

The **2014 Reorganization Meeting** of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey, was called to order by Mayor Gavino Maccanico at 1:00 p.m. on January 1, 2014 in the Frank E. Adams Municipal Building. The meeting was opened with a silent reflection and Pledge of Allegiance.

Borough Clerk Delaney announced notice of the meeting was provided pursuant to the requirements of the N.J. Open Public Meeting Act.

The Clerk read the Statement of Election Determination from the Monmouth County Board of Canvassers reporting Thomas Vorbach and Thomas P. O'Brien were elected on November 5, 2014 to full terms as members of the Borough Council.

Mayor Maccanico administered the oath to Councilman Vorbach and the oath to Councilman-elect O'Brien.

Mayor Maccanico welcomed back Councilman Vorbach and welcomed Councilman O'Brien.

The Mayor requested the Clerk to call the roll with the following in attendance:

Present:

Mayor Gavino Maccanico
Councilwoman Patricia Cindea
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Councilman Christopher Tienken
Councilman Thomas Vorbach

Absent:

None

Also Attending:

Jay Delaney, Administrator/Borough Clerk
Frederick Raffetto, Esq., Borough Attorney

There were 22 members of the public in attendance.

ELECTION OF COUNCIL PRESIDENT & BOROUGH COUNCIL APPOINTMENTS FOR 2014.

Resolution R2014-01, establishing the procedure for election of the Council President. On a motion by Mr. O'Brien, seconded by Mrs. King, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-02, selecting a Council Member to serve as President of the Council for 2014.

Mrs. Cindea nominated Mr. Tienken which was seconded by Mr. Vorbach. There being no other nominations the resolution selecting Councilman Tienken to serve as Council President was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-03, Establishing Council Committees & appointing Committee Chairs for 2014.

Mayor Maccanico presented his suggestions for committee chairs. Borough Attorney Raffetto noted the selection of committees is a determination made by the Council.

Mrs. Cindea proposed the list be revised to assign Legislation & Grants (Mr. Vorbach); Utilities (Mr. Shuler); and Public Works, Building & Grounds (Ms. Cindea) and expressed her desire to Public Works to work more closely with the Beautification Committee. Mr. Tienken expressed his support for the proposed changes. Mr. Vorbach indicated his willingness to serve on either Legislation/Grants or the Utility committees. Mrs. King noted Mr. Shuler has done a very good job during his time on the Public Works, Building and Grounds committee.

On a motion by Mrs. Cindea, seconded by Mr. Tienken, the revised list assigning Public Safety (Mrs. King); Public Works, Building & Grounds (Ms. Cindea); Finance (Mr. O'Brien); Legislation & Grants (Mr. Vorbach); Recreation (Mr. Tienken); and Utilities (Mr. Shuler) was approved by the following vote:

Ayes: Mrs. Cindea, Mr. O'Brien, Mr. Tienken, Mr. Vorbach

Nays: Mrs. King, Mr. Shuler Abstain: None

Resolution R2014-04, appointing Planning Board – Class 3 Member. On a motion by Mr. Tienken nominating Mrs. Cindea, seconded by Mr. Vorbach, the resolution appointing Councilwoman Cindea as the Planning Board Class 3 member was approved by the following vote:

Ayes: Mrs. Cindea, Mr. O'Brien, Mr. Tienken, Mr. Vorbach

Nays: Mrs. King, Mr. Shuler Abstain: None

MAYOR'S APPOINTMENTS REQUIRING COUNCIL APPROVAL.

Resolution R2014-05, appointing Joseph C. May, P.E., East Point Engineering, LLC, as Borough Engineer. On a motion by Mr. Shuler, seconded by Mr. Tienken, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-06, appointing Colin Quinn, Esq. as Prosecutor. Mr. Tienken requested the Court appointments be tabled, noting no cost estimates were provided. Borough Administrator Delaney reported that proposals were not solicited as the positions are paid by salary set by ordinance adopted by the Council.

A motion by Mr. Tienken to table the resolution, seconded by Mrs. Cindea, was defeated by the following vote:

Ayes: Mrs. Cindea, Mr. Tienken

Nays: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Vorbach Abstain: None

The motion by Mrs. King, seconded by Mr. Shuler, to approved resolution **R2014-06** was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-07, appointing James Carton, Esq. as Alternate Prosecutor. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-08, appointing Charles Shaw, Esq. as Public Defender. On a motion by Mrs. King, seconded by Mr. O'Brien, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-09, appointing Donald Greer, Jr., Esq. as Alternate Public Defender. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-10, appointing Joseph C. May, P.E., as Code Enforcement Officer/Zoning Officer. On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-11, appointing Joseph Beliveau as Fire Official/Fire Marshal. On a motion by Mrs. King, seconded by Mr. Tienken, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-12, appointing Janine Gillis as Deputy Borough Clerk. On a motion by Mr. Vorbach, seconded by Mr. Tienken, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution appointing Zoning Board of Adjustment Members and Alternate. Mayor Maccanico presented his nominations for the appointment of three (3) regular members and one (1) alternate member. Mr. Tienken requested clarification whether the appointments can be considered individually rather than as a group. A motion by Mr. Vorbach, seconded by Mr. Tienken, to consider the Zoning Board appointments individually was approved by the following vote:

Ayes: Mrs. Cindea, Mr. O'Brien, Mr. Tienken, Mr. Vorbach
Nays: Mrs. King, Mr. Shuler Abstain: None

Resolution R2014-13, appointing Frederic Manger to the Zoning Board of Adjustment as a regular member. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was defeated by the following vote:

Ayes: Mrs. King, Mr. Shuler
Nays: Mrs. Cindea, Mr. O'Brien, Mr. Tienken, Mr. Vorbach Abstain: None

Resolution R2014-14, appointing Dennis Pearsall to the Zoning Board of Adjustment as a regular member. On a motion by Mr. Vorbach, seconded by Mr. O'Brien, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-15, appointing Randolph Maccanico to the Zoning Board of Adjustment as a regular member. On a motion by Mr. Vorbach, seconded by Mrs. King, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-16, appointing Owen Quinn to the Zoning Board of Adjustment as Alternate Member No. 1. On a motion by Mr. Vorbach, seconded by Mrs. King, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-17, appointing Kate Moloughney, Doris McKeown and Patricia Skubon to the Board of Health. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-18, appointing members to the Beautification Committee. On a motion by Mrs. Cindea, seconded by Mr. Vorbach, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

ANNOUNCEMENT OF MAYOR'S APPOINTMENTS NOT REQUIRING COUNCIL APPROVAL.

Mayor Maccanico announced the appointment of:

- Kathleen Crippen as Planning Board Class 2 member
- River Diver as Planning Board Class 4 member
- Eileen Eilenberger as Planning Board Alternate member No. 1
- Betty Sturdy as Environmental Commission regular member
- Gaylen Nolan as Environmental Commission regular member
- Robert Cindea as Environmental Commission Alternate member No. 1
- Margaret Melchione as Environmental Commission Alternate member No. 2

ADDITIONAL RESOLUTIONS.

Borough Administrator Delaney reported the results of the Requests for Qualifications (RFQ) and Requests for Proposals (RFP) submitted for various professional services.

Resolution R2014-19, awarding a Contract for Audit Services.

Mr. O'Brien moved to approve the award to Suplee, Clooney & Company which was seconded by Mr. Tienken. Mrs. King requested the professional appointments be held for further review and discussion. Mr. Vorbach noted the proposed audit fee is approximately \$7,000 less than the current auditor. Mr. O'Brien stated he had no objection to postpone the selection since the audit work would not be conducted until next year.

On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was tabled with Mayor Maccanico casting the tie-breaking vote as follows:

Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mayor Maccanico

Nays: Mrs. Cindea, Mr. Tienken, Mr. Vorbach Abstain: None

Resolution R2014-20, awarding Contract for Financial Reporting/Accounting Services to PM Consultants. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-21, designating Official Newspapers. On a motion by Mr. Vorbach, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None

Resolution R2014-22, establishing Meeting 2014 Schedule. In response to a question by Mrs. Cindea concerning the December schedule, Borough Administrator Delaney noted the potential need to deal with year-end issues and the difficulty in scheduling special meetings when needed.

Mr. Tienken suggested reducing the number of meetings to reduce professional costs and identified dates in May, November and December for meetings to be held only if needed. Mayor Maccanico and Mrs. King expressed concern in reducing the number of meetings. Mr. Shuler agreed the meetings should be scheduled and cancelled if determined a meeting is not needed.

On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-23, adopting Cash Management Plan. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-24, fixing the rate of interest on delinquent taxes and establishing returned check fee. Mr. O'Brien moved the resolution be approved which was seconded by Mr. Shuler. Mr. Vorbach expressed reservations with the interest rates and suggested cutting the rates in half. Borough Administrator Delaney requested the opportunity to determine the ability and cost, if any, to change the existing tax collection software program before a different rate is established. On a motion by Mr. Tienken, seconded by Mr. Vorbach, the resolution was tabled by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-25, adopting 2014 Temporary Budget. On a motion by Mrs. King, seconded by Mr. O'Brien, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

Resolution R2014-26, designating various officials and individuals to represent the Borough and submit required applications, certifications and reports. On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was approved by the following vote:

Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None

PUBLIC COMMENTS.

- Katheen Crippen, 564 Atlantic Avenue – objected to reducing the number of Council meetings as it would reduce the opportunity for the public to participate and comment; and suggested the Council consider reducing the salary for Council members when they don't attend a meeting.
- Eileen Eilenberger, Pond Road, representing the Spring Lake Heights Democratic Club, invited all to attend a reception at St. Stephen's Green following the meeting to welcome Councilmen O'Brien and Vorbach.
- Gladys Erbe, Pitney Drive – congratulated Councilmen Vorbach and O'Brien on their election, and cited an Asbury Park Press editorial regarding texting at public meetings and talking between Council members. Mrs. Erbe also noted the poor acoustic in the meeting room and requested everyone be required to use the microphones.

ADJOURNMENT. Before adjourning, Mayor Maccanico wished all a healthy and happy New Year and thanked Councilwoman King for her service as Acting Mayor during his recent illness and absence.

Mrs. King welcomed the Mayor back and expressed her hope that all will work together and keep the needs of the Borough's residents in their thoughts.

There being no further business, on a motion by Mrs. Cindea, seconded by Mr. Vorbach, the meeting was adjourned without objection at 1:53 p.m.


Joseph J. Delaney, Jr., Borough Clerk