

The **March 28, 2016** meeting of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Acting Mayor Sara King at 7:30 p.m. in the Frank E. Adams Municipal Building.

Present:

Councilman Arthur Herner  
Councilman Robert Merriken  
Councilman James Shuler  
Councilwoman Sara King

Absent:

Councilman Christopher Campion  
Councilman Thomas Vorbach  
Mayor Thomas O'Brien

Also Attending:

Janine Gillis, Borough Clerk  
Joseph J. Delaney, Jr., Administrator  
Gary McLean, Esq., Borough Attorney

**EXECUTIVE SESSION: Resolution No. R2016- 69** Authorizing an Executive Session

**CONTRACT NEGOTIATION:** Lake Avenue Block 73 Lots 13 & 14

Borough Clerk, Janine Gillis, read the resolution into the record.

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution R2016-69 was approved by the following vote:

Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None Abstain: None Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

**8:00 p.m.-PUBLIC SESSION: CALL TO ORDER ▪ SILENT REFLECTION ▪ PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mrs. King asked that the passing of Thomas Bryne be observed in the moment of silence.

Present:

Councilman Arthur Herner  
Councilman Robert Merriken  
Councilman James Shuler  
Councilwoman Sara King

Absent:

Councilman Christopher Campion  
Councilman Thomas Vorbach  
Mayor Thomas O'Brien

Also Attending:

Janine Gillis, Borough Clerk  
Joseph J. Delaney, Jr., Administrator  
Gary McLean, Esq., Borough Attorney  
John Barrett, PM Consultants

**OPEN PUBLIC MEETINGS ACT STATEMENT OF COMPLIANCE**

The Mayor 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**

Acting Mayor King requested an amendment to the agenda to add Resolution #2016-77 budget introduction & Ordinance No. 2016-01, an ordinance to exceed the municipal appropriation limits and to establish a cap bank.

On a motion by Mr. Merriken, seconded by Mr. Shuler, the agenda was approved as amended, by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None Abstain: None Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

**APPROVE MINUTES**      March 14, 2016 Executive & Regular

On a motion by Mr. Merriken, seconded by Mr. Shuler, the minutes of March 14, 2016 Executive & Regular Session was approved, by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

**PRESENTATIONS** - None

**SCHEDULED PUBLIC HEARINGS** - None

**PUBLIC COMMENT (Agenda items only)**

Charles Stewart Lake Avenue, Block 73 Lot 4.02 he thought that tonight his request would be included as a discussion on tonight's agenda. His Planning Board approval was given back in December 2014 and he's made all his State applications but the process with the Borough has been lengthy and frustrating. Mrs. King stated that the new council members had just been brought up to speed with what has happened over the past several months and the fact that a couple of council members are not here tonight, she offered that it was best to wait for a full council before moving forward. Mrs. King added that some research was required, before consideration could be given. She thought that possibly it would be on the next agenda but that he should check with Mr. Delaney.

The voice of the public was closed on a motion by Mr. Merriken and seconded by Mr. Shuler without objection.

**DISCUSSION ITEMS**

- Cornelius V. Kelly Community Center Improvements

Mr. Delaney reviewed the improvements and the grant funding. The Borough would be funding some of the improvements from the Open Space Fund and Capital Improvement Fund. Proposals were solicited from Architects for services related to the project. Mr. Delaney recommends the award to Paul A. Damiano, LLC, he added that a resolution is on tonight's agenda for approval from council. Mrs. King asked about a schedule for the improvements, Mr. Delaney replied that it looks like it we would be going to bid in late spring/early summer and construction starting in summer or early fall. Mrs. King asked about the time frame the center would be closed, Mr. Delaney replied anywhere from 90 days to 5 months. Mr. Shuler added that it could interfere with Election Day; Mr. Delaney acknowledged that, he added as the start of the project got closer, judgement would be made if that will be an issue.

- Draft Ordinance Re: property located in vicinity of paper street – Lake Drive

Mrs. King asked Mr. Delaney if he would like to speak about the budget at this time.

Mr. Delaney added there was uncertainty about adding the budget tonight in lieu of absences, but council has amended the agenda to include it. The budget as prepared and distributed provides for a tax rate increase of just under \$.02 cents. It provides for level funding of our existing services and provides for substantial funding of both the current/ tax & water-sewer / utility budgets.

