

April 20, 2015

Meeting Called to Order

The public meeting convened at 7:30 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 April 17, 2015 by the Municipal Clerk.

Roll Call

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

Salute to Flag

Led by Mayor Burden.

Proclamation: Arbor Day

Mayor Burden read the Arbor Day Proclamation in full.

Discussion of Manson Park Improvements

Councilman DeNofa stated that Borough Engineer, Dave Cranmer, presented a plan for improvements to Manson Park at a September 2014 Council Meeting at which time the Council passed a resolution in support of the project. He noted that Monmouth County awarded the Borough a \$108,000 matching grant to help with the costs adding that the Borough has funds in an Open Space account to cover the rest. Councilman DeNofa briefly reviewed the Manson Park Improvement plan that was presented in September.

Councilwoman DerAsadourian explained that there was some confusion on Council as to whether in September they approved the expenditure of the funds for the project or just the application to the County for the grant. Attorney Barger quoted the approved resolution, "the Borough of Shrewsbury is committed to this project and will provide the balance of funding necessary to complete the project" and "the municipality is willing to use the approved Open Space Trust Fund". Councilwoman DerAsadourian said that the Council was verbally told that they were approving something different. Attorney Barger advised the Council that they could formally withdraw the resolution but expressed his concerns that the Borough would lose the money that was already invested in the project along with risking upsetting the County.
Councilman DeSalvo motioned to discuss approved Resolution #2014-63, seconded by Councilwoman DerAsadourian and approved by the rest of the Council.

Open the Meeting to the Public on the Manson Park Improvement Project

Councilman DeNofa motioned to open the meeting to the public to discuss the proposed Manson Park Improvement Project, seconded by Councilman DeSalvo, and approved by all Councilmembers present.

Brendan Gilmartin, 109 Robinson Place, Shrewsbury Recreation Committee Chair, informed the Council of the timeline when the Recreation Committee was presented with the formal plan for the Manson Park Improvement Project. He stated that the Recreation Committee had decided not to discuss the plan until they had a hard copy which they received in March of 2015. Mr. Gilmartin stated that Recreation met with Mr. Cranmer to discuss possible changes and improvements to the plan but was disappointed when they were told by Borough Administration last week that no modifications could be made to the plan

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since it could risk future grant applications with the County. Councilman Dodge questioned Mr. Gilmartin about what the Recreation Committee knew about the project and when.

Mr. Gilmartin informed the Council that the Recreation Committee is not in support of the Manson Park Improvement Project as it stands now. He explained that his committee did not feel the need for the additional micro-soccer fields and noted that the size of the area in question is not large enough for a lacrosse, field hockey, or soccer field. He noted the growing popularity of both lacrosse and field hockey and how the Borough needs a field designated for them. In addition Mr. Gilmartin stated that they did not see a need for a concession stand. Mr. Gilmartin quoted the intent of the project was, “to diversify sporting facilities at this location” and explained how he did not feel this plan met that goal. He reported that he reached out to the Little League organization and asked them if there was a need to change the size of the Manson Park baseball field. They responded that there was no changes necessary that instead, Little League was addressing safety concerns through changing both age and bat requirements.

Adam Robinson, 40 Brady Road, Shrewsbury Borough Recreation Committee Member, commented that the Borough missed the opportunity to make Manson Park a gathering place for the community. He noted that the walking path was a great addition but the rest of the plan did not do enough to draw people to the park to justify a concession stand.

Councilman Dodge asked for suggestions on how to improve the plan.

Mr. Gilmartin shared Recreation’s ideas including keeping the proposed walking path and leaving the shed as is. He stated that they feel strongly about adding two basketball courts, side by side, on the western end of the park. He said that the courts would draw people to the park, in addition to, allowing them to have summer leagues for both adults and children. Mr. Gilmartin explained there are not two courts next to each other anywhere in the Borough and the court at Sickles Park is in desperate need of repair. He added that the addition of basketball courts would diversify the sports in the park. Mr. Gilmartin stated that they would love to see the baseball field expanded and the backstop updated but it is not a concern of Recreation at this time.

