

The **November 13, 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
Councilwoman Sara King
Councilman Robert Merriken
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent:

Councilman Richard Diver

Also attending:

Gary McLean, Borough Attorney
John Barrett, Borough Administrator

7:30 p.m. - EXECUTIVE SESSION: Resolution No. R2017-176

Mayor O'Brien read Resolution No. 2017-176 into the record.

* **Personnel:** Assistant Borough Administrator

On a motion by Mr. Campion, seconded by Mr. Tompey, Resolution R2017-176 was approved by the following vote:

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

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

ROLL CALL

Present:

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

Absent:

Councilman Richard Diver

Also attending:

Gary McLean, Borough Attorney
John Barrett, Borough Administrator

OPEN PUBLIC MEETINGS ACT STATEMENT OF COMPLIANCE

Mayor O'Brien announced that a camera is at the front of the room, explaining that we will be live streaming the meeting. This will be ongoing, giving those that can't attend the ability to watch from home.

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 Mr. Tompey 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 - October 23, 2017

On a motion by Mr. Merriken, seconded by Mr. Tompey, the Regular Session minutes of October 23, 2017 were approved by the following vote:

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

PRESENTATIONS - Proclamation to Janet Kokoll 102th Birthday

Mayor O'Brien announced read the proclamation (attached) and announced that Mrs. Kokoll couldn't be with us tonight. The audience clapped in celebration of her.

SCHEDULED PUBLIC HEARINGS - Ordinance 2017-07 An Ordinance of the Borough of Spring Lake Heights - Revising and Amending Chapter 22 (Municipal Land Use Regulations) of the Revised General Ordinances of the Borough of Spring Lake Heights in order to implement the recommendations of the Planning Board regards the Municipal Land Use Regulations.

On a motion by Mr. Merriken, seconded by Mr. Campion the meeting was opened to the public by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

George Corbeels Nadine Drive expressed concern with an item in section 22-512.5 (a) regarding fence height of 3 ft. and the installation at a corner; he feels that it would impact the sight triangle. He added that at the corner of his property there is a problem. Mr. Campion expressed that this was addressed in another section of the code. Mayor O'Brien asked Mrs. Eilenberger-Planning Board Chairman explained this was not a change; it presently exists in the code.

Mrs. King suggested that Mr. Corbeels attend a Planning Board meeting and point this out to them.

Mayor O'Brien stated moving forward on this ordinance is a positive as it addresses other issues. Mr. Corbeels concern could be reviewed by the Borough Engineer.

On a motion by Mr. Merriken, 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

On a motion by Mr. Campion, seconded by Mr. Tompey, Ordinance No. 2017-07 was adopted by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

PUBLIC COMMENT (Agenda items only)

On a motion by Mr. Merriken, seconded by Mr. Tompey the meeting was opened to the public by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

None Presented

On a motion by Mr. Tompey, 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 – None

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Campion – Reminded everyone to check their carbon monoxide detectors, this time of the year furnaces are being used. Carbon monoxide is a big issue; carbon monoxide is not visible and is odorless. A recent call was made to a resident's home; the alarm went off and in fact there was carbon monoxide, without that alarm it could have been awful.

Councilman Shuler – reported that the Borough’s energy audit was accepted by the State; it’s now under their review. Mr. Campion explained that it could lead to potential grants that would fund for a consultant firm to come in and make recommendations for changes to improve our usage. Mr. Shuler added that we collected at the public works yard for Hurricane Harvey victims we netted 2500 lbs. of food and clothing which was delivered to Texas and 961 lbs. of food and clothing was given to the foodbank which was sent to Puerto Rico. He added that the dedication of Veterans Tribute Park on Saturday was great. Mayor O’Brien added that the American Legion made a presentation, former Mayor Butch Maccanico spoke about the park and the importance of the recognizing the Veterans as well as all first responders.

Mr. Campion added that that watching at home, the plan is to keep this going at all of our events. If you have any feedback please don’t comment in real time no one can answer but e-mail the administrator at administrator@springlakehts.com.

Mayor O’Brien offered congratulations to Mr. Shuler and Mr. Campion on their re-election to the council.

Councilwoman King – Announced that the Veterans Day Luncheon was a huge success; she thanked all the committee members. She invited Mr. Rich Carragher, committee chair to speak. Mr. Carragher announced that all the feedback he has gotten is positive. He stated that Rachel Castellon a local Girl Scout leader was present with some of the girl scouts; they presented the Veterans with stars that were cut from retired flags. Mr. Carragher explained that solicitations are from business in the area through funding or prizes. He thanked his fellow committee members.

Councilman Merriken – No Report

Councilman Tompey – No Report

Mayor O’Brien announced the school has shared a couple of events coming up: the Winter Concert and Geography Bee. He also announced that the Police Chief’s mother passed away

REPORTS, NOTICES & CORRESPONDENCE

- Monthly Police Report – October 2017
- Resolutions from Red Bank, Allenhurst, Aberdeen, Shrewsbury Opposing Legislative Proposals Regarding the Open Public Meetings Act and Open Public Records Act
- Resolutions from Oceanport and Manasquan Opposing any Tax Reform Eliminating State and Local Tax Deduction (SALT)
- Public Hearing Notice for Monmouth County Freeholders Meeting December 13, 2017 Re: Open Space Fund Maintenance Expenses
- Public Hearing Notice for NJ Transit

ORDINANCE INTRODUCTIONS

- **ORDINANCE NO. 2017-08** An Ordinance of the Borough of Spring Lake Heights – Adding Section 2-33 of the Revised General Ordinances of the Borough of Spring Lake Heights in Order to Create the Position of Assistant Borough Administrator

Mayor O’Brien reviewed that we are currently operating with a Part Time Borough Administrator. This ordinance would create the position for someone in the office full time to have authority to act as the Borough Administrator. This ordinance would create the position.

