

May 4, 2015

Meeting Called to Order

The meeting was called 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 May 1, 2015 by the Municipal Clerk.

Roll Call

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

Salute to Flag

Led by Mayor Burden

Approval of the Minutes: Council Meeting of April 6th 2015

A motion was made by Councilman DeNofa to approve the minutes, seconded by Councilman Pellegrino, and approved by the following vote:

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

Resolution #2015-43 (Hire Probationary Police Officer: Tyler J. Fox)

Councilman Dodge informed the Council of Mr. Fox's educational background and professional experience. A motion was made by Councilman Dodge to approve Resolution #2015-43, seconded by Councilman Pellegrino, and approved by the following vote:

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

Swearing in of Officer Tyler J. Fox

Mayor Burden swore in Officer Fox as his father, Kevin Fox, held the Bible. Officer Fox's mother, Joanne Fox, proudly pinned his badge onto his uniform.

*Councilwoman DerAsadourian entered the meeting at 7:04pm.

Presentation of Tree City USA by William Gerth

Shade Tree Chair William Gerth presented the Council with thank you cards from last year's kindergarten class that were sent to the Shade Tree Commission after a presentation for Arbor Day. He stated that the Borough is celebrating its 17th year as a Tree City USA and explained why this is an accomplishment. Mr. Gerth discussed all the volunteer efforts the members of the Shade Tree Commission participated in and noted the many of the things they do. He also

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informed the Council of all the education the members have attained and how it benefits the Borough. Mr. Gerth discussed the Commission's community outreach efforts which include newsletter articles, Shrewsbury Community Day and home visits. He informed Council that there are areas in town such as the Esther Hymer Preserve and the DPW yard that are in need of attention and that the Commission will be tackling these areas this year. He added that these areas are reflections of the Borough and need to be addressed. Mr. Gerth gave the Council the new Tree City USA flag and thanked them for their support.

Open the Meeting to the Public to Discuss Trees

Councilman Pellegrino motioned to open the meeting to the public to discuss trees, seconded by Councilman Meyer and approved by all Councilmembers present.

Mark Degenhart, 81 Heritage Dr., Shrewsbury President of the Heritage Green Homeowners Association (HOA), explained that the DPW yard is the first impression many people get of Shrewsbury. He noted that there use to be trees at this location but they were removed. Mr. Degenhart presented the Council with a proposed landscape plan for the front of the DPW yard which he discussed. He stated that the HOA would take responsibility for watering the landscape for the first season in addition to contributing \$500. Mr. Degenhart stated that the Shade Tree Commission will be donating \$500 and the HOA would like an additional source to pay for the mulch which will cost an additional \$500. He stated that they have missed the spring planting season and would like the approval of the Council so they can move forward with the landscaping in the fall.

Councilman DeNofa asked if this plan was discussed with DPW and stated they should be part of the conversation. The Council discussed the plan, funds available for the project, and DPW's involvement. *Councilman DeNofa motioned to contribute \$500 towards the landscaping in front of DPW pending a discussion with DPW, seconded by Councilman Pellegrino, and approved by the following vote:*

<i>AYES:</i>	<i>DeNofa, DeSalvo, DerAsadourian, Dodge, Meyer & Pellegrino</i>
<i>NAYS:</i>	<i>None</i>
<i>ABSTAIN:</i>	<i>None</i>

Mr. Gerth stated that he applauds the HOA for their incentive and explained the challenges of landscaping that location.

Close the Meeting to the Public to Discuss Trees

Councilman DeNofa motioned to close the meeting to the public, seconded by Councilman Pellegrino, and approved by all Councilmembers present.

Resolution #2015-44 (Budget Amendment Adjustments)

Councilman Pellegrino explained that this amendment would put money in the contingency account. He explained that this account could be used to cover costs in other accounts as needed within the last two months of the year for transfer purposes. He added that this will add more transparency to the process. Councilman Pellegrino motioned to approve Resolution #2015-44, seconded by Councilman DeNofa.

Councilman Dodge stated that this is not the amendment that was discussed at the Budget Committee meeting. He explained that municipalities put extra funds into the annual budget for unexpected expenses and noted the amount the Borough had in reserves from 2014. He stated that he wanted to cut \$115,000 from the proposed budget and named the line items that he proposed adjusting. He stated that the Finance Committee agreed on \$100,000 instead. Councilman Dodge explained that it was his understanding that this amendment would be reducing the budget by \$100,000, not placing it into a contingency fund. Councilman DeNofa, Pellegrino, and Mr. Seaman disagreed with Councilman Dodge's recollection of the meeting and stated that they had agreed to move the \$100,000 to the contingency fund, not cut that amount out of the budget.