Councilman Dodge gave some background on why Council felt the Manson Park Improvement Project was necessary. He noted that due to the over usage of other fields in the Borough, a traffic safety concern was raised. Council felt that expanding the field at Manson Park would take the pressure and traffic away from the other parks. Councilman Dodge stated that this grant opportunity is adding to the difficulty of this decision.

Mr. Gilmartin stated that the Recreation Committee feels that this grant is a great opportunity for the Borough but he wanted to ensure the Borough got the project right. He added that the current plan does not meet Recreation’s needs at this time. Mr. Gilmartin stated that the money in the Open Space Trust is taxpayer’s money and that it is Council’s responsibility to make sure it is used wisely.

Kevin Joyce, 301 Sycamore Avenue, Shrewsbury Borough Recreation Committee Treasurer, stated that the Borough has enough soccer fields and if another field cannot fit in the space then the best use of it would be for basketball courts. He said, as a father, nothing would make him happier than his children playing next to the police station because he knows they will be safe there. Mr. Joyce commented that it is a wonderful property and if the Borough is only going to use that field as a practice field, why not keep it as is.

Councilwoman DerAsadourian questioned if construction took place in the fall at Manson Park what would happen with fall soccer noting that Manson Park and Shrewsbury Borough School are the only two regulation fields in the Borough. Mr. Gilmartin commented that they would have to consider using

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Sickles Park but there are safety issues with the field encroaching on the baseball infield. He acknowledged it would be a hardship on Recreation.

Borough Attorney Barger asked Mr. Cranmer if the Borough revised the plan that was presented to the county would they have to modify the resolution. Mr. Cranmer stated it would not require a modification of the resolution adopted in September. Mr. Barger asked if Mr. Cranmer thought the County would permit the Borough to change the plan. Mr. Cranmer responded that the County is picky but they may be willing to accept the change of micro-soccer fields to basketball courts since the size is very similar.

Mr. Barger inquired why Councilwoman DerAsadourian did not want to use the Open Space Trust for the matching funds. Councilwoman DerAsadourian explained that she did not want to drain the trust fund with one project when there are other things that need to be done in the Borough including repairing the basketball court at Sickles Park. Councilman Dodge asked for the balance of the Open Space Trust Fund. Mr. Seaman stated that there is \$240,000 in the account with the Borough expecting an additional \$107,000. Councilwoman DerAsadourian explained that she does not believe that the Borough would be allowed to use the money in the Open Space Trust Fund for a concession stand due to the way the Open Space Question was worded on the ballot. She also said that she doesn't want to use the money without consulting other Borough entities that are eligible for it.

Councilman DeSalvo asked the Recreation Committee what their thoughts were on the concession stand and if they wanted to run it. Mr. Gilmartin stated that Recreation did not want the responsibility but the Shrewsbury Youth Athletic Association (SYAA) may be interested. Mr. Cranmer pointed out that as part of the requirement from the County, the concession stand must be deed restricted onto the Green Acres Lot. Attorney Barger pointed out that with or without the concession stand the Borough needs the matching funds to move forward with this project and the real issue is if the Borough is going to spend the money on the project.

Councilman Pellegrino inquired on the cost difference between micro-soccer fields and basketball courts. Mr. Cranmer explained that the basketball courts may cost a little more but would be comparable. Councilman Pellegrino asked if we misunderstood that no changes can be made to the plan. Mr. Cranmer stated that he is cautiously optimistic that the County would be okay with switching the micro-soccer fields for basketball courts but stated that he does not think the County would respond favorably to removing an item from the plan altogether.

