

The **April 25, 2016** meeting of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Mayor O'Brien at 7:00 p.m. in the Frank E. Adams Municipal Building.

Present:

Councilman Christopher Campion
Councilman Arthur Herner
Councilwoman Sara King
Councilman Robert Merriken
Councilman James Shuler
Mayor Thomas O'Brien

Absent:

Councilman Thomas Vorbach

Also Attending:

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

EXECUTIVE SESSION: Resolution No. R2016- 80 Authorizing an Executive Session

- Acquisition of Real Property: Church St.
- Contract Negotiation(s): Spring Lake Heights Board of Education / Little League Lease
- Attorney-Client Privilege: Block 9 Lot 285
- Personnel: Public Works

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

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2016-80 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Councilman Vorbach

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

ROLL CALL

Present:

Councilman Christopher Campion
Councilman Arthur Herner
Councilman Robert Merriken
Councilman James Shuler
Councilwoman Sara King
Mayor Thomas O'Brien

Absent:

Councilman Thomas Vorbach

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

Mayor O'Brien announced: Pursuant to the requirements of the New Jersey's Open Public Meetings Act, notice of this meeting was included in the Annual Meeting Notice filed in the Office of the Borough Clerk; posted on the Borough website and in Municipal Building; published as a legal notice in the Coast Star newspaper; and mailed to those requesting notice and providing payment in accordance with Borough policy.

APPROVE AGENDA

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

Ayes: Mr. Campion, Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

APPROVE MINUTES - March 28, 2016 Executive Session Meeting

On a motion by Mr. Merriken, seconded by Mr. Shuler, the minutes of March 28, 2016 Executive Session was approved, by the following vote:

Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler
Nays: None Abstain: Mr. Champion Absent: Mr. Vorbach

APPROVE MINUTES - April 11, 2016 Regular Session Meeting

On a motion by Mrs. King, seconded by Mr. Merriken the minutes of April 11, 2016 Regular Session was approved, by the following vote:

Ayes: Mr. Champion, Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

PRESENTATIONS

SCHEDULED PUBLIC HEARINGS

- **R2016-81**, Authorizing to read the 2016 Budget by title only

On a motion by Mr. Champion, seconded by Mr. Merriken, Resolution R2016-81 was approved by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

- **Public Hearing - 2016 Municipal Budget**

On a motion Mr. Champion and seconded by Mr. Merriken, the public hearing for the budget was opened by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

Mr. Delaney reminded everyone that the budget was introduced at the March 28th meeting with a full presentation of the proposed 2016 budget. The budget was submitted to the State- Division of Local Government Services for review which they have not completed but they have notified us of amendments that they are requiring. He added that there would be additional amendments as we receive notification of grants that have been awarded. The budget calls for a tax rate increase of just under 2 cents. Mr. Delaney added with the tax appeals being completed, are total assessment valuation will be decreasing by almost 2 million dollars.

Mr. Barrett added that he expects that the review by the State will be complete in time for the next meeting so that we can move forward and adopt.

Mayor O'Brien asked if Resolution No. 2016-82 is the housekeeping required by the State, Mr. Barrett replied yes.

- **R2016-82**, Authorizing amendments to the 2016 municipal budget

Mr. Delaney reviewed the amendments as indicated on the resolution.

Mr. Champion pointed out that this budget is preparing for the future, it prepares us for future expenses without having to bond for larger purchases. He went on to say that no one wants to raise taxes but you can't operate that way year after year. Without increasing taxes cuts have to be made somewhere, such as a reduction in services. The borough vehicles are very old, we have utility infrastructure which will need

repair or replacement: we need to start preparing for that. He added that he hoped future councils would have this same insight.

Mr. Herner agreed, this gets a handle on future repairs. He added most of the borough's equipment was purchased when he was a councilman 20 years ago. He stated that the borough is like a business, you need to re-invest in the business.

The public hearing was open to the public.

Kathleen Crippen 564 Atlantic Ave stated that the Public Works Dept. does a great job with the equipment that they have which is in poor condition. She stated that our senior residents are on fixed incomes, is there any type of discount that could be offered to them. She also asked if there were preparations for impending retirements where the borough would pay out for accumulated sick time. Mr. Delaney replied there was, in last year there was \$5,000 and \$10,000 in this year's budget. Mr. Delaney addressed are inquiry about discount for seniors. He explained there is a program referred to as Senior Freeze. He explained that the forms are filed with the State and that the homeowner is billed the full amount of their taxes but receives a check directly from the State for the amount billed over their freeze amount. He stated that there also another discount on property taxes which is offered as well that is income based.

Mike Placitella 30 Spruce Lane asked about the Assessment Demonstration Program and the inspection process. Mr. Delaney explained that there was a schedule and that Fairway Mews was probably going to get done this year. Mr. Placitella stated that he purchased the home in 2012 and his assessment has gone up every year without ever having been inspected. . Mr. Delaney added that the sales at Fairway Mews are very strong and that the inspections are done to confirm the information on file. Mr. Placitella stated that he has spoken to several neighbors that have had an increase in their taxes and haven't been inspected. Mr. Campion pointed out that an increase in taxes isn't always borough related; it's also the county and school. Mr. Campion also stated that they the new program gives the municipality to budget properly since all appeals are completed prior to the adoption of a budget.

On a motion by Mr. Campion and seconded by Mrs. King, the public hearing was closed by the following vote:

Ayes: Mr. Campion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Councilman Vorbach

Mayor O'Brien read the Resolution Title.

On a motion by Mr. Campion, seconded by Mrs. King, Resolution R2016-82 was approved by the following vote:

Ayes: Mr. Campion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Councilman Vorbach

Mr. Delaney announced that the resolution would be published and a public hearing was set for May 9, 2016

- **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

The public hearing was open to the public: none presented.

