

April 4, 2011

Mayor Burden called the meeting to order at 7:00 PM. Mayor Burden read the Presiding Officer's Statement. Present were Council Members DeNofa, DeSalvo, Dodge, Menapace, Meyer and Pellegrino. Also present was Borough Administrator Thomas Seaman and Borough Attorney Martin Barger.

Salute to Flag

Mayor Burden led the Salute to the Flag.

Resolution #2011-34 (Executive Session)

Mayor Burden read Resolution #2011-34 to enter into executive session.

Reconvene Public Meeting

Mayor Burden reconvened the regular meeting at 7:30 PM. Mayor Burden read the Presiding Officer's Statement. Present were Council Members Burden, DeNofa, DeSalvo, Dodge, Menapace, Meyer and Pellegrino. Also present was Borough Administrator Thomas Seaman and Borough Attorney Martin Barger.

Resolution #2011-31 (Authorizing Entitlements for the Retirement of Nathan J. Tomaino Jr.)

Councilman Menapace reviewed the retirement entitlements for Captain Nathan Tomaino who will retire on June 30, 2011 after 25 years of service. He will be paid a lump sum of \$15,000.00 for unused sick time and additional vacation time of 408 hours for 2011 totaling \$24,044.66 for a total payout in the amount of \$39,044.66. He will also be entitled to receive full medical and dental benefits, as provided to all full time employees with at least 25 years of service. He is also entitled to receive an \$18,000.00 term life insurance policy as provided by the Borough of Shrewsbury. Councilman Menapace stated that he wished Captain Tomaino "Good Luck" and "God Speed" on his retirement and he noted with Captain Tomaino's retirement the Borough would be down three officers by midsummer. A motion was made by Councilman Menapace, seconded by Councilman Meyer to authorize the entitlements for the retirement of Captain Nathan J. Tomaino. The motion was approved by Roll Call Vote with all members present voting yes.

Resolution #2011-32 (Temporary Capital Budget)

Administrator Seaman explained that the Borough needs to adopt a Temporary Capital Budget if we are going to introduce a Capital Ordinance before adopting the budget. Mr. Seaman noted that the Borough would be introducing a Capital Ordinance for improvements to Blades Run Drive which is a \$850,000 project with \$430,000 being used from another project not being developed at this time, and so the Borough will only have to finance \$399,000 of this project. A motion was made by Councilman Meyer, seconded by Councilman DeNofa to authorize the Temporary Capital Budget. The motion was approved by Roll Call Vote with all members present voting yes.

Resolution #2011-33 (2011 Safe and Secure Communities Grant)

Mr. Seaman explained that this grant has been in place for many years here in the Borough and it serves to supplement the salary of one of our police officers. He stated that the grant amount this year is \$20,400. He explained that he needed authorization from the Council to go ahead with the

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grant application as well as having the Mayor and Administrator sign the Safe and Secure Communities grant application. A motion was made by Councilman Meyer, seconded by Councilman Menapace to authorize the 2011 Safe and Secure Communities Grant application. The motion was approved by Roll Call Vote with all members present voting yes.

Authorize the Mayor and Administrator to sign the Safe and Secure Communities Grant Application

A motion was made by Councilman Menapace, seconded by Councilman DeNofa to authorize the Mayor and Administrator to sign the 2011 Safe and Secure Communities Grant application. The motion was approved by Roll Call Vote with all members present voting yes.

ORDINANCE NO.956: INTRODUCTION/FIRST READING: Bond Ordinance Providing for Improvement to Blades Run Drive

Mr. Seaman stated that this Ordinance is for the Blades Run project for \$850,000 appropriating \$430,000 previously funded with \$399,000 from Bonds or Notes and \$21,000 being utilized from a Capital improvement fund which is the 5% down payment. A motion was made by Councilman Meyer, seconded by Councilman Pellegrino to authorize the introduction/first reading of Ordinance No. 956: BOND ORDINANCE PROVIDING FOR IMPROVEMENT TO BLADES RUN DRIVE, AND APPROPRIATING \$420,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$399,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AND REAPPROPRIATING \$430,000 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST OF THE IMPROVEMENTS TO BLADES RUN DRIVE. Councilman Meyer questioned if the entire road was going to be repaved. Mr. Seaman responded that they would be regrading, repaving and curbing. The Council discussed the fact that there is the possibility that the Borough could take advantage and save money due to the better prices in construction currently. Councilman Menapace added that the Borough might benefit if the borings of the subsurface of the street come back better than originally anticipated because the drainage to preserve the integrity of the street would be less. The Council is hoping for lower bids when they come back.

