

The **November 14, 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 8:00 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 Robert Merriken
Councilwoman Sara King
Councilman James Shuler
Councilman Thomas Vorbach
Mayor Thomas O'Brien

Absent:

Councilman Arthur Herner

Also attending:

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

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

Mayor O'Brien announced that Resolution No. 2016-169 is being removed from the agenda and that a presentation by Ms. Crippen would be added regarding a Farmers Market and a change to the Dog Ordinance. Mr. Delaney clarified that this would be added at the next meeting.

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

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

APPROVE MINUTES - October 24, 2016 Executive & Regular Session

On a motion by Mr. Shuler, seconded by Mrs. King, the executive & regular minutes of October 24, 2016 were approved, by the following vote:

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

PRESENTATIONS – Mayor O'Brien asked Ms. Crippen to make her presentation.

Ms. Crippen stated that the Environmental Commission has been talking for some time about making revisions to Chapter IX Recreation Facilities, Section 9-1.5 Dogs. She explained that presently, the walking of dogs is prohibited on all Borough owned property. The commission would like council to consider that the walking of properly leashed dogs is permitted at all the parks with some exceptions; playgrounds, picnic areas, playing fields and athletic facilities. Ms. Crippen added that the commission would run an education campaign and each location should have signs quoting the ordinance about clean up and fines. If council agreed, they thought that additional mutt-mitt stations should be placed at the facilities. Ms. Crippen felt that this would encourage residents to clean up after their animal, additionally the penalty's for not clean up should be enforced. Mayor O'Brien added that people often have their dogs in the park. Ms. Crippen stated that there are leashes that include a pouch for bags possibly the borough could hand them out when a dog license is issued. Councilman Vorbach thought it was a good idea, as residents come to watch the children play at the fields. Ms. Crippen stated that the signs are very important. Mayor O'Brien asked if our fines are current; Attorney McLean replied he believed they were but would take a look. Ms. Crippen suggested that this change should be placed under animal control.

The second project that the commission would like to see is a farmer's market. Sandy Denison was going to do the presentation but she had to work tonight. She thought the gazebo was the ideal location since there is ample parking, bathroom facilities in the municipal office and electricity in the gazebo. One of the commission's members, Sandy Denison has done some research with markets that are in operation in our area and they were interested. The market would possibly include honey, bread and fresh produce. The vendors all have their own insurance. She poled council members how they felt; all were supportive. There was discussion about how many licensed dogs are in town. Ms. Crippen offered that the license fees were collected to offset the free rabies clinic.

Borough Administrator, Jay Delaney asked what the season is, Ms. Crippen stated Memorial Day through the end of September. He also asked about a registration, Ms. Crippen stated that they had a sample contract from Belmar. Mr. Delaney offered that he wasn't sure that the Borough owned that parcel of land, that it was a lease between the parties. Borough Engineer, Joseph May expressed that the Borough has 15ft from the curb line. He felt that there should be discussion with the Board of Education.

Councilwoman King expressed concern that it would become a problem, in particular at Allaire Road Park, where would you be allowed to walk the dog, there's not much of an area to walk the dog, policing this would be difficult. Mayor O'Brien offered that you have to detail where it's allowed and enforce the pickup regulation.

Mayor O'Brien stated that changing the ordinance would require introduction and public hearing.

There was discussion by council members that enforcing some regulations aren't done. Ms. Crippen expressed that there are several laws that aren't enforced, they are outdated. She stated that our code book does need to be updated, some laws are outdated.

SCHEDULED PUBLIC HEARINGS - None

PUBLIC COMMENT (Agenda items only) None Presented

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

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

Nays: None Abstain: None Absent: Mr. Herner

DISCUSSION ITEMS -- Capital Program Status Report

Borough Administrator, Jay Delaney gave an update on projects which included the following:

1. Open Space Grant for the Community Center Playground has been submitted; supplemental information was requested and has been submitted.
2. Site Remediation at DPW, Phase 1 sampling completed, results indicate a decrease in the levels, we have received proposals for Phase II, which should be done in December.
3. Fire Siren removal will be coming back to council in December, he has spoken to the vendor the equipment originally quoted is now obsolete, will be getting updated quote. Council asked Joe May to take down the sirens; Joe replied that he did not have the equipment to reach; he confirmed that service is off.
4. Mr. Delaney reminded council that at a previous meeting it was reported by a resident that the Community Center may have asbestos and mold issues. Mr. Delaney reported that our insurance carrier had an independent vendor perform testing and that the Borough also contracted with Air, Land & Sea to perform an evaluation. Both companies collected samples, inspected the building and reported minor incidents. There was evidence of a roof leak, the ceiling tiles should be replaced, the basement lacked

good ventilation, it was recommended that a dehumidifier be installed in the basement, and lastly consideration should be given to re-directing the roof run-off away from the basement walls.

