

**May 3, 2010**

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

**RESOLUTION ##2010-45 (Executive Session)**

Mayor Cooperhouse read Resolution #2010-45 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 Members Burden, DeNofa, Keegan, Menapace and Murphy. Council Member Dodge was absent. Also present was Borough Administrator Thomas Seaman and Borough Attorney Martin Barger.

**Salute to Flag**

Mayor Cooperhouse led the Salute to the Flag.

**Proclamation: National Arbor Day**

The Mayor read the proclamation recognizing National Arbor Day. A motion was made by Councilman Burden, seconded by Councilman Menapace to approve the National Arbor Day Proclamation dated May 3, 2010. The motion was approved by Roll Call Vote with all members present voting yes

**Certificate of Appreciation: Shrewsbury Borough Shade Tree Commission**

The Mayor extended a welcome to the Shrewsbury Shade Tree Commission Chair, Nancy Schmaltz. Ms. Schmaltz came forward to address the Mayor and Council. She acknowledged that Ellen Preissler a member of the Shade Tree Commission was also present. Ms. Schmaltz stated that the Shade Tree Commission had received the distinction of Tree City USA for the 12<sup>th</sup> year in a row and she presented the Mayor and Council with a plaque and a new Tree City USA flag. Ms. Schmaltz stated that it had been a difficult year for trees and that the Shade Tree Commission is encouraging people who have lost trees to keep replacing them. She thanked the Mayor and Council for their support and the Proclamation in acknowledgement of National Arbor Day. She informed the Mayor and Council that for Arbor Day the Shade Tree Commission had a tree seedling give away with the Shrewsbury kindergarten children as they have previously done. She explained that they had an information table at the Environmental Day and at that event they held a contest with the little children and that one of the prizes was a small ornamental tree. The Mayor read the Certificate of Appreciation for the Shrewsbury Borough Shade Tree Commission. Again Ms. Schmaltz thanked the Mayor and Council.

Councilman Burden acknowledged Ms. Schmaltz and Ms. Preissler of the Shade Tree Commission for their consistent efforts and faithful attendance at the Saturday morning meetings. Mr. Burden stated that he also wanted to acknowledge the work they did a couple of years ago when they planted Sycamore trees along the front of the property of the Borough in case the Pine trees there were lost and as he noted this turned out to be a very valuable decision when the Borough lost the

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Pine trees during one of the storms. Councilman Burden acknowledged their foresight in anticipating the needs of the Borough.

Councilman Menapace expressed his special thanks to Nancy Schmaltz and the Garden Club Members for their plantings of daffodils under the Borough sign by the corner. Mr. Menapace related how Ms. Schmaltz organized the brownies and their moms to come out and plant bulbs last fall and how this resulted in the beautiful splash of color which everyone has enjoyed.

Councilman Menapace personally thanked Ms. Schmaltz for her efforts. Ms. Schmaltz stated that it was a group effort and she acknowledged his appreciation.

**Presentation by Jill Gwydir, Shrewsbury Environmental Commission on Sustainable New Jersey**

Ms. Gwydir, Chairwoman of the Environmental Commission, was introduced by the Mayor. She thanked the Mayor and Council for the opportunity to present this widely recognized program that she would like to see Shrewsbury participate in. Ms. Gwydir stated she felt participation in this program would set an expectation and example for the residents of Shrewsbury, the businesses, as well as other local government entities in showing that Shrewsbury was taking an active role to preserve our resources and environment for the long term.

She reviewed the packet of information that was distributed to the Mayor and Council and summarized that the incentive of this certification program was for municipalities to go green. She explained that this grass roots project's intent is to control costs, save money and preserve resources. Ms. Gwydir reviewed the process Shrewsbury would need to follow to become part of this program which would allow for the formation of a "Green Team". This team would be made up of a cross section of people from the school, local businesses and residents as well as representation from different local organizations within the Borough consisting of the Environmental Commission, the Shade Tree Commission, DPW, members of Council which would total about 15 people. Ms. Gwydir noted that she would like to form a Sub Committee for this on the Environmental Commission. She noted that the Team would chose actions that are specified from the State's Website and by doing so they would accumulate points. She discussed the different levels of certification and the different requirements for each. She pointed out that once certification is achieved the certification is good for 3 years and that there is no time limit on the process of obtaining these certifications.

