

The **January 30, 2017** 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 Robert Merriken
Councilwoman Sara King
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent:

Councilman Richard Diver

Also attending:

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

EXECUTIVE SESSION: Resolution No. R2017-36

***Contract Negotiation:** Cell Lease *** Personnel:** Public Works Appointment

On a motion by Mrs. King, seconded by Mr. Merriken Resolution R2017-36 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
Nays: None Abstain: None Absent: Mr. Diver

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

ROLL CALL

Present:

Councilman Christopher Campion
Councilman Robert Merriken
Councilwoman Sara King
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent:

Councilman Richard Diver

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

APPROVE AGENDA

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

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
Nays: None Abstain: None Absent: Mr. Diver

APPROVE MINUTES - January 9, 2017

On a motion by Mr. Merriken, seconded by Mr. Tompey, the minutes of January 9, 2017 were approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
Nays: None Abstain: None Absent: Mr. Diver

PRESENTATIONS – Proclamation to Courtney Oliver Middleton

Mayor O'Brien invited Mr. Middleton to come up to receive the Proclamation. Mayor O'Brien read the proclamation that on behalf of the Mayor and Council extending and congratulating Mr. Middleton on his 100th Birthday and wished him many more.

SCHEDULED PUBLIC HEARINGS - None**PUBLIC COMMENT (Agenda items only)**

Mayor O'Brien opened the meeting to the public; 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. Tompey

Nays: None Abstain: None Absent: Mr. Diver

DISCUSSION ITEMS - Capital Program Status Report

Borough Administrator, Jay Delaney updated Mayor and Council as to ongoing projects.

- 1) The Borough has been notified that the application submitted for the Community Center Playground Improvements will not be funded from the Open Space Grant
- 2) The NJ Green Acres Funding is open with an application deadline of February 15; Mr. Delaney recommends consideration for either the Community Center Playground or Veterans Tribute Park (Fletcher Property).
- 3) The NJ DOT Municipal Aid application deadline is February. The NJ Natural Gas project on Wall Road is done; they will be resurfacing ½ of the road. It's Mr. May's recommendation that the Borough applies for the aid and re-surface the other half.
- 4) The Roll-Off Container Truck has been received.
- 5) The Recycling Compactors & Containers are scheduled for this quarter; awaiting electric service review by JCP&L, this may alter the budget for this project.
- 6) The Kubota Utility Vehicle & Plow is scheduled for early February delivery.
- 7) The vehicle maintenance lift is scheduled for maintenance sometime in the 2nd quarter; the funding hasn't been determined yet.
- 8) DPW Site Remediation, Phase 2 sampling is complete; awaiting the reports.
- 9) The Fire Siren was on hold, we've received revised proposals and with council's approval will present at the 2nd meeting in February. Mayor O'Brien and Councilman Campion didn't object to the presentation. Councilwoman King asked if it could be done sooner; Mr. Delaney advised that it was a conflict with the vendor. She also inquired why it was going to be presented again. Mr. Delaney stated that there was substantial public comment and it was also discussed that the installation would be at a different location other than the fire house.
- 10) The Community Center Improvements, we have requested an extension of the grant and will be presenting new proposals at the council meeting on February 13th. Mayor O'Brien asked if the extensions are normally granted; Mr. Delaney replied yes.
- 11) At both Ocean Road & Allaire Road Parks, we're waiting on a second quote for installation of lighting controls.
- 12) The traffic signal at Warren Avenue & Old Mill Road is completed.
- 13) NJ Natural Gas Company has completed the work on Greenwood, Parkview, Windsor, Woodcrest, Clairidge and Pitney; road restoration will be in the spring.
- 14) The NJ DOT Municipal Aid project which included Crosby Road, Norman Terrace and Jeannette Court was put on hold last fall, the Borough did move forward and complete the work on Jeanette. Plans are being revised to address just Norman Terrace and Crosby Road.
- 15) Mercer Avenue Project; the Borough Engineer recommends putting this bid and Norman Terrace and Crosby Road out at the same time in the hopes of getting better pricing.
- 16) The Warren Avenue railroad crossing work is complete by NJ Transit as well as borough; awaiting the painting on the roadway.

- 17) Lake Avenue & Tenth Avenue storm drain is scheduled for the 3rd quarter with funding to be determined. The drainage issue on Hwy 71 & Park Avenue; Joe May is in contact with state with not much cooperation. He has made a request for them to review and include on the Rt. 71 ADA improvements that the state will be doing.
- 18) This year, we will be replacing 6 hydrants and 3 valves.
- 19) The closing of Well #4, previously all bids were rejected. A new bid was prepared with a bid opening date of February 16th.
- 20) Pump Station improvements at Shore Rd & Black Creek with Hazard Mitigation Grant, the Borough received \$585K; designs are in the works and will be presented to council. This will be a late year project, with one pump at a time being done. Councilwoman King asked who the design company is; Mr. Delaney replied H2M.
- 21) Fairway Mews Pump Station improvements; last fall the generator was replaced which shifted the pump schedule, it also will be a late year project.
- 22) The sewer main repair on Brighton Ave; there is a bid opening on February 7th; there are alternate bids based on a direct replacement or re-lining, Councilman Campion confirmed that it is a candidate for a re-lining; Mr. May replied yes.
- 23) The Jet/Vac Equipment has been received and the Utility Vehicle is expected to be received in April.
- 24) Mr. Delaney reminded everyone that a few months back, the NJ State Health Department had done an inspection of the community center based on a complaint they had received. We've received correspondence back which states that there were no violations and the case is closed.

