

**BOROUGH OF SHREWSBURY
MUNICIPAL COMPLEX
MAYOR & COUNCIL**

October 10, 2023

Meeting Called to Order

Mayor Erik Anderson called the meeting to order at 7:00pm and read the Presiding Officer's Statement.

Sunshine Statement

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting on the bulletin board in the Municipal Building on January 7, 2023 by the Municipal Clerk.

Roll Call

Present: Councilman James Daly
Councilwoman Deidre DerAsadourian
Councilman Brendan Gilmartin
Councilman Daniel Levy

Also, Present: Erik Anderson, Mayor
Bruce W. Padula, Esq.
Christopher Cherbini, Borough Administrator
Kerry Quinn, Municipal Clerk

Absent: Councilman Don Eddy
Councilman Jason Sena

Salute to Flag

Led by Mayor Erik Anderson

Swearing in of James Daly

Approval of Minutes- August 22, 2023 and September 15, 2023

Councilman Gilmartin motioned to approve the August 22, 2023 and September 15, 2023, Special Meeting Minutes seconded by Councilman Levy, and approved by the following roll call vote:

Ayes: Gilmartin, Levy
Nays: None
Abstain: Daly, DerAsadourian

Resolution 2023-140

Councilman Daly motioned to approve Resolution 2023-140, seconded by Councilman Levy and approved by the following roll call vote:

Ayes: Daly, Gilmartin, Levy
Nays: DerAsadourian
Abstain: None

**RESOLUTION 2023- 140 RESOLUTION TO ORDER A DIGITAL MARQUEE SIGN BOARD FOR THE SHREWSBURY HOSE
COMPANY #1**

WHEREAS, the Shrewsbury Hose Company #1 is in need of a new sign board, and;

WHEREAS, the Borough has received a quote of \$25,495.00 from Stewart Signs, and;

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WHEREAS, The Chief Financial Officer has certified the fund..

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Shrewsbury, County of Monmouth allow the Borough Administrator or Municipal Clerk to proceed with this project.

Consent Agenda:

Councilwoman DerAsadourian motioned to approve the Consent Agenda, seconded by Councilman Gilmartin and approved by the following roll call vote:

Ayes: Daly, DerAsadourian, Gilmartin, and Levy
Nays: None
Abstain: None

RESOLUTION 2023- 141 RESOLUTION OF THE BOROUGH OF SHREWSBURY APPROVING UNPAID MEDICAL LEAVE FOR A BOROUGH EMPLOYEE FROM SEPTEMBER 27, 2023 THROUGH NOVEMBER 1, 2023

WHEREAS, the Borough Administrator received a request from Employee 387097698 for unpaid medical leave for the period of September 27, 2023 through November 1, 2023; and,

WHEREAS, the Borough desires to approve Employee 387097698's request for unpaid medical leave for the period of September 27, 2023 through November 1, 2023 and the Borough will evaluate as to whether any further unpaid medical leave will be permitted prior to November 1, 2023; and,

WHEREAS, during the period of the aforementioned unpaid medical leave, the Borough will maintain applicable health benefits for Employee 387097698; and,

WHEREAS, Employee 387097698 shall be required to reimburse the Borough, through future payroll deductions, for all Borough health care contributions made by the Borough on behalf of said Employee as may be required by law.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Shrewsbury, County of Monmouth, State of New Jersey, hereby authorizes unpaid medical leave, in accordance with this Resolution, for Employee 387097698 for the period of September 27, 2023 through November 1, 2023 and the Borough will evaluate as to whether any further unpaid medical leave will be permitted prior to November 1, 2023; and,

Be It Further Resolved, The Mayor, Municipal Clerk and any other applicable Borough officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

RESOLUTION 2023- 142 RESOLUTION TO ACCEPT THE MUNICIPAL AUDIT REPORT FOR 2022

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

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WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum the sections of the annual audit entitled: Comments and Recommendations; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Comments and Recommendations, as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Shrewsbury hereby states that it has complied with the N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer.

