

The **July 10, 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 Richard Diver

Councilwoman Sara King

Councilman Robert Merriken

Councilman James Shuler

Councilman Joseph Tompey Mayor

Thomas O'Brien

Absent: None

Also attending:

Garv McLean, Esq., Borough Attorney

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 announced that the presentation by Michael Ferrara will not be done tonight, it's been rescheduled to the next meeting, July 24th and that Ordinance No. 2017-05 that was set for a public hearing tonight is coming off the agenda; there will be some changes.

A motion was made by Mr. Diver to approve the agenda as amended, seconded by Mr. Shuler,

Roll Call taken as follows:

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

Nays: None Abstain: None Absent: None

APPROVE MINUTES - June 26, 2017 Regular Session

On a motion by Mr. Merriken, seconded by Mrs. King, the Regular Session minutes of June 26, 2017 were approved by the following vote:

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

Nays: None Abstain: Mr. Tompey Absent: None

PRESENTATIONS --

Captain Al Modjeski - Director- American Littoral Society- Fish Passage at Old Mill Dam Mr. Modjeski did a slide show showing Wreck Pond and Old Mill Dam. He explained that several projects have been done through various grants which have improved the area. The newest project is called Fish Passage Project; the goal is promote fish passage through the pond. The project is to install a structure that would act as steps allowing the fish to travel up, rest and continue up and rest. The process requires the property owners to sign off and then the permit process could start.

Ms. Crippen, Environmental Chair stated that Black Creek has a large group of carp that are eating the fish. Mr. Modjeski stated that he hasn't seen that but thanked her for making him aware. She raised the question about continuing to dredge in the area. Mr. Modjeski agreed.

Mr. McLean asked about the terms of the agreement, Mr. Modjeski couldn't say for sure but he thinks it's 10 years.

SCHEDULED PUBLIC HEARINGS - REMOVED from agenda Ordinance No. 201705

PUBLIC COMMENT (Agenda items only)

John Tangeman 564 Atlantic Avenue expressed concern about language in the Ordinance No. 2017-05. In reviewing the permit process in the ordinance, the applicant should submit 3 days prior to wanting to canvass. The Police Chief then has to review that. He thought consideration should be given to including a time frame to his review period.

Rita Murphy 2014 Highway 71 asked if the project at the Community Center includes LEEDS improvements. She has raised this question before; she feels that it needs a retro fit roof, hurricane proof windows and making the building to withstand a major storm. Mr. Diver stated that he would check with the architect; he explained that the project now is just for interior improvements. Mr. Diver stated it is a strong building, this is not a major reconstruction; it's interior renovations. He pointed out that the building and windows did survive Hurricane Sandy. Ms. Murphy stated that it should include hurricane shutters, Mr. Diver stated that that could be installed at a later date. Mr. Diver explained that based on the funding there are limits to what can be done. Mayor O'Brien pointed out that residents have expressed that there should be no renovations to vast renovations and this is where we are at now. He added the building withstood 2 hurricanes and the risk is minimal. Mr. Campion pointed out that the facility is not a shelter, it is used as a charging station, hand out supplies to residents. He added that residents are encouraged to leave town through county evacuation route. Ms. Murphy gave a handout of suggestions from FEMA.

John Tangeman 564 Atlantic Avenue offered that the renovation cost is 293K and that 156K is coming from a grant with the balance coming from Open Space and Recreation Fund. He asked what the Open Space has to do with the Community Center. Mayor O'Brien stated that the Community Center is often used for town recreation. Mr. Tangeman pointed out that a certain percentage of taxes go to the Open Space fund; he feels that it wasn't for building. Mr. Diver explained that it is a recreation facility for the children and seniors of town.

Kat Crippen 564 Atlantic Avenue stated that the funding should not be coming out of Open Space. She suggested purchasing the property next door to the Community Center. She also stated that the referendum didn't provide for this.