Councilwoman DerAsadourian asked what the tax increase percentage would be with the current proposed budget. Mr. Seaman informed her Borough's portion of the tax increase would be two percent. Council discussed the proposed budget and the need for the funds in the contingency line item. They debated the need for surplus and how to reduce spending.

Councilman Dodge explained why he wanted \$100,000 reduced from the budget. Mr. Seaman stated why the Borough needs the funds to remain in the budget adding that department budgets are tight. Council discussed the purpose of having a contingency fund. Councilmen DeNofa and Meyer expressed concern over cutting the budget too tight.

Councilman Dodge discussed the Borough's end of the year reserve amount which was disputed by Mr. Seaman. Councilman Dodge again stated that he wanted to reduce the budget by \$100,000 and said he would not support the current proposed budget. Councilman DeNofa stated that the reserves, the money left over from the previous year's budget, only account for two percent of the budget. Councilwoman DerAsadourian voiced concern that the Borough needs to control spending.

Councilman Dodge motioned to amend Resolution #2015-44 to change the amount placed in the contingency account to be \$500 instead of \$100,500, seconded by Councilman DeSalvo, and was rejected by following vote:

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

Going back to the original motion from Councilman Pellegrino to approve Resolution #2015-44, which was seconded by Councilman DeNofa, a roll call vote was taken and approved by the following vote:

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

**Resolution #2015-45 (Public Hearing/Adoption of the 2015 Municipal Budget)
Open the Meeting to the Public on the 2015 Municipal Budget**

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Councilman Pellegrino motioned to open the meeting to the public on the budget, seconded by Councilman DeNofa, and approved by all Councilmembers present.

Close the Meeting to the Public on the 2015 Municipal Budget

Seeing no one from the public wishing to speak Councilman DeNofa motioned to close the meeting to the public, seconded by Councilman Pellegrino, and approved by all Councilmembers present.

Adopt Resolution #2015-45

Councilman Pellegrino motioned to adopt the 2015 Municipal Budget, Resolution #2015-45, as amended by Resolution #2015-44, which was seconded by Councilman DeNofa.

Councilman Dodge motioned to amend the 2015 Municipal Budget, Resolution #2015-45, as amended by Resolution #2015-44, by removing \$100,000 from the contingency fund leaving \$500, which was seconded by Councilman DeSalvo, and concluded with a tie vote as follows:

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

Mayor Burden voted NAY to break the tie causing the motion to not be approved.

Going back to the original motion made by Councilman Pellegrino to adopt the 2015 Municipal Budget, Resolution #2015-45, as amended by Resolution #2015-44, which was seconded by Councilman DeNofa, a roll call vote was taken and concluded with a tie vote as follows:

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

Mr. Barger explained what the options were for the budget at this time since the vote resulted in a tie. He noted that if the Borough adopted a budget that was too restricted and that budget ends up depleted of funds, an emergency appropriation would have to be done and included in the 2016 budget. Mr. Seaman informed the Council of the complications that could be caused by not approving the budget. The Council discussed the budget, surplus, and emergency appropriations. Councilman Dodge suggested both sides compromise by cutting the budget by \$50,000, which many Councilmembers found acceptable.

Councilman Dodge motioned to amend the 2015 Municipal Budget, Resolution #2015-45, by removing \$50,000 from the contingency fund (line item 35-470) leaving \$50,500, and changing the revenue to raised by taxation (line item 07-199) from \$6,684,309.29 to \$6,634,309.29, which was seconded by Councilman Pellegrino, and approved by the following vote:

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

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Councilman Pellegrino motioned to adopt the 2015 Municipal Budget, Resolution #2015-45, as amended by the previous motion and Resolution #2015-44, for a total budget of \$9,299,483.90, seconded by Councilman Meyer, and approved by the following vote:

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

Resolution #2015-46 (Performance Guaranty Release for GBD Properties, LLC)

Mr. Seaman stated that GBD Properties, LLC is known as the Shrewsbury Car Wash. Councilman Pellegrino motioned to approve Resolution #2015-46, seconded by Councilman DeNofa, and approved by the following vote:

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

ORDINANCE NO. 1012 – INTRODUCTION/FIRST READING: An Ordinance Providing for Improvements to Avenue of the Common and Appropriating \$900,000 Therefor and Authorizing the Issuance of \$855,000 in Bonds and Notes to Finance a Portion of the Costs Thereof