5. Mr. Delaney reminded council that at the last meeting it was discussed about installing a device on the lights at the parks where they would shut off at dusk but that an individual could turn them on manually, up until 9:00 pm when they would stay off, he was waiting on a quote.
6. The new traffic light at Warren & Old Mill is complete, it was activated about 1 week ago and the crosswalk on Ocean Road by the park is almost complete, it should be done by the end of the month.
7. The NJ Natural Gas project is still underway, although a large portion of the project is complete, it is still a work in progress, road restoration will not be done until Spring 2017 when the asphalt plants re-open.
8. The Jeanette Court project is on schedule, a portion of the project was started with borough funds, DOT grants have been re-started; it is anticipated that our work will be complete by the end of the week.
9. The fire hydrant installation is ongoing although the original order of installation has changed.
10. The railroad crossing on Warren Ave improvements are complete by NJ Transit; the borough was able to do drainage improvements at this location.
11. The annual well inspections are done; awaiting a report.
12. The closure of Well#4 is going out to bid again with a bid date of approximately December 20th.
13. Meter installation has started at municipal locations, they will continue to be installed.
14. Pump Station Improvements, designs are coming in, hopeful that the work can get scheduled next year. At Fairway Mews the generator is installed and work is almost complete.
15. The sewer main on Brighton to either replace or re-line putting together bid package looking to receive in December.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Campion – Public Works piece of equipment has gone down but tonight's resolution allows for the purchase.

Councilman Vorbach – No Report

Councilwoman King – Pointed out that the correspondence from Manasquan, the Resolution supporting the Blue Line, she would like to do the same and will be speaking to Chief Petriken and decide where to put the line, probably on Brighton Ave. Mrs. King also described the sign at the rear of the building which was donated she would like to have this recognized in the Coast Star. Mr. Delaney stated that the sign was donated and the individual would like to remain anonymous. She announced that the Veteran's Day Luncheon at Doolans, she thanked Susan Doolan for her generosity; she thanked Rich Carragher for all his work and invited him to speak. Rich announced that attendance was great; he thanked everyone on the committee.

Councilman Shuler - No Report

Councilman Merriken – No Report

REPORTS, NOTICES & CORRESPONDENCE

- Monthly Police Department Report – January 2016
- Monthly Revenue Report October 2016
- Water-Sewer Utility Revenue Projection – 2016
- Wall Township Public Hearing, November 22, 2016 – Ordinance 13-2016 Amends Land Use (Pharmacies & Drug Stores)

- Monmouth County Board of Chosen Freeholders Adopted Resolution No. 2016-0950 Opposing the General Public to Utilize Housing at Naval Station Earle
- Borough of Allentown Resolution No. 287-2016 Support of a Complete Streets Policy for Allentown
- Borough of Manasquan Resolution No. 298-2016 Supporting the Painting of a Thin Blue Line in Support of Monmouth County Law Enforcement
- Legal Notice Spring Lake Heights Board of Adjustment Hearing, 11/17/16 Lopez-Ronan 600 Prospect Ave
- Legal Notice Spring Lake Heights Board of Adjustment Hearing, 11/17/16 Costalos 507 Sixth Ave

ORDINANCE INTRODUCTIONS - None

RESOLUTIONS

- **R2016-166**, Approving Use of the Community Center – The Commons Condominium Association

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution No. 2016-166 was approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Herner

- **R2016-167**, Approving the Shore Municipal Alliance Grant for the fiscal year 2017

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2016-167 was approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Herner

- **R2016-168**, Authorizing the Release of Designated Escrow Accounts

On a motion by Mrs. King, seconded by Mr. Vorbach, Resolution No. 2016-168 was approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Herner

- **R2016-169 REMOVED**

- **R2016-170**, Authorizing an amendment of the 2016 Capital Budget

Mr. Delaney explained that this year's capital budget included \$120,000 for the purchase of a Roll Off Truck, there was also \$75,000 in reserve from previous years, the vehicle was only \$168,000, leaving excess funds which would be put in reserve for future purchase, this resolution allows for amending the language entitled "Purchase Roll-Off Truck to Purchase: Public Works Vehicles & Equipment for use of the unused funds.

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution No. 2016-170 was approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Herner

- **R2016-171**, Approving the Payment of Claims on the November 10, 2016 Bill List.

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. 2016-171 was approved, by the following vote:

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

Nays: None Abstain: None Absent: Mr. Herner

PUBLIC COMMENT (Any item)

Kat Crippen 564 Atlantic Avenue, Thanked Mayor O'Brien and his family for coming out to the Fletcher property for a clean up, she added that the work continues this Sunday, everyone is invited.

Kara Matunas 812 Central Avenue wanted to talk about the Blue Line and why Councilwoman King referred to

if. Mrs. King replied that she was in support of the Blue Line possibly putting it on Brighton Avenue but wanted to discuss it with the Chief. Mrs. Matunas wanted a consensus from council that they would do it, she felt it should be done. Mrs. King stated that she is in agreement, that's its very honorable; Council members agreed that it should be done.

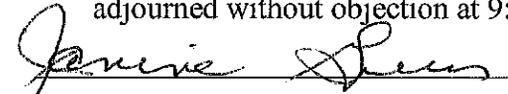
On a motion by Mr. Shuler, seconded by Mrs. King, the public comment period was closed; roll call taken as follows:

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

Nays: None Abstain: None Absent: Mr. Herner

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Vorbach, the meeting was adjourned without objection at 9:03 p.m.


Janine Gillis, Borough Clerk

Approved: November 28, 2016