

The January 1, 2018 meeting of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Mayor Thomas O'Brien at Noon – (12:00p.m). in the Frank E. Adams Municipal Building.

OPEN PUBLIC MEETINGS ACT STATEMENT OF COMPLIANCE

Mayor O'Brien reported the meeting was being conducted pursuant to the requirements of the N.J. Open Public Meetings Act with notice included in the annual notice of meetings sent to the Coast Star and Asbury Park Press; posted on the bulletin board in the Municipal Building and on the Borough website.

STATEMENT OF NOVEMBER 7, 2017 ELECTION DETERMINATION

Borough Clerk, Janine Gillis read into the record:

A statement of the determination of the Board of County Canvassers, relative to an election held in the Borough of Spring Lake Heights on the seventh day of November, in the year of our lord, two thousand and seventeen, for the election of the Municipal Officers for said **SPRING LAKE HEIGHTS BOROUGH**. The said board determines that at said election, Christopher Campion and James Shuler were duly elected members of the Borough Council; full term.

Oath of Office Administered to Newly Elected Officials by Mayor Thomas O'Brien:

Borough Council (3 Year Term expires 12/31/2020)..... Christopher Campion

Borough Council (3 Year Term expires 12/31/2020) James R. Shuler

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:

Janine Gillis, Borough Clerk
John Barrett, Administrator

Mayor O'Brien read each Resolution by title:

Borough Council Appointments

- **Res. 2018-01**, Establishing Procedure for election of Council President

On a motion by Mr. Diver, seconded by Mr. Tompey, Resolution R2018-01 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

- **Res. 2018-02**, Selecting Council Member to serve as President of the Council for 2018

Mr. Tompey nominated Mr. Campion; seconded by Mr. Shuler

Mr. Merriken nominated Mrs. King; seconded by Mrs. King

Nominations were closed.

Borough Clerk announced first nomination is Mr. Campion as council president, roll call taken as follows:

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

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

▪ **Res. 2018-03**, Establishing Council Committees & Appointing Committee Chairs for 2018

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution R2018-03 was approved by the following vote:

Ayes: Mr. Champion, Mr. Diver, Mr. Shuler, Mr. Tompey

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

▪ **Res. 2018-04**, Appointing Planning Board – Class 3 Member (1 year term expires 12/31/2018)

Mr. Merriken asked why he was not being appointed as the Planning Board, Mayor O'Brien stated that he understood that this was the individual council wanted in the position. Mr. Merriken replied it's the Mayor's appointment. Mayor O'Brien suggested that he could put forth a motion to amend the resolution. Mrs. King added that this resolution among others have not been discussed with her or Mr. Merriken. Mr. Champion added that this is the time and place for discussion.

Mr. Merriken made a motion to amend the resolution changing the name to Robert Merriken as Planning Board representative, seconded by Mrs. King, roll call taken

Ayes: Mrs. King, Mr. Merriken

Nays: Mr. Champion, Mr. Diver, Mr. Shuler, Mr. Tompey Abstain: None Absent: None

On a motion by Campion, seconded by Mr. Shuler, Resolution R2018-04 as written was approved by the following vote:

Ayes: Mr. Champion, Mr. Diver, Mr. Shuler, Mr. Tompey

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

Appointments by Mayor requiring Council Approval

▪ **Res. 2018-05**, Appointing Borough Attorney and Awarding Contract – Dennis Collins, Esquire

On a motion by Mr. Campion, seconded by Mr. Diver, Resolution R2018-05 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

Mayor O'Brien pointed out that Mr. Collins has served as the Planning Board attorney and is somewhat familiar with the town.

▪ **Res. 2018-06**, Appointing Borough Engineer – Joseph May, P.E.

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution R2018-06 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

▪ **Res. 2018-07**, Appointing Public Defender – Charles Shaw, Esquire

On a motion by Mr. Tompey, seconded by Mr. Shuler, Resolution R2018-07 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

▪ **Res. 2018-08**, Appointing a Prosecutor – James D. Carton IV, Esquire

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2018-08 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

- **Res. 2018-09**, Appointing Zoning & Code Enforcement Officer – Neil Hamilton

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution R2018-09 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

- **Res. 2018-10**, Appointing Deputy Tax/Utility Collector – Mary Ellen Karamus

On a motion by Mr. Diver, seconded by Mr. Tompey, Resolution R2018-10 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

- **Res. 2018-11**, Appointments to the Zoning Board of Adjustment

On a motion by Mr. Diver, seconded by Mr. Tompey, Resolution R2018-11 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

- **Res. 2018-12**, Appointments to the Board of Health

On a motion by Mr. Shuler, seconded by Mr. Champion, Resolution R2018-12 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

- **Res. 2018-13**, Appointing Representative to the Shore Community Alliance

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution R2018-13 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

- **Res. 2018-14**, Awarding a Contract to Provide Risk Management Services – Brown & Brown Metro, LLC

Mr. Barrett explained this is for a risk manager which is paid through our JIF; which expires in December 31, 2018. Mayor O'Brien pointed out that our JIF is presently through Middlesex County and will be evaluated as we get close to our expiration on December 31, 2018. Mr. Barrett we will be shopping around for the best plan moving forward.

