

The **July 13, 2015** 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 7:30 p.m. in the Frank E. Adams Municipal Building.

Present:

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

Absent:

Councilman Christopher Campion  
Councilman Thomas Vorbach

Also Attending:

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

**7:30 p.m. - EXECUTIVE SESSION: Resolution No. R2015-123**

Contract Negotiation: Donation Agreement – Little League Lease, Personnel: DPW

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

Nays: None      Abstain: None      Absent: Mr. Campion, Mr. Vorbach

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

1. ROLL CALL.

Present:

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

Absent:

Councilman Christopher Campion

Also Attending:

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

**2. OPEN PUBLIC MEETINGS ACT STATEMENT OF COMPLIANCE**

The Mayor 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.

**3. APPROVE AGENDA**

Mayor Maccanico requested to remove and carry to the next meeting Resolution 2015-129, Awarding Contract for Tree Preservation Bid and to add Resolution 2015-131, Appointment of Robert Stuphin as Asst. Foreman.

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

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

Nays: None      Abstain: None      Absent: Mr. Campion

**4. APPROVE MINUTES**

- March 12, 2012 - Executive Session

On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of March 12, 2012 were approved by the following vote:

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

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

- May 14, 2012 – Executive & Regular Session

On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of May 14, 2012 were approved by the following vote:

Ayes: Mrs. King, Mr. Shuler,

Nays: None Abstain: Mr. O'Brien, Mr. Tienken, Mr. Vorbach Absent: Mr. Campion

- May 29, 2012 - Regular Session

On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of May 29, 2015 were approved by the following vote:

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

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

- May 11, 2015 - Executive Session

On a motion by Mr. Shuler, seconded by Mrs. King, the minutes of May 11, 2015 were approved by the following vote:

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

Nays: None Abstain: Mr. Vorbach Absent: Mr. Campion

- May 26, 2015 - Executive Session

On a motion by Mrs. King, seconded by Mr. O'Brien, the minutes of May 26, 2015 were approved by the following vote:

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

Nays: None Abstain: Mr. Vorbach Absent: Mr. Campion

- June 8, 2015 - Executive Session

On a motion by Mrs. King, seconded by Mr. O'Brien, the minutes of June 8, 2015 were approved by the following vote:

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

Nays: None Abstain: Mr. Tienken, Mr. Vorbach Absent: Mr. Campion

- June 22, 2015 – Executive & Regular Session

On a motion by Mrs. King, seconded by Mr. Shuler, the minutes of June 22, 2015 were approved by the following vote:

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

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

## 5. PRESENTATIONS

- Leasing Services for Municipal Vehicles & Equipment presented by:  
Donna Hamilton- Fleet Consultant from The BanCorp

Ms. Hamilton, a fleet consultant with BanCorp, provides corporate services only. The company offers a wide range of leasing options for municipalities for vehicles and equipment, including any equipment that might be needed for a particular vehicle. In present times with budget constraints, leasing offers more flexibility. She stated that the amount of money it takes to buy one police vehicle would allow you to lease three. She stated that some benefits include, no down payment required, no mileage restriction, no pre-payment penalty. Terms range from 12 months to 60 months although longer terms are available for certain vehicles such as a fire truck. Councilman O'Brien questioned the interest rate, verses bonding for the purchase but stated that it appears this would be more flexible. Councilman O'Brien and Councilman Tienken asked for references in particular repeat users; Ms. Hamilton stated she would supply a list. Councilwoman asked what most municipalities do at the end of the lease, Ms. Hamilton replied most keep the vehicle although BanCorp could help a municipality sell the vehicle.

**6. SCHEDULED PUBLIC HEARINGS**

- Ordinance 2015-05 - Salary & Wage for Public Works Employees for 2015

Mr. Delaney reminded council that at the last meeting the agreement between the borough and the bargaining unit was approved. He stated that discussions had actually started back in October 2014 and ended in June of this year. Some of the changes included the title change from Superintendent to Director of Public Works, it created a supervisory position, increased the salary steps from 6 to 7 steps and any employee that is promoted will no longer receive a separate longevity payment, it will become part of their salary.

The meeting was opened to the public:

Kat Crippen 564 Atlantic Ave. wanted to verify what the pay increase percentage was, Mr. Delaney replied 2%. She also asked for clarification on the exchange of a midweek holiday for another day, Mr. Delaney gave an example of a holiday falls during the week it could be exchanged for another day based on approval by all parties. She also inquired as to job descriptions and the lack thereof.