Ms. Gwydir explained that after reviewing the list on the website she realized Shrewsbury was already doing a lot of these things and would already have accumulated around 50 points in the program. She explained the point structure and how it worked. She outlined what would be required by the Borough to participate in this program which involved participation by a couple members of the Council, coordination and participation with DPW as well as some assistance from the Borough Administrator and the Clerk and the willingness from the Borough to implement some of the programs. She expressed the interest that has already been demonstrated by different members of the community to participate. Ms. Gwydir stated that Little Silver, Red Bank, Oceanport, West Long Branch and Long Branch are all members of this program.

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Councilman Burden spoke as liaison to the Environmental Commission that the Environmental Commission has been reviewing this program for the last 6 or so meetings and they all agree that they want to support this effort. At this point Councilman Burden made a formal recommendation to the members of Council that with the Council's approval they would like to move forward and take action on this.

Councilman Keegan questioned if there were already incentives that the Borough had already earned that would help us to get started rather than make it a budgetary item. Ms. Gwydir responded about the different things we have already done and she pointed out different areas where the Borough could look to receive financial support for this program.

Councilman Menapace questioned how the guidelines would work in each category. After Ms. Gwydir briefly explained further, Mr. Menapace pointed out that using the website's guidance the Borough would be in the position to make some changes in the way we do things. He cited DPW as an example of one of the departments that could implement changes that would support the endeavors of this program.

*Councilman Burden motioned that the Borough proceed to become a member of Sustainable New Jersey, seconded by Councilman Keegan. The motion was approved by Roll Call Vote with all members present voting yes.*

The Mayor thanked Jill Gwydir for all her time and commitment on this endeavor and he extended his appreciation also to the other members of the Environmental Commission.

**Resolution 2010-43 (Permitting Employees and Spouses into the Voluntary Medical Financial Incentive Program)**

A motion was made by Councilman Keegan, seconded by Councilman Menapace to approve Resolution 2010-43 updating the Borough's opting out of medical benefits policy to match the State mandates that have become policy effective May 21, 2010. The motion was approved by Roll Call Vote with all members present voting yes.

**Resolution 2010-44 (Awarding the Contract for Improvements to Laurel Street)**

A motion was made by Councilman Menapace, seconded by Councilman Burden to approve Resolution 2010-44 awarding the contract for improvements to Laurel Street to Fernandes Construction, Inc. for the bid of \$117,365.00 as the lowest bidder, seconded by Councilman Burden. Mr. Menapace noted that this project was 100% funded by a \$150,000 NJDOT Grant that the Borough applied for and was awarded. He noted that during the construction period the First Aid Squad which is located on Laurel Street will have their operations relocated to the Fire House. The motion was approved by Roll Call Vote with all members present voting yes.

Councilman Menapace stated that the stretch of Patterson Avenue from the intersection of Shrewsbury Avenue extending in approximately 100 yards is in very bad shape. In discussions with the Borough Engineer the Borough Engineer suggested considering a change order be issued to allow Fernandes Construction to mill and repave that area from Shrewsbury Avenue in to

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Patterson Avenue approximately 350 ft. east to get the road in much better shape and forestall its further deterioration at the approximate cost of \$20, 000. The Borough Attorney cautioned that we would still have to get quotes. The Borough Administrator responded that we have a Capital Ordinance for various roads which are specified however he noted that we could re-appropriate and do another Capital Ordinance and utilize that money. The Borough Attorney stated that the Borough would still have to obtain quotes and it could not be handled as a change order as it is a separate job.

The Mayor commented that Hovnanian currently has an application before the Planning Board that is coming to conclusion in the next 30 to 60 days. He noted that there is going to be quite a bit of construction work done and he felt it might be foolish for the Borough to move on this given the scenario with the unanswered details of which road would be used as a construction road. He advised waiting to see the outcome of decisions there. The conclusion after discussion was that this was considered a separate job that would require the process of acquiring quotes.

