

The **July 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 7:00 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
Councilman Leonard Capristo
Councilman William Graetz
Councilwoman Sara King
Councilman James Shuler
Councilman Christopher Willms
Mayor Thomas O'Brien

Also attending:

Dennis Collins, Borough Attorney
John Barrett, Borough Administrator
Joseph May, Borough Engineer/Superintendent-DPW

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. Shuler, seconded by Mr. Graetz, the agenda was amended to include Proclamation on National Night Out, R2019-134 (authorizing settlement on an insurance matter), and R2019-135 (approving SLGC request of outdoor music) by the following vote:

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

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

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

APPROVE MINUTES - Executive and Regular - July 1, 2019

On a motion by Mr. Campion, seconded by Mr. Graetz, the minutes were approved by the following vote:

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

PRESENTATIONS

Mayor O'Brien explained tree removal at Allaire Rd. Park necessary due to trees falling during Superstorm Sandy, many since then, safety issue with more trees in danger of falling; not an easy decision, safety concern was clear, needed to act quickly, voted as a group; committee has been formed to plan/make park even more beautiful. We will level land, plant grass; replant a new grove of trees; will post plans on Facebook; will not happen by Oct. 1, take the winter to formulate long-term plan moving forward. Council members agreed.

Mayor O'Brien read Proclamation on National Night Out into record: August 6, 2019. Spring Lake Heights joins National Night Out. Chief Gunnell added details: Allaire Rd. Park, free food, entertainment, something for everyone.

SCHEDULED PUBLIC HEARINGS –

- Monmouth County Community Development Program Application
Sarah King and Joe May reviewed application

On a motion by Mrs. King, seconded by Mr. Graetz, the hearing for Monmouth Ct. Community Development Program Application was opened by the following vote:

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

Kimberly Frazier, of 714 Shore Rd., asked if there were matching funds; Joe May replied yes, 25%. Mr. May corrected himself; there are no matching funds required

On a motion by Mrs. King, seconded by Mr. Graetz, the hearing for Ordinance No. 2019-05 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

- **Ordinance No. 2019-06**

An ordinance of the Borough of Spring Lake Heights amending and/or supplementing Ordinance No: 2019-01 entitled “an ordinance of the Borough of Spring Lake Heights establishing salaries and wages for the year 2019”

On a motion by Mr. Campion, seconded by Mr. Graetz, the hearing for Ordinance No. 2019-06 was opened by the following vote:

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

Robert Blasi, of 28 Apple Dr., is opposed, acknowledges need for Qualified Purchasing Agent; feels we are spending \$7,500 too much on financial services of Mr. Barrett, asking ordinance to be withdrawn and revisited when next council meets in Fall to renew PM contract.

Betsy Cross, Wall Township resident, SLH homeowner, asked what job title of Qualified Purchasing Agent; Mr. Collins explained it is a status/certification to spend money over a certain level. Mayor O’Brien explained we pay Mr. Barrett a contract hourly rate, ordinance would make that duty in-house.

On a motion by Mr. Capristo, seconded by Mr. Graetz, the hearing for Ordinance No. 2019-06 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

Mrs. King asked how many hours the QPA would be working; Janine Gillis responded depends on week, as-needed basis. Mrs. King asked for clarification, concerned about conflict of interest of current employee making purchasing decisions for his own department. Mr. Collins explained QPA doesn’t authorize purchases, he signs off that proposals were properly done when increasing threshold for purchases. Mr. Barrett clarified

there is no conflict of interest; currently, we have no QPA, hope to establish the position through this ordinance; this is a police officer and the hours would be in addition to his police department hours; it is not determined to be this particular person yet, that would require a resolution.

Mr. Champion asked what cost of using PM Consultants has been for QPA services.

On a motion by Mr. Champion, seconded by Mrs. King, the hearing for Ordinance No. 2019-06 was carried to next meeting on August 12, 2019 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 (Agenda items only)

On a motion by Mr. Willms, seconded by Mr. Graetz, the Public Comment Section was opened by the following vote:

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

Anna Kuntz, of 2005 Parkview Terrace, suggested a way to offset cost of planting trees, would be selling placards; Mayor O'Brien liked the idea adding we took down 183 trees, our goal is to replant. Mrs. Kuntz commented on dogs off leashes, this must be enforced, there is an ordinance. She added that Brielle has an arborist. Mayor asked if we have an arborist in town, hopefully they could volunteer, let's use our own resources.

Steve Luzzi, of 1230 Crosby Rd., asked the name of tree experts. Mr. May replied Falkenberg and Aspen, both certified tree experts. Mayor O'Brien added that it was topic of conversation on council and evident to council that trees were posing a danger even before we consulted experts. The park was closed for several days after the storm. Mr. Luzzi asked cost of taking trees down; it went out to bid, there was a resolution approving lowest bid. Mayor explained the way trees were growing, they were holding each other up, and their shallow root system contributed to the problem; the only resolution was to clear cut. Mr. Luzzi asked if there are any studies done on water table? Mayor replied no, needed to act quickly to alleviate safety concern.