On a motion by Mr. Campion and seconded by Mr. Merriken the public hearing was closed by the following vote:

Ayes: Mr. Campion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Councilman Vorbach

On a motion by Mrs. King, seconded by Mr. Merriken Ordinance No. 2016-01 was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

**This vote was taken after Mayor O'Brien read the correspondence into the record.

PUBLIC COMMENT (Agenda items only) None Presented

On a motion by Mr. Merriken and seconded by Mrs. King the public hearing was closed without objection.

DISCUSSION ITEMS None

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Herner – no report

Councilman Campion – no report

Councilwoman King – no report

Councilman Shuler – announced that there would be a review of the procedures at the recycling center and that new signs were put at Ocean Road & Allaire Road Parks.

Councilman Merriken – no report on utility but thanked those that came out to help with Earth Day clean up

REPORTS, NOTICES & CORRESPONDENCE

- NJ Transit Public Meeting Notice meeting on May 25, 2016
- Spring Lake Heights Board of Adjustment Hearing – 816 Ocean Rd. Block 30 Lot 11
- Letter & Resolution dated April 15, 2016 from Mon Cty Bd of Chosen Freeholders, Re: Grandfathering provisions to Nat'l Flood Insurance Laws protecting homeowners that built to elevations acceptable at construction.
- Letter dated April 12, 2016 from M. Clark – County Tax Administrator regarding Opt-Out with sample resolution & clarification of draft Opt-Out dated April 19, 2016
- Copy of Belmar Resolution #2016-82 Opposing NJ Natural Gas Rate Increase
- Copy of Manasquan Resolution #134-2016 Opposing NJ Natural Gas Rate Increase
- Letter dated April 18, 2016 and Resolution #43-16 from South Monmouth Regional Sewerage Authority adopting Rules & Regulations

ORDINANCE INTRODUCTIONS

- **Ordinance No. 2016-02**, An ordinance amending section 9-2.1 entitled “fees” of Chapter IX (recreational facilities) of the revised general ordinances of the Borough of Spring Lake Heights, NJ

Mr. Delaney reviewed the changes to the fees. The public hearing was set for May 9th.

On a motion by Mr. Merriken, seconded by Mr. Campion, Ordinance No. 2016-02 was introduced by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

RESOLUTIONS

- **R2016-83**, Requesting approval to include developer escrow fees in Municipal Budget as a Dedication Rider

On a motion by Mr. Merriken, seconded by Mr. Campion, Resolution R2016-83 was approved by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

▪ **R2016-84**, Approving use of the Community Center – Waterford Condominium

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2016-84 was approved by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

▪ **R2016-85**, Authorizing SMSA Ltd. Partnership dba Verizon Wireless to jointly use poles right of way

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2016-85 was approved by the following vote:

Ayes: Mr. Champion, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

▪ **R2016-86**, Approving Payment of claims on the April 21, 2016 Bill List.

On a motion by Mr. Merriken, seconded by Mr. Champion, Resolution R2016-86 was approved by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mrs. King, Mr. Merriken, Mr. Shuler
Nays: None Abstain: None Absent: Mr. Vorbach

PUBLIC COMMENT (Any item)

Megan Pecelli 1214 Crosby Road inquired as to when sewer improvements and paving would be done.

Mr. Delaney stated that it was on the docket to do.

Rich Carragher 916 Prospect Ave. reported that in the area of Prospect and Lake between Ninth & Tenth Avenue there are chunks of curbing in the street. Mr. Delaney replied that there are reviewed on an individual basis, there is funding available for replacement if damaged through snow removal. Mr. Herner added that in some areas of town the curbing is just deteriorating due to age.

Eileen Eilenberger 1215 Pond Rd announced that there will be a town wide yard sale on Saturday, May 21st. any resident looking to participate should register at the Municipal Office.

Kat Crippen 564 Atlantic Ave thanked all of the residents that came out to the Earth Day cleanup on April 23rd. The crew included the Borough attorney, Gary McLean, Councilman Merriken and Mayor O'Brien. She added that large items were pulled from Black Creek and that an overgrown path at the park was cleaned up. She also thanked wanted to thank, Mr. May and Public Works employee, Steve Gioglio who came with equipment to haul away all of the debris.

Councilwoman King asked Ms. Crippen to explain where Black Creek Park is. Ms. Crippen explained that it was behind the recycling center, just drive all the way down Sixth and it's right there. She commented that it's a beautiful park with all kinds of wildlife.

Councilman Herner asked if a report of outstanding projects could be provided so that the council could track progress. Mr. Delaney replied that he would provide a report.

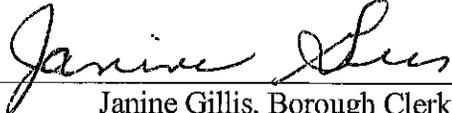
George Jarahian 561 Mercer Ave explained that he lives between the Spring Lake & Spring Lake Heights fire departments. He asked if consideration has been given to combine services to save money. Mayor O'Brien explained that the borough currently as shared services for Police Dispatch and Municipal Court. He also added that the fire company is going to limit their purchases for equipment and when looking to purchase, searching for equipment that has combined equipment.

On a motion by Mrs. King and seconded by Mr. Champion the public hearing was closed without objection.

Councilman Champion asked residents to park in the marked stalls only at Allaire Road Park and not to park their vehicles on the paths or grass areas; this is the only access for emergency vehicles if they needed to get into the park.

ADJOURNMENT

There being no further business, on a motion by Mr. Champion, seconded by Mrs. King, the meeting was adjourned without objection at 9:00 p.m.


Janine Gillis, Borough Clerk

Approved: May 9, 2016