

March 15, 2010

Mayor Cooperhouse called the meeting to order at 8:00 PM. Mr. Cooperhouse read the Presiding Officer's Statement. Present were Council Members DeNofa, Dodge and Murphy. Council Members Burden, Keegan and Menapace were absent. Also present were Borough Administrator Thomas Seaman and Borough Attorney Martin Barger.

Salute to Flag

Mayor Cooperhouse led the Salute to the Flag.

Approval of Minutes of March 1, 2010

A motion was made by Councilman DeNofa, seconded by Councilman Dodge to approve the meeting minutes of March 1, 2010. The motion was approved by Roll Call Vote with all members present voting yes.

Resolution #2010-33 (Resolution Recognizing Earth Hour)

A motion was made by Councilman Murphy, seconded by Councilman DeNofa to approve the Resolution recognizing Earth Hour in the Borough of Shrewsbury which will occur on March 27, 2010 from 8:30 – 9:30 PM. The motion was approved by Roll Call Vote with all members present voting yes.

Resolution #2010-34 (Appropriation Reserve Transfer of Funds No. 2)

A motion was made by Councilman Murphy, seconded by Councilman Dodge to approve the Appropriation Reserve Transfer of Funds No. 2 totaling \$19,000. The motion was approved by Roll Call Vote with all members present voting yes.

Resolution #2010-35 (Resolution Increasing Year 2010 Temporary Budget Appropriations)

As this resolution required a vote by the majority of the Council and having only 3 Council Members present Mayor Cooperhouse requested this Resolution be tabled until a majority of the Council was present.

Resolution #2010-36 (Interlocal Agreement for Emergency Notification System)

A motion was made by Councilman DeNofa, seconded by Councilman Dodge to approve this resolution amending the parties sharing the costs of the Emergency Notification System as previously agreed on February 1, 2010. (*Councilman Keegan entered the meeting at 8:08 PM) The motion was approved by Roll Call Vote with all members present voting yes, except Councilman Keegan who abstained.

Resolution #2010-35 (Resolution Increasing Year 2010 Temporary Budget Appropriations)

Resolution #2010 -35 tabled only moments before for lack of quorum was again brought to the floor. A motion was made by Councilman Murphy, seconded by Councilman Dodge to approve this resolution increasing year 2010's temporary budget appropriation # 3. The motion was approved by Roll Call Vote with all members present voting yes.

March 15, 2010

Administrator's Report

Administrator Seaman reported that the New Jersey Department of Labor performed a general inspection of the Municipal Building on February 23rd and 24th, 2010. During the surprise inspection they noted five areas to be addressed all of which are being addressed before the deadline of May 6th. The Mayor requested a copy of the report.

Mr. Seaman stated that the deadline for the Newsletter was March 15th and that the Newsletter will be going out the beginning of April. Mr. Seaman also commented that brush pickup started early with DPW picking up brush today.

Councilman DeNofa speaking for Mr. Menapace stated that new plans and updated specs were sent out to all bidders as per New Jersey DOT input on the Laurel Avenue bid. Mr. DeNofa stated that work on the tennis courts is scheduled to begin late April with completion expected in June, weather permitting. Councilman DeNofa noted for Mr. Menapace that the work on the DPW building is now complete and the Borough is in the position of releasing the retainer. Mr. DeNofa stated that the Borough Engineer's office had spoken with Green Acres and they will be issuing checks for the Bonanno property.

Councilman DeNofa updated the Council on calls received by DPW in relation to the storm that happened over the weekend. He reported that Bob Wentway was called on Saturday morning about a tree down on BeechTree Lane and he sent two of our DPW workers over to clear the road. Midway through the day on Saturday Mr. Wentway received more calls about trees down on White Road, Silverbrook Road, Azalea Lane and Williamsburg Drive. Mr. Wentway had to call an additional 5 workers in to handle the clean up.

Councilman DeNofa stated that cleanup will be on-going throughout the next few days and DPW will start collecting brush this week and that information will be posted on the firehouse marquee. Mr. DeNofa informed the Council that DPW is up to date to meet PEOSHA standards, MSDA sheets and Haz-Mat materials in case of a surprise inspection.

Councilman DeNofa reported that on February 26 and 27th the Fire Department personnel visited Shrewsbury Township to review the locations and develop a "plan" should and when the need occurs. Their visit included the locating of Fire plugs, practicing where and how to turn the trucks and general logistics.

Mr. DeNofa noted that 15 days into the agreement to cover Shrewsbury Township's Fire Department needs, there has been no activity.

Councilman Dodge had no report

Councilman Murphy reported that the Finance Committee has been working on the budgets and that they would be meeting again with the Departments for further discussion on the budgets in the next couple of weeks. Mr. Murphy stated that there would be a public workshop meeting held the

March 15, 2010

3rd or 4th Saturday in April where the budget would be discussed and that the public is welcome to attend.

Mayor Cooperhouse commented that the workshop meeting on the budget is something started about 5 years ago with the intention of presenting the findings of the Finance Committee for the benefit of the other Council Members as well as the public's information. Mr. Cooperhouse stated that the proposed budgets are gone over and discussed but that no voting takes place. He noted that although the public is encouraged and welcomed to attend this meeting there is no public comment taken. Mayor Cooperhouse explained that the meeting where the public can comment would be the meeting where the Public Hearing for the budget is held. He noted that information as to the date of that meeting will be posted on the fire house marquee as well as on the Borough website.