Councilwoman DerAsadourian stated that she has no issue using Open Space Funds but not on a project that the Recreation Committee does not support. She quoted from the 1999 Open Space ballot question, "...a yes vote would authorize for the Borough to establish an Open Space Recreation and Conservation Fund to be used for the maintenance of land, recreation, and conservation purposes". Mr. Seaman noted that in 2003 the Borough combined the Open Space Trust and the Historic Fund for Preservation due to the responsibility of the Wardell House being taken over by the County. Councilwoman DerAsadourian pointed out that the Open Space Trust Fund is for many things and read the question from 2003 ballot question, "Should the Open Space Recreation and Conservation Fund and the Historic Fund for Preservation and the preservation of the Wardell House be merged into one general fund for Open Space, Recreation, Conservation, and Historic preservation". Attorney Barger stated that a majority of the Open Space Fund was used to purchase the development rights of the Bonanno Farm.

Councilman Dodge asked if we had a clear misunderstanding as to whether changing the proposed plan would keep the Borough from getting another grant from the County. Mr. Cranmer explained that if the Borough changes the plan, and the county consents to the changes, that is just part of the process, but if they do not consent and the Borough decides to rescind the resolution not moving forward with the

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project, it could impair the Borough's ability to receive funds under that program in the future. Councilman Dodge inquired what it would mean to remove something from the project and if it would be a problem. Mr. Cranmer explained how not improving the baseball field would be seen as a negative by the County. Councilman Dodge praised Mr. Cranmer for all his work over the years for the Borough, keeping the Borough safe, and obtaining grants. This sentiment was reinforced by the other Councilmembers and the Recreation Committee members present.

Councilman DeSalvo inquired about the cost of expanding the walking path and adding fitness stations. Mr. Gilmartin stated that the walking path would cost \$18,500 and \$24,950 for the fitness stations. He mentioned that he spoke to Rumson's Recreation Committee to see if their fitness stations got used which Rumson stated that they do. He noted that a wide range of residents in the Borough would be able to enjoy the stations.

Councilman DeNofa stated that he appreciates Mr. Cranmer's opinions on how the County might perceive the Borough's actions on the grant. He asked if anyone spoke with the police about their opinion regarding changing the micro-soccer fields to basketball courts, and questioned the safety of the location. Mr. Gilmartin stated that the Recreation Committee saw the location as a deterrent for any vandalism. Mr. Joyce stated that he feels better having his children play next to a police station. Mr. Seaman stated that he spoke to Chief Ferraro concerning the basketball courts and that he had concerns. Councilman Dodge stated that the Chief's concerns had not been shared with the Police Committee but would discuss it with him. Mr. Cranmer stated that he believes that County would have approved the Manson Park Improvement Plan if the Borough had originally applied with the basketball courts and that is why he feels they will permit the Borough to change it.

Councilwoman DerAsadourian questioned if the dimensions are changed on the baseball field would it impact the ability for lacrosse to be played on the field in the spring. Mr. Cranmer stated that both sports would be able to be played on that field at their own respective times. Councilman Dodge asked if Manson Park's baseball field would be able to be used for softball. Mr. Gilmartin stated that right now softball is only played at Patterson Avenue Park.

Patrick DiBello, 446 Sycamore Avenue, Shrewsbury, asked about the difference in the noise level between a soccer field and a basketball court. He stated that he has neighbors very close to the field in question and is concerned how it will affect them. Mr. Cranmer stated that the noise will not be more or less, but different types at different times, and explained that he wanted to put some buffer plants around the basketball courts if they were built.

Jay Eaton, 916 Broad Street, Shrewsbury, stated that he lives next to the park and does not see any afterhour's usage of the park. He was surprised that no one had mentioned maintenance or upkeep of the park. Mr. Eaton explained that the Borough did have fitness stations that deteriorated and noted that the walking path was widened a few years back, but due to lack of upkeep, it has shrunk from five feet to three feet in spots. He stated that if the Borough moves forward with this project, there should be a maintenance plan so we don't have to redo the park again in a few years. He said that the most visible parts of the park get maintenance as needed but other parts, like those by Route 35, don't get maintained until someone makes a complaint. Mr. Eaton mentioned that he had been told in the past that the Borough has limited resources so he wants to know how the Borough is going to upkeep the day to day maintenance of the park. He stated that many people feel the Borough has a reactive maintenance plan not a proactive one.