RESOLUTION 2023- 143 RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR FINDINGS LISTED IN THE 2022 MUNICIPAL AUDIT

WHEREAS, Borough of Shrewsbury received its annual audit for the year ended December 31, 2022 on September 29, 2023; and,

WHEREAS, the Chief Financial Officer has prepared a Corrective Action Plan as required by Federal and State regulations; and,

WHEREAS, regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services requires that the governing body of any municipality review and accept the Corrective Action Plan; and

WHEREAS, the 2022 Municipal Audit has **NO** findings disclosed under General Comments and Recommendations, nor any prior year's findings requiring further corrective action.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Borough of Shrewsbury that:

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1. The attached Corrective Action Plan as filed by the Chief Financial Officer be and is hereby approved.
2. A certified copy of this resolution, accompanied with the Corrective Action Plan be electronically filed with the Director, Division of Local Government Services via the F.A.S.T. portal.

**RESOLUTION 2023- 144 RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION
– N.J.S.A. 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Shrewsbury has received notice of an award of \$9,596.10 from New Jersey Division of Law & Safety for its FY2022 Hazardous Materials Education Preparedness Grant and wishes to amend the 2023 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Shrewsbury, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$9,596.10.

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with Appropriations:

NJ Division of Law & Safety-

Hazardous Materials Education Preparedness Grant

– FY 2022

\$ 9,596.10

BE IT FURTHER RESOLVED that the like sum of.....

\$ 9,596.10

be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by Revenues:

NJ Division of Law & Safety –

Hazardous Materials Education Preparedness

– FY 2022

\$ 9,596.10

BE IT FURTHER RESOLVED that the Finance Officer will electronically file the Budget Amendment Certification Form and resolution to the Director of Local Government Services for approval.

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RESOLUTION 2023- 145 RESOLUTION AUTHORIZING TAX SALE MAILING FEES

WHEREAS, NJSA 54:5-26 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to advertise notice of tax sale once in each of the four calendar weeks prior to sale and allow for a municipality to send two (2) notices of tax sale to all properties included in said sale in lieu of any two publications; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, to more fairly assign fiscal responsibility, the Borough of Shrewsbury wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Borough of Shrewsbury that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2023 electronic tax sale.

RESOLUTION 2023- 146 AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES

WHEREAS, the Tax Collector has forwarded to the Borough of Shrewsbury, a list of taxes which are overpaid, and has recommended that the same be refunded; and

WHEREAS, in accordance with N.J.S.A. 54:4-68, there are provisions for the Borough of Shrewsbury to make adjustments with respect to overpaid taxes.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Shrewsbury that the following taxes are hereby refunded based upon the recommendations of the Tax Collector:

BLOCK	LOT	NAME	YEAR	AMOUNT
52	49	S. Lewis	2022	\$1,011.10

BE IT FURTHER RESOLVED that said refund will be paid to Scott Lewis 38 North Park Ave as they are tax exempt and have overpaid property taxes due to Homestead credits received from the State of NJ.

RESOLUTION 2023- 147 RESOLUTION AUTHORIZING THE COUNTY TO PARTICIPATE IN INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENTS WITH PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., ("Act") provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

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WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq.; and

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth deem it to be in the best interests of the County to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response units technical or special operations teams, Community Emergency Response Team (“CERT”) members, Medical Reserve Corps (“MRC”) members or other volunteers and other jurisdictions defined “local governments” in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A: 14-26 AND 156.1 et seq. has authorized interjurisdictional mutual aid; and

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction.

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NOW, THEREFORE, BE IT RESOLVED that the Intra-County Mutual Aid and Assistance Agreements between the County of Monmouth and Participating Units be and are hereby accepted.

BE IT FURTHER RESOLVED that the Freeholder Director and Clerk of the Board are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Monmouth County Sheriff; Office of Emergency Management Coordinator; and County Counsel.

