

The **March 27, 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 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 Richard Diver
Councilwoman Sara King
Councilman Robert Merriken
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent: None

Also Attending:

Joseph J. Delaney, Jr., Administrator
Gary McLean, Esq., Borough Attorney
John Barrett, PM Consultants

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. Tompey, seconded by Mr. Merriken the agenda was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

APPROVE MINUTES - March 13, 2017

On a motion by Mr. Merriken, seconded by Mr. Tompey the March 13, 2017 minutes were approved by the following vote:

Ayes: Mrs. King, Mr. Merriken, Mr. Tompey

Nays: None Abstain: Mr. Campion, Mr. Diver, Mr. Shuler Absent: None

PRESENTATIONS - None

SCHEDULED PUBLIC HEARINGS - None

PUBLIC COMMENT (Agenda items only) None Presented

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

Ayes: Mr. Campion, Mr. Diver, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

DISCUSSION ITEMS - 2017 Municipal Budget

Mr. Diver – Finance Chairman announced that tonight we will be introducing our 2017 budget. He was pleased to announce that there will not be a municipal tax increase. He thanked Mr. Campion for the excellent job on last year's budget; there is a good surplus and a great capital program which we will continue. He explained there were a few changes; one is for salaries that were previously in utility will be moved to the general account. The loan for the purchase of the Fletcher property will be paid off 3 years sooner; the increase to the bond payment by 50% over the next 3 years, reducing the term of the loan. He added that the Borough is under the appropriation cap & tax levy cap. The 2017 budget includes \$18,000 for the leasing of police vehicles. The Borough will lease 2 police vehicles and continue that over the next 2 years. The vehicles get a lot of mileage and maintenance issues are cumbersome. The maintenance costs will be minimal. This year we will be using some of the surplus and yet still add to the surplus over the next year.

Mr. Delaney added that the municipal tax rate is remaining unchanged. He stated with the County's new Tax Assessment Program all properties are reassessed on an ongoing basis, our tax base has remained stable; our tax base has risen which translates into about \$1,800 in municipal purpose tax to the average residential property. Mr. Delaney pointed out that more than 70% of taxes collected go towards county and school taxes. He added that we do have a strong collection rate of taxes. He added that there is a healthy surplus in both the current & utility budgets; he reviewed what the balances were. He added that there doesn't appear to be any increase to revenue from sources other than tax. Mr. Delaney reviewed the adoption process explaining that if the budget is approved tonight, there will be a public hearing on April 24, 2017. Mr. Diver reminded everyone that a few years ago the utility rates were increased which stabilized the budget. There is a major expense coming up in the utility budget; the painting of the water tower. This will not have to be financed as a result of how the utility budget was managed. Mr. Campion stated that he is very happy with the progress and that the budget is developed with long term goals. He thanked everyone for their efforts and Mr. Diver for his compliments. He explained what surplus is and explained that it's a part of the long term plan. It's being proactive for major expenses; it's effective and efficient management. Mr. Delaney reported that in 2012 the debt was just over 3 million; today we are at half that. In regard to the capital debt, this year there will be some short term debt for DPW equipment and the paving of Wall Road. Although Wall Road wasn't a priority, the gas company opened up the road and will be back in the spring to pave but only half the road, the Borough would take advantage of that and do the other half.

Mr. Campion asked that 2 crosswalks are placed on Wall Road. He added there has been positive feedback with regard to the ones on Ocean Road. Mr. Delaney replied he would address that with the engineer.

Mr. Diver again complimented Mr. Campion on last year's budget; there was a plan to prepare for the purchase of new equipment, both for Public Works and the Police. Mr. Diver stated that the Borough is so far behind in the replacement of equipment for both of these departments; we need a garbage truck, mason dumpster, scooter vehicle. There are sufficient funds for a down payment but we will need to do some funding. If we do a bond; it will include the cost of the equipment and the paving of Wall Road. He added that the police dept. needs 2 new cars, moving forward with leasing the police vehicles, our maintenance costs will decrease, it's a much better option.

Mayor O'Brien asked if the leases take into account the mileage, Mr. Diver replied yes.

Mr. Diver added that this budget is proactive; it gets us where we need to be.

Mr. Delaney explained that before adopting Resolution No. 2017-059 the introduction of the budget, that Ordinance No. 2017-01, to Exceed the Municipal Appropriation Limits and to Establish a Cap Bank (2017) must be done first.

ORDINANCE INTRODUCTIONS

- **Ordinance No. 2017-01**, An Ordinance to Exceed the Municipal Appropriation Limits and to Establish a Cap Bank (2017) Pursuant to N.J.S.A. 40A:4-45.14

On a motion by Mr. Diver, seconded by Mr. Merriken, Ordinance No. 2017-01 was introduced; roll call taken as follows:

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

Borough Clerk, Janine Gillis announced that there would be a public hearing on Ordinance No. 2017-01 at the next scheduled council meeting, April 10, 2017.

- **Ordinance No. 2017-02**, An Ordinance Amending Chapter 22 – Municipal Land Use Regulations Section 22-606.5 -B-3 Commercial Zone (Business and Retail)

Mayor O'Brien explained that this revision is to correct language regarding maximum office space allowed. Mrs. King asked about including a change not allowing outside dining. Attorney McLean explained that this is a correction due to a typographical error; that any other changes would require a new ordinance.

