

The **January 27, 2014** 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 7:31 p.m. in the Frank E. Adams Municipal Building.

Present:

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

Absent:

Councilman Thomas Vorbach

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk  
Frederick C. Raffetto, Esq., Borough Attorney

There was 1 member of the public present.

On a motion by Mr. Shuler, seconded by Mrs. King, **Resolution R2014-33**, authorizing an Executive Session to discuss Contract Negotiation-Professional Services and Personnel-Public Works Superintendent was adopted without objection. The public meeting was recessed 7:32 p.m. and the Executive Session convened in the Conference Room. Borough Attorney Raffetto was not present when the Executive Session commenced.

**Executive Session.** A summary of professional services proposals was reviewed. Borough Attorney Raffetto joined the meeting and provided an opinion on the Council's ability to award a contract for a professional service to a firm which did not submit a proposal in accordance with the request for proposals/qualifications solicited by the Borough Administrator. The Borough Clerk was provided direction for including resolutions regarding professional services on the next meeting agenda.

Administrator Delaney presented several options for the appointment of a successor to the Public Works Superintendent upon Mr. Herner's scheduled retirement on March 31. Mr. Delaney was directed to meet with the Public Works employees to advise anyone interested to formally express their interest in the position.

The Executive Session was adjourned at 8:12 p.m. without objection.

**Public Session.** The public session was called to order at 8:13 p.m. by Mayor Maccanico and opened with a silent reflection and Pledge of Allegiance.

Present:

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

Absent:

Councilman Thomas Vorbach

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk  
Frederick C. Raffetto, Esq., Borough Attorney

There were 16 members of the public present.

**STATEMENT OF COMPLIANCE.** The Clerk reported the meeting was being conducted pursuant to the requirements of the N.J. Open Public Meetings Act with notice included in the annual notice of meetings sent to the Coast Star and Asbury Park Press; posted on the bulletin board in the Municipal Building and on the Borough website.

**APPROVE AGENDA.** On a motion by Mrs. King, seconded by Mr. Shuler, the agenda was revised to include Resolutions Nos. R2014-38 and R2014-39 by the following vote

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

Nays: None Abstain: None Absent: Mr. Vorbach

**PRESENTATIONS.** There were no presentations.

**SCHEDULED PUBLIC HEARING - Ordinance No. 2014-01, CAPITAL ORDINANCE OF THE BOROUGH OF SPRING LAKE HEIGHTS, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$175,000 FROM THE WATER-SEWER UTILITY CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS**

There were no public questions or comments. On a motion by Mrs. King, seconded by Mr. Shuler, the ordinance was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

**PUBLIC COMMENT.** (Agenda items only) There were no public comments presented. On a motion by Mrs. Cindea, seconded by Mrs. King, the public comment period was closed without objection.

**DISCUSSION ITEMS.** There were no items of discussion.

**REPORTS & ANNOUNCEMENTS.**

- Councilman O'Brien – no report.
- Councilman Shuler – no report.
- Councilwoman King reported receipt of correspondence from the family of Mary Ann Budnick acknowledging the assistance of Police Officer Ventimiglia and from Rosemary Gleeson thanking Chief Petriken and Officer Kenny for their assistance. Mrs. King also reminded residents to remove vehicles from the streets during snow removal activities.
- Councilwoman Cindea commended the Public Works Department for their snow removal efforts and reported on the activities during the recent snow storm. Mrs. Cindea reported the Beautification Committee will be meeting monthly and has selected Deidre Slattery Fallon as chair.
- Councilman Tienken thanked the Public Works for snow removal and announced Recreation will be coordinating the senior programs previously provided by the Trendsetters.

**REPORTS, NOTICES & CORRESPONDENCE.**

- Police Department Report (December 2013)
- Letter of Resignation: Planning Board member Raymond Miller
- Planning Board Hearing Notice: Amoscato Family LLC (B-46.01, L-1, 65, 66 & 67)
- South Monmouth Regional Sewerage Authority – Notice of Amendment to Sewer Connection Fee
- South Monmouth Regional Sewerage Authority – Notice of Additional Project Notes
- Fire Company Membership Change Notification: George Breslin
- Monmouth County Community Development Program: CDBG Application notice
- Middlesex County Municipal Joint Insurance Fund – 2014 Assessment

**ORDINANCE INTRODUCTIONS.** There were no ordinances presented for introduction.

**RESOLUTIONS.**

- R2014-34, authorizing the extension of the Shore Municipal Alliance Grant from January 1, 2014

to June 30, 2014. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-35**, confirming the appointment of Raymond Miller to the Zoning Board of Adjustment. On a motion by Mrs. King, seconded by Mr. Shuler, adoption of the resolution was defeated by the following vote:

Ayes: Mrs. King, Mr. Shuler

Nays: Mrs. Cindea, Mr. O'Brien, Mr. Tienken Abstain: None Absent: Mr. Vorbach

Mayor Maccanico expressed disappointment that his recommendation is not acceptable to the Council. Mrs. King recommended the appointment of Owen Quinn to the position. Mayor Maccanico nominated Owen Quinn as a regular member of the Zoning Board.

- On a motion by Mr. O'Brien, seconded by Mr. Shuler, the nomination of Owen Quinn for appointment to the Zoning Board of Adjustment was confirmed (as **R2014-35**) by the following vote:

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

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

- **R2014-36**, confirming the appointment of Donald Eilenberger to the Zoning Board of Adjustment. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- Motion to move bills to the Finance Committee. On a motion by Mr. O'Brien, seconded by Mrs. King, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-37**, approving payment of claims on the January 24, 2014 Bill List. On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-38**, authorizing the cancellation of the designated Tax Sale Certificate held by the Borough. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-39**, authorizing a Tax Lien redemption payment. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

**PUBLIC COMMENT.** (Any items)

- Police Officer Zachary Ramp announced the Police Department has established a Facebook page to disseminate information. Mayor Maccanico took the opportunity to publicly thank Officer Ramp and Sergeant Gunnell for their assistance during a recent emergency at his home.
- Rita Murphy, Emergency Management Coordinator, commented on the importance of social media in emergencies and noted the Fire Department also has a Facebook page. Ms. Murphy

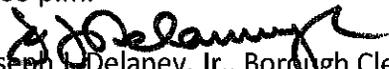
also requested the assistance of residents to keep fire hydrants clear of snow and ice; commended the Public Works snow plowing efforts; and commended fire company volunteers. On a motion by Mrs. Cindea, seconded by Mr. Shuler, the public comment period was closed without objection.

**APPROVAL OF MINUTES.** On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the January 1, 2014 Re-organization meeting were approved by the following vote:

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

Nays: None      Abstain: Mrs. Cindea      Absent: Mr. Vorbach

**ADJOURNMENT.** There being no further business, on a motion by Mr. Shuler, seconded by Mrs. King, the meeting was adjourned without objection at 8:35 p.m.

  
Joseph J. Delaney, Jr., Borough Clerk