

October 3, 2017

### **Meeting Called to Order**

The public meeting convened at 7:00 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 September 29, 2017 by the Municipal Clerk.

### **Roll Call**

Present: Mayor Burden, Councilmembers Anderson, DerAsadourian, DeSalvo & Moran  
Also Present: Borough Attorney Martin Barger, Borough Administrator Thomas Seaman & Clerk Kathleen Krueger  
Absent: Councilmembers Eddy & Meyer

### **Salute to Flag**

Led by Mayor Burden.

### **A moment of silent reflection in honor and respect for the passing of Raymond Tierney, former Councilman, and Planning and Zoning Board Member**

Mayor Burden requested a moment of silence and reflection on the passing of Raymond Tierney who served as a former Councilman, member of the Planning Board and Zoning Board. He was also a major contributor to obtaining the bullet proof vests for the Police over the years.

### **Approval of Minutes: Special Meeting July 28, 2017**

Councilman DeSalvo motioned to approve the minutes of July 28, 2017, seconded by Councilman Moran and approved by the following roll call vote:

AYES: Anderson, DeSalvo & Moran  
NAYS: None  
ABSTAIN: DerAsadourian

### **Consent Agenda**

**Approval of Annual Boy Scout Flag Retirement/Camp Fire - Memorial/Gopher Field, October 17<sup>th</sup>, 2017, from 7-9pm and waiver of the Fire Permit Fee of \$42.00**

**Request for Banner at Municipal Complex, Election Style Signs at Private Residences, and Waiver of Time Limit for Signs Allowed to be Displayed for Ladies Auxiliary Pancake Breakfast to be held on December 3, 2017**

**~~Request by SYAA for use of Manson Field for a Wiffle Ball Tournament to be held on October 21<sup>st</sup>, 2017 from 3-7pm and additionally the use of the flood lights used for the Borough Tree Lighting~~**

**Request Approval of Block Party to be held at Robinson Place on Saturday, October 15, 2017, 1:00pm until dusk**

**Request for waiver of Borough fees for two Raffle Licenses for the Shrewsbury Hose Company's Comedy Show Fund Raiser to be held at the Fire House on November 11, 2017**

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**Resolution #2017-87 (Authorizing Sale of Municipal Liens)**

Councilwoman DerAsadourian asked that the request by SYAA for use of Manson Field for a Wiffle Ball Tournament to be held on October 21, 2107 from 3 - 7pm, and additionally the use of the flood lights used for the Borough Tree Lighting, be pulled from the consent agenda.

Councilman Anderson motioned to approve the consent agenda with the removal of the one item, seconded by Councilman DeSalvo and approved by the following roll call vote:

AYES: Anderson, DerAsadourian, DeSalvo & Moran  
NAYS: None  
ABSTAIN: None

**Request by SYAA for use of Manson Field for a Wiffle Ball Tournament to be held on October 21, 2107 from 3 - 7pm and additionally the use of the flood lights used for the Borough Tree Lighting**

Councilwoman DerAsadourian commented that her only concern was with their request for use of the flood lights and she clarified they are not ours to loan. The Clerk stated they belong to OEM. Ms. DerAsadourian stated that she felt we needed to get the use of them approved by OEM. Administrator Seaman stated that in the staff meeting today they gave their approval for SYAA's use. The Council and Administrator discussed who would be responsible for the setting up and turning on and off of the lights and the moving of the soccer goals. Councilman DeSalvo offered to turn the lights on and off. The Council stated they would approve and let the SYAA work it out with OEM.