The Public hearing and adoption will be at the Borough Council meeting of April 18, 2011. The motion was approved by Roll Call Vote with all members present voting yes.

ORDINANCE NO.957: INTRODUCTION/FIRST READING: An Ordinance to Amend the Code of the Borough of Shrewsbury by Amending Chapter 90, Vehicles and Traffic

Attorney Barger stated that one of the schedules was improperly referenced in the Ordinance due to a typo, the ordinance should be changed to read: "no person shall park at any time on the streets described in Schedule 1 Section 90-19". A motion was made by Councilman Menapace, seconded by Councilman Meyer to authorize the introduction/first reading of Ordinance No. 957: An Ordinance to Amend the Code of the Borough of Shrewsbury by Amending Chapter 90, Vehicles and Traffic. The Public hearing and adoption will be at the Borough Council meeting of April 18, 2011. The motion was approved by Roll Call Vote with all members present voting yes.

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Administrator's Report

Mr. Seaman reported receiving from Mr. Steve Walters, the Borough Tax Assessor, a tentative list on tax appeals which consist of 27 County appeals and 6 State appeals.

Mr. Seaman stated that the Borough received a letter from Najarian Associates concerning the public fire hydrant authorization for the K. Hovnanian project for The Ivy at Shrewsbury which covers the Borough's responsibilities for the six fire hydrants. Mr. Seaman requested authorization from the Council to allow him to sign that agreement. A motion was made by Councilman DeNofa, seconded by Councilman Pellegrino to authorize Mr. Seaman to sign the agreement with Najarian Associates in reference to the fire hydrants. The motion was approved by Roll Call Vote with all members present voting yes.

Mr. Seaman informed the Council that he had received a packet from the Meghan Nicole Kanka Foundation concerning the fingerprinting of coaches for the Borough's recreation programs. He stated that the Borough has been approved for the grant program for 2011 which would cover all the cost for fingerprinting all the coaches for 2011. He explained that it is a direct charge to the Foundation once everything has been set up. Mr. Seaman stated that the only thing the Borough needs to do at this point is submit the preregistration requirements to the New Jersey State Police and once the Borough receives their Volunteer Registration number we can start the process. Mr. Seaman added that he felt this was a great program and that it is recommended by our insurance carrier and he had spoken with Maureen Kanka who said she would submit the Borough for coverage again next year through the Foundation.

Reports of Council

Councilman DeNofa reported that he attended the Red Bank Regional Board of Education Meeting where they introduced the budget to the public where they provided a power point presentation.

Mr. DeNofa stated that Councilman Menapace attended a meeting for Councilman DeNofa that morning with DPW and he thanked him for the notes he took and proceeded to share that information with the Mayor and Council. Mr. DeNofa reported that the lock on the tennis courts continue to be an issue. He explained that kids are kicking the gate hinges out of alignment and preventing the closure mechanism from functioning. DPW is planning to bolt or weld the hinges in place or prevent this.

He continued listing items from the meeting, one being that the fuel nozzle that was an issue at the DPW building seems to be working. Patterson Avenue Park clean up is temporarily stalled because of wet weather and muddy ground but they will be back there clearing the brush this week. Bob Wentway is consulting with the Shade Tree Commission about a gum tree behind the backstop that he would like to remove.

Mr. DeNofa stated that brush pickup is ongoing and the fields are being groomed although he added that some clay is needed to touch up some of the infields.

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He informed the Council that DPW employee Ron Neiss has completed his pesticide/fertilizer certification course work but still needs to take the test. As the test prep books cost around \$300 he is in the process of trying to borrow them from Little Silver.