Councilman Keegan stated that the Recreation Committee had sent a request for quotation for equipment and uniforms from four athletic suppliers for the 2010 Baseball/Softball teams. From the four requests for quotations only one was received that was complete and that was from Athlete's Alley. *Councilman Keegan motioned to approve the quote received from Athlete's Alley for the 2010 Baseball and Softball uniforms and equipment needs in the amount of \$13,796.45, seconded by Councilman Dodge. The motion was approved by Roll Call Vote with all members present voting yes.* Mr. Keegan noted that the quote received from Athlete's Alley was well under the estimated amount.

Mayor's Report

Mayor Cooperhouse stated that he had received correspondence from Tom Garvey that he was resigning from the Zoning Board for professional reasons. The Mayor explained that he is in the process of reviewing the information received from the Talent Bank applications and he extended a request to the Council for input on anyone they would like to suggest or may know would have an interest to serve on the Zoning Board.

Mayor Cooperhouse stated that he was out of town for the last Council meeting of March 1, 2010 and so he was not present for the discussion on the deer issue but he noted that discussion would reconvene on this subject at the Borough Council meeting of April 19, 2010.

Correspondence

The Clerk stated there was no correspondence to report.

Open Meeting to the Public

A motion was made by Councilman Murphy, seconded by Councilman Keegan to open the meeting to the public. The motion was approved by Roll Call Vote with all members present voting yes

Shelley Canonico, 201 Beechwood Drive stated that she was shocked to hear that a deer hunt was being suggested as a way to deal with the deer issues. Ms. Canonico stated that she felt there were

March 15, 2010

more humane ways to deal with this problem and that a deer hunt as suggested would serve as a detriment to the town. Ms. Canonico noted the densely populated area contained in the Borough and relayed her concerns with this plan of action.

Councilman Murphy responded to Ms. Canonico's concerns explaining that Lt. Ferraro was asked to attend to present possible solutions to the deer issue and that he had done exactly that by presenting an array of different solutions to consider. Mr. Murphy stated that the Council has not taken any specific action as the solution to the issues concerning the Borough with the current deer population.

The Mayor reiterated that no conclusion has been drawn by the Council at this point and that discussion on this issue will continue at the April 19th Borough Council meeting.

Ms. Canonico thanked the Mayor and Council for the opportunity to express her opinion on the subject.

Frank Helmka, Spirits Unlimited, 980 Shrewsbury Avenue, Tinton Falls and F & T Spirits Enterprises, Inc, 1099 Broad St., Shrewsbury stated his concern over the possibility of Trader Joe's which is a grocery store as well a liquor store coming into the Shrewsbury Plaza. Mr. Helmka noted that the spot being considered from what he has learned is only 6 stores down from F & T Spirits.

Mr. Helmka told the Mayor and Council that he had acquired copies of ordinances from some of the surrounding towns as to restrictions placed on situations where one liquor store is placed in the same proximity as another competing liquor store. He referenced the ordinances from Middletown which restricts the location of one liquor store to another requiring at least 2,000 feet door to door and Tinton Falls which requires a 1,000 foot restriction of one liquor store to another. Mr. Helmka stated that when the A& P opened their store in the Tinton Falls Plaza where he has another liquor store that at that time they came to an agreement that the store would not sell liquor on its premises. He acknowledged that in his own hometown of Wall there are no restrictions on the location of one liquor store to another and acknowledged that it is a municipality's prerogative if they choose to place restrictions on businesses such as this.

Attorney Barger stated that there were no liquor licenses available in the Borough of Shrewsbury.

Mr. Helmka stated that he understood that possibly Colonial Liquors in the Borough may be looking to sell their license and that was part of his concern.

Councilman Murphy suggested that Mr. Helmka talk to his landlord and explain his position that this would not be good business practice. Mr. Murphy explained that it would be very difficult for the town to put a restriction on how far away one business can be from another and as there wasn't any language in his lease restricting such an occurrence he encouraged Mr. Helmka to have a "heart to heart" with his landlord about the impact this would have on his business.

March 15, 2010

The Mayor and Council continued to discuss the problem with Mr. Helmka realizing that at this point nothing has come before any of the Boards within the Borough on this subject and the Mayor and Council have heard nothing about any of the liquor licenses within the Borough being for sale.

Mr. Helmka thanked the Council and stated that he just wanted to address the Council to see if this does become a reality if there was anything they could do and again he stated his appreciation.

Ms. Marjorie Levy, 21 Adams Way commented that she is very pleased that the minutes are up to date as she personally finds this helpful when she is not able to attend a meeting. She questioned how often they are updated on the website. Mr. Seaman explained the process currently being used to put the minutes on the website. It was agreed that he would make them available soon after they are approved by the Council. Ms. Levy thanked the Council.

Close Meeting to the Public

A motion was made by Councilman Murphy, seconded by Councilman DeNofa to close the meeting to the public. The motion was approved by Roll Call Vote with all members present voting yes

Payment of Bills

A motion was made by Councilman Murphy, seconded by Councilman Dodge to authorize payment of all bills as submitted by the Chief Financial Officer. The motion was approved by Roll Call Vote with all members present voting yes.

ADJOURNMENT

A motion to adjourn at 8:30 PM was made by Councilman Murphy, seconded by Councilman Keegan and approved by Roll Call Vote with all members present voting yes.

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

Approve: _____
Terel J. Cooperhouse, Mayor