Councilman DeSalvo motioned to approve the request from SYAA, seconded by Councilman Anderson and approved by the following roll call vote:

AYES: Anderson, DerAsadourian, DeSalvo & Moran  
NAYS: None  
ABSTAIN: None

**ORDINANCE NO. 1041- SECOND READING/PUBLIC HEARING: Ordinance to Amend and Supplement Chapter 94, Land Use and Development Regulations, of the Code of the Borough of Shrewsbury, to Amend Prohibited Uses**

Councilman Anderson stated that this Ordinance was introduced back in August. This is to amend a Zoning Ordinance regarding prohibited uses within the Borough of Shrewsbury. If approved this would ban stores and shops engaging in the retail sales and service of electronic smoking devices, liquid nicotine or vapor products, body art procedure establishments, pawn shops, pawn broker establishments, the sale or retail trade of firearms, explosives or ammunition whether conducted in retail establishments or their own businesses, and alternative treatment centers such as marijuana dispensaries. Mr. Anderson noted this was the second reading. He stated the Ordinance was referred to the Planning Board on August 22, 2017. Mr. Anderson commented that the Planning Board Attorney has reviewed it and issued a letter saying it did not run contrary to the Borough's Master Plan. Councilman Anderson explained to the public the procedure that is used to review the Ordinance and the statute for review was properly followed.

**Open the Meeting to the Public**

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Councilman Anderson motioned to open the meeting to the public to discuss Ordinance No. 1041, seconded by Councilman DeSalvo, and approved by all Councilmembers present.

### **Close the Meeting to the Public**

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

### **Motion to Adopt**

Councilman Anderson motioned to adopt Ordinance No. 1041, seconded by Councilman DeSalvo, and approved by the following roll call vote:

AYES:	Anderson, DerAsadourian, DeSalvo & Moran
NAYS:	None
ABSTAIN:	None

### **Administrator's Report**

Mr. Seaman reported that the Borough was just awarded a Body Armor Replacement Program Grant. He noted that the Borough will receive \$1,784.52 which will be used to purchase two vests for the Police Department. He stated that the vests usually last 5 or 6 years.

Mr. Seaman stated that he will be sending the departments their Budget Worksheets for 2018 by the end of the week. He noted that the Finance Committee will start the review of these budgets in December and then begin meeting with each department to discuss.

Administrator Seaman noted that everyone received a copy of the Best Practice worksheet. He explained the Finance Department has to complete this worksheet every year for the State Comptroller. He stated that this year the worksheet had 25 questions, and he was able to answer 20 "yes" and 1 "no" and 4 "not applicable" which gave the Borough a score of over 96% which will qualify the Borough to keep all of its state aid.

Mr. Seaman informed the Council that he updated the worksheet to show that we do have a Conflict of Interest Policy Question #7. He noted our policy only deals with our municipality not compensating union employees for sick leave accumulated after a certain date. He stated this issue will be addressed during our next negotiation with the unions.

He informed the Council that Kerry Quinn, our new Deputy Clerk/Deputy Registrar, started working in the Clerk's office on September 25<sup>th</sup> and she is fitting in very well with the staff and residents while being trained by Kathy and Karen.

Mr. Seaman noted that he is working on a draft copy of the 2018 Borough Directory and asked the Council to please email him any suggested changes.

### **Reports of Council**

Councilman Anderson reported that he attended a SBS Board of Education meeting, the next meeting being October 17<sup>th</sup>, where they will discuss the results of the PARC scores. He noted that on October 15<sup>th</sup> we will have the annual 5K at the school along with a fun run and a one mile

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race. He apologized for not having the numbers for the Fire and First Aid calls for August, which he received that afternoon, but would be forwarding that information to the Council. Mr. Anderson stated that he would like to acknowledge the participation of our Fire and First Aid members for helping with the Police PBA Food Truck Event which was a huge success this past weekend. Councilman Anderson stated that with regards to First Aid, we are going to have to look into purchasing IPADS because, under the new health reporting requirements, guided by HIPA and Federal law, there is now a push towards electronic charting. He stated that hopefully the cost can be absorbed into their budget.

