

The **April 14, 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 7:30 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
Kevin Starkey, Esq.

There was one member of the public present.

On a motion by Mr. Tienken, seconded by Mrs. King, **Resolution R2014-68**, authorizing an Executive Session to discuss Contract Negotiation/Police Chief, was adopted without objection. The public meeting was recessed at 7:32 p.m. and the Executive Session convened in the Conference Room.

Executive Session. Borough Administrator Delaney and Councilwoman King reported on their discussion with Chief Petriken, and presented a summary of salaries for area Police Chiefs. The Council provided direction for continued negotiations.

The Executive Session was adjourned at 7:45 p.m. without objection.

Public Session. The public session was called to order at 8:02 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
Kevin Starkey, Esq.
Joe May, P.E., Borough Engineer
John Barrett, PM Consultants

There were 10 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 approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

APPROVAL OF MINUTES. There were no minutes presented for approval.

PRESENTATIONS. There were no presentations.

SCHEDULED PUBLIC HEARINGS. There were no scheduled hearings.

PUBLIC COMMENT. (Agenda items only) There were no public comments presented.

DISCUSSION ITEMS.

- Spring Lake Borough request for Spring Lake Heights' participation in the Wreck Pond Bypass Pipe application for Monmouth County Open Space Grant Program funding.
- Borough Administrator Delaney reported that Mayor Maccanico and he met last week with representatives of Spring Lake; there is no financial contribution by the Borough required. Half of the funding is being provided by a grant from the U.S. Fish & Wildlife Service; with 25% from the County and Spring Lake providing the remaining 25%.
- It was agreed the Borough will support the application provided there is no cost to the Borough.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman O'Brien noted the budget is scheduled for introduction tonight.
- Councilman Shuler thanked Borough Engineer Joe May, the Public Works and Police departments for their response to the recent sewer collapse.
- Councilwoman King thanked the Police Department and Fire Company for their participation in the School Run and Little League Parade.
- Councilwoman Cindea thanked the Police and Public Works for their response to the sinkhole.
- Councilman Tienken reported on the first meeting of the Recreation Facilities Committee held earlier tonight: another meeting is scheduled and a full presentation will be made to the Council.

REPORTS, NOTICES & CORRESPONDENCE.

- Revenue Report (March 2014)
- Police Department Report (March 2014)
- Municipal Court Report (March 2014)
- Wall Township - resolution Granting Temporary Easement (Wreck Pond Brook & Polypod Brook Tree Removal)
- Wall Township - Public Hearing Notice: Ordinance No. 8-2014
- Sea Girt Borough - Public Hearing Notice: Ordinance No. 02-2014
- Monmouth County Freeholders resolution re: relocation of utility lines
- Resignation Letter - Art Herner (Southeast Monmouth Municipal Utilities Authority commissioner)

ORDINANCE INTRODUCTION - ORDINANCE NO. 2014-03, AN ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (2014) PURSUANT TO N.J.S.A. 40A:4-45.14

On a motion by Mr. O'Brien, seconded by Mrs. Cindea, the ordinance was approved for introduction by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

RESOLUTIONS.

- **R2014-69, approving introduction of the 2014 Municipal Budget.**
- Borough Administrator Delaney noted the Mayor and Council salary appropriation was reduced and the Environmental Commission and Beautification Committee have been increased in accordance with Mr. Tienken's request at the March 31 budget discussion session.
- John Barrett, PM Consultant, outlined the minor change regarding the Reserve for Uncollected Taxes.

On a motion by Mr. O'Brien, seconded by Mr. Tienken, the **2014 Municipal Budget** was introduced by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

- **R2014-70**, authorizing additional temporary budget appropriations pending adoption of the 2014 Municipal Budget. On a motion by Mr. O'Brien, 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

- **R2014-71**, appointing Thomas Martin to the Zoning Board of Adjustment. On a motion by Mr. O'Brien, 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

- **R2014-72**, appointing Robert Cindea to the Zoning Board of Adjustment. On a motion by Mr. Tienken, seconded by Mr. O'Brien, the resolution was adopted with Mayor Maccanico casting the deciding vote as follows:

Ayes: Mr. O'Brien, Mr. Tienken, Mayor Maccanico

Nays: Mrs. King, Mr. Shuler Abstain: Mrs. Cindea Absent: Mr. Vorbach

- **R2014-73**, awarding a contract for the Allaire Road and Ocean Road Park Improvements in the amount of \$351,224 to Thor Construction. On a motion by Mr. Shuler, 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

- **R2014-74**, awarding a contract pursuant to the New Jersey State Contract Pricing Program to GameTime/MRC for the purchase of playground equipment. On a motion by Mr. Shuler, 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

- **R2014-75**, supporting passage of Assembly Bill A-1021 and Senate Bill S-268 requiring direct payment of Energy Taxes to municipalities. On a motion by Mr. Shuler, 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

- **R2014-76**, approving outdoor music permits at the Spring Lake Golf Club. On a motion by Mr. Shuler, seconded by Mr. 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

- **R2014-77**, confirming the appointment of William Onderdonk as a School Crossing Guard for the 2013-2014 School Year. On a motion by Mrs. King 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

- **A motion to move the bills to the Finance Committee**, by Mr. O'Brien, seconded by Mrs. King, 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

- **R2014-78**, approving payment of claims on the April 10, 2014 Bill List. 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

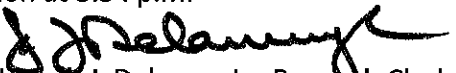
Nays: None Abstain: None Absent: Mr. Vorbach

PUBLIC COMMENT. (Any items)

- Kathleen Crippen, 564 Atlantic Avenue, Environmental Commission Chair., announced an Earth Day Clean-up on April 26th with a rain-date on April 27th.

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

ADJOURNMENT. There being no further business, on a motion by Mrs. Cindea, seconded by Mr. Tienken, the meeting was adjourned without objection at 8:34 p.m.


Joseph J. Delaney, Jr., Borough Clerk