

September 5, 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 1, 2017 by the Municipal Clerk.

Roll Call

Present: Mayor Burden, Councilmembers Anderson, DerAsadourian, DeSalvo, Eddy, Meyer & Moran

Also Present: Borough Attorney Martin Barger, Borough Administrator Thomas Seaman & Clerk Kathleen Krueger

Salute to Flag

Led by Mayor Burden.

Approval of Minutes: May 15, 2017

Councilman Anderson motioned to approve the minutes of May 15, 2017 with a correction on page 71 where it should read “the date of the fax sent to Ms. Kelleher was May 9th”, seconded by Councilman DeSalvo and approved by the following roll call vote:

AYES: Anderson, DerAsadourian, DeSalvo & Moran

NAYS: None

ABSTAIN: Eddy & Meyer

Approval of Minutes: June 5, 2017

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

AYES: Anderson, DerAsadourian, DeSalvo & Moran

NAYS: None

ABSTAIN: Eddy & Meyer

Consent Agenda

Resolution #2017-80 (Community Stewardship Incentive Program)

Resolution #2017-81 (Hazardous Materials Emergency Preparedness (HEMP) Grant)

Resolution #2017-82 (FY17 Hazardous Materials Emergency Preparedness Subaward)

~~Resolution #2017-83 (Hire Deputy Municipal Clerk/Registrar)~~

~~Resolution #2017-84 (Revisions to the Employee Policy and Procedure Manual)~~

Resolution #2017-85 (Award Bid for Emergency Generator for the Municipal Complex)

Change Order No. 1 for the 2017 Roadway Improvement Program

Councilman Meyer requested that Resolution #2017-84 be removed from the Consent Agenda. Councilwoman DerAsadourian requested that Resolution #2017-83 be removed from the Consent Agenda as it would be affected by Resolution #2017-84.

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Councilman Meyer motioned to approve the consent agenda with the exception of Resolution #2017-83 and Resolution #2017-84, seconded by Councilman Anderson and approved by the following roll call vote:

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

Resolution #2017-83 Councilman Meyer questioned if the Council was in agreement on this Resolution. Councilman Eddy stated that in reference to the "Grievance Policy" on page 11 of the Employee Manual, if the employee files a grievance and is not in agreement with the Administrator, the procedure is not clear as to the path to be followed. Councilwoman DerAsadourian interjected that if a grievance goes to the Administrator, the Administrator will immediately alert the Personnel Committee that a grievance has been filed. Mr. Seaman stated that he would add that information into the Grievance Policy section. Councilman Anderson stated that on page 29 in the "Unused Accumulated Sick and Vacation Payment Policy" he would like it reiterated that unused Sick and Vacation Payment will not be granted to anyone hired after September 1, 2017. Councilman Moran stated that he would like to commend Councilwoman DerAsadourian for all the work that she put into this endeavor. Councilwoman DerAsadourian thanked him. With these changes verified, Councilman DeSalvo motioned to approve Resolution #2017-83 and Resolution #2017-84, seconded by Councilwoman DerAsadourian and approved by the following roll call vote:

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

Administrator's Report

Mr. Seaman stated that the Newsletter deadline is September 12th and he requested that all articles be given to him as soon as possible. Administrator Seaman informed the Council that our code enforcement officer, Mr. Frank Woods, issued roughly 20 warnings for overhanging tree branches the previous week. Mr. Seaman thanked Public Works for clearing some of the major areas of overhanging branches on Sycamore Avenue for safety purposes. It was decided that the code enforcement officer, will in the future, begin surveying areas of safety concern in July before the school year starts to resolve these issues before hand.

Mr. Seaman stated that he would be begin the budget process with the different departments by the end of the month. He informed the Council that he has almost completed the State's Best Practices Worksheet and will have it ready for the October 2, 2017 Council meeting. Mr. Seaman stated that he would be out of the office from September 15th through the 25th and back in the office on the 26th.

Reports of Council

Councilman Anderson reported that the Fire Company responded to 20 calls in August requiring 96.5 man hours. The Fire Company also engaged in 162 hours of training with a total of 421.75 hours for the Fire Company as a whole. The First Aid Squad responded to 41 calls taking patients to Jersey Shore and Riverview Medical Center with Riverview being the main destination. They responded to 9 calls for the assisted living facilities in the Borough.

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Councilwoman DerAsadourian reported that the tennis courts resurfacing went well, complete with designating one portion of the court with lines to allow for games of pickle ball. On the Personnel side she noted that we have hired a new Deputy Clerk and will be hiring for another position in the Clerk's office in the near future. Ms. DerAsadourian spoke about updating the Policy and Procedures manual. She noted that when Mr. Seaman returns from vacation they would be working on the social media portion of the manual.

Councilman DeSalvo reported on his attendance at the RBR freshman orientation. He noted that each student will receive their own Chrome book for the next 4 years. Mr. DeSalvo stated that Recreation soccer was beginning so DPW has been busy striping the fields and setting up goals.

Councilman Eddy reported that he was reviewing insurance plans and would be scheduling a meeting in the coming weeks with the various departments on the selections. Mr. Eddy stated that open enrollment period starts in October and becomes effective in January. He commented from a Finance perspective it is the time of year for everyone to meet with their respective departments/committees on their anticipated budget needs and justifications for those expenses for the coming year. He pointed out that they are looking to be informed of any big items that would affect the Capital program. He reminded everyone that the Budget workshop will be held again the beginning of March.

Councilman Meyer reported that Police matters were discussed in Executive Session and he had nothing further at this time.

