending the school. The Council discussed the systemic problem with the way our schools are funded.

Attorney Barger explained that the Borough of Rumson is experiencing the same problem in that they feel they are paying a disproportionate amount to RFH, and after researching the subject in great detail, they considered the idea of pulling out of the regional school system. However, Mr. Barger pointed out that a vote to take such an action must be approved by each individual town that is part of that regional system. He explained how in Rumson they involved different legislators to discuss the issue. Mr. Barger noted that this change would involve legislation and he suggested the Council consider the idea of having Shrewsbury's legislators meet with the Council to discuss this issue and pursue if there is anything they can do at the legislative level.

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Mr. Barger stated that the courts have ruled that Red Bank Regional is not a vocational school and therefore the sending Board of Education does not have to pay the tuition bill, the parents of the student from the sending district have to pay it. After discussion, the Council decided to hold a special meeting on August 14th where the legislators representing Shrewsbury, members of the Red Bank Board of Education, as well as, some additional people would be invited to discuss this regional issue.

Councilman DeSalvo reported that the Community Alliance Movie Night was well received. He noted that First Aid had 43 calls for the month of June with 20 of them being mutual aid. The Fire Department had one structural fire, 4 brush fires, 2 rescues and one response to a motor vehicle accident.

Councilman Dodge reported on the details surrounding the hiring status for the Police Department, with the hiring of one Police Officer and possible hiring of additional Class II Police Officers in the near interim. Mr. Dodge noted that he also had several items for discussion for the Executive Session which would follow the adjournment of the regular Council meeting.

Councilman Meyer reported that the Recreation Committee has requested a safety assessment of the batting cage at Sickles Park.

Councilman Pellegrino had nothing to report.

Mayor's Report

Mayor Burden informed the Council that he had received word of the passing of Barbara Allen. He listed the meetings he had attended and reported on the Master Plan Examination process which is near its final draft. The plan is to present it to the Planning Board by mid September. The Mayor acknowledged the dedication and hard labor of two Master Gardners, Dick Augusty and Janet Dill, "who have done a stellar job cleaning up the area around the gazebo".

Correspondence

Municipal Clerk Krueger stated that she had received a request from Trader Joes for the use of Manson Park for a corporate party on Friday July 25th in the afternoon. Ms. Krueger informed the Council of the details of the planned gathering for their employees. The Council voted by consensus vote to approve their request.

Councilman DeSalvo motioned to amend the Facilities Use form currently being used to include if the request is being made by Non Profit or For Profit Organization, seconded by Councilman DeNofa , and approved by the rest of the Council.

Open the Meeting to the Public

Councilman DeNofa motioned to open the meeting to the public, seconded by Councilman Pellegrino, and approved by the rest of the Council.

Marjorie Clark, 213 Garden Road, Shrewsbury inquired about the status of the investigation into the recent recall and if this would apply to the Fire Chief's truck. Councilman DeSalvo

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responded that they had looked into it and the repairs would have been extensive at over \$7,000 and after consideration of all the issues, the Council decided to approve the purchase of a replacement truck.

Ms. Clark requested that the special meeting being planned for August 14th be publicized so that interested residents can be informed. Ms. Clark stated that she would like to personally thank the Monmouth County Department of Public Works and Engineering Highway Division, and specifically the assistant supervisor in District 6, Mr. Michael Rigney. Ms. Clark recounted how he and his crew worked at the corner of Sycamore and Garden Road on the issue with the metal grate. She noted that they fixed a problem that has existed for three or more years now and caused a lot of issues for people having to turn at that corner. She explained how they finally fixed the leveling issue that has existed and now car tires no longer drop into the grate. Ms. Clark noted how friendly they were and how they took the time to talk to her and address the issue efficiently and she would like to publicly thank them for their excellent work.

Elizabeth LoBaugh, 917 Broad Street and Michael Forrest, 909 Broad Street, Shrewsbury addressed the Council seeking advice and help on the property at 912 Broad Street. They discussed their concerns with the vacant property which included health concerns of possible pest infestation, safety concerns relating to fire possibilities and security issues with the property being vacant. Additionally, they are concerned that the property could have the potential to be used unlawfully, the financial aspect for the neighbors as to how its condition effects their property value and its poor reflection on the community as a whole. They questioned if there is any advice that the Mayor and Council had about what they could do about the storage pods that are residing on the property in addition to issues they noted. The Council discussed the issues with Ms. LoBaugh and Mr. Forrest. Mr. Seaman informed them that the Code Enforcement Officer is issuing summons concerning the rodent issue and making sure there is certification from an exterminator that the property has no animal issues.

The Mayor explained how the Borough has exhausted the different avenues available to it. The Mayor read a letter he had received from the Code Enforcement Officer that was sent to Ms. Borden, as well as, her attorney covering all the different violation conditions and stating a timeframe stipulated to resolve these concerns.

Ms. LoBaugh asked who they should call when they see things that concern them. Mr. Barger responded that there is a property maintenance ordinance that will be enforced and this is the first step towards enforcing it. He related discussions he had with her attorney regarding these issues in an effort to resolve them. Mr. Barger stated that sadly at this point, the Borough has no alternative but to enforce the entire ordinance.

Ms. LoBaugh asked how her concerns with the back of the property would be addressed. Mr. Seaman explained how the pods were going to be removed and the back property addressed by the Code Enforcement Officer under property maintenance. Mr. Forrest expressed that they were appearing at this meeting tonight not to criticize but to ask how they as neighbors can help in this situation. He stated he understood how people in the Borough had respect and fond feelings for Ms. Borden.

Ms. LoBaugh and Mr. Forrest thanked the Mayor and Council for listening to their concerns.

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Close the Meeting to the Public

Councilman DeSalvo motioned to close the meeting to the public, seconded by Councilman DeNofa, and approved by the rest of the Council.

Payment of the Bills

Councilman Pellegrino motioned to approve the bills list in the amount of \$2,108,042.84, seconded by Councilman DeNofa, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Dodge, Meyer & Pellegrino
NAYS: None
ABSTAIN: None

Adjourn to Executive Session

Councilman DeNofa motioned to adjourn the meeting at 8:07PM to enter into Executive Session after a short break, seconded by Councilman Pellegrino, and approved by Roll Call Vote with all members present voting yes.

Reconvene Regular Meeting

Mayor Burden reconvened the public meeting at 8:33PM.

Roll Call

Present: Mayor Burden, Council Members DerAsadourian, DeSalvo Dodge, Meyer & Pellegrino
Also Present: Borough Attorney Martin Barger, Borough Administrator Thomas Seaman, Clerk Kathleen Krueger
Absent: Councilman DeNofa left the meeting at 8:08PM

Adjourn

Councilman Meyer motioned to adjourn the meeting at 8:35PM, seconded by Councilman Dodge, and approved by Roll Call Vote with all members present voting yes.

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

Approve: _____
Donald Burden – Mayor