

The **April 24, 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 Richard Diver
Councilwoman Sara King
Councilman Robert Merriken
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent: Councilman Christopher Campion

Also Attending:

Joseph J. Delaney, Jr., Administrator
Gary McLean, Esq., Borough Attorney
Thomas Seaman, Certified Financial Officer
Joseph May, Borough Engineer - Public Works Director

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

Mayor O'Brien requested an amendment to the agenda revising Resolution No. 2017-78 and to add Resolution No. R2017 -84-Requesting approval to include Developer Escrow Deposits in the Municipal Budget as a Dedication by Rider.

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

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

Nays: None Abstain: None Absent: Mr. Campion

APPROVE MINUTES - April 10, 2017 – Regular Session

On a motion by Mr. Merriken, seconded by Mr. Tompey the April 10, 2017 minutes were approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

PRESENTATIONS - None

SCHEDULED PUBLIC HEARINGS

- **R2017-77** Resolution of the Borough of Spring Lake Heights Authorizing to Read the 2017 Municipal Budget by Title Only.

On a motion by Mr. Diver and seconded by Mrs. King, the public comment period was opened to the public by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

The meeting was open to the public for comment on Resolution No. R2017-77 – None Presented

On a motion by Mr. Diver and seconded by Mrs. King, the public comment period was closed by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

On a motion by Mr. Merriken, seconded by Mr. Tompey, Resolution No. R2017-77 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

- **2017 Municipal Budget**

Mr. Delaney reviewed that the budget was introduced and approved for introduction on March 25th and was published as required and with us tonight is CFO, Tom Seaman to answer any questions.

Mr. Seaman announced that the budget was received and approved by the State pending the amendments which the Amendment Resolution is on the agenda later tonight. This also requires publication and a public hearing on the amendment which will be the next council meeting on May 8th at which time the budget could be adopted.

Mayor O'Brien confirmed that the amendments are minor, Mr. Seaman replied yes. Mr. Delaney added that the addition of Resolution R2017-84 tonight was one of the comments made by the State; it's accepting developer escrow monies in the Municipal Budget as a Dedication by Rider.

Mr. Delaney reviewed that the budget as introduced has a zero percent tax increase, it needs to be certified by the County Tax Board; he added that it may need to be adjusted slightly due to tax appeals. He added that the summary of the budget has been published.

Mr. Diver added that that good news is the zero tax increase by the municipality, and that there is a good surplus. It provides for 2 new police cars, salaries that were in the utility budget have been moved to the general budget where they belong. He added that the Borough is in good financial condition in part to the way the budget was prepared last year.

On a motion by Mr. Merriken, seconded by Mr. Tompey the meeting was open to the public for comment on the 2017 Municipal Budget – None Presented

On a motion by Mr. Diver and seconded by Mr. Merriken, the public comment period was closed by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

Mr. Delaney announced the scheduled date of adoption will be May 8th.

- **Ordinance No. 2017-03**, Bond Ordinance of the Borough of Spring Lake Heights, in the County of Monmouth, New Jersey, Providing for Various Capital Improvements and Other Related Expenses for the Borough and Appropriating \$670,000 therefor, and Providing for the Issuance of \$636,000 in Bonds or Notes of the Borough of Spring Lake Heights to Finance The Same.

Mr. Diver explained that the Public Works' vehicles are very old; we have saved some money in the capital budget, but not enough. This is a short term note and with the current interest rate, now would be the time to do this. This will allow for the purchase of a garbage truck, 2 mason dumps & a new kabota. Mr. Diver explained that a kabota is the small vehicle that drives up your driveway to pick up garbage. The funding will also allow for the Borough to pave Wall Road. NJ Natural Gas opened the street to install new lines and is responsible for paving half, Mr. May announced that he anticipates them coming in June.

On a motion by Mr. Diver, seconded by Mrs. King the meeting was open to the public for comment on Ordinance No. 2017-03 by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

George Corbeels 6 Nadine Drive - He explained that there are a few areas on Wall Road that have sunken and need immediate attention. Mayor O'Brien stated that Public Works will review and will fill them. Mr. Corbeels also asked about the older trucks; will we sell them in auction. Mr. May replied no, that all vehicles are used in some capacity. Mr. Corbeels stated that the kabotas we have now aren't reliable and asked if we're able to get compensation from the manufacturer, Mr. May replied he didn't think so, we've had them for about 5 years. He asked if the Public Works vehicles are inspected by the State, Mr. May replied yes.