On a motion by Mr. Campion, seconded by Mr. Shuler, Ordinance No. 2017-08 was introduced by the following vote:

Ayes: Mr. Campion, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: Mrs. King Abstain: None Absent: Mr. Diver

Mr. Campion explained that he feels the Part Time Administrator is working although the staff in the office has taken on the burden of the day to day operations. Another possibility is a shared service of an

administrator. The need for a full time administrator with a salary of \$150,000 isn't necessary which is what we were paying previously. In these instances having someone in the office full time for our residents and acting on behalf of Spring Lake Heights would be important; this would be a savings.

Mayor O'Brien added that the 2 ordinances establish the position and the salary; not actually putting someone into the position.

Mrs. King stated that she prefers to hire a part time administrator or have a shared service, adding this creates 2 administrative positions. With creating the position there would then be a push to put someone in the position.

- **ORDINANCE NO. 2017-09** An Ordinance of the Borough of Spring Lake Heights Establishing a Salary for the Position of Assistant Borough Administrator for the Year 2017

Mr. Campion explained that having a part time administrator and an assistant is still significantly less than what we were paying a full time administrator we had prior. This is similar situation we had with the Police department; the hiring of the new officers was less than the overtime that was paid out. This plan will ultimately be a cost savings and yet still offer our residents the same service they are used to.

Mayor O'Brien added that it's working right now; we just want to make sure the role is codified.

On a motion by Mr. Campion, seconded by Mr. Tompey, Ordinance No. 2017-09 was introduced by the following vote:

Ayes: Mr. Campion, Mr. Shuler, Mr. Tompey

Nays: Mrs. King, Mr. Merriken Abstain: None Absent: Mr. Diver

Mrs. King expressed her concern over the salary and who would be put in this position. She was also concerned over the number of positions an individual would have and now add another with a salary of \$24,000 to \$40,000.

- **ORDINANCE NO. 2017-10** An Ordinance of the Borough of Spring Lake Heights – Amending Chapter IX Recreational Facilities, Section 9-1 Parks and Community Center of the Revised General Ordinances of the Borough of Spring Lake Heights

Mayor O'Brien explained the change was to the rental fee and the naming of the parks.

Mrs. King added that under section 9-12-Closing Times; Community Center Fees. The fees are increased but she feels it should also include a fee for maintenance or janitorial service. Mr. Barrett explained that it doesn't include such a fee. Borough Clerk, Janine Gillis reviewed the rental procedure; explaining that a \$100.00 deposit is held for damage. However, the building would need an inspection after each use. Mayor O'Brien asked if the deposit fee is codified. Mr. Barrett explained that he was working with Mr. May about having someone to go out on the weekend to inspect. He added that after spending the funding that we have for the improvements, he suggests having a camera system installed; they are reasonably priced. Janine Gillis stated that she believed the deposit requirement is not codified.

Attorney McLean suggested tabling the ordinance and bringing it back with the changes.

On a motion by Mr. Campion, seconded by Mrs. King, Ordinance No. 2017-10 was tabled by the following vote:

Ayes: Mr. Campion, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: Mrs. King Abstain: None Absent: Mr. Diver

RESOLUTIONS

- **R2017-177**, Authorizing the Transfer of 2017 Municipal Budget Appropriations – Utility Fund

On a motion by Mr. Campion, seconded by Mr. Tompey, Resolution R2017-177 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

- **R2017-178**, Authorizing the Transfer of 2017 Municipal Budget Appropriations – Current Fund

On a motion by Mr. Tompey, seconded by Mr. Merriken, Resolution R2017-178 was approved by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

- **R2017-179**, Approving the Payment of Itemized Claims set forth on the November 10, 2017 Bill List

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2017-179 was approved by the following vote:

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

Nays: None Abstain: Mr. Tompey Absent: Mr. Diver

PUBLIC COMMENT (Any item)

On a motion by Mr. Merriken, seconded by Mr. Tompey the meeting was opened to the public by the following vote:

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

Nays: None Abstain: None Absent: Mr. Diver

Eileen Eilenberger 1213 Pond Road thanked Mayor and Council for adopting the land use ordinance. She expressed her thanks to the committee; Nancy Hayduk, Fred Manger and James Hackett. She also commented on the community center and the deposit, reminding of an incident where a renter moved the election machines.

Rich Carragher 916 Prospect Avenue asked if cameras are installed at the community center, would others have the ability to watch. He was concerned about the security exposure. Mr. Barrett stated if connected to a network and had the password, possibly yes. Mr. Campion replied that there would not be public access to this type of system.

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

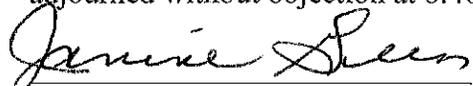
Ayes: Mr. Campion, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: Mr. Diver

Mr. Campion asked that at the next meeting could a discussion item include a No Knock Registry be looked at, not anything to the extent that was previously presented. Mayor O'Brien replied certainly. Mr. Barrett offered that in Brick they have a sticker that goes on a resident's door.

ADJOURNMENT

There being no further business, on a motion by Mr. Merriken, seconded by Mrs. King, the meeting was adjourned without objection at 8:40 p.m.


Janine Gillis, Borough Clerk

Approved:  November 27, 2017