Councilman Moran reported on various DPW projects that took place in the last couple of weeks. He informed the Council that he has the DPW staff putting together a survey on the man hours working on different projects since they are down one employee, and it appears that they will be losing another in the near future. This information would be useful for job tasks and manpower planning in the interest of maintaining services to our residents. Mr. Moran spoke about the joint venture with Oceanport on the Street Sweeper and Jet Vac and the different details that are being worked on to make this joint venture happen.

Mayor's Report

Mayor Burden reported on his attendance at the Green Team and Environmental Committee meetings and how they were progressing with their campaign targeting the business merchants to reduce the use of plastic bags, straws and napkins in the Grove. The Mayor stated they are working on the walk to school program for the Borough children. Mayor Burden met with the Community Alliance and commented on the difficulty they are having acquiring a new Chair as well as volunteer members who could help with the different endeavors they address.

Correspondence

Municipal Clerk Krueger reminded the Mayor and Council that the New Jersey League of Municipalities will be ending their pre-registration period for attendees. She stated that the League will run from November 14 through the 16th and asked any Councilmembers who wish to attend to let her know as soon as possible.

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Open the Meeting to the Public

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

Stuart Minis, 35 Thomas Avenue, Shrewsbury stated that he has resided on Thomas Avenue for 38 years. He spoke to Ordinance No. 1041 and read the following statement:

“At the last Council meeting in August ORDINANCE NO. 1041 was introduced. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 94, LAND USE AND DEVELOPMENT REGULATIONS, OF THE CODE OF THE BOROUGH OF SHREWSBURY, MONMOUTH COUNTY, STATE OF NEW JERSEY TO AMEND PROHIBITED USES.

The Borough website makes ordinances available to residents, but because Chapter 94 has not yet been codified it is not included in those that are posted. Lorraine provided me with a copy of 94-10.7 which provides what are currently permitted uses and prohibited uses in the B-1 Business Zone District.

The ordinance adds to the prohibited uses:

1. Store and shops primarily engaging in the retail sale or service of electronic smoking devices, liquid nicotine or vapor products.
2. Body art procedure establishments.
3. Pawn shops or pawn broker establishments.
4. The sale or retail trade of firearms, explosives, or ammunitions, whether conducted in retail establishments or through home businesses.
5. Alternative treatment centers.

Alternative treatment centers are defined as any commercial establishment engaged in the cultivation and/or distribution of medical marijuana, including cannabis derived oils, tinctures, and lotions; and related paraphernalia.

State legislators have discussed the legalization of medical marijuana, and Phil Murphy has stated that, as governor, he would sign legislation to legalize marijuana at the state level. Mr. Murphy has commended Senator Cory Booker on his introduction of legislation that would legalize marijuana at the federal level, praising “his efforts to promote social justice and rational federal drug policy.” If medical marijuana was legalized in New Jersey, and prohibited in our business districts, which jurisdiction would take precedence over the other; the Borough of Shrewsbury or the State of New Jersey? What if it was legalized on a federal level?

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Body art, the practice of adorning the body with tattoos, piercings, brandings or scarification as defined in the proposed ordinance, has been accepted in the main stream. What is the reasoning for prohibiting body art procedure establishments in Shrewsbury's business districts?

Now to transparency, this ordinance was introduced at the August 21st meeting of the Borough Council. When will minutes of this meeting be posted on the Borough website? He noted that the Council just approved minutes from May and June which will only be posted on the website tomorrow. He noted that it leaves July, August and this meeting where people in town that don't go to the meetings don't know what is happening. The most recent minutes currently available are dated May 1st. He stated that he felt it was incumbent on the Borough to try to get the word out more."

Councilman Meyer responded that the law states the minutes must be posted in a reasonable period of time. He stated we post them in a reasonable period of time. Mr. Minis responded with "that's your definition of a reasonable period of time but I have people who would disagree with that." Mr. Minis and Councilman Meyer continued to discuss their viewpoints on the subject.

Mr. Minis noted that the printing on the website was scrambled. He stated that in fact, there is no access to tonight's agenda on the web page due to the same scrambling. Mr. Seaman spoke up that he would take full responsibility for that problem. He explained that normally the website is maintained by his assistant who was out sick. He stated that he tried to do it himself to spare bothering her while she was sick. He noted that he had it perfect and then something happened and it ended up scrambled. He stated he is learning to cross train on that issue. Mr. Minis stated that was okay. He continued, "At any rate, how many people in town go to the web page for this information, and what percentage of the population is that? There has to be a better way."

Councilman DeSalvo questioned Mr. Minis as to whether this shouldn't be the personal responsibility of the individual? He stated that if someone is interested in the information it is there for them to seek out. He questioned, wasn't that the responsibility of every citizen if they want the information it is up to our residents and our citizens to seek that information, just as he pointed out Mr. Minis does by coming to the meetings and following up with different things? Mr. Minis responded that he felt there is some responsibility on the Borough to get information out to its constituents. He questioned what we did before there was a webpage. Mr. Seaman stated that people use to come in or sought the information in other ways.

Mr. Minis conclude that this was his feelings and he just wanted to share them. The Council responded that they wish he would encourage more people to come to meetings and to actively seek information as he does. The Council noted their appreciation for his attendance at meetings and for being involved in the process.

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.

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Payment of the Bills

Councilman Eddy motioned to approve the bills list in the amount of \$208,609.65, of that almost \$124,000 associated with roads, and he noted the great job that was done and how it came in under budget and provided additional details on the process and how happy people were with the work, seconded by Councilman Meyer, and approved by the following vote:

AYES: Anderson, DerAsadourian, DeSalvo, Eddy, Meyer & Moran

NAYS: None

ABSTAIN: None

The Council noted the great job the engineer has done with the road projects which came in under budget, the tennis courts, and the rebidding of the generator.

Adjourn

Councilman Meyer motioned to adjourn the meeting at 7:28PM, 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