

The **December 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 7:04 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:

Christopher Campion, Jr. Councilman-elect
Joseph J. Delaney, Jr., Administrator/Borough Clerk
Scott Kenneally, Esq., Borough Attorney

There was one member of the public present.

On a motion by Mr. Shuler, seconded by Mrs. King, **Resolution R2014-185**, authorizing an Executive Session to discuss Property Acquisition & Lease Negotiations; Shared Services Negotiations: Welfare, Construction Inspections, and Water Operator Services; and Personnel: 2015 Appointments & Salaries was adopted without objection. The public meeting was recessed at 7:05 p.m. and the Executive Session convened in the Conference Room.

Executive Session. Borough Attorney Kenneally advised Councilman-elect Campion on the confidentiality of matters discussed in Executive Session.

Borough Administrator Delaney reported on the suggestion from the attorney representing the owner of property adjacent to the property recently the subject of Planning Board subdivision approval that the Borough purchase the site for public use. Borough Attorney Kenneally reported on the status of the State Highway access application request pending before the Council and is awaiting additional information from attorney for the contract purchaser. It was the general consensus that it is premature to consider any acquisition at this time.

Borough Attorney Kenneally reported the changes to the proposed agreement with the Board of Education regarding the shared cost of recreation field improvements is acceptable.

Borough Administrator Delaney reported on the status of shared service discussions regarding welfare, construction inspections, and water operator services. Mr. Delaney also outlined his recommendation for providing salary adjustments for the positions of Registrar and Deputy Tax Collector.

Councilman Shuler requested the attorney provide an update on all current litigation.

The Executive Session was adjourned at 7:43 p.m. without objection.

Public Session. The public session was called to order at 8:01 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:

Christopher Campion, Jr. Councilman-elect
Joseph J. Delaney, Jr., Administrator/Borough Clerk
Scott Kenneally, Esq., Borough Attorney

There were six 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. Shuler, seconded by Mrs. King, the agenda 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

APPROVAL OF MINUTES.

▪ On a motion by Mr. Shuler, seconded by Mr. O'Brien, the minutes of the February 24, 2014 meeting were approved by the following vote:

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

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

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

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

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

▪ On a motion by Mr. O'Brien, seconded by Mrs. King, the minutes of the March 24, 2014 meeting were approved by the following vote:

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

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

▪ On a motion by Mr. Shuler, seconded by Mr. O'Brien, the minutes of the March 31, 2014 meeting were approved by the following vote:

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

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

▪ On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the April 14, 2014 meeting were approved by the following vote:

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

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

▪ On a motion by Mr. Shuler, seconded by Mr. O'Brien, the minutes of the April 28, 2014 meeting were approved by the following vote:

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

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

▪ On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of the May 12, 2014 meeting were approved by the following vote:

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

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

▪ On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of the May 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

PRESENTATIONS. There were no presentations.

SCHEDULED PUBLIC HEARINGS. There were no scheduled hearings.

PUBLIC COMMENT. (Agenda items only)

- Rita Murphy, Emergency Management Coordinator, reported on the update to the Monmouth County Hazard Mitigation Plan; her participation on a conference call planning a public information session early next year regarding the new flood insurance maps; and the reverse 911 recording that was sent out this evening regarding the coming storm.

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

DISCUSSION ITEMS.

- 2015 Reorganization Meeting date. It was agreed the Reorganization meeting would be held at 12:00 noon on New Year's Day.

MAYOR & COUNCIL REPORTS & ANNOUNCEMENTS.

- Councilman Tienken reported Recreation basketball starts this week.
- Councilman Vorbach – no report.
- Councilwoman King – no report.
- Councilman Shuler reported on a meeting with Mr. O'Brien and Councilman-elect Campion regarding the N.J. Energy Audit Program and recommended an application be authorized at the next meeting.
- Councilman O'Brien – no report

REPORTS, NOTICES & CORRESPONDENCE.

- Revenue Report (November 2014)
- Monmouth County Regional Health Commission No. 1 (Fee Ordinance)
- Notice of Intention to Commence Suit from John P. Brennan, Jr., Esq. on behalf of Gary Skellinger & Judith Skellinger.

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2014-186**, establishing the policy for the use of the Ocean Road Park lights. On a motion by Mr. Shuler, seconded by Mr. Tienken, 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
- **R2014-187**, authorizing the execution of an Agreement and Lease Agreement between the Borough and the Spring Lake Heights Board of Education for the improvement and use of certain outdoor recreational facilities. 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
- **R2014-188**, authorizing the refund of cancelled taxes. 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
- **R2014-189**, authorizing the refund of overpaid or cancelled taxes. 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
- **R2014-190**, authorizing the refund of overpaid taxes resulting from duplicate payments. 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

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

- **R2014-191**, supporting the *Drive Sober or Get Pulled Over 2014 Year End Holiday Statewide Crackdown*. 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

- **R2014-192**, 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. 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

- **R2014-193**, authorizing the transfer of 2014 Municipal Budget Appropriations. 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


- **R2014-194**, approving payment of the itemized claims as set forth on the December 5, 2014 Bill List. 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

PUBLIC COMMENT. (Any items) There were no public comments. On a motion by Mrs. King, seconded by Mr. Shuler, the public comment period was closed without objection.

ADJOURNMENT. There being no further business, on a motion by Mrs. King, seconded by Mr. Vorbach, the meeting was adjourned without objection at 8:21 p.m.


Joseph J. Delaney, Jr., Borough Clerk