

The **July 27, 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 8:00 p.m. in the Frank E. Adams Municipal Building and opened with a silent reflection and Pledge of Allegiance.

Present:

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

Absent: NoneAlso Attending:

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

**STATEMENT OF COMPLIANCE** The Mayor reported that 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** The agenda was amended to include a presentation, the correcting of minute dates, May 29, 2012(listed as May 26, 2012) and July 23, 2012(listed as July 23, 2015) and adding Resolution No. 2015-137, Authorizing participation in the Houston-Galveston Area Council Cooperative Purchasing Program and authorizing the purchase of a 2015 Chevrolet Tahoe under this program.

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

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

Nays: None Absent: None

**APPROVE MINUTES.**

- May 14, 2012 Executive

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

Ayes: Mrs. King, Mr. Shuler Nays: None

Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken, Mr. Vorbach Absent: None

- May 14, 2012 Regular

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

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach Nays: None

Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken Absent: None

- May 29, 2012 Regular

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

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach Nays: None

Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken Absent: None

- July 23, 2012 Executive & Regular

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

Ayes: Mrs. King, Mr. Shuler Nays: None

Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken, Mr. Vorbach Absent: None

- August 20, 2012 Executive & Regular

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

Ayes: Mrs. King, Mr. Shuler                      Nays: None  
Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken, Mr. Vorbach                      Absent: None

- September 10, 2012 Executive & Regular

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

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach                      Nays: None  
Abstain: Mr. Campion, Mr. O'Brien, Mr. Tienken                      Absent: None

- July 13, 2015 Executive

On a motion by Mr. O'Brien, seconded by Mr. Shuler, the minutes were approved by the following vote:

Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken                      Nays: None  
Abstain: Mr. Campion, Mr. Vorbach                      Absent: None

- July 13, 2015 Regular

On a motion by Mr. Shuler, seconded by Mr. O'Brien, the minutes were approved by the following vote:

Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach                      Nays: None  
Abstain: Mr. Campion                      Absent: None

- July 20, 2015 Special Meeting

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

Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Vorbach                      Nays: None  
Abstain: Mr. Campion, Mr. Tienken                      Absent: None

## PRESENTATIONS

- Nancy Hayduk – Spring Lake Heights Environmental Commission - Tree Preservation/Re-Planting

Ms. Hayduk spoke to those present about the area known as the "Fletcher Property and the Grove Area." She stated, after Hurricane Sandy both of those areas were deeply impacted with damaged trees. Ms. Hayduk asked Mayor and Council to review copies of the tree removal which was left on the dais for them. Ms. Hayduk stated that residents are very proud of the park area and feel very lucky to have the facility. She went on to say that throughout the years she has seen wildlife throughout the area. Having worked in the Little League shack she has had many children share in her viewing. With the upcoming removal of the diseased trees she expressed concern for the wildlife. She reported that a Great Horned Owl has nested in the western grove; she asked that the landscapers be aware of their habit. Once the cleanup is done the plan is to start the replanting process, this she stated is not going to happen overnight but certainly a plan of action is needed, she felt that the process could take up to 10 years. Ms. Hayduk stated that Kevin Thompson made her aware of the opportunity to obtain White Pine Trees with the assistance of the Monmouth County Shade Tree Commission; 3 trees for \$500.00. But it was recommended to buy them through a wholesaler which would include a warranty. She stated that recently the borough did some clean up at the Fletcher property which is looking great but in both areas require removal of dead or diseased trees some of which are dangerous. Throughout the area poison ivy has grown in abundance and needs to be removed professionally she thought. She had walked the property and was affected by the poison ivy herself. The park is visited by children and there was concern for their safety. Ms. Hayduk stated that she had spoken to a company that could do the removal once the diseased trees and grubbing has been removed. They would treat and re-treat in order to make sure the area is cleared of all poison ivy. She believed that it would be well worth the cost which is about \$3,000.00.

Mr. O'Brien asked if the park would need to be closed, she replied no but that signs are posted notifying of the treatment. Mr. O'Brien asked about the planting of the buffers, Ms. Hayduk replied that it would be done in sections; this too would be long term, moving ahead slow & steady.

Mr. Vorbach asked about the cost of the tree removal, Mr. Delaney replied it was \$67,000, Mr. Vorbach asked where funding would come from. Mr. Delaney reported that there is about \$50,000 in the budget for maintenance with the balance coming from funds left from the Fletcher tree project last year. Mr. Vorbach expressed that he doesn't want the tax payers to be impacted.

Ms. Hayduk asked after the first step of cleanup is completed, what would be left in Open Space, Mr. Delaney replied somewhere in excess of \$200,000 which is not reserved for a specific purpose. Mr. Delaney added that there is a 1 cent tax levy which equates to about \$115,000 per year which part of that is used to pay down the debt from the acquisition of the Fletcher property and the balance to ongoing maintenance. Mr. Tienken asked if that included the Community Center project, Mr. Delaney replied no.

Ms. Hayduk stated that the Environmental Commission has been working with Borough Administrator, Jay Delaney and Director of Public Works Joe May to create plans for the park. Some of which include buffers along the residential areas, replanting of trees, creating a community garden & parking area and possibly digging for a well that would irrigate the entire park. The replanting would include native species.