Councilman DeNofa reported that on the engineering side of the house, Trader Joe's parking lot has been a point of concern. The Borough Engineer, Dave Cranmer, has contacted everyone with a responsibility for the parking lot and they are busy filling the potholes and should start paving later this week. Paving will be completed by the end of next week.

Seashore Estates did not start the work they had projected for 3/28/11. In reference to the K. Hovnanian project there was a preconstruction meeting today and they expect about a month of work clearing things out and about 18 months of street, sewer, retaining wall construction work at that location. Councilman Menapace added that this preconstruction meeting mainly dealt with timelines of scheduling and that there will be another preconstruction meeting when they are actually ready to start construction.

Mr. DeNofa stated that Steve Walters, the Tax Assessor, needs the tax map redone and certified by the State before going forward on the reevaluation next year. Mr. Seaman has budgeted money to cover this expense. Mr. Cranmer expects to complete his part of that process within the next few weeks and submit it to the State for review, comment and approval.

With respect to White Street, Councilman DeNofa stated that the County will rebuild inlets on both sides, open street, reinforce the top of the pipe and repave the street all within the next two weeks or so. The Council discussed the negligence of the County in doing this work properly initially and the inconvenience this has caused the Borough residents.

Councilman DeSalvo reported that the Environmental Commission is still working towards the Earth Day and Recycling Fair to be held on April 30th. He noted that the Shrewsbury Drug and Alcohol Alliance will be participating at this event with the "Take Back" prescription drug drop off that day at our Police Department as well.

Councilman Dodge reported meeting with the Tax Assessor, Steve Walters, and he felt it was important for the public to understand that the assessed evaluations are going to be down \$16 million dollars and about \$1.5 million roughly is for residential appeals with the balance being for commercial appeals. Mr. Dodge explained that the commercial appeals are based on income; he noted that first they have to go through the appeal process but then they also have to submit financial information. He explained that any reduction in their tax assessment would depend on if there has been a reduction in the earning power of the property.

Councilman Dodge explained that 30% of the Borough's tax revenue comes from commercial property. He stated that unlike the residential properties where annual changes in income are not reflected in short term evaluation adjustments the commercial is. He noted that with the present state of the economy and the properties that are involved, suggest questions as to future Borough revenue forecasts which is as much an issue as is some of the Borough's expense issues, which

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have been everyone's focus. Mr. Dodge stated that he felt the meeting was a very informative meeting for him however he noted the issues raised were concerning.

Mr. Seaman added that the County might approve the Borough doing a reevaluation this year for next year which would accelerate the process by one year and would help a lot with the appeal process.

Councilman Dodge discussed the use of the deferred school tax option and he referenced the draft document being considered to be used for the Budget Workshop that will take place at the Borough on April 9th. He asked the Council to review that document and let him know before the Budget Workshop if there were any changes that should be made to this draft document.

The Mayor thanked Councilman Dodge and the Finance Committee and Mr. Seaman on the hours they have given working on the Budget. He stated that he felt the citizens of Shrewsbury will be pleased when they see the work that went into the information that will be presented at the Budget Workshop meeting.

Councilman Menapace reported that Teresa Helmka, of Spirits Unlimited, requested permission to expand their Sunday hours from 10:00 AM to 9:00 PM. They are currently open from 10:00 AM to 6:00 PM. Mr. Menapace noted that the request was based on the later hours other Staples Plaza businesses enjoy, and the fact that two BYOB restaurants both which are open till 10:00 PM or later will be operating a few doors away from Spirits. Councilman Menapace noted that at the last Council meeting the consensus of Council was to run this by the Chief of Police. Mr. Menapace indicated that he had conferred with Chief Wilson who had no objection to the expanded hours. *Councilman Menapace motioned to authorize the Borough Attorney to draft the necessary documentation to allow this request for change in hours on Sunday's to occur, seconded by Councilman Meyer. The motion was approved by Roll Call Vote with all members present voting yes.*

Councilman Menapace advised the Council and public that Chief Wilson informed him that 17 car burglaries have occurred over the last several days. He noted that there had been 6 car burglaries the previous week for a total of 23 car burglaries over the last 2 weeks. Mr. Menapace stated that the Borough Two River Alert system was utilized to advise residents of the problem. Councilman Menapace stressed several times that these car burglaries occurred in unlocked cars so residents are reminded to lock their cars.