Councilman DeNofa acknowledged that the Borough does have limited DPW resources and that he receives Mr. Eaton's e-mails which he forwards to DPW. He stated that the Borough does the best they

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can and will work with Mr. Eaton on a plan for the park's maintenance if the Borough moves forward with the project. Mr. Eaton stated that the tone of the Borough is 'if we can't fix it, replace it' and that is not preservation. Councilman DeNofa informed Mr. Eaton that the issues with the Sickles Park basketball court are not a maintenance issue but rather bad soil. Mr. Cranmer further explained the soil problem. Mr. Eaton stated that in five years he did not want to hear about the Borough redoing the park again because they couldn't maintain it. He pointed out that the park is in a historic district and its upkeep should be more of a concern.

Councilman DeNofa questioned if the fitness stations would be considered a playground and need to be inspected on an annual basis. Mr. Cranmer explained that they are not. Mr. Eaton asked about the materials to be used for the fitness stations. Mr. Cranmer said that they would be made from composite materials which were chosen with maintenance in mind.

Close the Meeting to the Public on Manson Park Improvement Project

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

Sickles Park Basketball Court

Councilwoman DerAsadourian stated that the basketball court at Sickles Park is in need of maintenance and Mr. Cranmer was looking into various options for correcting the problem. Mr. Cranmer explained that the Borough could do another 'band-aid' and repair the 260 linear feet of cracks at a cost of \$25 per foot which would then have to be recoated and leveled. He noted that the 'band-aid' would cost about \$10,000 and last about two to three years, maybe longer depending on the winters. Mr. Cranmer stated that a more comprehensive fix would be removing the asphalt, milling a few inches, laying a geotextile membrane, and topping it with asphalt. He stated that this comprehensive fix would cost \$40,000 and would last ten to fifteen years.

Mr. Cranmer stated that Councilman DeSalvo suggested a tile system that snaps together but noted that he is not knowledgeable on the system. He said that he spoke to a dealer who said the Borough would first have to repair the cracks prior to laying the tiles. He stated that parts alone would be \$35,000 and come with a 16 year warranty. Mr. Cranmer stated that he is hesitant to use the tiles since he has not seen this surface before and expressed concerns over aspects of the system. Councilman DeNofa asked if two courts could be placed at Sickles Park if the County does not approve them at Manson Park. Mr. Cranmer stated that it would be possible but would cost about \$120,000. Councilwoman DerAsadourian asked if they could move the existing court to a new location at Sickles Park for \$60,000 and build an additional one at a later time, which Mr. Cranmer said was possible.

Mr. Cranmer and the Council continued to discuss possible changes to the Manson Park Improvement Project.

Councilman DeSalvo motioned to have the Borough Engineer explore the possibility of amending the Manson Park Improvement Project and see what the results are with the County, seconded by Councilman DeNofa, and approved by the rest of the Council.

Councilman Pellegrino asked for clarification on the motion. He asked if the motion called for the Borough to explore putting in two basketball courts in lieu of soccer fields and leaving the rest of the project as is.

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Councilman DeSalvo stated that he had issues with putting in a concession stand, and altering the baseball field when it is not needed. He said that it is absurd to spend the money on a project that the Recreation Committee doesn't even want. Councilman DeNofa stated that there is a possibility the Borough could lose future grants if the Council killed the project and asked who wanted to take that risk.

Councilman Dodge stated that resolutions concerning money traditionally state that fact. He said that he always asks what the resolution entails prior to voting on it and noted that he thinks that this resolution was treated differently. He expressed concern over the timing of the plan being sent to the Recreation Committee for review, as well as, how Recreation's support of this project was presented to the Council by their liaison. Councilman Dodge voiced that he had concern over the Recreation liaison's power and stated that he believed this plan was conceived by two people. Councilman Dodge stated that he felt that the resolution did not bind the Borough to spend money. He expressed his outrage on how the Manson Park Improvement Project was handled and said it was not handled in the right way. He explained that he was okay with cancelling the Manson Park Improvement Project and reexamining the plan because he felt it is the right thing to do. Councilman Dodge stated that the real issue is the traffic problems and the safety of the children when baseball tournaments are in the Borough. Councilman Dodge expressed his opinion as to the poor handling of this project and that it should never happen again and advised the Council to look at the facts of this case.