Mr. Champion thought that the well was a great idea.

Mrs. King expressed concern about the poison ivy as well; she stated that residents have spoken to her about it.

Ms. Hayduk expressed the hope that Mayor and Council would participate in the project: she felt that transparency on all sides is very important.

Mayor and Council were in agreement that the poison ivy needs to be eliminated.

### **SCHEDULED PUBLIC HEARINGS**

- Ordinance 2015-06 -Capital ordinance of the Borough of Spring Lake Heights, authorizing fire department equipment and vehicle purchases and appropriating therefor the sum of \$72,500.00

Mayor Maccanico opened the meeting to the public; none presented.

Mr. O'Brien wanted to verify that the ordinance authorizes the funding and that the resolution authorizes the cooperative purchasing agreement and purchase, Mr. Delaney replied yes. Mr. Delaney also stated this program is primarily used for emergency vehicle purchases. Mr. Champion pointed out purchasing through them would be less than going through state contract.

On a motion by Mr. Champion, seconded by Mrs. King, Ordinance 2015-06 was adopted, by the following vote:

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

Nays: Mr. Tienken      Absent: None

### **PUBLIC COMMENT (Agenda items only)**

Mayor Maccanico opened the meeting to the public; none presented.

The public comment period was closed on a motion by Mrs. King and seconded by Mr. O'Brien without objection.

### **DISCUSSION ITEMS - None**

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

- Councilman Campion– stated that Well #4 is in the process of being closed. Mr. May stated that our part of the demo is complete and that bids will be going out for the vvvvfclosing of the well.
- Councilman Tienken – no report
- Councilman Vorbach – no report
- Councilman Shuler – reported the Public Works Department has cleaned all the storm drains, the appraisal process has started; the company, Realty Appraisers has started going door to door. Mr. Shuler reported that the employees do carry a badge. The appointments can be scheduled at the resident’s convenience.
- Councilwoman King – Announced that the new Borough sign is going to be installed tomorrow; she thanked Joe May for all his efforts in obtaining the new sign. She also reported that the Spring Lake Heights & Sea Girt Police Departments would be holding a joint event on August 4<sup>th</sup> called “Night Out Against Crime” at the Sea Girt Army; it’s always a fun time. Mrs. King pointed out that summer time usually brings more issues within the town and asked residents to contact the Police if something seems out of the ordinary.
- Councilman O’Brien – no report

#### REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Municipal Court Revenue – June 2015
- Memo from Jay Delaney regarding Ocean Road & Old Mill Road

#### ORDINANCE INTRODUCTIONS - None

#### RESOLUTIONS

- **R2015-129**, Awarding a contract for 2015 Tree Preservation Project to High Tech Landscapes, Inc. for contract amount of \$67, 500 in accordance with bid specifications.  
On a motion by Mr. Vorbach, seconded by Mrs. King, the resolution was adopted by the following vote:  
Ayes: Mr. Campion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach  
Nays: None      Abstain: None      Absent: None
- **R2015-134**, Approving issuance of Alcoholic Beverage Control Social Affair Permit to Foodbank of Monmouth & Ocean Counties  
On a motion by Mr. Vorbach, seconded by Mr. Tienken, the resolution was adopted by the following vote:  
Ayes: Mr. Campion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach  
Nays: None      Abstain: None      Absent: None
- **R2015-135**, Approving request for outdoor music permit – Trudy Hackett 616 Monmouth Ave.  
On a motion by Mrs. King, seconded by Mr. Vorbach, the resolution was adopted by the following vote:  
Ayes: Mr. Campion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach  
Nays: None      Abstain: None      Absent: None
- **R2015-136**, Approving payment of the itemized claims as set forth on the July 22, 2015 Bill List.  
On a motion by Mr. O’Brien, seconded by Mrs. King, the resolution was adopted by the following vote:  
Ayes: Mr. Campion, Mrs. King, Mr. O’Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach  
Nays: None      Abstain: None      Absent: None
- **R2015-137**, Authorizing participation in the Houston-Galveston Area Council Cooperative Purchasing Program and authorizing the purchase of a 2015 Chevrolet Tahoe under this program.  
On a motion by Mr. Vorbach, seconded by Mrs. King, the resolution 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. (Any item)**

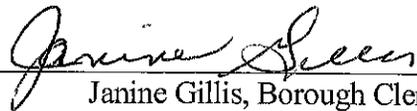
John Tangeman 564 Atlantic Ave. asked about the Manasquan Board of Education referendum question to improve the schools playing fields. He stated that an article in the Coast Star indicated what the impact would be to Spring Lake Heights residents and if the residents in Spring Lake Heights had a say. Mr. Tienken stated that unfortunately we do not have a say, there is a formula provided by the State that is used to determine our obligation.

Mr. Shuler asked Borough Administrator about the equipment at the Public Works yard that was supposed to be sold off, Mr. Delaney replied that he was looking into another company.

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

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Vorbach, seconded by Mrs. King, the meeting was adjourned without objection at 8:57 p.m.

  
Janine Gillis, Borough Clerk

Approved: August 17, 2015