Mr. Menapace stated that Chief Wilson recently submitted a performance evaluation procedure to the Police Committee and Mr. Barger for review. It was noted that this document is modeled after one used by the Woodbury NJ Police Department and would replace the one currently in use. Mr. Menapace reported that review by the Police Committee and Mr. Barger found the document to be a comprehensive, well structured evaluation tool.

A motion was made by Councilman Menapace, seconded by Councilman Pellegrino to authorize Attorney Barger to draft a resolution to adopt the Police Department Performance evaluation

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procedure dated 2/1/2011, per Order #2011-0001. The motion was approved by Roll Call Vote with all members present voting yes.

Councilman Menapace reported that the Police Department posted for two police officer positions and received almost 50 applications. He noted those applications were being evaluated at this time.

Mr. Menapace stated that the Shade Tree Commission (STC) met on March 26, 2011. And although he was unable to attend, the Chair of the STC, Nancy Schmaltz provided him with the minutes of that meeting. He noted that the Shade Tree Commission would be submitting articles to the Borough newsletter regarding invasive and native plants and snow damage. Other activities that the Shade Tree Commission was involved with at this time were the Monmouth County Spring Forum held on March 30th in which four STC members attended. Also the STC plans to distribute tree seedlings to the kindergarten on Arbor Day April 29th. He noted that the STC will participate in Earth Day events on April 30th with a display of four native American trees provided by Sickles Market.

Councilman Meyer reported that there is much discussion between the Recreation Committee and the travel team coaches (which is made up of both Shrewsbury and non-Shrewsbury children) as to the use of the shed and the tools in the shed including lime and chalk and other things used for the function of the baseball teams. Mr. Meyer recommended that the Recreation Committee and the eight travel coaches discuss this issue and come up with a solution as to how they want to handle this request as originally they wanted the Council to step in and make a decision on the issue.

Mr. Meyer revisited the discussion that occurred at a previous Council meeting between Mr. Santos, Mr. Wikoff and Mr. Mangold in regard to the use of Sickles Field for the Memorial Day and Fourth of July Baseball Tournaments. Mr. Meyer moved to allow the use of Sickles Field with the caveat that the Police post "No Parking" signs on one side of the street for public safety purposes and for Fire and First Aid access. He continued that the Tournament committee make every reasonable attempt to limit parking at the end of the block to coaches and those who display handicapped stickers and to try to keep that traffic down to a minimum. He also would request that the Police Department patrol the area to check how the proceedings are going. Councilman Pellegrino seconded Mr. Meyer's suggestions and added that he would like, for emergency services access, to include that there be no parking allowed in front of the park walkway access ramp next to the handicapped parking sign. In the past coaches have parked there and blocked First Aid access to the walkway. The Council discussed the issue that there are no lines painted there currently and requested that DPW address this before the tournaments occur.

The discussion then opened up to whether there should be an off duty police officer hired to have a presence of authority at the field in an attempt to keep some of the issues that were experienced by the residents last year under control. The Council discussed the issue that the cost of hiring a police officer would reduce the amount of money raised with these tournaments which serve as a fundraising event for trips to Cooperstown by the participating local teams. The Council also discussed the issue of whether they should be the determining body as far as the operation of these tournaments or if that should be left in the hands of the Recreation Committee.

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It was decided that the Council would advise the Recreation Committee that, with regards to the Memorial Day and Fourth of July Tournaments, that the responsibility for disseminating the Council's requests and concerns to the tournament organizers falls on them (the Recreation Committee). The Recreation Committee must let these organizers know that if the issues discussed are not controlled during the initial tournament that the second scheduled tournament would be in jeopardy. The "no parking" will be enforced by our police patrolling the situation. Councilman Meyer stated that he would contact the Recreation Committee to inform them of the Council's recommendations and advisement.

