

The **June 27, 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 7:30 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

## **7:30 p.m. - EXECUTIVE SESSION: Resolution No. R2016-118**

**\* Contract Negotiation:** Little League Lease **\* Personnel:** 2016 Salary & Wage

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

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2016-118 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 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 the 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 with the addition of Ordinance No. 2016-06 Establishing Salaries and Wages for 2016.

On a motion by Mr. Merriken seconded by Mr. Shuler, 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 Executive 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:

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

Nays: None      Abstain: Mr. Shuler      Absent: Mr. Champion

- June 13, 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

- Community Center Improvements

Mr. Delaney reminded everyone that the improvements to the community center were initiated about 10 years ago. He stated that the estimated cost of the improvements is about \$400,000. The funding would be coming from a CDBG grant of \$150,000: \$45,000 from General Capital Surplus Fund and \$200,000 from the Open Space Fund. Mayor O'Brien asked when the grant funds must be used by, Mr. Delaney replied 2017.

Mr. Delaney introduced Paul Damiano, Architect for the project. Mr. Damiano presented a composite of what the building would look like.

Mr. Damiano described the center as it exists. He explained that the proposed improvements include adding 1100 square feet onto the rear of the building creating a small meeting room on the east side and a larger meeting room on the west side. The kitchen, electricity and fire alarm systems would be upgraded and a generator will be installed for the facility. With the increased occupancy, it's required that the bathrooms are enlarged and to make them ADA compliant. Mr. Damiano stated that presently there isn't easy access to the attic so a drop-down staircase will be installed and create an exit from the basement directly outside which is required by code. Any new windows and siding will match the existing. Mr. Damiano added that the parking lot would remain as is.

Mayor O'Brien asked if the addition would be replacing the existing concrete pad at the rear of the building; Mr. May replied yes and that the existing kitchen would be coming out.

Mr. Herner asked about the serving area, if it could be enlarged. He offered that someone having a party comes with trays and uses sternos; he added that Jay spoke about a warming unit for keeping food warm. Mr. Damiano stated yes; we just need to work around the chimney. Mr. Herner expressed that he thought people didn't cook there. Mr. Delaney added that cooking at the facility required meeting code which included a fire suppression system. Mr. Damiano added that it would have requirements from the Board of Health as well.

Mayor O'Brien opened the meeting to the public.

John Tangeman 564 Atlantic Ave offered that in his opinion a stove is needed, he pointed out that not everyone has their parties catered; some would need to heat things up.

Kathy Hahn 810 Central Ave, she agreed that a stove is necessary. She felt that the floor and the ceiling are overdue for replacement and the kitchen is in need of an update, it should include a closet where brooms and mops could be stored out of sight. She inquired why the bathrooms were getting done, they were updated pretty recently. Mr. Damiano replied with the expansion of occupancy it's required. She thought that all the cabinets in the kitchen weren't necessary as no one should be storing anything there. She offered that alternative plans should be done based on different budgets.

Mr. Vorbach thanked her for the comments.

Nancy Hayduk 809 Central Ave. expressed that the improvements are great. She added that Kathy Hahn does work hard to keep the center pretty, she's constantly checking on the building. She thought that a committee should be formed, a committee of one, Kathy Hahn to work with Paul. She thought possibly all that is needed is a stove top, no oven. Mr. Damiano explained that possibly an electric stove/oven

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could be used, with a stove top that has a flame. The cost of the hood could be about \$20,000. Mrs Hayduk agreed that more counter space should be included, if the food is kept in the kitchen the facility would be kept a little cleaner. Nancy raised the question about using the funds from Open Space; if that were the case must the center be available to the general public. Attorney McLean would check. Nancy also expressed concern for the neighbors to the rear of the building and how this would affect the neighbors to the rear.

Mr. Damiano offered that revisions could be made to remove the cabinets, open up the wall to add more counter space; that we would just have to keep in mind the chimney and work around it.

Kat Crippen 564 Atlantic Ave stated that she had made contact with a contact at Open Space that informed her that the fund is tied to Green Acres and therefore the property should be listed on the ROSI. This project should not use Open Space money.

Rita Murphy 2014 Highway 71 wanted to confirm that the generator that is scheduled to be installed could handle the Air Conditioning in the building; Mr. Damiano replied yes.

Eileen Eilenberger 1213 Pond Road stated that when the plans were done back in 2004, the cost of the improvements was estimated at \$204,000. She would like to see the project move forward before our costs rise again. She feels that the community center is a staple to the community.

Kathy Hahn 810 Central Ave stated that she feels the rental fee for the community center should be increased and that arrangements should be made that after rentals the facility should be inspected.

#### **SCHEDULED PUBLIC HEARINGS** None

#### **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 without objection.

#### **DISCUSSION ITEMS** None

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

Councilman Herner - Announced that summer recreation camp has started today with the new day to day director.

