

APRIL 6, 2009

Mayor Cooperhouse called the meeting to order at 7:30 PM. Mayor Cooperhouse read the Presiding Officer's Statement. Present were Council President Murphy, Council Members Burden, Dodge, Keegan, and Menapace. Also present were Borough Administrator Thomas Seaman and Borough Attorney Martin Barger. Councilman McGuire was absent.

RESOLUTION #2009-45 (Executive Session)

Mayor Cooperhouse read Resolution #2009-45 to enter into executive session.

Reconvene Public Meeting

Mayor Cooperhouse reconvened the regular meeting at 8:00 PM. Mayor Cooperhouse read the Presiding Officer's Statement. Present were Council President Murphy, Council Members Burden, Dodge, Keegan, and Menapace. Also present were Borough Administrator Thomas Seaman and Borough Attorney Martin Barger. Councilman McGuire was absent.

Salute to Flag

Mayor Cooperhouse led the Salute to the Flag.

Approval: Minutes of February 17, 2009 and March 2, 2009

A motion was made by Councilman Burden, seconded by Councilman Menapace to approve the meeting minutes of February 17, 2009 and March 02, 2009. The motion to approve the minutes of February 17, 2009 was approved by Roll Call Vote with all members' present voting yes, except Councilman Keegan who abstained. The motion to approve the minutes of March 2, 2009 was approved by Roll Call Vote with all the members' present voting yes.

Presentation by Mr. Bruce S. Shapiro form the New Jersey Association of REALTORS

Mr. Bruce Shapiro, 295 Pierson Avenue, Edison, NJ, spoke representing the Monmouth County Association of REALTORS (MCAR) and New Jersey Association of REALTORS (NJAR) in reference to their concerns about Shrewsbury's municipal code which prohibits the placement of open house signs on the public right-of-way. Mr. Shapiro provided the Mayor and Council with statistics of the housing trend and that 93% of the people surveyed identified the open house as part of the purchase process they used in buying a home. Based on statistics 10% of the buyers in New Jersey used the open house signs as a way to identify the houses they eventually purchased. Currently there are 37 homes on the real estate market in Shrewsbury which is up significantly from previous years. Mr. Shapiro informed the Council that Little Silver, Oceanport and Rumson are either allowing or are in the process of amending their Municipal Code to allow directional open house signs.

Mr. Shapiro requested that the Mayor and Council consider amending the sign ordinance to allow open house signs between the hours of 11:00 AM and 6:00 PM on the day of the open house.

Mr. Glenn Mills, President of the Monmouth County Association of Realtors, stated that the reason for the increase on signage is due to the fact more and more people are using the internet and newspapers dependence is down so consequently the real estate section of the has gotten smaller.

APRIL 6, 2009

People are now depending on the real estate signage and Open House signs more as a way to locate houses on the market. He discussed the current foreclosure problems and the need to inform people in the market interested in purchasing a home. The Council and Mr. Mills discussed the different factors involved with signage size and placement and the responsibility of the realtors.

The Council and Mr. Shapiro discussed their different concerns as to placement and number of signs to be permitted.

The Mayor read the ordinance from Rumson for the Council to consider as a model of a possible draft we could consider for our ordinance. Mr. Barger explained the language and timeframe of Rumson's Ordinance was designed to test if out for a year with the ordinance expiring on Jan. 1, 2010 to force the examination as to whether this was a good idea and to give them the option to make a final decision at that time if they wanted to extend the life of this ordinance.

The Council was in favor of considering the ordinance it was a matter of the language to be used specifically that needed to be worked out.

Karen Henderson, manager of the Weichert Agency in Rumson, NJ stated her concerns as to the number of signs that would be regulated and to consider how this is handled to avoid pitting real estate agent against real estate agent.

Councilman Keegan raised the issue of paying for the real estate sign privilege. The Council discussed both the negative and positive sides of this consideration. Councilman Burden spoke about his concern that the cost of administering such a system would outweigh the revenue gained.

The Council discussed the administration of the open house signs and how the placement of signs would be handled acknowledging the fact that we are in unique times with unique needs in the housing market.

