

The **February 10, 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 7:00 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
Scott Kenneally, Esq.

There were no members of the public present.

On a motion by Mr. Shuler seconded by Mrs. King, Resolution **R2014-40** authorizing an Executive Session to discuss Contract Negotiation-Professional Services, Contract Negotiation-Police Contracts, and Personnel: Public Works was adopted without objection. The public meeting was recessed 7:01 p.m. and the Executive Session convened in the Conference Room.

Executive Session.

- Contract Negotiation-Professional Services: On the recommendation of Borough Administrator Delaney and Mr. Kenneally it was agreed to retain Frederick Raffetto as special counsel to handle existing tax appeals and any appeals filed in the current year
- Contract Negotiation-Police: Administrator Delaney reported on contract negotiations with the PBA and was provided direction for settlement. The expired contract with the Police Chief was also reviewed with Mr. Delaney and Mrs. King authorized to begin discussions with Chief Petriken.
- Personnel-Public Works: Borough Administrator Delaney reported on the discussions with the Public Works employees regarding the superintendent position. Mayor Maccanico, Mrs. Cindea and Mr. Delaney were authorized to meet with employees interested in being considered for the position.

The Executive Session was adjourned at 7:57 p.m. without objection.

Public Session. The public session was called to order at 8:04 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
Scott Kenneally, Esq.
Louis Raione, Esq.

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. Tienken, the agenda was revised to vote on R2014-41 and R2014-43 as the first items of business and add No. R2014-47 to the resolution agenda by the following vote

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-41**, appointing Scott W. Kenneally Esq. and the firm Starkey, Kelly, Kenneally, Cunningham & Turnbach as Borough Attorney for the year 2014. On a motion by Mr. O'Brien, 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

Mayor Maccanico invited Mr. Kenneally to the dais.

- **R2014-43**, authorizing a contract for Professional Services to Louis N. Rainone, Esq. of the firm DeCotiis, FitzPatrick & Cole LLP to provide labor counsel services for the year 2014. On a motion by Mrs. Cindea, seconded by Mr. Tienken, 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

Mayor Maccanico welcomed Mr. Raione.

PRESENTATIONS. There were no presentations.

SCHEDULED PUBLIC HEARINGS. There were no scheduled hearings.

PUBLIC COMMENT. (Agenda items only)

- Evelyn Condello, 807 Park Avenue – In response to a question concerning the labor counsel Mayor Maccanico responded this selection is a change from prior years.
- Gladys Erbe, 817 Pitney Drive, complained about the form of the receipt received from the Borough when a utility bill is paid. Mrs. Erbe also questioned if the approval of minutes is on the agenda.
- Evelyn Condello, 807 Park Avenue, questioned the Recreation Trust Fund bill list and the current recreation fund balance

On a motion by Mrs. Cindea, seconded by Mr. O'Brien, the public comment period was closed without objection.

DISCUSSION ITEMS.

- FEMA Hazard Mitigation Grant Program: East Point Engineering Application Preparation Proposal. Borough Engineer Joe May reported on the status of the Borough's post-Sandy mitigation grant application and presented his proposal for submitting the required drawings and specifications for the next level of review.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman Tienken – no report.
- Councilwoman Cindea reported on the recent snow storm clean-up and thanked Public Works Department employees for an excellent job.
- Mayor Maccanico commented on residents shoveling out their driveway before Public Works has completed plowing.
- Councilwoman King – no report.
- Councilman Shuler – no report.
- Councilman O'Brien – no report.

REPORTS, NOTICES & CORRESPONDENCE.

- Municipal Court Report (2013 Statistics)
- Municipal Court Report (January 2014)
- Water-Sewer Utility adjustment request - Edward Tow, 2012 Old Mill Road (B-88, L-3)
- Water-Sewer Utility adjustment request - Susan Gallagher, 914 Wall Road (B-63.02, L-6)
- Cablevision franchise fee certification.
- New Jersey Water Supply Authority – Notice of Rate Proposal Hearing

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2014-42**, authorizing a contract for Professional Services to Suplee, Clooney & Company to provide audit services for the year 2014. On a motion by Mr. Tienken, seconded by Mr. O'Brien, 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
- **R2014-44**, authorizing a contract for Professional Services to East Point Engineering, LLC, for engineering services for preparation of the FEMA Hazard Mitigation Grant Program (HMGP) application.
- On a motion by Mr. Tienken, 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
- **R2014-45**, approving John Swider as an active member of the Fire Department
- 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
- **A motion to move the bills to the Finance Committee**, by Mr. O'Brien, seconded by Mr. Tienken, was approved by the following vote:
 - Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken
 - Nays: None Abstain: None Absent: Mr. Vorbach
- **R2014-46**, approving payment of claims on the February 7, 2014 Bill List. On a motion by Mr. O'Brien, 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
- **R2014-47**, authorizing a contract for Professional Services to Frederick Raffetto, Esq. of the firm Ansell, Grimm & Aaron, P.C. to provide Special Counsel services for tax appeals for the year 2014. On a motion by Mr. O'Brien, 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)

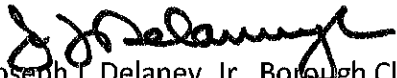
- Gladys Erbe, 817 Pitney Drive, commented on the outstanding job Public Works does and the notification to residents. Mrs. Erbe questioned snowstorm violators enforcement.
- Evelyn Condello, 807 Park Avenue, expressed concern regarding notification to senior program participants with weather cancellations and requested improved communications. Councilman

Tienken commented notification has been difficult with the program transition and obtaining contact information.

On a motion by Mrs. Cindea, seconded by Mrs. King, the public comment period was closed without objection.

APPROVAL OF MINUTES. The minutes to the January 22, 2014 meeting were distributed for approval at the next meeting.

ADJOURNMENT. There being no further business, on a motion by Mrs. Cindea, seconded by Mrs. King, the meeting was adjourned without objection at 8:45 p.m.


Joseph J. Delaney, Jr., Borough Clerk