Voice of the public was closed on a motion by Mrs. King; seconded by Mr. Vorbach without objection.

On a motion by Mr. Shuler, seconded by Mr. Tienken, Ordinance #2015-05 was adopted by the following vote:

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

Nays: None Abstain: None Absent: None

**7. PUBLIC COMMENT (Agenda items only)**

John Tangemen 564 Atlantic Ave. Stated that the presentation that was up coming from Mr. May included a change to the setback of accessory buildings. Presently the setback is 5ft which he stated was a reduction from a 10ft setback that once existed, he would like to see it remain at 5ft. He felt that residents would not be able to maintain an area of 2ft. He also inquired if the Fire Company had been consulted, Mr. May replied no.

Kat Crippen 564 Atlantic Ave. Stated that as a member of the Planning Board she was not in favor of the change, she also expressed concern about a fire hazard. Ms. Crippen also felt that it was inconsistent with the Master Plan.

Voice of the public was closed on a motion by Mr. Vorbach; seconded by Mrs. King without objection.

**8. DISCUSSION ITEMS**

- Planning Board Recommendations - Joseph May

Mr. May reviewed the letter he had prepared to Mayor and Council on behalf of the Planning Board. He stated, the Planning Board had some items they thought felt should be under consideration; the first was a Waiver of Site Plan. Mr. May explained that this would give an applicant a chance to come back to the board for a minor change to their original plans such as moving of a sign or planting of a tree. The Planning Board would review the application, determine if the change is minor and move forward with the review or have the applicant come back with a full application. There would be a fee; the board recommended \$600.00. Councilman Tienken asked about notification to the neighbors, Mr. May replied that they would still be notified.

The second item is the setback of an accessory building detached from the principal structure, the Planning Board recommends reducing the setback to 2 ft. The Planning Board felt that having the five feet still allows for storage behind the structure which could become unsightly. Mr. O'Brien stated that he would like to hear comments from the Fire Department, Mr. May stated that he would seek out the Fire Departments comments on the reduction of the setback. Councilman Tienken expressed his concern that it would look to crowded.

The last proposal was regarding curb and curb cuts, Mr. May pointed out that presently the curb cut is 16ft which does not equal the allowable driveway width. This change would increase the curb cut to 20 feet. This would allow for ease of pulling out or into a driveway especially when there are cars parked on either side. Councilman Vorbach was in favor, he stated the present circumstances didn't make sense. Councilman Tienken inquired if this would change lot coverage, Mr. May replied no.

Attorney McLean pointed out that the ordinances and code book needed updating. There was discussion among council members as to the need for updating the code book and where funding would come from. Councilman Tienken stated that he recalls this year's budget does not have funds for that, Mr. Delaney stated that funds were allotted a while back and would verify the amount remaining. Councilman Tienken stated that bids would need to be attained in order to move forward on updating the book, finding the best vendor possible, Attorney McLean stated he wasn't sure how many vendors did this work. Mr. May stated that the Planning Board had numerous issues that they wanted to present to council but had narrowed it down to these three. Mr. May suggested that the Waiver of Site Plan move forward now, that this change would actually save residents money in fees, Mayor and Council agreed to move forward on waiver of site plan. Mr. May stated he would update the Planning Board on this discussion.

- Ocean Road & Old Mill Road Traffic Improvements – Joe May

Mr. May updated Mayor and Council with regard to the plan he had prepared regarding the intersection of Old Mill Road & Ocean Road. He presented a plan showing striping lines at the center of Ocean Road, a turning lane and yield sign for those turning south on Old Mill Road. Mr. Tienken inquired to making it a 4 way stop, Mr. May replied that the option would need to be evaluated. Mr. Tienken asked about the budget, Mr. Delaney stated if council decided to move forward he would make it work. Mr. Tienken asked about the life expectancy of the work, Mr. May replied about 5 years. Mr. Tienken asked about the intersection of Ocean Road & New Bedford Road, he stated that the sight triangle there needed improvement. Mr. May replied that he would contact Wall Township and see if there could be some assistance in that matter. Mayor Maccanico asked audience member, Chief Petriken about the intersection of Old Mill Road & Warren Ave., Chief Petriken replied that it was still under review with the County. Mayor and Council thanked Joe for the work on this project.