On a motion by Mr. Champion, seconded by Mr. Diver, Resolution R2018-14 was approved by the following vote:

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

Mr. Merriken stated that this wasn't discussed with him, therefore he abstained.

- **Res. 2018-15**, Awarding a Contract to Provide Financial Advisory Services – Phoenix Advisors, LLC

Mr. Barrett explained this company is used when we go issue debt; they are only paid when and if we engage them for services. Mrs. King asked if the company is connected to any employee in town, Mr. Barrett replied none that he was aware of.

On a motion by Mr. Diver, seconded by Mr. Tompey, Resolution R2018-15 was approved by the following vote:

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

- **Res. 2018-16**, Awarding a Contract for Audit Services – Supplee, Clooney & Company

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution R2018-16 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

- **Res. 2018-17**, Awarding a Contract for Legal Services for Labor Attorney – Tracy Armstrong, Esquire

On a motion by Mr. Diver, seconded by Mr. Tompey, Resolution R2018-17 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

- **Res. 2018-18**, Awarding a Contract for Legal Services for Tax Appeals – Frederick Raffetto, Esquire

On a motion by Mr. Diver, seconded by Mrs. King, Resolution R2018-18 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

- **Res. 2018-19**, Awarding a Contract for Financial Reporting/Accounting Services – PM Consultants, LLC

Mr. Merriken questioned Mr. Barrett if he was the owner of the company; Mr. Barrett replied yes. Mr. Merriken questioned if this was a conflict of interest. Mr. Collins explained that there are several companies that are available for these services that could submit, this is not a conflict, it is a practice for many small communities.

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution R2018-19 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

- **Res. 2018-20**, Designating Official Newspapers

On a motion by Mr. Tompey, seconded by Mr. Merriken, Resolution R2018-20 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

- **Res. 2018-21**, Establishing Meeting Schedule

Mayor O'Brien pointed out that the meetings are now on the first (1st) and third (3rd) Mondays of the month with some exceptions. Mrs. King asked why the change, Mr. Diver replied it's to accommodate our new attorney. Mrs. King added that she wasn't aware of it. Mayor O'Brien asked if she had a problem with the dates. Mrs. King would need to check the 2018 calendar, she pointed out she wished it was discussed.

On a motion by Mr. Tompey, seconded by Mr. Diver, Resolution R2018-21 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

- **Res. 2018-22**, Adopting Cash Management Plan

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution R2018-22 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

- **Res. 2018-23**, Fixing the rate of interest on delinquent taxes, cancelling balances under \$5.00 & establishing a returned check fee

Mrs. King asked if the returned check fee is changing, Janine Gillis replied no.

On a motion by Mr. Diver, seconded by Mr. Shuler, Resolution R2018-23 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

- **Res. 2018-24**, Adopting 2018 Temporary Budget

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution R2018-24 was approved by the following vote:

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

- **Res. 2018-25**, Designating Various Borough Officials

On a motion by Mr. Shuler, seconded by Mr. Diver, Resolution R2018-25 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

- **Res. 2018-26**, Appointing a Fire Marshall/Fire Official – Ryan Dullea

On a motion by Mr. Champion, seconded by Mr. Diver, Resolution R2018-26 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

- **Res. 2018-27**, Authorizing a Shared Service Agreement for Maintenance Services with the Spring Lake Heights Board of Education

Janine Gillis stated that this details both grass cutting and snow removal. Mayor O'Brien explained that it is very clear as to their duties.

On a motion by Mr. Champion, seconded by Mr. Tompey, Resolution R2018-27 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

- **Res. 2018-28**, Approving Payment of Claims on Bill List dated December 29, 2017

On a motion by Mr. Diver, seconded by Mr. Merriken, Resolution R2018-28 was approved by the following vote:

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

Announcement of Mayor's Appointments not requiring Council approval

Mayor O'Brien stated that he did not have any appointment announcements at this time; it'll be ready for the next meeting. Mrs. King asked if they are for board appointments, she had someone that was interested. Mr. Merriken asked if he could be appointed to the planning board, Mr. Collins replied no.

Public Comment

John Tangeman 564 Atlantic Ave. stated that he has attended many re-organization meetings. In previous years the council has been divided between the 2 parties, more recently the public has elected 6 republicans and yet it feels like the council is divided. No one on the council should be ostracized; he hopes that in the New Year brings a more unified council.

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

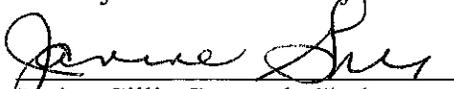
Ayes: Mr. Champion, Mr. Diver, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey

Nays: None Abstain: None Absent: None

Mayor O'Brien stated that he would like council to have more open public discussions, allowing for members to debate. He will also try and explain the resolutions to the public as they come to a vote.

Adjournment

There being no further business, on a motion by Mr. Shuler, seconded by Mr. Tompey, the meeting was adjourned without objection at 12:35 p.m.


Janine Gillis, Borough Clerk

Approved:  February 20, 2018