

The **June 13, 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.

## **ROLL CALL**

### Present:

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

### Absent:

Councilman Christopher Campion

### Also Attending:

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

## **EXECUTIVE SESSION: Resolution No. R2016-105**

- Acquisition of Real Property: Lake Drive
- Contract Negotiation: Little League Lease
- Personnel: 2016 Salary & Wage – DPW Personnel

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

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution R2016-105 was approved by the following vote:

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

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

## **ROLL CALL**

### Present:

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

### Absent:

Councilman Christopher Campion

### Also Attending:

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

## **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**

Mayor O'Brien asked for a motion to approve the agenda.

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

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

## **APPROVE MINUTES May 23, 2016 Regular Session**

On a motion by Mrs. King, seconded by Mr. Merriken the minutes of May 23, 2016 Regular Session were approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

**PRESENTATIONS - None**

**SCHEDULED PUBLIC HEARINGS**

- **Ordinance No. 2016-03**, Capital Ordinance appropriating \$77,000 from Water-Sewer Utility Capital Improvement Fund for purchase of utility vehicle

On a motion by Mr. Merriken and seconded by Mrs. King, the public hearing for Ordinance 2016-03 was open to the public; none presented.

Mr. Delaney pointed out that this is a capital ordinance which means that the funding is in place, this ordinance appropriates the funding. He stated that bids were accepted, and if the ordinance is adopted tonight there is a resolution listed as an agenda item awarding the contract for the purchase.

The public hearing was closed by Mr. Shuler and seconded by Mr. Vorbach, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

On a motion by Mr. Merriken, seconded by Mrs. King Ordinance No. 2016-03 was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

- **Ordinance No, 2016-04**, Amending Chapter XVII "Flood Damage Prevention" of the Revised General Ordinances of the Borough of Spring Lake Heights, New Jersey

On a motion by Mr. Vorbach and seconded by Mr. Merriken, the public hearing for Ordinance 2016-04 was open to the public, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

Mayor O'Brien reminded everyone that this was previously discussed and that this ordinance changes the definition of flood damage.

Thomas Murphy 805 Shore Road, thanked Mayor and Council for adopting this ordinance; it now gives him the opportunity to get funding and move forward to make the improvements to his home.

The public hearing was closed by Mr. Merriken and seconded by Mrs. King with the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

On a motion by Mr. Merriken, seconded by Mr. Vorbach Ordinance No. 2016-04 was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

**PUBLIC COMMENT (Agenda items only)**

Mayor O'Brien opened the meeting to the public; none presented

On a motion by Mr. Vorbach, seconded by Mr. Merriken the public comment period was closed; roll call taken as follows:

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

Nays: None Abstain: None Absent: Mr. Champion

## **DISCUSSION ITEMS**

- Central Avenue – Vehicle Weight Limit

Mr. Delaney reviewed that at the last council meeting a resident had requested that Central Avenue become a dead end street. Mr. Delaney added that although there are some signs along Old Mill Road with weigh restrictions there aren't any regulations to support that.

Mr. Herner offered that this would need further review. He felt that reaching out to the stores and possibly work something out, he added that it came to light with the recent incident which involved a tractor trailer driving down Central which then ripped wires from a few residential homes.

- South End Parking Restrictions

Mr. Delaney has begun reviewing the existing parking restrictions that are presently in place and has found that possibly there are some not necessary. Mr. Herner added that there are still a few sign still in place that would require the Police to right a ticket. Mr. Delaney stated that he would work on preparing an ordinance.

## **MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS**

Councilmen Merriken – reported that fire hydrants are still being replaced.

Councilman Shuler – no report

Councilwoman King – Reported that Officer Ken Hager has been charged with the LED Program which replaced the previous program known as DARE. Classes were conducted and awards were presented to the 5<sup>th</sup> graders, the parents were invited as well. The program is looking to expand to include instruction at the 8<sup>th</sup> grade level as well.