RESOLUTION 2023- 148 A RESOLUTION CONFIRMING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES OF THE BOROUGH

BE IT RESOLVED BY THE Mayor of the Borough of Shrewsbury, that the following Board and Commission appointments be made with the advice and consent of the Borough Council:

Land Use Board

POSITION	NAME	TERM/YRS	EXPIRES
Alt Member #2	Chris MacAvoy	2	12/31/24

RESOLUTION 2023- 149 RESOLUTION TO RESURFACE THE BASKETBALL COURTS AT MANSON PARK

WHEREAS, the Basketball Courts at Manson Park are in need of repairs and resurfacing, and;

WHEREAS, the Borough has received a quote of \$37,050.00 from Shaughnessy Sports Construction, and;

WHEREAS, The Chief Financial Officer has certified the funds to be used from the Open Space Trust Account.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Shrewsbury, County of Monmouth allow the Borough Administrator or Municipal Clerk to proceed with this project.

RESOLUTION 2023- 150 A RESOLUTION APPROVING THE BILL LIST FOR OCTOBER 10, 2023 AND AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Borough of Shrewsbury received certain claims against it by way of voucher in the amount of \$1,750,902.03 for the period ending October 10, 2023; and

WHEREAS, the Borough Council has reviewed the aforementioned claims.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Shrewsbury that the attached claims are hereby approved for payment.

BE IT FURTHER RESOLVED that a copy of this Resolution be given to the Chief Financial Officer.

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RESOLUTION 2023- 151 AUTHORIZATION TO CONDUCT BLOCK PARTY- THE IVY

BE IT RESOLVED that the Mayor and the Council of the Borough of Shrewsbury does hereby approve the request for a block party to be held in The Ivy on Saturday October 22nd, 2023 from 2:30pm until 7pm with a rain date Sunday October 29th, 2023, in an email received on September 30, 2023 from resident Barbara Eatough.

Reports of Council

Councilman Daly:

-Mr. Daly spoke with Shrewsbury Board of Education and will be in attendance at the next meeting.

Councilwoman DerAsadourian:

-SRTS is working with the Borough Engineer on traffic calming strategies for Sycamore Avenue and RT. 35 There will be a special meeting on November 20th, 2023 at 6pm to further discuss plans regarding Sycamore Ave and RT. 35.

Councilman Eddy:

-Park Avenue paving has begun, and is progressing well.

Councilman Gilmartin:

Happy birthday Mayor Anderson!

Shrewsbury Recreation:

- Had the pleasure of attending the Rec Committee Meeting on September 26. Among the takeaways:
 - Basketball registration will open on October 15.
 - Santa Firetruck Visit - Sunday, December 17 (I confirmed this earlier today with the Fire Dept).
 - Flag Football - Registration to close out October 15; 4 fields to be lined at Manson Park the week after soccer season concludes. Opening to grades 1-2.
 - Per the earlier consent agenda, Manson Park basketball courts to be resurfaced mid-October; likely closed for several weeks.
 - Sickles Park – Playground equipment delivered; DPW to begin removal of the existing playground in the coming weeks.
 - Family Fun Night rescheduled to October 21 at Manson Park.
- Fall soccer is now well underway – dealing with cancellations and postponements due to rainy weather.

Shrewsbury Fire Department

- **September Call Report:**
 - SFD responded to 30 calls, including 12 General Alarms.
 - Mutual Aid:
 - 3 to Oceanport
 - 4 to Eatontown
 - 1 to Tinton Falls
 - Provided cover assignments in Eatontown, Oceanport and Holmdel.
- With meetings, drills, and training, the department volunteered 139.13 hours.

Shrewsbury First Aid Squad (Squad 45-21)

- **September Call Report:**
 - Total Calls: 52 – slightly higher than usual.
 - 21 patients were transported to Riverview Medical Center; 5 to Monmouth Medical, and 2 to Jersey Shore University Medical Center.
 - Mutual Aid:
 - 0 Mutual Aid calls into Shrewsbury
 - 2 Mutual Aid calls to Eatontown

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Councilman Levy:

-No Report

Councilman Sena:

-No Report

Mayor's Report

Mayor Erik Anderson

-Mayor Anderson attended the Senior Homesteaders meeting, and is looking forward to the next one.