- Verizon Cellular Lease

Mr. Delaney reported that the existing lease with Verizon was originally for 5 years, it allowed for 3 automatic renewals for an additional 5 years each. The lease expires at the end of this year although it also has a clause that allows for automatic 1 year renewal. Verizon is looking to extend the lease beyond one year. Mr. Delaney stated that a new lease would be required. Mr. O'Brien stated that with a long term lease we would know payment amounts for budget preparation. Councilman Tienken asked Attorney McLean his thoughts on a new lease, Mr. McLean stated he didn't see a reason not to. Mr. Delaney stated that he would continue to work with Attorney McLean on the negotiations.

## 9. MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

- Councilman Tienken – reported that this year the largest group as registered for summer camp; he added that each week a special event is presented.
- Councilman Vorbach – no report.
- Councilwoman King – no report
- Councilman O'Brien – no report
- Councilman Shuler – no report

## 10. REPORTS, NOTICES & CORRESPONDENCE

- Police Department Monthly Report – June 2015
- Monthly Revenue Report – June 2015

## 11. ORDINANCE INTRODUCTIONS

Ordinance 2015-06 Capital Ordinance Authorizing Fire Department Equipment Purchase

Councilman Vorbach requested that the ordinance should be amended to include text detailing the installation of the new equipment and the removal of the old sirens.

Councilman Tienken asked how this determination to purchase a vehicle for this department when in fact the borough has so many other vehicles he feels should take precedent. Mr. Delaney stated that there were several discussions over several meetings as to the older vehicles in the borough's fleet and the final consensus was to make this purchase.

On a motion by Mr. Vorbach, seconded by Mr. Shuler, Ordinance #2015-06 as amended to include the text stating the new siren equipment will be installed at the Fire House and the old equipment would be removed from Greve Ave. and the Community Center was introduced by the following vote:

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

On a motion by Mr. Vorbach, seconded by Mr. Shuler, Ordinance #2015-06 as amended was introduced by the following vote:

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

**12. RESOLUTIONS**

- **R2015-124**, Authorizing a tax lien redemption payment: Block 63.01 Lot 26.09

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: Mr. Campion

- **R2015-125**, Approving the renewal of designated Alcoholic Beverage Control Licenses

Councilman O'Brien asked about doing all of the renewals on one resolution and wanted to verify there were no complaints and the establishments, Mayor replied no. Mr. Obrien informed the public that it was for all establishments in town.

On a motion by Mr. Vorbach, 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: Mr. Campion

- **R2015-126**, Requesting Director of NJ Division of Local Government Services to approve amendments to the Borough's 2015 Municipal Budget

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: Mr. Campion

- **R2015-127**, Accepting donation from Independent Fire Co. No. 1 & authorizing the Fire Chief vehicle donation agreement

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: Mr. Campion

- **R2015-128**, Authorizing the amendment of the lease between the Borough of Spring Lake Heights & Spring Lake Heights Athletic Association (Spring Lake Heights Little League)

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: Mr. Campion

- **R2015-130**, Approving Payment of Claims on the July 13, 2015 Bill List.

On a motion by Mr. O'Brien, 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: Mr. Campion

- **R2015-131**, Approving the appointment of Robert Stuphin to Public Works Assistant Foreman

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: Mr. Campion

**13. PUBLIC COMMENT (Any item)**

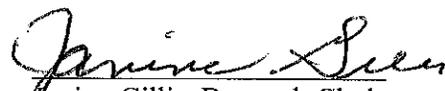
John Tangeman 564 Atlantic Ave commented on the Fletcher property and how wonderful it looked but wanted to know when it would be completed. He stated that presently it still is missing a picnic area and a parking area. He stated that budget issues could be raised but the Open Space funds that could be used. Mr. Delaney replied that he had just recently received a planting layout from the environmental commission.

Kat Crippen 564 Atlantic Ave. requested coming to the next council meeting to present the plan the environmental commission had put together, Mayor replied OK. She also asked about the Borough Seal plague that used to hang on the dais, Mr. May replied that it was at the sign shop.

James Hickey 500 Ninth Ave and Anthony Moscvato realtor stated that there are several homes in town where it appears that vehicles have been abandoned on the properties. Mr. May stated he would share the information with the Code Official Officer, Neil Hamilton.

**14. ADJOURNMENT**

There being no further business, on a motion by Mrs. King, seconded by Mr. Vorbach, the meeting was adjourned without objection at 9:30 p.m.

  
Janine Gillis, Borough Clerk

Approved: July 27, 2015