On a motion by Mr. Shuler and seconded by Mr. Merriken, the public comment period was closed by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

On a motion by Mr. Diver, seconded by Mr. Merriken, Ordinance No. 2017-03 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

- **Ordinance No. 2017-04**, An Ordinance Authorizing Various Water-Sewer Utility Capital Improvements & Appropriating \$250,000.00 from Existing Utility Capital Fund Balances & Reserves

Mr. May explained that the funding was for the closure of Well #4 and the repair to the sewer line at Brighton Lane.

On a motion by Mr. Diver, seconded by Mr. Tompey the meeting was open to the public for comment on Ordinance No. 2017-04 - None Presented

On a motion by Mr. Diver and seconded by Mrs. King, the public comment period was closed by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

On a motion by Mr. Diver, seconded by Mr. Merriken, Ordinance No. 2017-04 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Campion

PUBLIC COMMENT (Agenda items only)

John Tangeman 564 Atlantic Ave. asked about the bill list and if it can be changed to include the budget account that is charged. He explained that you're not able to determine what purchase orders are charged to what budget line.

Mr. Seaman replied that there are various reports that could be printed and that he would look into which one would show the budget account charged.

DISCUSSION ITEMS –

- Chapter IX Recreation Facilities 9-1.5 Dogs - The Walking of Dogs is Prohibited

Mayor O'Brien opened the discussion and asked if anyone had any new ideas to share. Mr. Merriken asked about the cost of signs to indicate where the dogs are allowed or not allowed. Mr. Shuler felt that residents know this and still don't adhere to the rules. Mr. Diver offered his concern of health issues with the dog waste and the children in the park. He feels that there isn't enough room at Robertson Park with the tennis & basketball courts, the playing fields & playground. Mr. Merriken felt that many residents are fearful of dogs. Mayor O'Brien offered that we shouldn't punish all residents for a few bad ones; he feels that the parks are underutilized. Mrs. King stated that at Youth Government Day, the children have always expressed that there aren't enough activities for children at the parks; she feels that more events are needed for both the children & adults and she too is concerned for the safety at the parks if dogs are present.

Mayor O'Brien announced that it seems the consensus is that council is not in favor of dogs in the parks; maybe there can be a designated area elsewhere in town: along Wreck Pond or Black Creek Park. Mr. Diver stated that he wouldn't be opposed to that provided it was somewhere where activities are not held. Mayor O'Brien stated that he would put something together and distribute for further review.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Diver – No Report

Councilman Shuler – Reported that Public Works filled 39 potholes this past week

Councilwoman King – Reported that Officer Bennett is working on the requirements for the leasing of the 2 police vehicles; this will be the process moving forward in getting new vehicles. Mrs. King also reported that residents have contacted her about soliciting in town. She reported that she and Chief Petriken will be working on a do not knock list, she added that residents should call the police if there is an incident.

Councilman Merriken – reported that the shed for the Fletcher property has been installed.

Councilman Tompey – reported that the Little League parade is this weekend.

Mayor O'Brien reminded everyone that Spring Lake Heights celebrates its 90th birthday on May 3rd.

Borough Clerk Janine Gillis reported that the **Paint The Town Pink** is during the month of May. She added that the school will be selling pink light bulbs for \$5.00 with the proceeds going to the Paint The Town Pink Fund. The bulbs are also available tonight and at the next council meeting on May 8th. On May 9th there will be a “Pink Event”; it’s a presentation by a group of Doctors that will review the process a patient goes through from mammogram to treatment. This event is open to the public; we just ask that you call Borough Hall to register so we know how many tables & chairs to set up. There will be refreshments and if you wear Pink that evening, you’ll be eligible for a prize.

Councilwoman King stated that she attended last year and it was very informative. She went on to say that last year 2 doctors spoke, this year there will be 5 doctors, she imagines it will be quite impressive. Janine has put a lot of effort into this event so spread the word and come out on the 9th.