-This Saturday 10/14 the PBA will be hosting their Annual Food Truck Festival and on Sunday 10/15 SBS will have the Annual 5k

Administrator's Report

-Mr. Cherbini stated that after reaching out to Board of Public Utilities, the utility poles on RT. 35 are being repaired and cleaned up. This has been an ongoing issue, which Mayor and Council as well as residents are pleased to see being addressed.

-Mr. Cherbini also advised Mayor and Council that the November Council meeting conflicts with the New Jersey League of Municipalities Conference. Mayor and Council approved to amending the Council Meeting date in November from 11/14/23 to 11/20/23

Correspondence

-Mr. Michael Austin, resident at Thornbrooke sent an email, and would like Mayor and Council to consider amending Ordinance 202-1095 the "No Knock" to include prohibit all solicitation in the 55 and over communities.

Open to the Public

Stuart Minis, 35 Thomas Ave

-Mr. Minis wanted to let Mayor and Council know that the lights in the parking lot were not on at the beginning of the meeting. Mr. Cherbini stated that it is a timer issue that will be addressed.

-Mr. Minis asked when the paving on Thomas Avenue would begin, and how will the residents be notified. Mr. Cherbini said that similarly to the Park Avenue project letters of the work starting will more than likely be hand delivered by the Engineers Office, and that work is slated to begin the first week of November. The company awarded the project is the same as that of Park Ave and Thomas Ave will begin once Park Ave is completed.

-Mr. Minis as a member of the Community Garden and Shade Tree Commission asked who will be taking the place as Council Liaison since Councilwoman Woehner stepped down, to which Mr. Daly stated that he would be and that he has already been in contact with Pam MacNeil of the Community Garden.

-Per Councilwoman DerAsadourian report there will be a special meeting on 11/20/2023 to go over the Sycamore Avenue and RT. 35 Sidewalk concept with the various stakeholders, Mr. Minis added that the correspondence being sent out should not be limited to those that live in that area, as this is something that would affect the entire community.

Marge Clark, 213 Garden Road

-Ms. Clark requested that the Halloween signage for whether or not you would like to participate in Trick or Treating be posted/ printed for those who would like to utilize them. Ms. Quinn stated that she would make sure they are posted this week.

-Ms. Clark also added that as an option to reduce the incidents that take place at RT. 35 and Sycamore Avenue is to reach out to the State of NJ and have the timer on the traffic light changed.

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Jay Eaton, 916 Broad Street

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-Mr. Eaton asked Councilwoman DerAsadourian clarification on how residents will be noticed of the special meeting on 11/20/2023 at 6pm. regarding the SRTS project for Rt. 35 and Sycamore Avenue. Councilwoman DerAsadourian stated that she is working with Mr. Cherbini, Mayor Anderson and the engineer to make sure all stakeholders are properly notified of the special meeting.

Lorraine Woloszyn, 945 Broad Street

-Ms. Woloszyn asked if anyone from Monmouth County or the State of New Jersey would be present at this meeting, Councilwoman DerAsadourian stated that as they are still in the scoping phase of this project that the Engineer, Mr. David Cranmer will be the only person present.

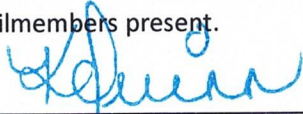
Close the Floor to the Public

With no one else from the public wishing to speak, the floor was closed to the public.

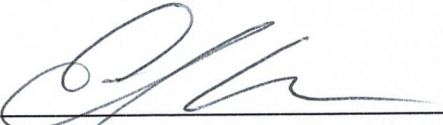
Adjourn

Meeting adjourned at 7:47pm on a motion made by Councilman Levy, seconded by Councilman Gilmartin with ayes by all Councilmembers present.

Attest:


Kerry Quinn, RMC, Municipal Clerk

Approve:


Erik Anderson, Mayor

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