**ORDINANCE NO. 942 – FIRST READING/INTRODUCTION: Ordinance to Amend the Code of the Borough of Shrewsbury By Amending Chapter 152, Licenses**

Councilman Murphy motioned to introduce Ordinance No. 942- First Reading/Introduction to amend the Code of the Borough of Shrewsbury by amending Chapter 152, Licenses to delete the Surety Bond requirement of newly established businesses with in the Borough, seconded by Councilman DeNofa. The motion was approved by Roll Call Vote with all members present voting yes.

**Administrator's Report**

The Borough Administrator discussed the letter that had been distributed to the Mayor and Council in reference to the New Jersey American Water Co. Conservation Water Rate Pilot Program. He noted that the Water Company is filing for a rate increase with the Board of Utilities (BPU) for approximately a 14% increase with the increase being based mostly on capital infrastructure needs. He noted that the Water Company is proposing to the BPU this Conservation Water Rate Pilot Program which is scheduled to include Shrewsbury. Mr. Seaman explained that the first 4,000 gallons of use would receive an 8% decrease in the rates charged to that resident. The next 6,000 up to 10,000 gallons usage would receive an 8% increase on the rates and after that it would be a 15% increase if the usage was over 10,000 gallons. Mr. Seaman discussed his concerns and he noted that if the town wants to opt out it may be something that could be negotiated. He discussed the timeline on this plan and that it would be submitted to BPU within the next few months and put into effect sometime beginning 2011 when these rates would go into effect. The Council discussed the proposal from New Jersey American Water Company as to whether it would benefit the Shrewsbury residents to be part of this program. The Mayor suggested that as there is no time line immanent on this decision if Mr. Seaman could look into this and find out if Shrewsbury would be permitted to opt out if they wanted to. The Mayor requested that Mr. Seaman do an average calculation on the 14% increase as well as the first, second and third level being suggested so that the Council could see the actual amount in dollars since the Council was not under any time restraint to move on this at this meeting. Mr. Seaman noted this program was only available to the residents not the businesses in Shrewsbury.

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**Councilman Burden** reported that Shrewsbury received a 2009 State Body Armor Replacement Fund Program for \$890.69. He noted that three members of the Police Department Robert Turner, Daniel Calicari and Adam Cerminaro were selected for the 200 Club of Monmouth County for the work they did at the fire on Patterson Avenue. He acknowledged the honor that it was for them to receive this recognition by the County.

Councilman Burden reported that on April 22, 2010 he attended the Two River Reclamation Authority's open house and presentation which he found very interesting. That same evening Councilman Burden reported that he attended the Environmental Commission's Toxic Lawn Seminar which he reported about 35 people attended the presentation at the Borough, which he felt was very well done.

Councilman Burden called attention to the nice article recognizing the efforts of the Environmental Commission's Recycle Day in the Monmouth Journal.

**Councilman DeNofa** had no report

**Councilman Keegan** had no report

**Councilman Menapace** reported that prior to the recent pull back in Capital spending that Monroe and North Monroe were being looked at for resurfacing and replacement of the culvert. He reported that the Borough Engineer, Dave Cranmer estimated that repaving would cost about \$200,000 and culvert replacement \$150,000 to \$200,000. Mr. Menapace noted that total job would cost about \$350,000 to \$400,000. He noted the reason he was bringing it up now was to be forward thinking if the Borough does intend to start doing Capital projects in 2011 or 2012, since this project would involve culvert work the borough would need to apply for the necessary DEP permit to proceed and he noted that the process normally takes about 9 months to complete. Councilman Menapace noted that the cost of the permit application and process is \$12,000 payable to the DEP. Mr. Menapace stated that he was making this known so it could be factored in if that is indeed something that the Borough is going to go forward with.

Councilman Menapace discussed the Shared Service Agreement with Eatontown for brush chipping was going well so far. Mr. Menapace stated that the Borough was getting new garage doors on the DPW garage in the very near future. He noted that the money to pay for this is already bonded through bond 915 adopted June 16, 2008 in the amount of \$190,000 for improvements to DPW. Councilman Menapace discussed the truck car wash and its placement on the DPW property and the next step would be approaching Little Silver Borough with the discussion of a proposed Shared Service agreement as they have expressed interest in being involved in this project.