Mr. Seaman stated that DPW had been involved in the discussions and the Borough Engineer had already been approved to design the plans. He noted that it is important to do this project in the summer due to the soil composition. Mr. Barger questioned if the name of the street was correct, which was discussed at great length and required further clarification. Councilman Pellegrino motioned to introduce Ordinance No. 1012, seconded by Councilman DeNofa, and approved by the following vote:

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

Approval of New Members to the First Aid Squad: Jake C. McAvoy, Kyle J. Keiper, Sam A. MacPherson & Katharine Heinemann

Councilman DeSalvo stated that these candidates have all passed their background checks but the Council is awaiting the results of motor vehicle checks on the two candidates that have their licenses. Councilman DeSalvo motioned to approve Mr. McAvoy and Ms. Heinemann and approve Mr. Keiper and Mr. MacPherson pending a favorable motor vehicle check, seconded by Councilwoman DerAsadourian, and approved by the following vote:

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

Mayoral Appointment to the Shade Tree Commission: Carolynne Royce

Mayoral Appointment to the Board of Health: Lorraine McGough

Mayor Burden appointed Ms. Royce to the Shade Tree Committee and Ms. McGough to the Board of Health.

Administrator's Report

Mr. Seaman reported on the Borough's tax appeals and noted that many people have withdrawn their prior year's appeals. Mr. Barger complimented the Tax Assessor, Bill Fitzpatrick, on the excellent job he has been doing. Mr. Seaman updated the Council on the status of several grants the Borough had applied for.

Reports of Council

Councilman DeNofa reported that the fuel pumps at DPW need to be replaced and stated that DPW had received two quotes; Industrial Petroleum Equipment Sales & Services for \$29,995 and from White Marsh for \$18,400. *Councilman DeNofa motioned to purchase fuel pumps from White Marsh in the amount of \$18,400, seconded by Councilman Pellegrino.*

Councilwoman DerAsadourian suggested that prior to buying new fuel pumps the Borough should look into sharing pumps with a neighboring municipality. *Councilwoman DerAsadourian motioned to look into shared services for fuel pumps, seconded by Councilman DeSalvo, and approved by the following vote:*

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

NAYS: None

ABSTAIN: None

Councilman DeNofa withdrew his motion to purchase new fuel pumps.

Councilman DeNofa reported on various DPW issues including an injury, the basketball courts at Sickles, demolition of the Silver Smith building, the condition of the road at Sunnybank Drive, and the flashing lights on Sycamore Avenue. Councilman DeNofa informed the Council that the County does not have an issue changing the Manson Park plans to have basketball courts instead of micro-soccer fields.

Councilwoman DerAsadourian reported that the school would like to create an emergency egress path through the Borough's easement on the Bonanno Property which would involve a bridge that could support vehicles. She also updated the Council on the other safety improvements to the school. Councilwoman DerAsadourian stated that some school teams practice at Manson Park and parents have requested a crossing guard at Sycamore Avenue afterschool.

Councilwoman DerAsadourian asked Ms. Brookes to update the Council on the Memorial Day Ceremony preparations which she did.

Councilman DeSalvo reported on the Community Alliance's upcoming programs which included the Internet Safety Program, the SBS school food drive, movie night discussions and the 8th grade class trip to Washington.

Councilman Dodge had nothing to report.

Councilman Meyer had nothing to report.

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Councilman Pellegrino reported on the court's recent decision on COAH.

Mayor's Report

Mayor Burden reported on various events he attended in the past two weeks and thanked everyone who helped with the Borough Clean-Up Day.

Correspondence

Clerk Krueger stated that there was no additional correspondence.

Open the Meeting to the Public

Councilman Pellegrino motioned to open the meeting to the public, seconded by Councilman DeNofa, and approved by all Councilmembers present.

Stuart Minis, 35 Thomas Avenue, Shrewsbury inquired if the County's agreement to allow the Borough to change the micro-soccer fields to basketball courts meant the plan would be moving forward. Councilman Meyer stated that the Council had not yet reached a decision. Mr. Minis asked if it would be on the agenda for the next meeting. Councilman Dodge stated that it might be and the Council discussed when the documents for the grant had to be signed.

Close the Meeting to the Public

Seeing no one else from the public wishing to speak, Councilman Meyer motioned to close the meeting to the public, seconded by Councilman DeNofa, and approved by all Councilmembers present.

Payment of the Bills

Councilman Pellegrino motioned to approve the bills list in the amount of \$2,114,326.53, seconded by Councilman Dodge, and approved by the following vote:

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

Adjournment

Councilman DeNofa motioned to adjourn the meeting at 9:06pm, seconded by Councilman Pellegrino, and approved by all Council present.

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

Approve: _____
Mayor Donald Burden