Councilman Pellegrino reminded Council that awhile ago he had reported about a team from Red Bank Regional High School who was invited to participate in the National Cyberpatriot Championship, a unique competition geared toward teenagers that replicates real life cyber security situations faced by computer administrators. This program was created in 2008 by the Air Force to provide the students with hands on learning about cyber security while exciting, educating and motivating them to be the nation's next cyber defenders. In the competition, Red Bank Regional's team of six students (with four of them from Shrewsbury) was the only team from the East Coast picked to compete this past weekend. The Red Bank Regional team took First Place in the National Championship. The team walked away with \$12,000 to further their education. Four of the six students on the team from Shrewsbury were Josh Eddy, Jack Kelleher, Adam Cotenoff and Colin Mahns. Councilman Pellegrino expressed how proud he was of these fine young men.

Councilman Pellegrino reminded everyone that the Shrewsbury First Aid is going to have an open house on Sunday, May 15th, on Laurel Avenue from 1 to 4:00 PM commencing with EMS week. He noted that many of the emergency services will be participating including Police, the Fire Department, Office of Emergency Management, the State Police, Homeland Security and Riverview Hospital will have things set up for the kids.

Mayor's Report

The Mayor outlined the activities that he had participated in which included:

March 22, 2011 he had a meeting with Carolann McLoughlin to discuss local media with the Red Bank Patch specifically about an article honoring Frank Clark.

March 24th, 2011 he met with Chief Wilson to discuss several matters for informational purposes.

On that same day the Mayor met with reporter, Andrew Davidson, of the Hub, in reference to an article about Frank Clark. At 7PM that same evening, the Mayor hosted the Board of Chosen Freeholders here in the Borough Meeting room. At that meeting, the Freeholder's presented the Mayor with a flag of Monmouth County which will be hung in the Borough Meeting room.

On March 25th the Mayor and Councilman Menapace met to discuss shared services with other communities. That same evening the Mayor attended the Mayor and Clerk annual dinner at the Sheraton in Eatontown with the Clerk, Kathy Krueger.

On March 26th the Mayor attended the Shade Tree Commission meeting where they are gearing up for Earth Day and the Recycling Day to be held here at the Borough on April 30th. Later that same day the Mayor attended the Republican Steering Committee meeting in Freehold.

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On March 28th the Mayor attended the Board of Health meeting and newly appointed member, Doctor Brodsky, contributed in helping to resolve some issues with the Blood Drive with Monmouth County Blood Bank here in Shrewsbury. He announced that the Monmouth County Regional Health Commission lost \$50,000 in grants last year, one town did not renew their membership which increased their budget which gets passed on to the members (Shrewsbury's assessment will rise roughly \$4,000 up from \$34,000 to \$38,000).

On March 29th, the Mayor attended a meeting to discuss the Foreman position left open by Frank Clark's retirement. Later that afternoon the Mayor met with John Burton of the Two River Times to do another article for Frank Clark. That evening there was a gathering of friends in honor of Frank Clark's retirement.

On March 30th the Mayor had a long meeting with Little Silver Council President, Dan Levine, to discuss shared service opportunities. On April 2nd the Mayor had a meeting with Michael Bell of the Shrewsbury Planning Board in reference to the Hovnanian project regarding the developer's agreement.

The Mayor announced that Cary Costa has been selected as the 2011 Fire Protection Inspector of the Year. Also the newsletter will be posted on the website this week and it is a rather large one. The Mayor thanked Izzy Grieco for her hard work on this.

The Red Bank Regional Education Foundation will be hosting The Distinguished Alumni Hall of Fame on April 29th which will be attended by Councilmen Dodge, Menapace and Pellegrino as the Mayor will be out of town. The Mayor listed three people from Shrewsbury who will be honored this year and they are: Jacqueline Caruso-Smith, Class of '63; Lurna Godwin Class, of '77 and Christina Emrich, Class of '87.

The Mayor expressed concern with the recording system and the speaker system which has continued to have problems. He stated that the Borough will be looking at estimates for upgrades to the current system. The Mayor referred to correspondence from JCP&L reminding everyone that New Jersey State Statues 27, 5-9 prohibits the placement of signs on public utility poles and also Section 59F states that a sign may not be painted, drawn or erected on trees, rocks and other natural features on the public utility poles.