**Councilman Murphy** reported that normally the Borough would have held their Public Workshop meeting on the Municipal budget by now however, he noted with the loss of State Aid and the

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other financial considerations that have to be taken into account the workshop had to be delayed. The Council and the Borough Administrator discussed the timeline required for introducing the budget and the issue of the next tax bills going out as well as the County being able to strike the tax rate for the Borough. After polling the Council for their availability it was decided that the Municipal Budget Workshop meeting would be held on May 13, 2010 at 7:00 PM in the Borough Court Room. The Mayor explained the process of the Budget Workshop Meeting for the public present at the meeting. After discussion by the Council it was decided that the Municipal Budget should be introduced at the meeting of May 17, 2010. The Mayor requested that this be posted on the Fire House Marquee as well as getting the information up on the Board at the Borough School.

### **Mayor's Report**

Mayor Cooperhouse reported that on April 16, 2010 the Borough received communication on the Shared Service Agreement with the Monmouth County Sheriff's Department for 911. He inquired as to the status of that communication. Mr. Seaman stated that this would be on the agenda for the next Council meeting.

The mayor reported that the Borough received the final judgment of compliance from the Superior Court of New Jersey for the Borough's COAH plan which was accepted by the judge. He noted that this was good news for the Borough of Shrewsbury.

The Mayor reported that the Borough Attorney supplied the Council with a draft of an ordinance pertaining to a mischief night curfew. Councilman Burden suggested we move forward with this. The Mayor explained for the public the number of complaints received by the Police and Council in reference to the activity on mischief night in the Borough. He noted that it had been discussed at Council meetings on a couple of occasions and as a result the Council requested that the Borough Attorney supply the Council with samples of other towns Ordinances to consider for Shrewsbury.

The Mayor discussed the opening that had occurred on the Zoning Board and he suggested this opening be filled by Jeffrey DeSalvo, of 68 Sickles Place in Shrewsbury. The Mayor noted that Mr. DeSalvo had expressed interest in being part of the Zoning Board for several years now and as this opening has occurred it was his recommendation that he be placed on the Zoning Board.

*Councilman Burden motioned to approve the appointment of Jeffrey DeSalvo to the Zoning Board, seconded by Councilman Menapace. Councilman Burden stated that based on his activities on the Environmental Commission that he felt this was an excellent choice by the Mayor. The motion was approved by Roll Call Vote with all members present voting yes.*

The Mayor acknowledged the presence of some parents at the meeting and he stated that without being presumptuous he assumed that they were at the Council meeting as a result of the Red Bank Regional's Budget not passing at the last election. The Mayor explained that he was not permitted to go into details as to the meeting that took place in closed session with the members of the Red Bank Regional Finance Committee, the School Superintendent, the School Business Administrator and three representatives from the Governing Bodies of Little Silver, Red Bank and Shrewsbury.

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The Mayor reported that he along with Councilman Dodge, Councilman Keegan and Administrator Seaman were at this meeting. The Mayor explained that he had received a number of phone calls from Shrewsbury residents as well as Little Silver residents in regards to this issue. He noted that there would be another meeting on Thursday night with the three towns and the Red Bank Regional Board of Education however, he noted again it would be closed session and he would not be permitted to publicly discuss the information at this time.

Councilman Keegan stated without going into any specific detail that the representatives from Shrewsbury were doing everything in their power to preserve the integrity of the experience of education of the kids at the school. The Mayor added that they are aware that the RBR budget did pass in the Borough of Shrewsbury by 41 votes. He stated that he wished he could provide more information at this time but unfortunately he can't.

### **Correspondence**

The Clerk stated there was none.

### **Open Meeting to the Public**

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

Edward Kosberg 91 Beechwood Drive requested clarification on the Water Rate increase and the proposed Pilot Program. Mr. Seaman explained that after that 14% increase was applied that residents using less than 4, 000 gallons would get a decrease of 8% of the rate. Mr. Kosberg noted that the presentation of Sustainable New Jersey drives home the point of conservation and it would seem to him that conserving water would fit into that program. He stated that it seemed hypocritical to him that we would support Sustainable New Jersey but for the residents who want a greener lawn and therefore use more water that we would consider opting out. He stated that he felt we should become part of this pilot program to encourage people to evaluate their priorities.

The Mayor noted the handout in reference to this program being offered by the Water Company would be available in the Clerk's Office for anyone wishing to review it.

