

The **June 8, 2015** 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 7:00 p.m. in the Frank E. Adams Municipal Building.

Present:

Councilman Christopher Campion, Jr.
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Mayor Gavino Maccanico

Absent:

Councilman Christopher Tienken
Councilman Thomas Vorbach

Also Attending:

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

7:00 p.m. - EXECUTIVE SESSION: Resolution No. R2015-98

- Litigation, Contract Negotiation & Personnel

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution R2015-98, authorizing an Executive Session was adopted without objection.

The public meeting was recessed at 7:05 p.m. and the Executive Session convened in the Conference Room.

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

1. ROLL CALL. Mayor Gavino Maccanico, presided over meeting.

Present:

Councilman Christopher Campion, Jr.
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Councilman Christopher Tienken
Councilman Thomas Vorbach
Mayor Gavino Maccanico

Absent:

None

Also Attending:

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

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.

Mayor Maccanico requested that the agenda be amended to add Resolution 2015-108, Authorizing Special Counsel & Ordinance 2015-04, Salary and Wage for 2015,

On a motion by Mr. Shuler, seconded by Mr. O'Brien, the agenda was approved with the addition of Resolution R2015-108 and Ordinance #2015-04, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Vorbach

APPROVAL OF MINUTES.

- Executive Session - March 9, 2015 & Regular Session March 9, 2015

On a motion by Mrs. King, seconded by Mr. Shuler, the Executive Session Minutes of March 9, 2015 were approved by the following vote:

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

Nays: None Abstain: None Absent: None

- Executive Session - April 13, 2015

On a motion by Mr. Vorbach, seconded by Mr. O'Brien, the Executive Session Minutes of April 13, 2015 were approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: Mr. Tienken Absent: None

- Executive Session - April 27, 2015

On a motion by Mrs. King, seconded by Mr. Shuler, the Executive Session Minutes of April 27, 2015 were approved by the following vote:

Ayes: Mr. Champion, Mrs. King, Mr. O'Brien, Mr. Shuler

Nays: None Abstain: Mr. Tienken & Mr. Vorbach Absent: None

- Regular Session - May 26, 2015

On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of May 26, 2015 were approved by the following vote:

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

Nays: None Abstain: Mr. Vorbach Absent: None

PRESENTATIONS. Doris McKeown Proclamation

Mayor Maccanico read the proclamation honoring Doris McKeown for her service on the Board of Health. A presentation was also done by Mike Kowal, the Spring Lake Heights Representative of the Monmouth County Board of Health also presented Doris with a plaque honoring her service.

Doris thanked everyone and stated she was honored to be a part of the board.

SCHEDULED PUBLIC HEARINGS.

- **Ordinance 2015-03**, An ordinance to exceed municipal appropriation limits & to establish a cap bank
The public hearing was opened to the public for questions.

John Tangeman asked for any explanation of the 3.5% vs. 2%, why is there a difference. John Barrett addressed his question, explaining that there is a state law that dictates the 1.5%, this ordinance allows for the additional 2%, it is considered a best practice and allows municipalities to prepare for unexpected rise in expenses such as gasoline.

The voice of the public was closed on a motion by Mrs. King and seconded by Mr. O'Brien without objection.

On a motion by Mr. O'Brien, seconded by Mr. Shuler, Ordinance #2015-03 was adopted by the following vote:

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

Nays: None Abstain: None Absent: None

- **Ordinance 2015-04**, An ordinance to establish 2015 salary and wage

On a motion by Mrs. King, seconded by Mr. Champion, Ordinance #2015-04 was introduced by the following vote:

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

Nays: None Abstain: None Absent: None

Janine Gillis stated this was an introduction; a public hearing will be scheduled at the meeting on June 22, 2015.

- **Resolution 2015-99**, Read Budget by Title Only

Mayor Maccanico read the resolution into the record.

On a motion by Mr. Shuler, seconded by Mr. O'Brien, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: None

- **Resolution 2015-100**, 2015 Municipal Budget

John Barrett stated that he delivered our budget to Division of Local Government Services for their review; they stated the budget was adequate. They recommended a few small budget amendments which are detailed on Resolution R2015-101, Budget Amendment, which is being presented next.

The meeting was open to the public for comments/questions on the budget; None presented.

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

▪ **Resolution 2015-101, Budget Amendment**

On a motion by Mr. Shuler, seconded by Mr. O'Brien, the resolution was introduced by the following vote:

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

Nays: None Abstain: None Absent: None

The meeting was open to the public on this resolution; None presented.

