

The **October 24, 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 7:30 p.m. in the Frank E. Adams Municipal Building with a moment of silence and a salute to the flag.

ROLL CALL

Present:

Councilman Christopher Campion
Councilman Arthur Herner
Councilman Robert Merriken
Councilwoman Sara King
Councilman James Shuler
Councilman Thomas Vorbach
Mayor Thomas O'Brien

Absent: None

Also attending:

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

EXECUTIVE SESSION: Resolution No. R2016-163 Property Acquisition

On a motion by Mrs. King, seconded by Mr. Merriken Resolution R2016-163 was approved by the following vote:

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

8:00 p.m. - PUBLIC SESSION: CALL TO ORDER •SILENT REFLECTION •PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Councilman Christopher Campion
Councilman Arthur Herner
Councilman Robert Merriken
Councilwoman Sara King
Councilman James Shuler
Councilman Thomas Vorbach
Mayor Thomas O'Brien

Absent: None

Also attending:

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

On a motion by Mr. Merriken seconded by Mr. Shuler, the agenda was approved by the following vote:

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

APPROVE MINUTES - October 11, 2016

On a motion by Mr. Shuler, seconded by Mr. Merriken, the minutes of October 11, 2016 were approved, by the following vote:

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

PRESENTATIONS – Mayor O'Brien invited Kat Crippen, Environmental Commission Chairperson for a presentation.

Ms. Crippen had the diorama she had previously presented to Mayor and Council which showed a plan for the Fletcher property. She thanked Councilman Merriken for the water hook up which will now enable any new plantings to be watered. She also wanted to thank whoever put up the additional fencing on the property. She indicated the area designated for a butterfly garden, a wildflower garden and a community

garden and offered that members of the environmental commission would be the free labor for the gardens. She also thought that reaching out to the environmental clubs at the schools would be great. She stated that this time of the year is a good time to plant trees. She also explained where a proposed parking area could be.

Councilwoman King thought that involving the children was a good idea.

SCHEDULED PUBLIC HEARINGS - None

PUBLIC COMMENT (Agenda items only)

Joan Puccaro 922 Clairidge Drive stated that she liked the suggestions from the Environmental Commission for the Fletcher property.

On a motion by Mrs. King, seconded by Mr. Merriken the public comment period was closed; roll call taken as follows:

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

Nays: None Abstain: None Absent: None

DISCUSSION ITEMS – 2016 Best Practices Checklist & Review of Existing Authorities

Borough Administrator, Jay Delaney explained that the Best Practice Checklist is a requirement of the State of New Jersey. He added that previously the checklist consisted of 50 questions, this year it has been reduced to 30 questions. He added that it encourages municipalities to follow best practices. A municipality must have a minimum score of 22 or their State Aid amount could be withheld. He stated that Spring Lake Heights scored 28 out of 30.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Merriken – announced that there is a drought warning; he asked that sprinklers be turned off, use a broom to sweep sidewalks and gave suggestions on how to reduce water usage.

Councilman Shuler – no report

Councilwoman King – announced that the new traffic light is almost complete; the last item is the stripping on the road. She added that the work was completed in the time frame the County gave us. When the light is turned on it'll be a flashing light and then changed to operate as a regular traffic light.

Mrs. King asked Rich Carragher to announce the information on the Veterans Day Luncheon. He invited Mayor and Council and all Spring Lake Heights veterans to the luncheon at Doolan's on November 11th at noon.

Councilman Vorbach – no report

Councilman Campion – no report

Councilman Herner – no report

REPORTS, NOTICES & CORRESPONDENCE

- Municipal Court Report – September 2016
- Spring Lake Heights Monthly Police Report – September 2016
- Resolution from Borough of Freehold, supporting Freehold Raceway as a gambling venue and sharing revenue between NJ Casinos, Freehold Raceway & NJ Horseracing Industry
- Resolution from Eatontown supporting the town of Oceanport which opposes the November 8th 2016 ballot proposing an amendment to permit casino gambling outside of Atlantic City
- NJ Transit Public Hearing schedule Re: Senior Citizen & Disabled Resident Transportation Program
- Resolution from Monmouth County Board of Chosen Freeholders supporting the painting of a "Thin Blue Line" in support of Monmouth County Law Enforcement

- Letter from State of NJ Dept. of Transportation, advising of Governors Execute Order No. 210 has been lifted – Mayor O'Brien asked if this applies to any of the Borough's projects. Mr. Delaney replied yes, at the time of the moratorium we did have a project; Jeanette, Norman and Crosby Road, some of that work has been done but wouldn't get revisited until the Spring due to asphalt plants closing for the season.
- Resolution from Borough of Little Silver, Recognizing Monmouth County Crime Stoppers Inc.
- Public Notice from JCP&L Re; proposed rate increases

ORDINANCE INTRODUCTIONS – None Presented

RESOLUTIONS.