Councilwoman DerAsadourian reported she agreed the Food Truck event was a big success and that up until Friday afternoon, DPW was receiving a list of “to do’s” such as moving the bicycle rack over, etc. at the last minute so a “big thank you” to them. Ms. DerAsadourian referred to the issue with the road conditions on Colonial Drive and deferred to Councilman Moran to speak to this in his report. Councilwoman DerAsadourian stated that in reference to the discussion about doing some work at Sickles Park, that part of that work was going to be a pathway from Heritage and Colonial into Sickles Park. She noted, however, that it doesn’t appear that we are going to be able to do the whole park facelift this year. Ms. DerAsadourian noted the residents of that community would still like to have some gravel put down on that pathway because it gets muddy, making it hard to use. Ms. DerAsadourian stated that this is something she will reach out to DPW for assistance.

Councilman DeSalvo reported that we are in the middle of soccer season and flag football registration has started. He noted that the Community Alliance is still seeking members and a Chairperson so again he asked if anyone would be interested in getting involved please reach out to the Mayor. Councilman DeSalvo stated that on that same note, they are in the middle of Red Ribbon Week and the Week of Respect where anti bullying, anti substance abuse messages are shared with the kids at school all week long in this big yearly event for the Alliance.

Councilman Eddy was not present at the meeting.

Councilman Meyer was not present at the meeting.

Councilman Moran reported on various DPW projects that took place in the last couple of weeks. He acknowledged the work done by DPW in conjunction with the PBA Truck event. Mr. Moran stated the new Packer Truck is operable and DPW assisted Monmouth County in cleaning the trenches along Sycamore Avenue. He stated they would be training the employees on the Jet Vac this coming week. Mr. Moran stated that he would defer on speaking about Colonial Drive until the public has had a chance to speak.

### **Mayor’s Report**

Mayor Burden thanked Council President DeSalvo for covering for him at the last Council meeting while he was away. Mayor Burden reported on his attendance at the Community Garden Harvest Party, the Monmouth County Historical Commission meeting, Ryser’s Touch a Truck celebration and the Shrewsbury PBA Food Truck event. Mayor Burden informed everyone that the exterior painting on the Wardell House and the Shrewsbury Historical Society

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building is completed. The Mayor stated that he wanted to acknowledge the contribution financially, as well as, the volunteer hours that the Shrewsbury Garden Club has put in for the fall plantings at the Municipal Complex and also at the gazebo. The Mayor also acknowledged that the bells at Christ Church and our town clock chimed 59 times at noon in respect for the 59 victims of the Las Vegas massacre. He also noted that tomorrow evening, October 4<sup>th</sup>, there will be a candlelight Prayer Vigil and march at 6:30pm at the Pilgrim Baptist Church in Red Bank.

### **Correspondence**

Municipal Clerk Krueger had nothing additional to report.

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

Councilman Moran motioned to open the meeting to the public, seconded by Councilman DeSalvo, and approved by all Council present.

Christine Specht, 39 Colonial Drive, Shrewsbury stated that first she wanted to thank the Mayor and Council for all the work they do for the Borough and that it is very much appreciated. Ms. Specht thanked Mrs. Krueger for assisting her in communicating with the Council and alerting the Borough Engineer about the issue on their street. She stated that she knows they aren't the worst street in town but possibly the one with the most dips. She stated that the neighbors have been talking, as they have noticed the paving going on in town, and were wondering that if they wrote a letter that maybe some of those workers could come their way and help their street. She thanked the Council for whatever they could do to resolve the issues they are dealing with and stated that she wasn't sure if the engineer had a chance to report to the Council yet. Again she thanked the Mayor and Council.

Councilman Moran stated that they did have the Engineer take a look at it and he reported that the subsurface looks pretty good which was in their favor. He noted that it was a little light on the paving since the last time it was done. He noted that Colonial is on the 5 year plan; however, there is an option to accelerate their placement on the list based on the condition of the road. Mr. Moran explained how the 25 year plan works in regards to road maintenance. He noted that they are looking at what the options are whether they would do patch work or if they could use some of the money they saved on previous road jobs. He noted that they could accelerate Colonial Drive on the list while they already have a contractor already working in town. Mr. Moran discussed with Mr. Seaman the appropriation of money required to do the project. Mr. Seaman stated that the Engineer could do a change order as we have \$80, 000 that was saved on this road project. Mr. Anderson discussed the roads scheduled in queue on the 5 year plan.

