

The **October 14, 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 7:02 p.m. in the Frank E. Adams Municipal Building.

Present:

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

Absent:

Councilwoman Patricia Cindea
Councilman Christopher Tienken

Also Attending:

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

There were no members of the public present.

On a motion by Mrs. King, seconded by Mr. O'Brien, **Resolution R2014-161**, authorizing an Executive Session to discuss Litigation: Grieb/Kelsey; Personnel: Appointment of part-time employees; Contract Negotiation: Board of Education Shared Service Agreement; and Contract Negotiation: Public Works Collective Bargaining Agreement was adopted without objection. The public meeting was recessed at 7:03 p.m. and the Executive Session convened in the Conference Room.

Executive Session.

- Litigation: Grieb/Kelsey – Borough Administrator Delaney reported last year's dismissal of the lawsuit against the Borough has been upheld by the Appellate Court.
- Personnel: Appointment of part-time employees –Administrator Delaney reported on the results of the interviews for the part-time positions and presented the recommendations for appointment. The Council agreed to move forward with the appointment resolutions during the public session for two Public Works laborers and the promotion of an existing part-time laborer to full-time status. It was also agreed to hold one Public Works appointment and the office assistant appointment until the next meeting.
- Contract Negotiation: Board of Education Shared Service Agreement – Borough Attorney Kenneally reported the details of the draft agreement were completed and the Board of Education has forwarded the document to the County Superintendent for review.
- Contract Negotiation: Public Works Collective Bargaining Agreement – Borough Administrator Delaney reported on the first negotiation session with representatives of the Public Works unit; distributed the union's proposal and was given direction on continuing discussions.

The Executive Session was adjourned at 7:45 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
Scott Kenneally, Esq., Borough Attorney
Joseph May, P.E., Borough Engineer

There were 7 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 Mrs. King, seconded by Mr. O'Brien, the agenda was revised to include appointment Resolution Nos. R2014-166 and 167 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.

Mr. Tienken announced he would be abstaining on the minutes as he had not reviewed them.

- On a motion by Mrs. King, seconded by Mr. O'Brien, the minutes of the January 27, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken, Mr. Vorbach Absent: Mrs. Cindea

- On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the February 10, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken, Mr. Vorbach Absent: Mrs. Cindea

- On a motion by Mr. O'Brien, seconded by Mrs. King, the minutes of the June 9, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken, Mr. Vorbach Absent: Mrs. Cindea

- On a motion by Mr. O'Brien, seconded by Mrs. King, the minutes of the June 23, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Shuler, Mr. Tienken Absent: Mrs. Cindea

- On a motion by Mr. O'Brien, seconded by Mr. Shuler, the minutes of the July 14, 2014 meeting were approved by the following vote:

Ayes: Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: Mrs. King, Mr. Tienken Absent: Mrs. Cindea

- On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the July 28, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. O'Brien, Mr. Tienken Absent: Mrs. Cindea

- On a motion by Mr. O'Brien, seconded by Mr. Shuler, the minutes of the August 18, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken, Mr. Vorbach Absent: Mrs. Cindea

- On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the September 8, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken Absent: Mrs. Cindea

- On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of the September 22, 2014 meeting were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken Absent: Mrs. Cindea

PRESENTATIONS. There were no presentations.

SCHEDULED PUBLIC HEARINGS. There were no scheduled hearings.

PUBLIC COMMENT. (Agenda items only) There were no public comments presented.

DISCUSSION ITEMS. There were no discussion items.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman O'Brien reported the 2013 audit has been received.
- Councilman Shuler reported New Jersey Natural Gas is back in town repaving those streets where gas service was replaced earlier in the year.
- Councilwoman King – no report.
- Councilman Vorbach – no report.
- Councilman Tienken thanked Public Works Director Joe May for his presence on the NJNG work site every morning.

REPORTS, NOTICES & CORRESPONDENCE.

- Revenue/Finance Report (September 2014)
- Municipal Court Report (September 2014)
- N.J. Division of Taxation Certification of Equalized Valuations
- Correspondence from Trendsetter Board Members re: Recreation Senior Fitness programs
- Spring Lake Borough - Notice of Land Development Ordinance Introduction (Ord. No. 2014-014)
- Wall Township – Notice of Land Use and Development Ordinance Introduction (Ord. No. 21-2014)
- Wall Township – Notice of Land Use Ordinance Introduction (Ord. No. 15-2014)
- Planning Board Hearing Notice – Charles Stewart, Lake Drive (Block 73, Lot 4.02)

Borough Administrator Delaney reported the driveway access application pending before the Council is on hold until the Planning Board hearing.

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2014-162**, approving issuance of an Alcoholic Beverage Control *Social Affair Special Permit* for the Algonquin Arts Theatre. 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
- **R2014-163**, establishing a Halloween curfew. 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
- **R2014-164**, certifying that the members of the Governing Body have reviewed the Annual Report of Audit for the Year 2013. On a motion by Mr. O'Brien, 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
- **R2014-165**, approving payment of the itemized claims as set forth on the October 9, 2014 Bill List. On a motion by Mr. O'Brien, 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

- **R2014-166**, appointing part-time probationary employees (Timothy Munn and Ryan Shinn) subject to completion of the pre-employment requirements. On a motion by Mr. Shuler, seconded by Mr. O'Brien, 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

- **R2014-167**, confirming the probationary appointment of Geoffrey Myers as Public Works Laborer. 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

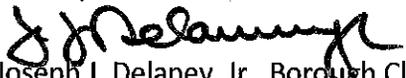
Nays: None Abstain: None Absent: Mrs. Cindea

PUBLIC COMMENT. (Any items)

- Emergency Management Coordinator Rita Murphy reported on the ongoing update of the Monmouth County Multi-Jurisdictional Natural Hazard Mitigation Plan. The draft plan is expected to be posted on the County website October 20th. Ms. Murphy encouraged everyone to be prepared for an emergency.
- Eileen Eilenberger, Pond Road, noted that when a resolution is added to the agenda an explanation of the resolution would allow the public to ask questions on the intended action before its adoption.
- Public Works Director/Borough Engineer Joe May thanked the Council for their support in making the appointments to the Public Works Department.

Councilwoman King commented on the use of the Community Center at night by an Zumba exercise group which has conflicted with other scheduled use.

ADJOURNMENT. There being no further business, on a motion by Mrs. King seconded by Mr. Shuler, the meeting was adjourned without objection at 8:22 p.m.


Joseph J. Delaney, Jr., Borough Clerk