Councilman Campion – No report

Councilman Vorbach – No Report

Councilwoman King – No Report

Councilman Merriken – Reported that our new vacuum truck is beautiful.

#### **REPORTS, NOTICES & CORRESPONDENCE**

- Copy of Borough of Sea Girt Ordinance No. 02-2016 Amending & Supplementing Chapter XVII-Zoning. Mayor O'Brien asked if this was similar to our recent change, Borough Clerk replied that this was changing a schedule of limitations.
- JCP&L Public Hearing on July 12, 2016 Re: proposed increase in non-utility generation charge

#### **ORDINANCE INTRODUCTIONS**

- **Ordinance No. 2016-05**, Ordinance amending section 7-3.4 entitled "Parking Prohibited During Certain Hours on Certain Streets" of Chapter VII (Traffic)

Mayor O'Brien reminded those present that this was discussed at a previous meeting; that there are certain areas in town where parking regulations were put in place when there was an establishment in

town; this ordinance updates the overnight parking in these areas.

On a motion by Mr. Vorbach, seconded by Mr. Merriken, Ordinance No. 2016-05 was introduced by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

The public hearing was set for the next council meeting on July 11, 2016

- **Ordinance 2016-06**, Establishing Salaries and Wages for 2016

On a motion by Mr. Shuler, seconded by Mr. Merriken, Ordinance No. 2016-06 was introduced, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Shuler

The public hearing was set for the next council meeting on July 11, 2016

## RESOLUTIONS

- **R2016-119**, Approving issuance of ABC Social Affair Permit – Ocean Housing Alliance, Inc.

On a motion by Mrs. King seconded by Mr. Merriken, Resolution No. R2016-119 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

- **R2016-120**, Appointing additional summer recreation program employee

On a motion by Mr. Shuler seconded by Mr. Vorbach, Resolution No. R2016-120 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

- **R2016-121**, Approving payment of claims as shown on the June 24, 2016 Bill List.

On a motion by Mr. Merriken seconded by Mrs. King, Resolution No. R2016-121 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Champion

## PUBLIC COMMENT (Any item)

John Tangeman 564 Atlantic Ave questioned the executive session tonight and at the previous meeting regarding Lake Drive and why is this not discussed in public. He thought that it was regarding Mr. Stewart the property owner asking about coming out to Route 71. Attorney McLean pointed out that issues have arisen which are complicated, requiring research and that at this point he has been giving legal advice to the council. Mr. Tangeman stated that if there is going to be an opening of a road the neighbors should be notified.

Kat Crippen 564 Atlantic Ave expressed that some of the summer bungalows in town may have electricity and plumbing but no heat; is there a regulation about that. She asked if someone purchased one could they install heat/AC, is that allowable. Mr. Herner stated that at one time it was not allowed. Mr. Delaney explained that if it is a single family home in a single family zone it is permissible, if there is a second unit is on the property in a single family zone then a variance would be required

Nancy Hayduk Central Ave offered to Mayor and Council to consider putting into place a system for the

recycling center. She feels the residents should have some type of sticker or show a driver's license. She added that not having someone there at all times leaves the area open for anyone to drop off at our location. She suggested signs may help deter anyone; Mr. May pointed out that signs are there. Ms. Hayduk offered that she has copies of ordinances from surrounding towns that she could forward.

Ms. Hayduk also felt that residents are putting out bulky trash days in advance of the pickup date. Mr. Herner pointed out that the pickup date was changed to Thursday but he felt that day didn't work because most people clean up on the weekend. She suggested that maybe council should consider reducing the number of times that bulk is picked up with the rising costs of dumping.

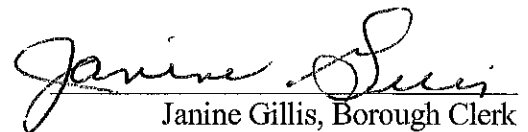
Kathy Hahn Central Ave asked about a comment she made at a previous meeting about the speed limit in front of the school. Councilwoman King offered that Chief Petriken was checking into it. Since it is a State highway the process is lengthy. She also reminded council about Central Ave paving, Mr. Herner agreed but this is an area where it is prioritized.. Mrs. Hahn also asked about the dumpster on the ongoing project on Shore Road, Mr. Shuler answered that permits issued are good for 3 years. She also felt that bulk trash pickup could be reduced.

John Tangeman 564 Atlantic Ave asked if council could check on a tree at 562 Atlantic Ave. There is a tree that is mostly dead and was marked to come down several years ago, it's still there. Mr. Delaney replied that he would investigate.

The voice of the public was closed on a motion from Mr. Vorbach and seconded by Mr. Merriken 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 9:15 p.m.

  
Janine Gillis, Borough Clerk

Approved: July 11, 2016