Councilwoman DerAdadourian spoke with the Engineer and they had discussed how Colonial had deteriorated very quickly. They reviewed pictures of Colonial from last year to this year and noticed a very big change so we discussed redoing the asphalt covering to bring it to the proper thickness which he thinks will fix the problem. They discussed if they waited, the higher the risk of having the base work needing to be addressed, like they had to do on Marc Court, and in his opinion he thought that was a distinct possibility. Ms. DerAsadourian stated that this was the rationale to address this before it gets even worse. Councilman Moran spoke to the 25 year plan and how difficult it is to determine the needs of each street so they try to evaluate as things happen.

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*Councilman DeSalvo motioned to approve the change order for the repaving of Colonial Drive this year, seconded by Councilwoman DerAsadourian and approved by the following roll call vote:*

*AYES: Anderson, DerAsadourian, DeSalvo & Moran*

*NAYS: None*

*ABSTAIN: None*

Councilman Anderson stated to be clear, we are not incurring any additional expense on the behalf of the Borough and that this is an item that was going to be addressed. He noted that we are not jumping over any streets to get to do the work on this street. It would cost the Borough more money down the road if we were going to engage in a piecemeal repair and then ultimately repave it. He noted, as the Engineer stated, all they did was put one inch of asphalt and now they will be putting 2 inches of asphalt down. Mr. Moran stated that the contractor is already mobilized and this would save on that aspect which is a very expensive line item. Ms. Specht inquired about the dips in the road to which Mr. Moran responded that the surveyor will come out and make sure that the pitch of the road is set correctly so that you won't have storm water problems. He assured her that it will be engineered and done correctly. Ms. Specht thanked the Council. The Mayor shared information from Karen Mueller, whose husband is confined to a wheelchair, who lives on that street and was dealing with the vehicle they use scraping on those dips in the road.

Mr. Nick Klafter, 72 White Street, Shrewsbury apologized for missing the last meeting and inquired about the status of Seabrook House. Councilman Anderson reviewed what had occurred, that they had met with Seabrook and spoke with counsel and our code enforcement officer. The use that Seabrook is operating with right now is within the parameters of the zoning regulations of that zone. Attorney Barger stated that as of right now they are complying with the ordinance. Councilman Anderson asked Mr. Klafter if he had any information to offer Council about anything he has experienced or witnessed with their operations there. Mr. Anderson noted that he is not there all the time and if Mr. Klafter was aware of any issues for him to please let the Council know. He noted that they sat down and we expressed our concerns with them and it comes down to the fact that we are governed by federal law and state law with the zoning ordinances and they are complying with them. Mr. Anderson stated that he wants to be alerted to anything unusual but he noted that there were some individuals who were very vigilant early on to the point where they were taking pictures of people going in and out of the facility as well as their employees. Mr. Anderson again stated that the Council wants feedback if something comes up. Mr. Klafter requested if possible could we have police patrol the area of Sickles Park on a regular basis. Mr. Anderson spoke about a recent incident that had people unnerved and it turned out to be a Shrewsbury resident.

### **Close the Meeting to the Public**

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

### **Payment of the Bills**

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Councilman Anderson motioned to approve the bills list in the amount of \$1,218,201.39, seconded by Councilman DeSalvo, and approved by the following vote:

AYES: Anderson, DerAsadourian, DeSalvo & Moran  
NAYS: None  
ABSTAIN: None

**Adjourn**

Councilman Anderson motioned to adjourn the meeting at 7:32PM to enter into Executive Session, seconded by Councilman Moran and approved by Roll Call Vote with all members present voting yes.

**Public Meeting Reconvened**

The public meeting reconvened at 7:44 PM

**Adjourn**

Seeing no one present from the public and with no further business to conduct, Councilman DeSalvo motioned to adjourn the meeting at 7:44PM, seconded by Councilman Anderson, and approved by Roll Call Vote with all members present voting yes.

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

**Approve:** \_\_\_\_\_  
Donald Burden – Mayor