

The **September 22, 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 7:31 p.m. in the Frank E. Adams Municipal Building.

Present:

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

Absent:

None

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Scott Kenneally, Esq., Borough Attorney

There were 4 members of the public present.

On a motion by Mr. O'Brien, seconded by Mrs. King, **Resolution R2014-154**, authorizing an Executive Session to discuss the Crippen litigation and shared-service negotiations with the Board of Education was adopted without objection. The public meeting was recessed 7:32 p.m. and the Executive Session convened in the Conference Room.

Executive Session.

Borough Clerk/Administrator Delaney reported receipt of the complaint filed against the Mayor and Borough Council by Kathleen Crippen regarding the approval of meeting minutes. Councilmembers commented and Borough Attorney Kenneally advised the Council on an appropriate response. Borough Clerk Delaney outlined plans to bring the minutes up to date. Borough Administrator Delaney reported on the status of discussions with the Board of Education. The Board has provided cost estimates for the planned recreation facility improvements and has proposed the Borough provide \$100,000 toward the cost. It was agreed to include a resolution authorizing such an appropriation to the regular meeting agenda. The Executive Session was adjourned at 7:52 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 Patricia Cindea
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Councilman Christopher Tienken
Councilman Thomas Vorbach

Absent:

None

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Scott Kenneally, Esq., Borough Attorney

There were 12 members of the public present.

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 Mr. Tienken, seconded by Mr. O'Brien, the agenda was revised to include Resolution No. R2014-160 by the following vote

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

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)

- Rita Murphy, Emergency Management Coordinator, reported the update of the County Hazard Mitigation Plan is continuing; a draft of the revised plan is expected in October.

On a motion by Mrs. Cindea, seconded by Mr. O'Brien, the public comment period was closed without objection.

DISCUSSION ITEMS.

- Lake Drive Right-of-Way (Block 73, lot 4.02 proposed subdivision)
Borough Administrator Delaney reported the matter was listed for further Council discussion pending the Planning Board hearing which has been rescheduled for October 15th.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman Tienken reported the recreation soccer program has begun.
- Councilman Vorbach – no report.
- Councilwoman Cindea – no report.
- Councilwoman King reported the Police Department participated in the National Night Out at the Sea Girt Army Camp; receipt of a letters from Greg Mitchell thanking Officer Ventimiglia for his assistance, letter from Kerry and Liam Murray thanking Sergeant Gunnell and Officer Ramp, and a letter from Gregory Marasco thanking Officers Hager, Willms and Matunas; and announced the fundraiser for Casey Willms' son on October 2nd is sold out.
- Councilman Shuler reported a water main break was repaired over the weekend; Allaire Road Park is open and the improvements at Ocean Road Park are now in progress.
- Councilman O'Brien – no report
- Mayor Maccanico commented that Gladys Erbe, a regular meeting attendee, is absent as she is recovering from a recent fall.

Borough Administrator Delaney reported the Borough's application for CDBG funding was unsuccessful.

REPORTS, NOTICES & CORRESPONDENCE.

- Police Department Report (August 2014)
- Correspondence from Verizon New Jersey, Inc. re: Return of Tangible Personal Property
- Monmouth County Community Development Block Grant (CDBG) Program FY2015 Project Rankings
- Planning Board Hearing Notice: Charles Stewart (Block 73, Lot 4.01)
- N.J. Water Supply Authority – Rate Adjustment Notice
- Monmouth County Freeholder Public Hearing Notice re: Proposed Sale of Public Lands
- N.J. Transit Public Hearing Notice

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2014-155**, authorizing the refund of overpaid or cancelled taxes. On a motion by Mr. O'Brien, seconded by Mr. Vorbach, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2014-156**, authorizing release of designated Escrow Deposits. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2014-157**, authorizing the agreement between the Monmouth County Prosecutor's Office and the Monmouth County Chiefs of Police Association and the Borough of Spring Lake Heights. On a motion by Mrs. King, seconded by Mr. Shuler, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2014-158**, requesting the Director of the New Jersey Division of Local Government Services approve amendments to the Borough's 2014 Municipal Budget. On a motion by Mr. O'Brien, seconded by Mr. Shuler, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2014-159**, approving payment of the itemized claims as set forth on the September 17, 2014 Bill List. On a motion by Mr. O'Brien, seconded by Mrs. King, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None
- **R2014-160**, authorizing an appropriation in the amount of \$100,000.00 from the Municipal Open Space, Recreational, Farmland and Historic Preservation Trust Fund. Councilman O'Brien commented the Borough has been in discussions with the Board of Education for joint repairs and improvements to the school fields and the money is available in the Open Space fund for these purpose; no taxes will be raised. On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was adopted by the following vote:
Ayes: Mrs. Cindea, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: None

PUBLIC COMMENT.


- Rich Carragher, 916 Prospect Avenue, questioned why the fire siren at the Community Center is still in use when mobile devices are available. Mr. Shuler agreed a playground is a poor location but noted the siren use has been scaled back. Mrs. Cindea noted the siren issue is a continuing complaint from neighbors and doesn't make sense. Mr. Carragher also reported planning for the Veterans Day Lunch is continuing.
- Rita Murphy, Emergency Management Coordinator commented that mobile devices cannot always be relied on in emergencies.
- Nancy Gannon, 401 Ninth Avenue, also commented on the siren and noted when it was replaced it was upgraded to a much louder unit. Mayor Maccanico requested Administrator Delaney contact the Fire Chief to determine if something can be done.
- Eric Gilson, 807 Lake Avenue, expressed support for limiting siren use to alerting the community

to emergencies and using alternative technologies to notify emergency responders.

- Pat King, 513 Old Mill Road, complained of a neighbor parking a mobile home in their driveway and presented photos of the trailer which blocks the view of traffic on Old Mill Road.

On a motion by Mr. Vorbach, seconded by Mrs. King, 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 8:32 p.m.


Joseph J. Delaney, Jr., Borough Clerk