

The **March 5, 2018** 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
Councilwoman Sara King
Councilman Robert Merriken
Councilman James Shuler
Councilman Joseph Tompey
Mayor Thomas O'Brien

Absent:

Councilman Richard Diver

Also attending:

Dennis Collins, Borough Attorney
John Barrett, Borough Administrator

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 the agenda to be amended adding Resolution R2018-64, a Resolution of the Borough Council Authorizing Release of the Designated Performance Guarantee which a copy was provided to council tonight and a change to the bill list removing PO# 18-00241 payable to Bordens.

On a motion by Mr. Merriken, seconded by Mrs. King, the agenda was amended to add Resolution R2018-64 and removing the PO; approved by the following vote:

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

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

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

APPROVE MINUTES - February 20, 2018

On a motion by Mr. Merriken, seconded by Mrs. King, the minutes of February 20, 2018 were approved by the following vote:

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

PRESENTATIONS None

SCHEDULED PUBLIC HEARINGS Ordinance No. 2018-01 Establishing a Salary Range for the Tax/Utility Collector & Deputy Tax/Utility Collector

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

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

The meeting was open to the public; None Presented

On a motion by Mr. Campion, 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. Merriken, Ordinance 2018-01 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 public comment period was opened; roll call taken as follows:

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

The meeting was open to the public; 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, Mrs. King, Mr. Merriken, Mr. Shuler, Mr. Tompey
Nays: None Abstain: None Absent: Mr. Diver

DISCUSSION ITEMS – New Legislation Regarding Performance Bonds – Attorney Collins

Attorney Collins explained that the State statute regarding performance bonds which usually involves sub-divisions and commercial projects has recently changed. The statute has completely changed. We happen to be in the middle of updating the code book now, he recommends doing the update quickly as there is an application before our planning board now and without the update in our Borough Code they wouldn't need to post any bond. He pointed out that as part of our code update, we will be not quote fees where possible instead we will just quote state statute so as they change fees we won't have to change the code book. He requested authorization to move forward and prepare the change; council agreed that he should move forward.

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilman Campion – Reminded all of the upcoming Storm, everyone should be prepared.

Councilman Shuler – No Report

Councilwoman King – Announced that she, Neil Hamilton, Janine Gillis and our attorney met and started the process of updating the code book. A memorandum was sent to the Judge, Code Official, Fire Chief, Police Chief and the Borough Engineer for their input. We're concentrating on fees but try and include other sections as we go along.

Councilman Merriken – Feels that some of our fees are a lot lower than surrounding municipalities. He feels that there should also be a cleaning for renters of the community center. There was discussion about the groups where fee is waived and they leave it a mess. There was discussion about having an employee inspect the building after each use.

Mr. Barrett stated that he would set something would be set up for inspections.

Councilman Tompey – No Report

Mayor O'Brien announced that the Election Board is looking for poll workers. If your interested there's information in the office.

REPORTS, NOTICES & CORRESPONDENCE

- 2018-2019 South Monmouth Regional Sewerage Authority Meeting Schedule
- Borough of Sea Girt Public Notice March 14th RE: Ordinance 06-2018, Section 17-1.4 Prohibited Uses of the Land Use Volume

ORDINANCE INTRODUCTIONS **Ordinance No. 2018-02** – An Ordinance Amending Chapter IX Recreational Facilities, Section 9-1.2 Closing Times: Community Center Fee of the Revised General Ordinances of the Borough of Spring Lake Heights

On a motion by Mr. Campion, seconded by Mr. Merriken, Ordinance No. 2018-02 was introduced by the following vote:

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

Borough Clerk, Janine Gillis announced that the public hearing would be at the next meeting: March 5th.

Ordinance No. 2018-03 – An Ordinance to Exceed the Municipal Appropriation Limits & to Establish A Cap Bank (2018) pursuant to N.J.S.A. 40A:4-45.14

On a motion by Mr. Campion, seconded by Mr. Merriken, Ordinance No. 2018-03 was introduced by the following vote:

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

Mayor O'Brien pointed that this something done every year.

Borough Clerk, Janine Gillis announced that the public hearing would be at the next meeting: March 5th.

RESOLUTIONS

- **R2018-53**, Borough Council Revising 2018 Meeting Schedule

On a motion by Mr. Campion, seconded by Mr. Merriken, Resolution No. 2018-53 was approved by the following vote:

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

- **R2018-54**, Authorizing the Transfer of Abandoned Property

On a motion by Mr. Merriken, seconded by Mr. Shuler, Resolution No. 2018-54 was approved by the following vote:

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

- **R2018-55**, Authorizing the Settlement of Certain Tax Appeal – The Matthews Family/CKR, LLC

On a motion by Mr. Merriken, seconded by Mr. Campion, Resolution No. 2018-55 was approved by the following vote:

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

- **R2018-56**, Authorizing Additional Temporary Budget Appropriations Pending Adoption of the 2018 Municipal Budget

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution No. 2018-56 was approved by the following vote:

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

- **R2018-57**, Authorizing the Salary for Designated Officials- Tax Collector & Deputy Tax Collector

On a motion by Mr. Merriken, seconded by Mrs. King, Resolution No. 2018-57 was approved by the following vote:

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

- **R2018-58**, Authorizing the Salary for the Borough Prosecutor – James D. Carton, IV

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. 2018-58 was approved by the following vote:

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

- **R2018-59**, Approving the Use of the Ocean Road Park Tennis Courts – Spring Lake Heights School District

On a motion by Mr. Campion, seconded by Mr. Tompey, Resolution No. 2018-59 was approved by the following vote:

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

- **R2018-60**, Approving the Use of the Cornelius V. Kelly Community Center for Designated Groups throughout the Calendar Year 2018

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. 2018-60 was approved by the following vote:

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

- **R2018-61**, Approving the Use of the Cornelius V. Kelly Community Center

On a motion by Mr. Merriken, seconded by Mr. Tompey, Resolution No. 2018-61 was approved by the following vote:

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

- **R2018-62**, Approving the Designated Memberships in the Independent Fire Co. No. 1

On a motion by Mr. Campion, seconded by Mr. Merriken, Resolution No. 2018-62 was approved by the following vote:

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

- **R2018-63**, Approving the Payment of Itemized Claims as set Forth on the March 2, 2018 Bill List

On a motion by Mr. Campion, seconded by Mr. Merriken, Resolution No. 2018-63 was approved by the following vote:

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

- **R2018-64**, Authorizing Release of the Designated Performance Guarantee

On a motion by Mrs. King, seconded by Mr. Merriken, Resolution No. 2018-64 was approved by the following vote:

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

PUBLIC COMMENT (Any item)

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

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

Mrs. Maricic 910 Woodcreast Drive inquired about the collection of recycling. She does use the center there are different bins for the items. Yet when Public Works picks it up it goes into one truck. She called the office and was given an explanation that wasn't clear to her.

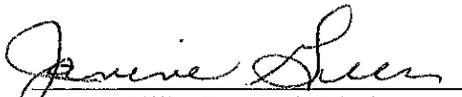
Mr. Tompey explained that at one time it was kept separate and we were paid to handle it that way. That's no longer the case, it's considered single stream. It's now collected together; it's more cost effective for us to collect it that way. Previously the trucks would have to drive the route 3 times to keep the items separated. Mr. Collins pointed out that state law allowed for municipalities to do single stream recycling.

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

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

ADJOURNMENT

There being no further business, on a motion by Mr. Merriken, seconded by Mrs. King, the meeting was adjourned without objection at 8:25 p.m.


Janine Gillis, Borough Clerk

Approved: March 19, 2018