

The **September 8, 2014** 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 7:30 p.m. in the Frank E. Adams Municipal Building.

Present:

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

Absent:

Councilwoman Patricia Cindea

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Kevin Starkey, Esq.,

There were 4 members of the public present.

On a motion by Mr. O'Brien, seconded by Mr. Tienken, **Resolution R2014-145**, authorizing an Executive Session to discuss: Litigation - Torres; Personnel - Code Enforcement Officer; Personnel Crossing Guard; Contract Negotiation - Board of Education Shared Service was adopted without objection. The public meeting was recessed 7:31 p.m. and the Executive Session convened in the Conference Room.

Executive Session.

Litigation - Torres: In the absence of Chief Petriken, Councilwoman King presented the Chief's comments on the dismissal of the lawsuit against the Chief, Sergeant Gunnell and Officer Ventimiglia; and the determination by the insurance JIF to settle of the suit against the Borough.

Personnel - Code Enforcement Officer: Borough Administrator Delaney presented his recommendation to appoint Neil Hamilton to the part-time position.

Personnel - Crossing Guard: Borough Administrator Delaney distributed a resolution appointing School Crossing Guards based on Chief Petriken's recommendation. It was agreed to add the resolution to the agenda as R2014-153.

Contract Negotiation - Board of Education Shared Service Agreement: Borough Administrator Delaney reported the Board of Education is requesting the Borough participate in funding the proposed recreation improvements up to a maximum \$100,000; the Board's engineer is developing a scope of work and cost estimates; the Borough Attorney will draft the agreement.

The Executive Session was adjourned at 7:54 p.m. without objection.

Public Session. The public session was called to order at 8:00 p.m. by Mayor Maccanico and opened with a silent reflection and Pledge of Allegiance.

Present:

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

Absent:

Councilwoman Patricia Cindea

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Kevin Starkey, Esq.

STATEMENT OF COMPLIANCE. The Clerk 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. On a motion by Mrs. King, seconded by Mr. Shuler, the agenda was revised to include Resolution No. R2014-153 by the following vote

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

Nays: None Abstain: None Absent: Mrs. Cindea

APPROVAL OF MINUTES. There were no minutes presented for approval.

PRESENTATIONS. There were no presentations.

SCHEDULED PUBLIC HEARINGS. There were no scheduled hearings.

PUBLIC COMMENT. (Agenda items only) There were no public comments presented. The public comment period was closed without objection.

DISCUSSION ITEMS. There were no discussion items.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman O'Brien – no report.
- Councilman Shuler – no report.
- Councilwoman King – no report.
- Councilman Vorbach – no report.
- Councilman Tienken reported the recreation soccer program begins this week.

REPORTS, NOTICES & CORRESPONDENCE.

- Monmouth County Freeholder Resolution re: Right-of-Way Improvements at County Road 47 (Warren Avenue & Old Mill Road)
- Correspondence re: Lake Drive Right-of-Way (Block 73, lot 4.02 proposed subdivision). Councilman Vorbach questioned if the Borough will incur liability and responsibility for snow plowing Lake Drive if the approval is granted. Mrs. King invited Kat Crippen to provide additional background on this area and the unpaved road. Councilman Shuler suggested, and the Council agreed, allowing the Planning Board to review the development application before the Council takes any action on the driveway request.

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2014-146**, authorizing the amendment to the Agreement with Monmouth County for cooperative participation in the Community Development Program pursuant to the Interlocal Service Act. On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was adopted by the following vote:
Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: Mrs. Cindea
- **R2014-147**, authorizing the refund of overpaid or cancelled taxes. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:
Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: Mrs. Cindea
- **R2014-148**, approving Alexander Hamilton & Dylan Madonna as a regular members of the Fire Company. On a motion by Mrs. King, seconded by Mr. Vorbach, the resolution was adopted by the following vote:
Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: Mrs. Cindea

- **R2014-149**, authorizing the designated Borough employee's (Andrew O'Neill) outside employment. On a motion by Mr. Shuler, seconded by Mr. Vorbach, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mrs. Cindea

- **R2014-150**, confirming the appointment of Neil Hamilton as part-time Code Enforcement Officer. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mrs. Cindea

- **R2014-151**, appointing Joseph May as the Borough's representative on the Southeast Monmouth Municipal Utilities Authority (SMMUA) Board of Commissioners. On a motion by Mr. Tienken, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mrs. Cindea

- **A motion to move the bills to the Finance Committee**, by Mr. O'Brien, seconded by Mrs. King, was approved by the following vote:

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

Nays: None Abstain: None Absent: Mrs. Cindea

- **R2014-152**, approving payment of the itemized claims as set forth on the September 5, 2014 Bill List. On a motion by Mr. O'Brien, seconded by Mrs. King, the resolution was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mrs. Cindea

- **R2014-153**, confirming the appointment of School Crossing Guards for the 2014-2015 School Year. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:

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

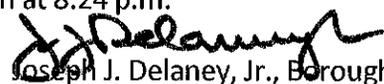
Nays: None Abstain: None Absent: Mrs. Cindea

PUBLIC COMMENT. (Any items)

- Larry Fenton, 905 Lake Avenue - reported several insections, including 9th & Ocean, 9th & Shore, 8th & Ocean, where overgrown vegetation impairs traffic visibility. Mr. Fenton also urged the school and Community Center be equipped with emergency generators.
- Catherine Hahn, Central Avenue – suggested the yield sign at Shore Road and Jersey Avenue be reviewed and the yield be painted in the street.
- George Corbeels, 6 Nadine Drive – questioned the use and locations of the electronic speed signs. Borough Administrator Delaney explained the signs are relocated from place to place as there are more mounting locations than signs. Mr. Corbeels also noted the signs are mounted on utility poles and expressed concern they could be removed by the utility company.

On a motion by Mrs. King, seconded by Mr. Tienken, the public comment period was closed without objection.

ADJOURNMENT. There being no further business, on a motion by Mrs. King, seconded by Mr. Tienken, the meeting was adjourned without objection at 8:24 p.m.


Joseph J. Delaney, Jr., Borough Clerk