The consensus of Council was to authorize the Borough Attorney to draft an ordinance to allow open house signs for a period expiring 12/31/09 for the next Council meeting.

RESOLUTION # 2009-46 (Emergency Temporary Budget Appropriation No. 2)

A motion was made by Councilman Murphy, seconded by Councilman Menapace to approve Resolution #2009-46 authorizing Emergency Temporary Budget Appropriation No. 2. The motion was approved by Roll Call Vote with all members present voting yes.

RESOLUTION #2009-47 (Permitting Employees and Spouses Into the Voluntary Medical Financial Incentive Program)

A motion was made by Councilman Dodge, seconded by Councilman Menapace to approve Resolution #2009-47 permitting employees and spouses into the Voluntary Medical Financial Incentive Program. Councilman Dodge commented on the significant savings of anywhere between \$11,000 and \$16,000 with this program. The motion was approved by Roll Call Vote with all members present voting yes.

APRIL 6, 2009

RESOLUTION #2009-48 (Authorizing the Deferment of 2009 School Taxes as Promulgated by the Division of Local Government Services)

A motion was made by Councilman Murphy, seconded by Councilman Burden to approve Resolution #2009-48 authorizing the deferment of 2009 School Taxes as promulgated by the Division of Local Government Services. The motion was approved by Roll Call Vote with all members present voting yes.

Authorize the Mayor and Clerk to Sign the Contract Renewal for Attorney Services

A motion was made by Councilman Dodge, seconded by Councilman Menapace to authorize the Mayor and Clerk to sign the contract renewal for Borough Attorney services. The motion was approved by Roll Call Vote with all members present voting yes.

Administrator's Report

Administrator Seaman reported that he had a Green Initiative meeting the previous week with Police, DPW, First Aid and Fire concerning utility and fuel usage. He stated that there were many good ideas exchanged that will be implemented immediately and another idea was to have all the parties do an in-house survey with the findings to be shared at the conclusion of gathering the information.

Mr. Seaman reported that the Newsletter would be going out this week so the residents should be receiving their newsletter by next week.

He also reported that the West End, Sickles and Laurel road projects will be starting up soon.

Administrator Seaman stated that he had contacted the Assessor to check to see how the tax appeal process on the approximately twenty appeals that had been filed was going. The breakdown is roughly 9 that would go to the State and 9 that would go to the County.

The Mayor asked for an explanation on the breakdown. Mr. Barger responded that the smaller tax appeals go to the County and the larger tax appeals go to the State. Mr. Barger explained that for the most part the tax appeals involved commercial properties and some of the larger homes that are fairly expensive.

Mr. Seaman informed the Council that he had reserved a specific amount in the reserve for tax appeals and that the Assessor knows that limitation and he is working very hard to stay within that parameter. Mr. Barger added that Mr. Walters does a wonderful job and really works at resolving these appeals very successfully.

Mayor Cooperhouse requested that Mr. Seaman contact the Tax Assessor to reaffirm the amount he provided the Council with during the budget process is going to be adequate based on the additional tax appeals that have been filed. Mr. Seaman responded that he would do so.

APRIL 6, 2009

Councilman Burden reported that there was an evacuation exercise at the Borough School which was conducted without any problems and that the Police and the school personnel were satisfied with the results.

Mr. Burden stated that the Police Department is involved with the “green initiative” and taking some ongoing action themselves. Mr. Burden questioned the status of the ATM machine request made by the Police Department. The Mayor pointed out that when they gave their proposal they came in with one company in mind and Mr. Barger pointed out that they would need to go out to bid and that needs to be addressed before we can move forward.

Councilman Burden reported that the Environmental Commission along with Councilman Menapace and himself were planning a site visit to the Middletown Department of Public Works on April 7, 2009. Mr. Burden passed on a recommendation from the Environmental Commission that we consider an ordinance that would limit putting computers and electronics toxic waste in the regular garbage pickup and instead require people to go either to the borough garage, participate in the annual recycling event or go over to the Shafto Road facilities.

Mr. Burden reminded everyone that the Recycle Day is scheduled for April 25th, on the Borough property here. He asked that everyone help spread the word around.