On a motion by Mr. Diver, seconded by Mr. Merriken, Ordinance No. 2017-02 was introduced; roll call taken as follows:

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

Borough Clerk, Janine Gillis announced that there would be a public hearing on Ordinance No. 2017-02 at the next scheduled council meeting, April 10, 2017.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Tompey – no report

Councilman Merriken – no report

Councilwoman King – wanted to report on a call that Sgt. Gunnell & Sgt. Ventimiglia responded to. It was a 21 year old resident that had heart related issues; he was revived by the officers and transported to the hospital. He had a similar incident several years ago; Officer Willms & Kwiatkowski revived him then. She asked that we keep him & his family in our prayers. Sgt. Gunnell was in the audience and reported that the individual was doing well. Mrs. King also stated that Sgt. Gunnell was out to dinner with his family at Harrigan's, another patron was choking and Sgt. Gunnell's quick response ultimately saved the woman. All in the audience applauded Sgt. Gunnell. Mrs. King explained that he didn't want the attention but it shows the great police force that we have.

Councilman Shuler - no report, but wanted to thank Mr. Diver for working on the budget and attaining new DPW equipment.

Councilman Campion - no report

Councilman Diver – no report

REPORTS, NOTICES & CORRESPONDENCE

- Annual Tax Collector's Report - 2016
- Monthly Police Report – February 2017
- Borough of Red Bank Resolution #17-55, Supporting the Filing of a Complaint that the Criminal Justice Reform Act Constitutes an Unfunded State Mandate
- Township of Colts Neck Resolution #2017-47, Supporting the Filing of a Complaint that the Criminal Justice Reform Act Constitutes an Unfunded State Mandate
- Letter from Kerry Pflugh –NJ DEP Re: Dam Restoration & Inland Waters Project Loan Program

RESOLUTIONS

- **R2017-59**, Approving the 2017 Municipal Budget

On a motion by Mr. Campion, seconded by Mr. Diver, Resolution R2017-59 was approved by the following vote:

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

- **R2017-60**, Authorizing a contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC for Tax Appeal Legal Services

On a motion by Mr. Diver, seconded by Mrs. King, Resolution R2017-60 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-61**, Authorizing Additional Temporary Budget Appropriations Pending Adoption of the 2017 Municipal Budget

On a motion by Mr. Diver, seconded by Mr. Campion, Resolution R2017-61 was approved by the following vote:

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

Nays: None Abstain: Mr. Tompey Absent: None

- **R2017-62**, Authorizing the Joint Purchasing Agreement with the Borough of Neptune City for Police Dept. Equipment Training

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2017-62 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-63**, Supporting the 2017 UDRIVE, UTEXT, UPAY Distracted Driving Campaign

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2017-63 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-64**, Authorizing a Tax Lien Redemption Block 13 Lot 291

On a motion by Mr. Diver, seconded by Mrs. King, Resolution R2017-64 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-65**, Authorizing Release of Maintenance Guarantee & Escrow Block 25 Lot 9

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2017-65 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-66**, Authorizing Release of Maintenance Guarantee & Escrow Block 25 Lot 11

On a motion by Mrs. King, seconded by Mr. Campion, Resolution R2017-66 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-67**, Approving use of the Ocean Road Park Tennis Courts- Spring Lake Heights School District

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution R2017-67 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-68**, Approving use of the Community Center; Waterford at Spring Lake Heights Condominium Association

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2017-68 was approved by the following vote:

Ayes: Mr. Campion, Mr. Diver Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

- **R2017-69**, Approving payment of the itemized claims as set forth on March 24, 2017 Bill List

On a motion by Mr. Diver, seconded by Mrs. King, Resolution R2017-69 was approved by the following vote:

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

Nays: None Abstain: Mr. Tompey Absent: None

PUBLIC COMMENT (Any item)

Kat Crippen 564 Atlantic Ave, inquired to the status of the energy audit, Mr. Champion stated that Joe May was working on it and has had communication from the state. Mr. Delaney added that Joe was working on it and that a preliminary report was that we possibly didn't qualify. Mr. Champion asked for an update at next council meeting.

John Tangeman 564 Atlantic Ave inquired about the status on the RFP's for a new vendor for the Tax Assessment Program. Mr. Delaney explained that the RFP is completed and is in the review stages with the Tax Assessor and Borough Attorney. Mr. Delaney stated that he attended a meeting at the county a question raised was about the other firms out there; they are having a review with Mr. Moore from the Tax Board.

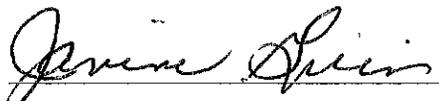
On a motion by Mr. Merriken, seconded by Mrs. King, the public comment period was closed; roll call taken as follows:

Ayes: Mr. Champion, Mr. Diver, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

ADJOURNMENT

There being no further business, on a motion by Mr. Tompey, seconded by Mr. Merriken, the meeting was adjourned without objection at 8:47 p.m.


Janine Gillis, Borough Clerk

Approved: April 10, 2017