Meg Gerth, 33 East End Avenue, Shrewsbury stated that she just wanted to reinforce for the Council that the Shrewsbury residents did in fact support the RBR budget and the residents are asking the Council representatives to support this vote. She commented how the high school has changed a lot over the last several years. Ms. Gerth pointed out that the high school was recognized in New Jersey Monthly as one of the top 75 high schools in New Jersey as RBR was rated 64<sup>th</sup>. She noted that the high school was ranked 3<sup>rd</sup> in Monmouth County behind Holmdel which is ranked 11<sup>th</sup> and Rumson Fair Haven which is ranked 33<sup>rd</sup>. She noted how it has taken a lot of commitment on the part of the school and the community's part to get the high school to that ranking. She pointed out the Red Bank Regional Community Newsletter which went to every household highlights the success of their students. She pointed out that Shrewsbury is the smallest sending community at the high school, representing about 20% of the student body and yet the Shrewsbury students are very successful at this high school. She noted that over 33 individuals

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from Shrewsbury were listed in this four page pamphlet about the success they have encountered at Red Bank Regional High School. She touched on the different areas of success these students have had at the high school. In conclusion she stated that the high school has offered an excellent education to their students and she just wanted to make sure that the Council is aware of all the things that they do. She pointed out the number of articles in the last several issues of the Town Journal covering the success of the students at Red Bank Regional. She acknowledged the difficult decisions the Council representatives would be asked to consider in consensus with the other two Boroughs but she hoped they would consider the vote of the Shrewsbury residents and the decision they made when cuts are being considered as part of this process.

The Mayor and Council thanked Meg Gerth for her comments.

Steve Wikoff, 152 East End Avenue asked if during the process before the final decision was going to be made would there be a public session. Attorney Barger stated that it was not the way the process works that it was a negotiation and that is why there are only three members of each Council there and it is carried out in closed session. He explained that they try to arrive at a conclusion that everybody can live with. Again Mr. Wikoff questioned if at any point the public has input to what the potential budget would be and possibly have a voice in directing where the cuts would be? The Mayor suggested if he has ideas make sure you get those ideas to these Council representatives before the next meeting. Councilman Keegan pointed out that if Mr. Wikoff has ideas of what he thinks might be happening and he has countering ideas for those decisions bring it to the Council so those ideas can be represented during the negotiations.

Mr. Wikoff suggested that the teachers consider a wage freeze. He questioned what the dollar amount was that Little Silver and Red Bank would agree on and he pointed out that Shrewsbury agreed on the budget that was suggested. The Mayor stated that the six members of the Governing bodies of the other two towns had spoken to the Finance Committee of RBR and the Business Administrator as to the concerns raised by their residents. The Mayor noted the multiple phone calls he had received from both residents of Shrewsbury and Little Silver expressing their concerns.

Mr. Wikoff noted that it should start at the top and he acknowledged the raise freeze that Dr. Lutz consented to and he reinforced his view that he would hope that concept would trickle down from the top to the other levels of administration as well as the teachers as is necessary to control the budget needs.

Attorney Barger commented that he represents a number of school districts and everyone of the school districts he represents the administrators have waived their increases and most of the supervisors and directors pretty much across the board have waived their increases. Mr. Barger stated in the districts he represents none of the teachers have accepted a wage freeze. He noted that only in 13 districts out of 600 in the state have the teachers waived their salary increase.

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Again Mr. Wikoff questioned what the dollar amount is in the other two towns that would make their people happy. He noted that Shrewsbury residents were happy with the original budget proposal and that question needs to be directed to those two towns.

The Mayor acknowledged the points that Mr. Wikoff had brought to the table.

Mr. Jim Halpern, 37 Meadow Drive commented that he wanted to clarify that the people of Shrewsbury were happy with the proposed budget the way it was. He clarified that this was the position of Shrewsbury residents.

**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 Burden 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 was made by Councilman Menapace, seconded by Councilman Murphy to adjourn at 9:15 PM. The motion was approved by Roll Call Vote with all members present voting yes.

Attest: \_\_\_\_\_  
Kathleen P. Krueger, RMC – Municipal Clerk

Approve: \_\_\_\_\_  
Terel J. Cooperhouse, Mayor