

The **April 15, 2019** executive session 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 6:15 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 Leonard Capristo
Councilman William Graetz
Councilwoman Sara King
Mayor Thomas O'Brien

Absent:

Councilman James Shuler

Also attending:

Dennis Collins, Borough Attorney
John Barrett, Administrator

EXECUTIVE SESSION – Resolution No. 2019-84A - Investigation of Violation/Possible Violation,
Attorney Collins read the resolution into the record.

Resolution authorizing an Executive Session and permitting the Governing Body to exclude the public from a portion of a public meeting

Resolution No. R2019-84A

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the Public at a later date under the following circumstance.

BE IT FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- 1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
- 2. Rendered confidential by State Statute or Court Rule.
- 3. Would constitute an unwarranted invasion of individual privacy.
- 4. Deals with collective bargaining, including negotiation positions.
- 5. Deals with purchase, lease or acquisition of real property with public funds.
- 6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
- 7. Related to tactics and techniques utilized in protecting the safety and property of the public and disclosure may adversely affect the public.
- 8. Related to investigation of violations or possible violations of the law.
- 9. Related to pending/anticipated litigation or contract negotiations in which the public body is or may be a party.
- 10. Falls within the attorney-client privilege and confidentiality is required.
- 11. Deals with personnel matters of public employees and employee has not requested that the matter be made public.
- 12. Quasi-judicial deliberations after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

On a motion by Mr. Campion, seconded by Mr. Graetz, Resolution No. 2019-84A was adopted by the following vote:

Ayes: Mr. Campion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Willms

Nays: None Abstain: None Absent: Mr. Shuler

Mr. Shuler joined the executive session at 6:25 PM.

On a motion by Mr. Graetz, seconded by Mrs. King, the executive session was closed by the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

The **April 15, 2019** regular 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 7:10 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 Champion
Councilman Leonard Capristo
Councilman William Graetz
Councilwoman Sara King
Councilman James Shuler
Councilman Willms
Mayor Thomas O'Brien

Absent:

None

Also attending:

Dennis Collins, Borough Attorney
John Barrett, 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

On a motion by Mr. Champion, seconded by Mr. Graetz, the agenda will be amended to add Resolution No.2019-91 by the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

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

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

APPROVE MINUTES - April 1, 2019

On a motion by Mr. Shuler, seconded by Mrs. King, the Regular Session minutes of April 1, 2019 were approved by the following vote:

Ayes: Mr. Champion, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: Mr. Capristo Absent: None

PRESENTATIONS None

SCHEDULED PUBLIC HEARINGS None

PUBLIC COMMENT (Agenda items only)

On a motion by Mr. Champion, seconded by Mr. Shuler, the Public Comment section was opened by the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms

Nays: None Abstain: None Absent: None

No comment

On a motion by Mrs. King, seconded by Mr. Graetz, the Public Comment was closed by the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms

Nays: None Abstain: None Absent: None

DISCUSSION ITEMS –

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Mr. Graetz – reported that the tennis wall at Ocean Rd. Park will be coming down because it is unsafe, will be rebuilt; recreation program is being readied by Erik.

Mr. Champion – Police Dept. responded to 1,075 calls for service in March, appreciate department's service; First Aid Squad had 85 calls for month, looking for volunteers; flooding on highway: NJDOT stated their culvert is in good shape & open, believe NJT pipe is undersized; thank you to Freeholder Arnone & Assemblyman Kean for their participation.

Mr. Shuler – playground on Ocean Rd. should be completed by Memorial Day Weekend.

Mrs. King – Joe May has applied for a grant to Environmental Green Acres Program for trees & other park improvements for Veteran's Tribute Park & Allaire Rd. Park. (\$75,115.); our attorney is working on code changes, monumental job; Eileen Eilenberger & Neil Hamilton helping.

Mr. Capristo – no report

Mr. Willms – no report

REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Police Department March Report – 1,075 total calls
- Spring Lake First Aid Squad March Report – 48 calls in SLH
- Tri Shore Little League Opening Day Parade – May 11, 2019 at 8:15am
- Notice of Public Hearing on April 24, 2019 for Township of Wall Ordinance No.4-2019 – amending Land Use Regulations regarding detached garages
- Notice of Hearing to Property Owners on April 25, 2019, Spring Lake Heights Board of Adjustment – 1009 Park Ave addition to home

ORDINANCE INTRODUCTIONS - None

RESOLUTIONS

Administrator Barrett spoke of the introduced budget as meeting the operational needs of the borough for the 2019 year in both the current and utility funds. He announced that there would be no request for a rate increase in the utility and that based upon the ratable information available the tax rate will be flat and no increase from the 2018 tax rate. The budget will be advanced to Division of Local Government Services for their review which is normal. Mr. Barrett stated that he will be holding a public session on Wednesday May 15 at 3:00PM so that any residents can review the budget with the administration and answer any questions that they may have.

- **R2019- 85** Approving the 2019 Municipal Budget

On a motion by Mr. Champion, seconded by Mr. Shuler, Resolution No. R2019-85 was approved by

the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

- **R2019-86**, Revised resolution authorizing submission of State of NJ – Dept of Environmental Protection Green Acres Grant
On a motion by Mrs. King, seconded by Mr. Graetz, Resolution No. R2019-86 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None
- **R2019-87**, Approving renewal of Realty Data contract for the year 2019
On a motion by Mr. Champion, seconded by Mr. Graetz, Resolution No. R2019-87 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None
- **R2019-88**, Appointing Police Officer Michael Dolan to permanent employment
On a motion by Mr. Champion, seconded by Mrs. King, Resolution No. R2019-88 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None
- **R2019-89**, Approving use of Community Center for The Commons Condominium Association
On a motion by Mrs. King, seconded by Mr. Graetz, Resolution No. R2019-89 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None
- **R2019-90**, Approving payment of the itemized claims as set forth on the April 12, 2019 Bill List
On a motion by Mr. Shuler, seconded by Mr. Champion, Resolution No. R2019-90 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms except on anything related to his brother Casey Willms.
Nays: None Abstain: Mr. Willms as noted above Absent: None
- **R2019-91**, Appointing Class III member Christopher Willms to the Planning Board
On a motion by Mr. Champion, seconded by Mr. Graetz, Resolution No. R2019-91 was adopted by the following vote:
Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

PUBLIC COMMENT (Any item)

On a motion by Mrs. King, seconded by Mr. Shuler, the Public Comment section was opened by the following vote:

Ayes: Mr. Champion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

Ms. Gia Blasco, 2415 Kipling Ave. wanted to discuss noticeable increase in deer population, the effect on traffic issues, destruction of property, spread of disease. Mayor confirmed the increase, he

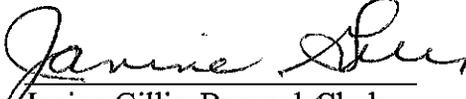
offered that we can inquire what we as a town can do to manage, not sure what we can do, the deer's wooded area is gone. Administrator Barrett will follow up.

On a motion by Mrs. King, seconded by Mr. Shuler, the Public Hearing was closed by the following vote:

Ayes: Mr. Campion, Mr. Capristo, Mr. Graetz, Mrs. King, Mr. Shuler, Mr. Willms
Nays: None Abstain: None Absent: None

ADJOURNMENT

There being no further business, on a motion by Mr. Graetz, seconded by Mr. Campion, the meeting was adjourned without objection at 7:45p.m.


Janine Gillis, Borough Clerk

Approved: May 6, 2019