Mrs. King also added that Police Chief David Petriken had received a letter from a female resident on Lake Drive. The letter referenced Officer Hager who had gone to the home on several calls and had assisted with her husband who had failing health. The letter indicated that the gentleman had passed away and that Officer Hager went to the viewing and to the funeral. The wife was extremely grateful for his assistance and his compassion.

Councilman Vorbach – no report

Councilman Herner – Reported that a summer camp coordinator has been hired and would be in charge of the day to day operations of the recreation summer camp.

## **REPORTS, NOTICES & CORRESPONDENCE**

- Borough of Spring Lake Heights Monthly Revenue – May 2016
- Spring Lake Heights Municipal Court Revenue – May 2016
- Spring Lake Heights Police Monthly Report – May 2016
- Resolution 118-2016 – Borough Of Eatontown, Opting Back Into Monmouth County Assessment Demonstration Program
- Resolution 16-146 – Borough Of Red Bank, Opting Back Into Monmouth County Assessment Demonstration Program
- Letter from Monmouth County Planning – RE: HOME Housing Production Program

**ORDINANCE INTRODUCTIONS** - None

## **RESOLUTIONS**

- **R2016-106**, Awarding a contract for purchase of Combo Sewer Vacuum & High Pressure Jet Rodder Truck to Woszczak Mechanical

On a motion by Mr. Merriken seconded by Mr. Shuler, Resolution No. R2016-106 was approved by

the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

- **R2016-107**, Approving the renewal of designated Alcoholic Beverage Control Licenses  
On a motion by Mrs. King seconded by Mr. Merriken, Resolution No. R2016-107 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-108**, Approving the issuance of an Alcoholic Beverage Control Social Affair Permit for Fairway Mews Community Association  
On a motion by Mr. Vorbach, seconded by Mrs. King, Resolution No. R2016-108 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-109**, Approving the issuance of an Alcoholic Beverage Control Social Affair Permit for Foodbank of Monmouth & Ocean Counties  
On a motion by Mr. Merriken, seconded by Mr. Vorbach, Resolution No. R2016-109 approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-110**, Approving fireworks display –Spring Lake Golf Club  
On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. R2016-110 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-111**, Approve waiving of Food Handling Permit Fees - Spring Lake Heights Elementary School & Wall Methodist Church  
On a motion by Mr. Vorbach, seconded by Mrs. King, Resolution No. R2016-111 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-112**, Approving use of the Community Center – Wyckham Manor – Girl Scout Troop #29  
On a motion by Mr. Merriken, seconded by Mrs. King, Resolution No. R2016-112 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-113**, Approving use of Allaire Road Park – Sean Dickenson  
On a motion by Mr. Vorbach seconded by Mr. Merriken, Resolution No. R2016-113 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach  
Nays: None Abstain: None Absent: Mr. Champion
- **R2016-114**, Confirming appointment of School Crossing Guards for 2016-2017 school year  
On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. R2016-114 was approved by the following vote:  
Ayes: Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Campion

▪ **R2016-115, Appointing of Additional Summer Recreation Employees**

On a motion by Mr. Vorbach seconded by Mr. Herner, Resolution No. R2016-115 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

▪ **R2016-116, Requesting approval from DLGS for amendment of 2016 budget**

On a motion by Mrs. King seconded by Mr. Merriken, Resolution No. R2016-116 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

▪ **R2016-117, Approving the payment of claims as shown on the Bill List dated June 10, 2016.**

On a motion by Mr. Merriken seconded by Mr. Shuler, Resolution No. R2016-117 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

**PUBLIC COMMENT (Any item)**

Julie Laforge 908 Central Avenue asked about a previous committee that had gathered ideas from residents and if they were still doing that. Councilman Vorbach asked what her idea was? She offered that she felt a walking path through the park with possible exercise stations. She added that besides Little League the park is underutilized. If there were more options more would come to the park. She added Fairway Mews is across the street and yet there isn't anyone in the park. If more activities were offered, more would make use of the park She also added that if the park was used by adults more, the kids would less likely get into trouble with adults present. She asked about bringing dogs into the park. Mayor O'Brien agreed, presently residents walk along the Fairway Mews side with their dogs. He stated that there is discussions about changing that. She feels with more activities available it would become a town anchor. Mr. Vorbach expressed that he like the idea of a fit trail. He stated that there is Open Space Funds for this type of improvements but wasn't sure of the funding available.