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

Mr. O'Brien wanted to point out that this budget includes reallocating salaries to the water/sewer budget, and if that amount would remain the same in future budgets. He also felt that consideration be given to reduce our water/sewer rates. Mr. Barrett explained the cancelling of the general capital and water/sewer wouldn't impact this year's budget, he further explained that those funds couldn't be used for salaries. Mr. O'Brien was concerned that if that amount stayed in salary, that water rates would have to be raised. Mr. O'Brien asked if the surplus had grown from last year, Mr. Barrett replied it had, Mr. O'Brien asked if in his opinion would it be regenerated. Mrs. King felt this was a good budget; taxes are going up from the other entities; school and county.

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution 2015-100, Budget as Amended was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: Mr. Tienken Abstain: None Absent: None

PUBLIC COMMENT. (Agenda items only)

Rita Murphy 2014 State Highway 71 asked about the budget and preparation for a disaster, she expressed that towns hit hard from Sandy were deeply impacted financially; she expressed concern that the borough would be prepared. She expressed that residents should be self-sustaining, she also suggested that the borough have an asset inventory.

She stated that as the OEM coordinator she did not take a salary, she had hoped that that money could be used elsewhere, possibly educating the public in being prepared. Mr. Barrett explained that monies designated for salaries could only be spent for that purpose, in that given year. He went on to explain that expenses encumbered throughout the year, the funds are designated for that purpose. In the last 2 months of the year funds that are not spent could be moved to other budget lines.

Kat Crippen 564 Atlantic Ave. – stated that she reviewed tonight's bill list; there is a payment out of the Open Space Fund and feels that it should not be paid from that account. She asked that the Mayor and Council ask the Borough Attorney to review what appropriations are allowable from that account. Mr. McLean replied he would.

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

DISCUSSION ITEMS.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS.

Councilman Campion – Asked Jay Delaney if the out of service fire hydrant that a resident inquired about had been fixed, Mr. Delaney replied yes.

Councilman Tienken – None
Councilman Vorbach – None
Councilwoman King – None
Councilman O’ Brien – None

REPORTS, NOTICES & CORRESPONDENCE.

- Letter from John Patterson, Commander- American Legion, Flag Day Ceremony on June 15, 2015
- April 2015 – Police Department Report
- Matawan Borough Resolution 15-15-06 Supporting Transparent Act of 2015
- Letter from Board of Chosen Freeholders-County of Monmouth dated May 15, 2015
Re: Monmouth County Reclamation Center Tipping Fees
- Letter from State of NJ – Dept. of Environmental Protection dated May 20, 2015
Re: Manasquan Reservoir Apportionment

ORDINANCE INTRODUCTIONS. None

RESOLUTIONS.

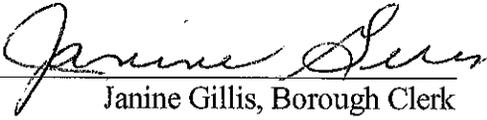
- **R2015-102**, Cancelling Certain General and Sewer Capital Improvement Balances
On a motion by Mr. Shuler, seconded by Mr. O’Brien, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2015-103**, Appointing Summer Recreation Employees
On a motion by Mr. Shuler, seconded by Mr. Tienken, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: Mr. O’Brien , Mr. Shuler Absent: None
- **R2015-104**, Authorizing Mayor and Clerk to execute agreement with Monmouth County FY2015
Community Development Project.
On a motion by Mr. Shuler, seconded by Mr. O’Brien, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2015-105**, Authorize Mayor and Clerk to sign certification prohibiting excessive force and prohibiting use
of federal funds.
On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2015-106**, Approval of Social Affair Special Permit for Ocean Housing Alliance, Inc.
On a motion by Mr. Vorbach, seconded by Mr. O’Brien, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2015-107**, Approving Payment of Claims on the June 5, 2015
On a motion by Mr. Shuler, seconded by Mr. O’Brien, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2015-108**, Authorizing settlement of Crippen vs. Spring Lake Heights
On a motion by Mr. Shuler, seconded by Mr. O’Brien, the resolution was adopted by the following vote:
Ayes: Mr. Champion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None

PUBLIC COMMENT. (Any item)

Kat Crippen 564 Atlantic Avenue asked that a copy of the full agenda be placed on the table at the back of the meeting room. 9

ADJOURNMENT.

There being no further business, on a motion by Mrs. King, seconded by Mr. Champion, the meeting was adjourned without objection at 8:51 p.m.


Janine Gillis, Borough Clerk

Approved: June 22, 2015