- **R2016-164**, Establishing a Halloween curfew

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2016-164 was approved by the following vote:

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

Nays: None Abstain: None Absent: None

- **R2016-165**, Establishing the policy for the use of the sports lighting at Joseph Robertson Park and Ocean Road Bicentennial Park

Mr. Herner felt that the changing of the lights to go off was too early. He stated traditional the lights were on until the Thanksgiving week-end, a lot of college students are home and take advantage of the courts if there's nice weather.

Mr. Shuler felt consideration should be given to the neighbors. Mayor O'Brien explained that Mr. Champion had a suggestion. It's a manual switch that someone could turn the lights on when they wanted to use the facility. The lights would go off at dusk, you would have the ability to turn them on manually and at 9 pm they would remain off.

Mr. Herner made a motion to amend the resolution; Item No. 1 changing first Sunday in November to November 30th, seconded by Mr. Vorbach.

Mr. Champion stated with the additional device he would be ok with the amendment, Mr. Merriken stated he would be ok as well.

Vote taken as Follows:

Ayes: Mr. Champion, Mr. Herner, Mr. Vorbach

Nays: Mrs. King, Mr. Merriken, Mr. Shuler Abstain: None Absent: None

Mayor O'Brien was required to break the tie; Mayor O'Brien voted Aye, motion passed.

On a motion by Mr. Herner, seconded by Mr. Vorbach, Resolution R2016-165 was approved by the following vote:

Ayes: Mr. Champion, Mr. Herner, Mr. Merriken, Mr. Vorbach

Nays: Mrs. King, Mr. Shuler Abstain: None Absent: None

- **R2016-166**, Approving payment of claims on the October 21, 2016 Bill List.

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution R2016-166 was approved by the following vote:

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

Nays: None Abstain: None Absent: None

PUBLIC COMMENT (Any item)

Rich Carragher 916 Prospect Avenue asked Mayor and Council to revisit the bulk trash pick-up schedule for

2017. A lot of residents are only here on weekends, they put the trash out and now it's not picked up until Thursday. Mr. Herner stated that he had recently spoken to Mrs. King about this, he was in agreement that it should be moved back to Mondays.

Rita Murphy 2014 Highway 71 inquired as to the vendors that have done work at the tennis courts in the 2 parks, she asked if it was the same vendor for both jobs. Mr. Herner stated the tennis courts had Ocean Rd were done earlier, it was just basketball only but at Allaire Road it was both the tennis and basketball courts were done. Mr. Delaney confirmed the same. Mrs. Murphy asked if it was one contractor: Mr. Delaney replied yes, it was one project. She asked about the 20% of the project costs for accessibility upgrades. Mr. Delaney explained that those improvements to the parks are not governed by the construction code, and therefore not a requirement. That requirement was described by the architect as he talked about the proposed improvements to the community center building. Mr. Delaney pointed out that Allaire Road Park had improvements to the playground which include accessibility upgrades. She felt the path to the area wasn't compliant. She stated that there aren't paths to gain access to the tennis courts except grass, in her opinion it isn't the proper surface.

Mr. Vorbach asked Mr. Delaney if the improvements to the Community Center building include making the necessary upgrades for accessibility, Mr. Delaney replied yes.

Ms. Murphy explained that the paths to the courts aren't proper; she presented pictures that showed the sidewalks aren't even at Ocean Road Park.

Mayor O'Brien asked her to leave the information that she had and what she felt needed the work and we'll see what work could get done. Mr. Herner suggested that the first question would be what is the considered a proper surface.

Mr. Vorbach offered that any future grants obtained for park improvements that they would include making any necessary ADA improvements, Mr. Delaney agreed. Mr. Delaney stated that he was sure at the time the improvements were done that they met the requirements at that time.

On a motion by Mr. Shuler, seconded by Mr. Merriken the public comment period was closed; roll call taken as follows:

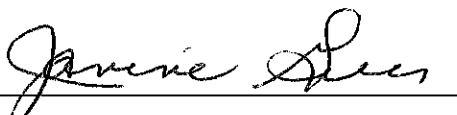
Ayes: Mr. Champion, Mrs. King, Mr. Herner, Mr. Merriken, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: None

Mayor O'Brien announced that one of our residents, Gladys Erbe who is normally at our meetings is recovering from an injury and that a former public works employee, Robert Muscatell had passed away.

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Shuler, the meeting was adjourned without objection at 8:49 p.m.



Janine Gillis, Borough Clerk

Approved: Noreen 18, 2016