Mr. Delaney stated that for the current year funding was used for improvements to the buffers at the park and equipment. Additionally, funding will be used for the improvements to the Community Center which will be a discussion item at the next council meeting.

Sharon Batteau 1719 Beverly Ave. thanked Janine for the Pink event at the community center. The Doctors that spoke were informative. She added that in her opinion expansive of the playing fields is not necessary, she also thought the walking path and exercise stations were a great idea.

Nate Novak 907 Keith Ave. thanked Ms. LaForge for her ideas; he added that the parks should be used more actively. He added that the field in the front should be a multi-use field. He expressed that the park is a staple of the community and improvements should be ongoing.

Mr. Merriken agreed that the park should be for all age groups.

Mayor O'Brien added that with Fairway Mews across the street, there should have more activities geared toward that age group.

John Tangeman 564 Atlantic Avenue expressed that he like the idea of walking paths He added that he thought the goal was to restore the area which he feels is slowly happening. He voiced that additional playing fields are not necessary. Mayor O'Brien pointed out that there are no such plans presently for that. Mr. Tangeman stated that at one time Councilman Tienken asked about a professional planner for the park area and Mr. Delaney was going to put out an RFP, did that ever happen? Mayor O'Brien replied that a different direction was taken when council worked with the school and assisted with

improvements to the fields and courts at the school.

Jim McCarthy 806 Lake Avenue stated there were several occasions that new fields have been discussed and that he would have welcomed new fields. He felt that the grove area looks better than ever, he felt that previously it was a danger. He also agrees that the park should be used more with different types of activities, some of which is not a large undertaking cost wise.

Sharon Batteau 1719 Beverly Avenue pointed out that this is Spring Lake Heights not Seaside Heights adding that it's not all about the kids, all citizens should be considered.

Rita Murphy 2014 Highway 71 agreed that the parks are for all citizens and the programs offered should include all age groups.

Scott Stark 1202 Crosby Road inquired as to the status of the paving on Crosby Road. Mr., Delaney responded that it's a 3<sup>rd</sup> quarter project that it would be going out to bid shortly and hopefully starting in September. Mr. Stark added that he lives behind Allaire Road Park/Fletcher. He feels the improvements so far are great, the activity by the Little League has dwindled; he added that he enjoyed hearing the games. He too felt that walking trails would be a good idea. He reminded all that concerts used to be at the park which didn't end too late and were enjoyable.

Kat Crippen 564 Atlantic Avenue stated that there was conversation about the building on Railroad Ave would have been a good site to develop as a community building

Mr. Herner pointed out that it would very expensive to convert the building. He also added that the park on Ocean Road had exercise stations that weren't utilized.

Julie Laforge 908 Central Avenue expressed that in her opinion if adults were present in the parks it would deter children from misbehaving.

Peter McHugh 1207 Crosby Road announced that he thought the parks in town are looking fantastic and wanted to thank all involved.

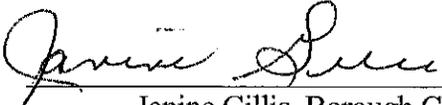
Margaret Melchione 2 Jeanette Ct wanted to thank the DPW department for all their work throughout town especially the parks. She stated that she was in favor of re-planting and the possibility of trails. She expressed concern about the expanding of the fields, she felt parking is an issue presently.

Kat Crippen 564 Atlantic Avenue wanted to announce that ticks are not just in wooded areas and could be picked up anywhere.

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

## ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Merriken, the meeting was adjourned without objection at 9:09 p.m.

  
Janine Gillis, Borough Clerk

Approved: June 27, 2016