Councilman Burden announced that the Shade Tree Commission is seeking two alternates to serve on the Shade Tree Commission and if anyone had any other names for consideration to please relay that information to the Mayor. He reported that the Chairman of the Shade Tree Commission, Nancy Schmaltz, attended the annual Monmouth County Shade Tree Meeting in Freehold regarding the plans for gypsy moth spraying and mosquito control.

Mr. Burden spoke about the presentation that Mr. Chris Cole made about the Grove West where they have installed planters which will be used as vegetable gardens and the plan to work with the other merchants on the other side of the street to use the herbs and vegetables produced from these planters in cooking classes to be held at the Grove.

Councilman Burden informed the Council that the Monmouth County Regional Health Commission has a new health inspector, Sandra Mueller and she will be responsible for Shrewsbury Borough, Shrewsbury Township and Little Silver.

Councilman Burden informed the Council that the 2009 Clean Committee Entitlement for the Borough of Shrewsbury was \$4, 829.84.

Councilman Dodge commented for the record when the Insurance Committee specifically Councilman Menapace and Murphy wanted to move forward a year ago on the insurance issue he had objected. Mr. Dodge pointed out the Point of Service option would be saving the Borough \$30,000. The work that was done allowed those who wish to stay with the PPO version of the insurance they could elect to do so and just pay the difference in the cost for that coverage.

APRIL 6, 2009

Councilman Dodge stated that he felt this was a good option and he was very pleased with the resolution for those employees who wished to stay with that insurance program. He noted that this along with the "Opt Out Option" is a significant improvement here. Councilman Dodge spoke to raising the awareness and involvement of the employees in the cost of their healthcare cost to the Borough. He stated he felt the Insurance Committee had done a very good job.

Councilman Keegan reported that the Recreation Committee had requested quotes for baseball and softball equipment and out of the four requests they sent out they received two back one from Athletes Alley and the other from Leisure Sporting Goods in Iselin, which was incomplete. *Councilman Keegan made a motion to accept the recommendation from the Recreation Committee to accept the bid from Athlete's Alley for the amount of \$15,393.40 for the baseball and softball equipment, seconded by Councilman Murphy. The motion was approved by Roll Call Vote with all members present voting yes.*

Councilman Menapace reported that the Borough Engineer had a consultant/contractor take a look at our tennis courts and offered two different options on resurfacing them or digging out and rebuilding them. Mr. Menapace noted that the one option involves a surface that has some give to it and is easier on the body. The Council discussed the money currently in the Open Space Account being used toward this project and questioned if there were other projects that money is designated for. The Council discussed the debt service on the Bonanno Property, the money to be collected and how much would be put toward that debt service or paying down whatever the final decision is and how much money should be left in the Open Space Trust Account. Councilman Murphy stated that he felt we need to know that if we take the money out of the Open Space Account that over the next five years there is nothing that Recreation or Open Space will even remotely need money for.

CFO Seaman offered to would work up all the different scenarios and different balances that can be available on the Open Space Account to present to the Council. Mayor Cooperhouse requested that Councilman Keegan at the next Recreation Committee meeting find out if there are any other projects out there that need to be considered at this time.

Councilman Menapace stated that out of the three tennis courts only one is unusable at this time the other two although they have cracks in the courts they can be used. The Council discussed in great depth the surface problems and the two different options available as well as the 25 year warranty associated with the resurfacing option by the contractor.

Councilman Burden raised the idea of exploring the possibility of an agreement with the Little Silver Racquet Club or the Shrewsbury Racquet Club that the Borough would pay a fee to use their facilities in lieu of spending the money on repair to the tennis courts right now as they have outside courts as well as inside courts and would provide 12 months of tennis capability.

The conclusion that was reached by the Mayor and Council was to have Dave Cranmer, the Borough Engineer, come to the next Council meeting to explain the two options in more detail.