Councilman Dodge motioned to have the Borough Attorney amend the Borough's ordinance to have three members of Council be a part the Recreation's eleven member committee. Attorney Barger stated that there is currently another motion on the floor which Clerk Krueger read. Councilman DeSalvo withdrew his motion to explore the possibility of amending the plan for Manson Park Improvements.

Councilman Pellegrino pointed out that the chair of Recreation only was appointed in January and there was a different Chair when the project was conceived. He stated that he was not convinced that Recreation didn't have knowledge of the project. Councilwoman DerAsadourian stated that she was troubled by the fact the Recreation liaison was not present for this conversation and suggested to table this conversation until Councilman Meyer is present.

Councilman Pellegrino motioned to have the Borough Engineer discuss with the County if two basketball courts are an acceptable replacement for the proposed micro-soccer fields, in addition to seeing if the Borough could remove the concession stand from the Manson Park Improvement Plans, seconded by Councilman DeNofa, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Dodge & Pellegrino

NAYS: None

ABSTAIN: None

Council decided to hold off on any decisions on the Sickles Park basketball court at this time.

Resolution #2015-40 (Request for Legislation for a More Sensible Solution to Affordable Housing)
Mayor Burden stated that this is a recommendation by the Borough's COAH attorney. Councilman Pellegrino motioned to approve Resolution #2015-40, seconded by Councilman DeNofa, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Dodge & Pellegrino

NAYS: None

ABSTAIN: None

Resolution #2015-41 (Summer Recreation Salaries)

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Councilman Pellegrino requested that a duplication of a name be deleted from the resolution. Councilman Pellegrino motioned to approve amended Resolution #2015-41, seconded by Councilman Dodge, and approved by the following vote:

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

Resolution #2015-42 (Authorizing Refund of Recreation Fees)

Mr. Seaman explained that the refunds were to families of children who were not placed on softball teams. Councilwoman DerAsadourian motioned to approve Resolution #2015-42, seconded by Councilman Pellegrino, and approved by the following vote:

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

ORDINANCE NO. 1011 – SECOND READING/PUBLIC HEARING: An Ordinance Providing for the Refunding of all or a Portion of the Borough’s General Obligation Bonds, Series 2008, Dated December 4, 2008, Appropriating an Amount Not Exceeding \$1,250,000 Therefor and Authorizing the Issuance of Not to Exceed \$1,250,000 General Improvements Refunding Bonds of the Borough of Shrewsbury for Financing the Cost Thereof

Councilman Pellegrino explained that this bond ordinance would allow the Borough to refinance the bonds and save over \$40,000 in interest.

Open the Meeting to the Public on Ordinance No. 1011

Councilman DeSalvo motioned to open the meeting to the public to discuss Ordinance No. 1011, seconded by Councilman Dodge, and approved by all Councilmembers present.

Close the Meeting to the Public on Ordinance No. 1011

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

Adoption of Ordinance No. 1011

Councilman DeSalvo motioned to adopt Ordinance No. 1011, seconded by Councilman Pellegrino, and approved by the following vote:

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

Administrator's Report

Mr. Seaman reported that the Borough received a grant from the New Jersey Department of Transportation for improvements to Avenue of the Commons for \$240,000. He also updated the Council on the status of the demolition of the abandoned house at 21 Willow Court.

Reports of Council

Councilman DeNofa had nothing to report.

Councilwoman DerAsadourian thanked Deputy Brookes for all her work on the Memorial Day Ceremony and noted that she would not be able to attend.

Councilman DeSalvo had nothing to report.