As part of the budget process if introduced tonight, a required public hearing would be scheduled 28 days from tonight or April 25<sup>th</sup> with a public notice to be published 10 days in advance of the public hearing.

Mrs. King added that she had spoken to Mr. Campion, Finance Chair and he indicated that he was in favor of moving forward with the introduction of the budget tonight.

Mr. John Barrett added that as part of the Best Practice Questionnaire which influences our State Aid, one of the questions asked is if the budget was introduced in a timely manner, if it is, credit is given. The other item tonight is the COLA Ordinance which is a good practice as it prepares you for unexpected expenses. Mr. Delaney added that a public hearing is required for this as well and suggested doing it on April 25<sup>th</sup> along with the budget.

**MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS**

Councilman Merriken – reported that fire hydrant replacement is ongoing.

Councilman Shuler – no report

Councilman Herner – no report

Acting Mayor King – reported that the Monmouth County Sherriff Dept. had a mandatory training session with our Police Officers for handling of individuals with special needs. She added that the county has a website where you can register with them.

**REPORTS, NOTICES & CORRESPONDENCE**

- Thank You letter from Anthony Santos – “Teens For Jeans” campaign
- Letter from NJ DOT – Initiation of Proceedings for Warren Avenue Railroad Crossing
- Public Notice Spring Lake Heights Board of Education Revised Meeting Schedule

**ORDINANCE INTRODUCTIONS**

**BOROUGH OF SPRING LAKE HEIGHTS                      ORDINANCE NO. 2016-01**  
AN ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (2016) PURSUANT TO N.J.S.A. 40A:4-45.14

Borough Clerk, Janine Gillis read the ordinance into the record.

Mr. Herner asked for a brief explanation of the ordinance. Mr. Barrett explained that each department benefits from having this ordinance in place. It allows us to increase inside the inside cap allowing for unforeseen expenses. It is considered a best practice plan for future use. Mr. Barrett added that it was his recommendation that council move forward with the introduction of the ordinance.

On a motion by Mr. Merriken, seconded by Mr. Shuler, the ordinance was introduced, by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler  
Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach & Mayor O'Brien

**RESOLUTIONS**

- **R2016-70**, Approving use of Community Center – Tiny Treasurers Nursery School  
On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-70 was approved by the following vote:  
Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler  
Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach & Mayor O'Brien
- **R2016-71**, Approving use of Ocean Road Park Tennis Courts- Spring Lake Heights School District  
On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-71 was approved by the following vote:  
Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler  
Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach & Mayor O'Brien
- **R2016-72**, Approving membership in the Fire Department – Reynolds/Jeschonek/Bauter  
On a motion by Mr. Shuler, seconded by Mr. Merriken, Resolution No. 2016-72 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

▪ **R2016-73**, Authorizing submission of 2015 Recycling Tonnage Grant Application

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-73 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

▪ **R2016-74**, Authorizing a contract for architectural services for planned improvements to Cornelius V. Kelly Community Center

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-74 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

▪ **R2016-75**, Authorizing additional temporary budget appropriations pending adoption of 2016 Municipal Budget

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-75 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

▪ **R2016-76**, Authorizing the payment of claims on the March 24, 2016 Bill List.

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-76 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

▪ **R2016-77**, Introduction of 2016 Budget

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-77 was approved by the following vote:

Ayes: Mr. Herner, Mr. Merriken, Mr. Shuler,

Nays: None      Abstain: None      Absent: Councilman Campion, Councilman Vorbach  
& Mayor O'Brien

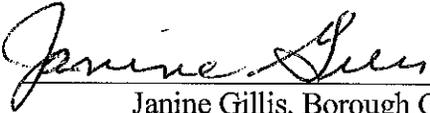
**PUBLIC COMMENT (Any item)**

Eileen Eilenberger 1215 Pond Rd wanted to report that attended meeting on the living berm project and added that if successful in Spring Lake that in would be coming to Spring Lake Heights also. Mr. Delaney added that he was working on a presentation for a future meeting.

The voice of the public was closed on a motion by Mr. Merriken and seconded by Mr. Shuler without objection.

**ADJOURNMENT**

There being no further business, on a motion by Mr. Merriken, seconded by Mr. Shuler, the meeting was adjourned without objection at 8:30p.m.

  
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Janine Gillis, Borough Clerk

Approved: April 11, 2016