

The **July 11, 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

Absent:

Councilman Christopher Campion  
Mayor Thomas O'Brien

Also Attending:

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

### **7:00 p.m. - EXECUTIVE SESSION: Resolution No. R2016-122**

\* **Personnel:** Public Works Employees

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

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution R2016-122 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.

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

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**APPROVE MINUTES**

- June 13, 2016 – Executive Session
- June 27, 2016 - Executive & Regular Session

On a motion by Mr. Merriken, seconded by Mrs. King the minutes of June 13, 2016 Executive and June 27, 2016 Executive and Regular Session 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. 2016-05**, Ordinance amending section 7-3.4 entitled “Parking Prohibited During Certain Hours on Certain Streets” of Chapter VII (Traffic)

Mayor O’Brien reviewed that the streets listed on this ordinance required having the restriction due to a business that was once located in the neighborhood, he added that area is now a public park.

On a motion by Mrs. King, seconded by Mr. Merriken the meeting was open to the public for comments on Ordinance No. 2016-05; roll call taken as follows:

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

There were no public comments.

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

On a motion by Mr. Vorbach, seconded by Mrs. King, Ordinance No. 2016-05 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. 2016-06**, Establishing Salaries & Wages for 2016

On a motion by Mr. Merriken, seconded by Mrs. King the meeting was open to the public for comments on Ordinance No. 2016-06; roll call taken as follows:

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

Nancy Hayduk 809 Central Ave requested that Mayor and Council put forth a new ordinance that sets the actual salary for each position. She explained that the public would know the exact salary for each position.

She added that this ordinance sets the minimum and maximum salaries; a resolution is then adopted setting the salary for an individual/job title. Doing it this way does not allow the public to petition the salaries. The ordinance should show what an individual will be compensated. She stated that many municipalities publish the salary by ordinance showing the old and the new salary ranges and the individual salaries.

Mayor O’Brien asked Nancy if what she was looking for is an additional ordinance that listed salaries, she replied yes, by ordinance. She added that the public can see the introduction, the

publication and then the adoption. Ms. Hayduk asked if this ordinance is adopted tonight that a second one could be done showing exact salaries for the individuals, this shows the taxpayers what the cost is.

Mayor O'Brien replied let's see if we could get it done.

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

On a motion by Mrs. King, seconded by Mr. Merriken, Ordinance No. 2016-06 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 Mrs. King, 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 - None**

**MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS**

Councilman Merriken – No Report

Councilman Shuler – Announced that last week the DPW employees picked up 20 tons of bulk trash, still collecting all regular pickups. They did a wonderful job.

Councilwoman King – reported that the work has started at the intersection of Old Mill Rd & Warren Ave. JCP&L has been there moving their equipment. She suggested to all to try and stay away from that intersection. Mayor O'Brien reminded all that the outside police required for the work is going to be paid by the County.

Councilman Vorbach – No Report

Councilman Herner – No report

**REPORTS, NOTICES & CORRESPONDENCE**

- Public Hearing Notice from Wall Township on Ordinance 8-2016, Amending Chapter 140 Land Use
- Letter form State of NJ DEP dated June 24, 2016 Inspection of Sanitary Collection System

**ORDINANCE INTRODUCTIONS**

- **Ordinance No. 2016-07**, Ordinance authorizing a lease agreement with the Spring Lake Heights Athletic Association

On a motion by Mr. Vorbach, seconded by Mr. Shuler Ordinance No. 2016-05 was introduced; roll call taken as follows:

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

Nays: None Abstain: None Absent: Mr. Champion

Mr. McLean explained that this will be forwarded to Green Acres, once approval is received by them we will then set a public hearing date.

#### RESOLUTIONS

- **R2016-123**, Approving payment of claim on the July 8, 2016 Bill List.

#### PUBLIC COMMENT (Any item)

Nancy Hayduk 809 Central Avenue pointed out the DPW employees had various pickups this past week and they did great job. At the last meeting she was told to contact the police when she saw garbage issues. She did do that and spoke with the Chief and they discussed the possibility of altering the pickup schedule possibly next year. She suggested that the guys should have stickers when they are driving around they could leave if someone has it out the wrong day or out too early. She went on to say that people want to do the right thing but maybe they don't really know. She presented a chart of neighboring towns recycling and bulky trash rules. Some are free others have charges. She asked what did the 20 tons of bulky trash cost us. Mr. May replied about \$2,500.00. Ms. Hayduk asked again about signs indicating the public works yard is strictly for our residents with ID required even if there isn't an employee there to check the ID it would act as a deterrent. She feels something should be done as evidenced in the amount of trash picked up and the cost to the taxpayers. There was discussion about if someone is at the DPW yard they could check ID or issue decals to residents.

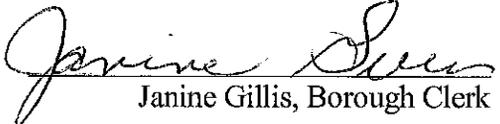
Eric Bennett 903 Ocean Road, wanted to suggest to Mayor and Council that the park along the side of the community center should be shaded. He thought that through Shade Tree Commission. He also suggested that with the activity at the park that a crosswalk be painted on Ocean Road and Ninth, Mayor O'Brien thought they were good ideas and thanked him for the suggestions.

On a motion by Mr. Merriken, seconded by Mr. Vorbach 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. Campion

#### ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Merriken, the meeting was adjourned without objection at 8:25 p.m.

  
Janine Gillis, Borough Clerk

Approved: July 25, 2016