Councilwoman Sara King asked about drainage issue a resident was having on Ludlow and Rt. 71; is he being kept informed as what is going on to resolve it. Mr. May offered that his review indicates that it's not a borough issue; that it was his driveway apron. Mrs. King asked if the resident was told that, Mr. May replied he hadn't but would speak to him.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Tompey – no report
 Councilman Merriken – no report
 Councilwoman King – no report
 Councilman Shuler – no report
 Councilman Campion – no report

REPORTS, NOTICES & CORRESPONDENCE

- Municipal Court Report – December 2016
- Spring Lake Heights Monthly Police Report – December 2016
- Spring Lake Heights Monthly Police Report – 2016 Annual Report
- Public Notice South Monmouth Regional Sewerage Authority – Amendment to Sewer Connection Fee
- Public Notice Board of Chosen Freeholders Meeting Feb. 9, 2017 – Amendments to Solid Waste Management Plan
- Public Hearing Notice Spring Lake Heights Board of Adjustment – 1218 Ocean Road
- Colts Neck Township Resolution No. 2017-18A – Criminal Justice Reform Act – Unfunded State Mandate
- Borough of Allentown Resolution No. R-62-2017– Criminal Justice Reform Act – Unfunded State Mandate

ORDINANCE INTRODUCTIONS - None at this time

RESOLUTIONS

- **R2017-37**, Authorizing the transfer of 2016 municipal budget appropriation reserves

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution R2017-37 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
 Nays: None Abstain: None Absent: Mr. Diver

- **R2017-38**, Authorizing cancellation of property taxes and refund of taxes paid for disabled veteran

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2017-38 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
 Nays: None Abstain: None Absent: Mr. Diver

- **R2017-39**, Approving the Person to Person transfer Shore Culinary LLC(The Mill) to Spring Lake Banquet Operations LLC

On a motion by Mrs. King, seconded by Mr. Tompey, Resolution R2017-39 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
 Nays: None Abstain: None Absent: Mr. Diver

- **R2017-40**, Approving use of the Ocean Road Park Tennis Courts – Spring Lake Heights School

On a motion by Mr. Tompey, seconded by Mr. Merriken, Resolution R2017-40 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
 Nays: None Abstain: None Absent: Mr. Diver

- **R2017-41**, Approving payment of itemized claims on the January 20, 2017 Bill List

On a motion by Mr. Merriken, seconded by Mr. Campion, Resolution R2017-41 was approved by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler
 Nays: None Abstain: Mr. Tompey Absent: Mr. Diver

Mr. Delaney announced that based on the Cash Management Plan adopted by Mayor and Council which allows that certain bills may be paid prior to council's approval, in light of the last meeting's cancellation we have issued checks for some of the items on the bill list.

PUBLIC COMMENT (Any item)

Mayor O'Brien opened the meeting to the public.

John Tangeman 564 Atlantic Avenue wanted to make council aware of a property for sale on Highway 71 just south of St. Stevens; in his opinion it would be a great open space area. The property is assessed at around \$800K and is listed for \$899K, this is a rather large section and would be a great addition to our open space.

He also inquired about the ADP program and that last year council reported that the town had a 3 year contract for inspections and he believes that the contract is up. He inquired if the town would be going out to bid or renewing with the present company. Mr. Delaney reported that neither has happened. The program required that all properties would be done over a 5 year period. Mr. Campion suggested that we go out to bid; Mayor O'Brien agreed, he asked Mr. Delaney to look into that for discussion at the next meeting.

Sharon Batteau Beverly Avenue commented on the bulk trash pickup; she likes the way it is. She was concerned that if it was changed to only 2 times a year, residents would possibly be storing things in their yard, she does agree that putting a limit could work. She offered that residents should have stickers in order to use the recycling center.

She added that although she wasn't at the Planning Board meeting in January it was for the café at Scottyville and there were residents from Wyckham Manor that were not allowed to speak. There are now 2 properties for sale next to this project, she feels that acquiring some of that for open space is a good idea. She explained that having a public forum to offer your opinion is important. Mayor O'Brien explained that he was at both meetings; and in December there was a public comment period, when the applicant came back in January the Planning Board Attorney explained that it was not required. Mayor O'Brien added that he spoke to those residents after the meeting where they expressed their concerns. Councilman Merriken explained that at the meeting the refrigeration box will be outside with buffers of a fence and plantings with the condenser inside the building.

John Tangeman 564 Atlantic Avenue wanted to also point out that there are 2 properties there for sale, making it a large parcel and if they both sold he was concerned as to what business might be placed there.

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

Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
Nays: None Abstain: None Absent: Mr. Diver

Councilman Campion offered that he follows on Facebook The Greatest Generation Federation; he offered that those that don't learn their history are doomed to repeat it. He wanted to thank Mr. Middleton for his service in the Navy,

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Tompey, the meeting was adjourned without objection at 8:39 p.m.


Janine Gillis, Borough Clerk

Approved:  February 13, 2017