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Councilman Dodge motioned to have the Borough Attorney prepare an amendment to the Borough Ordinance, changing the membership structure of the Recreation Committee to require three Councilmembers instead of just one, seconded by Councilman DeSalvo. Councilman DeNofa inquired who would want to be the additional two members of Recreation to which Councilmembers DerAsadourian and DeSalvo stated that they would be willing. The motion was approved by the following vote:

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

Councilman Pellegrino reminded the Council and the public of the upcoming Budget Workshop Meeting at 8am on April 25th in the Council meeting room.

Mayor's Report

Mayor Burden thanked everyone who helped with the Community Garden Spring Clean-Up. He mentioned the upcoming Borough Wide Clean-Up Day and thanked the Recreation Committee for all the work they have put into the Manson Park Improvement Project.

Correspondence

Clerk Krueger reminded the Council that the State's Financial Disclosure Statements are due by April 30th.

Open the Meeting to the Public

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

Marjorie Clark, 213 Garden Road, Shrewsbury, questioned when the Borough had resurfaced the tennis courts which cost a large amount of money. Councilman DeNofa stated that it was six years ago at a cost of \$45,000. Ms. Clark stated that not to long after the courts were resurfaced there was a problem and additional money had to be spent on it. Councilman DeNofa informed her that the repairs were covered under the warranty and did not cost the Borough additional monies. Council clarified that the repairs that were discussed earlier in the meeting were for the basketball court, not the tennis court.

Ms. Clark asked why the Borough was petitioning the state for a more sensible affordable housing option which Attorney Barger explained the current situation with COAH in New Jersey. Councilman Dodge explained further how this affects the Borough.

Councilman DeNofa followed up with Ms. Clark concerning her question from a past Council meeting when she asked if there was a way to find out if any residents are actively serving in the military. He stated that he talked to a representative from the military who informed him that they were not permitted to release that information. Ms. Clark stated that this issue is near to her heart and when veterans come back home it would be nice to do something to recognize them. Councilman Dodge suggested putting something in the Borough newsletter which Council agreed was a good idea.

Jay Eaton, 916 Broad Street, Shrewsbury, asked if there had been any progress made in enforcing the current Borough codes on abandon properties. Mayor Burden stated that both the Code Enforcement Officer and the Police have been inspecting those properties. Mr. Seaman stated that the Borough keeps track of these properties on a list. Mr. Eaton quoted the Mayor from an article in The Hub and asked if the Borough would be passing any new ordinances concerning abandoned and vacant properties. Mayor

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Burden stated that the Borough is currently enforcing the laws they already have in place. Mr. Eaton asked if there was anything the public can do to help this situation. Mayor Burden stated that the public can report violations to the Borough and the Borough will follow up.

Carolyn Barber, 107 Borden Street, Shrewsbury, asked if there was a plan to repave Borden Street because of all the potholes. She explained that the kids are getting their bikes stuck in the potholes and there is a large crack in the street. She stated that in the nine years she has lived on the street it has never been repaved. Councilman DeNofa agreed that he has lived on the street for nineteen years and it has never been paved. Mr. Seaman stated that those roads are on the capital improvement budget for 2015. Ms. Barber also inquired what was going on with Shrewsbury Manor Nursing Home. Mayor Burden stated that the property is up for sale. Ms. Barber stated that she does not agree with putting basketball courts in the lush setting of Manson Park and feels that they would be better suited at Sickles Park.

Close the Meeting to the Public

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

Payment of the Bills

Councilman Pellegrino motioned to approve the bills list in the amount of \$55,685.83, seconded by Councilman DeSalvo, and approved by the following vote:

AYES: DeNofa, DerAsadourian, DeSalvo, Dodge & Pellegrino

NAYS: None

ABSTAIN: None

Adjourn

Councilman DeNofa motioned to adjourn the meeting at 9:27PM, seconded by Councilman Pellegrino, and approved by the rest of the Council members.

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

Approve: _____
Mayor Donald Burden