REPORTS, NOTICES & CORRESPONDENCE

- Water-Sewer Utility Revenue Projection - 2017
- Borough of Sea Girt Public Hearing, May 10, 2017 Re: Ord. No. 06-2017 Amendment to Land Use
- Borough of Allenwood Resolution No. 146-2017 Supporting NJ State Assembly Bill #3201 "Homestead School Property Tax Reimbursement Act"
- Letter from Midatlantic Engineering dated 4/17/17 Re:CAFRA Permit for Block 1 Lot 1 101 Old Mill Road

ORDINANCE INTRODUCTIONS None

RESOLUTIONS

- **R2017-78**, Authorizing Amendments to the 2017 Municipal Budget Prior to Adoption

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution No. 2017-78 was approved by the following vote:

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

- **R2017-79**, Awarding a Contract for Sanitary Sewer Improvements to Brighton Lane to Mark Woszczak Mechanical Contractors for the Amount of \$198,257.62

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution No. 2017-79 was approved by the following vote:

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

- **R2017-80**, Awarding a Contract for the Closure of Borough Well #4 to AC Shultes for the Amount of \$167,950.00

On a motion by Mr. Merriken, seconded by Mr. Tompey, Resolution No. 2017-80 was approved by the following vote:

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

- **R2017-81**, Approving the Temporary Closure of Railroad Avenue

On a motion by Mr. Tompey, seconded by Mr. Merriken, Resolution No. 2017-81 was approved by the following vote:

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

- **R2017-82**, Approving Use of the Community Center

Borough Clerk Janine Gillis announced that there was a change to the date of the closure to June 3, 2017

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. 2017-82 was approved by the following vote:

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

- **R2017-83**, Approving Payment of the Itemized Claims as Set Forth on April 20, 2017 Bill List

On a motion by Mr. Diver, seconded by Mrs. King, Resolution No. 2017-83 was approved by the following vote:

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

- **R2017-84**, Requesting approval to include Developer Escrow Deposits in the Municipal Budget as a Dedication by Rider.

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution No. 2017-84 was approved by the following vote:

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

PUBLIC COMMENT (Any item)

Casey Devine 1225 Wall Road stated that she came in to ask about the paving on Wall Road and is glad it's moving forward. She expressed her concern about the traffic on Wall Road; it seems like it's become a thoroughfare; she feels that there should be some weight limit. There is a tanker truck that comes down Wall Road delivering to the Getty Gas Station; it's loud. It seems since the intersection was closed with the new traffic light installed on Warren Avenue vehicles used Wall Road. She stated that there's a sign with a weight limit on Old Mill Road; perhaps one could be on Wall Road. Mayor O'Brien agreed that possibly a weight limit should be placed and asked Mr. May to look into what could be done.

George Corbells 6 Nadine Drive offered that possibly a solution with the dogs would be to have one location on the south side at Black Creek Park and one on the north side of town at the Fletcher property. He also suggested that the town look into Hybrid vehicles for the Police Department. He requested that Public Works look into the sewer cover at 1909 Old Mill road, it's several inches below the roadway.

Kat Crippen 564 Atlantic Avenue explained that when the Environmental Commission made the suggestions for the allowing of dogs on Borough property and not a dog park it was their concern over liability; at a park the dogs run free. Ms. Crippen added that at Black Creek Park there is insufficient parking, she thought that Wreck

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Pond Park would be better. She also wanted to point out that Atlantic Avenue is in need of paving and that the sidewalk by Public Works needs repair.

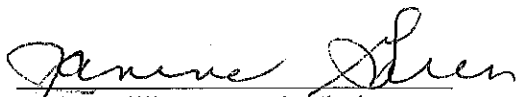
On a motion by Mr. Merriken, seconded by Mr. Tompey, the public comment period was closed; roll call taken as follows:

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

Nays: None Abstain: None Absent: Mr. Campion

ADJOURNMENT

There being no further business, on a motion by Mr. Tompey, seconded by Mr. Merriken, the meeting was adjourned without objection at 9:05 p.m.


Janine Gillis, Borough Clerk

Approved: May 8, 2017