APRIL 6, 2009

Councilman Menapace asked Councilman Keegan to have a discussion with the Recreation Commission about the Sickles Field small diamond backstop about raising the height of the backstop there to prevent the balls from going over. He explained the two different quotes and options the Borough Engineer had gotten from Atlantic Fence. One option would be to build on a overhang style backstop added on to the existing backstop for \$3,800. The other solution would be to raise first base side netting another 10 feet at a cost of \$2,700. Councilman Menapace noted there would be another set of quotes coming in from a company called Boundary Fence. He noted that Boundary just did fencing work at our First Aid Building. Mr. Menapace asked Mr. Keegan to find out the preferences of the Recreation Commission.

The Mayor suggested taking a look at the backstops at Meadowbrook School in Eatontown on Wyckoff Road where these backstops are used.

Councilman Murphy had no report.

Mayor's Report – The Mayor stated that he had received correspondence from The Shrewsbury Youth Athletic Association that they would like the opportunity to come before Council the next meeting to give a presentation on a capital improvement to Sickles Field. They are proposing the addition of bathrooms at Sickles Field for which they would be responsible for funding that project. The Mayor explained to them that because it is on Borough property it would have to go out for bid.

The Mayor stated that we received correspondence from the Two River Water Reclamation Authority to have a press release they would like added to our next newsletter about the all the participating towns clogging up their lines.

Mayor Cooperhouse informed the Council that Mr. Seaman had checked with MEL-JIF that there would be no additional premium for a skate boarding park on borough property but we would be responsible for the loss up to 20% of the first \$100, 000. The Mayor and Councilman Murphy met with the Mayor and two members of Council in Little Silver who also had a presentation made to them for a skateboarding park and that Little Silver is still discussing it. The Mayor noted that there is a freeze on any capital projects right now and he noted that there was money available in the Open Space fund but that he wasn't sure this was the best way to utilize that money at this point in time. The Mayor opened up the discussion to the Council on the topic.

The Council discussed the topic and the idea that it was not good timing was acknowledged and the Council consensus was that although they are not opposed to a skate boarding park the timing was not good and there were other concerns that would have to be worked out. The feeling was that possibly the idea of a skate board park back on track at the YMCA would make more sense as it would serve the whole community and would provide a local place to skate. The Mayor offered to contact Mrs. Goodhue to inform her of the Council's decision as she has been the point of contact on this issue for the Shrewsbury group.

APRIL 6, 2009

The Mayor referred to correspondence from Assemblyman O'Scanlon's office bringing to our attention legislation providing that under certain circumstances age restricted developments that have already received approval from a municipality's land use board can be converted to non-age restricted communities. He explained that the municipality would have the ability to approve the conversion but should they deny it the developer has a right to appeal to the Superior Court which has the final say on this matter. The Mayor further explained that the developer would not be permitted to change the footprint and would have to redesign recreational areas to fit the needs of the new population. The Mayor noted that this legislation has passed both houses at this time. He explained that what this means as an example is the age restricted community behind the Avenue of the Commons which is deemed age restricted now would have the right to come in and open it up to families. The Mayor stated that was not the intent when they came before the board and that this would add additional hardships to the current school and he cautioned the Council that they all need to be aware of this legislation. Councilman Burden noted that all three of our legislators did not vote in favor of this legislation.

Correspondence

The Deputy clerk noted that she had received an executive order from the Governor that on Wednesday, April 8th to fly the flags in the Borough at half staff in respect for Supreme Court Justice Daniel O'Hern who had passed away.

Open Meeting to the Public

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

Close Meeting to the Public

Seeing no one to speak, a motion was made by Councilman Murphy, seconded by Councilman Burden to close the meeting to the Public. The motion was approved by Roll Call Vote with all members present voting yes.

The Mayor noted that he would be out of the country as of April 9 and returning on April 17th and that in his absence Council President Kevin Murphy would be acting Mayor.

Payment of Bills

A motion was made by Councilman Murphy, seconded by Councilman Dodge to authorize payment of all bills 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 9:31 PM was made by Councilman Murphy, seconded by Councilman Burden and approved by Roll Call Vote with all members present voting yes.

**BOROUGH OF SHREWSBURY
MUNICIPAL CENTER
MAYOR AND COUNCIL**

51

APRIL 6, 2009

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

Approve: _____
Terel Cooperhouse, Mayor