The Mayor concluded his report and asked the Council if there was anything else they wanted to ask of him. Councilman Meyer inquired about the Developer's Agreement with Hovnanian which had not been finalized and he asked what conclusion should be drawn from this. The Mayor responded that there are some issues related to First Aid support for purchases and materials which was being negotiated. Additionally traffic calming was another issue still in discussion.

Correspondence

The Clerk stated that she had no additional correspondence.

Open Meeting to the Public

A motion was made by Councilman DeNofa, 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.

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Carolann McLoughlin, 50 Patterson Avenue inquired about the problem with the tournament normally held on Memorial weekend. Councilman Meyer related to Ms. McLoughlin that at the last meeting there were several coaches representing the tournament teams asking the Council to reconsider the decision to disallow them to use Sickles Park for the Memorial and Fourth of July Tournaments normally held there. After discussion, the misunderstanding by the coaches (that this Council had made that decision) was corrected. Discussion continued as to the problems encountered there last year during the tournaments and the Council explained that changes would have to be made to protect the residents from those issues being repeated.

Ms. McLoughlin questioned Councilman Menapace in reference to the procedures used for evaluation of the Police Department and if the public would ever get to see what those procedures would be. Attorney Barger responded that as soon as it is approved that this document would be accessible to the public.

Ms. McLoughlin questioned who makes the decision to hire two new police officers as was previously stated by Councilman Menapace in his report. Councilman Menapace responded that the Council would (with the encouragement of the Chief). The Council gave the Chief authorization to post for the jobs. Ms. McLoughlin referenced the article on the front page of the newspapers the day before as to all the steps the different communities are taking to cut back and consolidate. The Council discussed the past hierarchy within the Police Department and that with the recent retirements that some of the hierarchy would also be changing and making some decisions going forward on the department's structure. Councilman Menapace stated that how we look at the department (from a command structure) with these hiring's is in discussion at this time. He stated that we would be using "outside the box" thinking. Ms. McLoughlin asked if, as this happens, would there be an opportunity for public input. Mr. Menapace responded yes there would be.

Councilman Dodge responded that there is a limit to what can be discussed in public in respect to personnel and hiring information by law. He continued that the Council is considering everything; thinking outside the box in relation to shared services, automation, shift organization and how many patrol squads we will have.

Councilman Menapace stated in a very simple sense a police department runs on its patrol. He continued that if we want to make sure that any level of the department is properly staffed it is going to be on the patrol level. It's going to be young patrolmen led by a sergeant, a sergeant with a two man squad on the street patrolling the town. Mr. Menapace stated Police departments are patrol driven, its visibility, its response time, its uniforms and cars on the street. He agreed we were top heavy in the past and that is something the Council is looking at.

Ms. McLoughlin expressed how she is trying to get the different departments in the community involved in the blood drive and she jokingly stated what a wonderful example it would be if the Council led the way in donating to the blood drive. With that she gave out pamphlets to the Council for the blood drive at the school for May 3rd.

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Ms. McLoughlin requested that the Council stay seated after the meeting to allow her an opportunity to take a headshot of each Council member and she explained that this is something she would like to accompany any future articles she might write for Patch.com.

Marjorie Clark, 213 Garden Road, Shrewsbury expressed her appreciation for the Alert she received about the car break-ins. Ms. Clark inquired if the Budget Workshop, to be held on April 9th, would be open to the public for questions. The Council responded that yes questions would be entertained at the workshop.

Ms. Clark inquired if the tournament takes place and damages occur with the field would there be any provision for recouping for damages to the field. Councilman Meyer responded that the team has to carry insurance and that the town would not carry that burden.

Close the Meeting to the Public

A motion was made by Councilman Menapace, 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 Dodge, seconded by Councilman Pellegrino to authorize payment of all bills in the amount of \$999,586.46 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 DeNofa, seconded by Councilman Menapace to adjourn at 8:58PM. The motion was approved with all members present voting yes.

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

Approve: _____
Donald W. Burden, Mayor