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

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

Nays: None Abstain: None Absent: None

DISCUSSION ITEMS - None**MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS**

Councilman Tompey - No Report

Councilman Merriken - No Report

Councilwoman King - No Report

Councilman Shuler -- No Report

Councilman Campion - Reported that JCP&L will be doing aerial surveillance of their transmission lines.

Councilman Diver - No Report

Mayor O'Brien announced there were accidents in town and thanked the Police Department for their work.

Borough Clerk, Janine Gillis announced that Monmouth County is sponsoring a shred day in the school parking lot on Saturday, July 15th from 9:00 am to 1:00 pm or until such time that the trucks get full.

Lisa O'Brien announced that on Friday and Saturday from 8am to 10 am the farmers market is open at the gazebo. She added that as it grows the hours may change.

REPORTS, NOTICES & CORRESPONDENCE

- Letter from Monmouth County Park System Re: 2017 Monmouth County Municipal Open Space Grant Program
- Monmouth County Board of Chosen Freeholders Resolution 42017-0489, Authorizing Charitable Events on County Roads -- Independent Fire Co. No. 1
- NJ Transit Application for Federal Financial Assistance
- Township of Wall Ordinance No. 6-2017, Amending Chapter 140 Schedule of Permitted and Conditional Uses for Non Residential Zone Districts
- Township of Clark Resolutions 17-100, Common Sense Affordable Housing Rules & Resolution 17-110, Extend 2% Cap on Police & Fire Arbitration
- Notice from JCP&L - Aerial Patrol on July 13th & July 14th
- Notice Wall Township Planning Board Hearing July 17, 2017

ORDINANCE INTRODUCTIONS - None

RESOLUTIONS

- **R2017-127**, Requesting the Director of NJ Division of local Government Services to Amend 2017 Municipal Budget

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution No. 2017-127 was approved by the following vote:

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

Nays: None Abstain: Mr. Tompey Absent: None

- **R2017-128**, Awarding a Contract for Community Center Improvements in the amount of \$292,000.00 to GF Fotinos, LLC

Mr. Champion asked for a review of the improvements; Mr. Damiano read through the bid spec. Mr. Champion asked the time frame from start to finish, Mr. Damiano replied not to exceed 90 days; Mr. Diver added that it needs to be completed by election. Mr. Diver thanked Mr. Damiano for all his hard and his generosity in putting this together.

On a motion by Mr. Diver, seconded by Mr. Champion, Resolution No. 2017-128 was approved by the following vote:

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

None Abstain: None Absent: None

- **R2017-129**, Awarding a Contract for NJ DOT Local Aid Municipal Road Project to Earle Asphalt Company

On a motion by Mr. Champion, seconded by Mr. Tompey, Resolution No. 2017-129 was approved by the following vote:

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

Nays: None Abstain: None Absent: None

- **R2017-130**, Authorizing the Payment of the Itemized Claims as Set Forth on the July 7, 2017 Bill List

On a motion by Mr. Diver, seconded by Mrs. King, Resolution No. 2017-130 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)

Eileen Eilenberger 1215 Pond Road thanked Mayor and Council for finally starting the renovations to the Community Center. She wanted to ask if an electronic sign could be placed on Old Mill Road by Ocean Road, recently there were accidents in that area. Mrs. King stated that she would speak to the Police Chief. Mayor O'Brien speeding is also a factor; he suggested that possibly obtaining a traffic expert to review and provide recommendations. Mr. May added that some improvements have already been put in place; additional speed limit signs, larger stop signs and clearing of branches around the signs. Mrs. King stated that she will work to develop a solution that unfortunately it doesn't qualify for a traffic light.

Joan Purcaro 922 Clairidge Drive asked if driving a golf cart is permissible on the street. Mayor O'Brien explained that it needs a license plate and registered.

Mr. Champion reminded all to enforce that children should be wearing helmets when riding their bikes, Councilman Shuler also announced that they should ride in single file in the street, not 3 across.

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

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.* Merriken, seconded by Mr. Tompey, the meeting was adjourned without objection at 8:59 p.m.


Janine Gillis, Borough Clerk

Approved:  , 2017