John Tangeman, of 564 Atlantic, asked if we got any money from lumber coming from trees. Joe May explained it had zero value, not enough healthy pine.

Mr. Champion asked when county open space grant is due to be submitted. Joe May responded September 30; public hearing at August meeting.

Margaret Melchione, of 2 Jeanette Ct., was happy so many people at the meeting, she thanked the Mayor for forming a committee so quickly; Mayor added goal of committee is to form a framework, no plan to act before getting public opinion. Mrs. Melchione asked where cornhole would be; Mr. Graetz said probably in front, this is still in the works. She asked if lighting would be needed, he replied its possible.

Robert Blasi, of 28 Apple Dr., asked if the committee would be making decisions or is approval by council; he thought the committee should be residents; Mayor clarified yes, all decisions would be approved by council.

Betsy Cross, Wall resident, SLH homeowner, asked who bidders were & amounts; Mayor & Joe May explained public bid process, 1st bid \$142,000, 2nd bid \$181,000. Ms. Cross

asked why didn't we sell firewood, questioned why we didn't close park, get more bids. Mayor replied scope of problem became more immediate. Mr. Champion added closing park would have cancelled little league, recreation program, compounded the problem. A piecemeal/partial approach didn't resolve problem in past. Mayor clarified that there was a time element, hard decision without luxury of time. Ms. Cross stated she would be looking for more transparency moving forward. Mayor replied money came from Open Space Program fund. Ms. Cross asked what was added to agenda. Mayor responded R2019-34 (authorizing insurance settlement) & R2019-35 (outdoor music at SLGC); minutes are public record, always posted on website.

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

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

DISCUSSION ITEMS – None

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Mr. Capristo – no report

Mr. Willms – no report

Mrs. King – reported earlier with Joe May

Mr. Shuler – no report

Mr. Champion – reported there were 133 first aid calls & 1,010 police calls in June.

Mr. Graetz – reminded all to sign up for Community Pass for any recreation programs; also upcoming bus trips: Yankee Game, July 30 & Mets Game, August 29

Mayor invited all to come out for National Night Out on August 6, 2019.

REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Police Monthly Report – June 2019
- Spring Lake First Aid Squad Monthly Report – June 2019
- Wall Township Public Hearing on July 24, 2019 for Ordinance No. 7- 2019, Amends & Supplements Chapter 140 General Industrial Zones
- Wall Township Public Hearing on July 24, 2019 for Ordinance No. 9- 2019, Amends & Supplements Chapter 140 Land Use & Development Regulations pertaining to swimming pools

ORDINANCE INTRODUCTIONS - None

RESOLUTIONS

- **R2019-129**, Appointment of a part time code enforcement officer/ zoning officer

On a motion by Mr. Champion, seconded by Mr. Willms, Resolution No. 2019-129 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

- **R2019-130**, Approving change order no. 2 with Shorelands Construction, Inc.

On a motion by Mr. Graetz, seconded by Mr. Shuler, Resolution No. 2019-130 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

▪ **R2019-131**, Authorizing the cancellation of property taxes

On a motion by Mr. Campion, seconded by Mr. Graetz, Resolution No. 2019-131 was approved by the following vote:

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

R2019-132, Approving a request for the use of Ocean Road Bicentennial Park Basketball Courts

On a motion by Mr. Graetz, seconded by Mrs. King, Resolution No. 2019-132 was approved by the following vote:

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

R2019-133, Approving payment of the itemized claims as set forth on the July 12, 2019 bills list

On a motion by Mr. Campion, seconded by Mr. Graetz, Resolution No. 2019-133 was approved by the following vote:

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

R2019-134, authorizing execution of settlement with Mr. Robert Kelsey

On a motion by Mr. Campion, seconded by Mr. Shuler, Resolution No. 2019-134 was approved by the following vote:

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

R2019-135, approving outdoor music at Spring Lake Golf Club

On a motion by Mr. Campion, seconded by Mr. Graetz, Resolution No. 2019-135 was approved by the following vote:

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

PUBLIC COMMENT (Any item)

On a motion by Mr. Campion, seconded by Mr. Graetz, the Public Comment Section was opened by the following vote:

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

John Tangeman, 564 Atlantic Ave., asked about vacancy filled. Janine Gillis replied code/zoning enforcement position.

Michele McKenna, of 569 Atlantic, asked what the change-order for Shorelands Construction was for; Joe May explained access to pump station. She expressed concern for ongoing effects of pump station construction on neighborhood, the foul odor and noise; asking town to address odor asking if it's toxic and if landscaping was going to be added. Mr. Capristo stated that he had recently visited site, explained the need to modernize, and that it must be OSHA compliant and that yes there will be landscaping. He added that the noise is the exhaust fan, we will look into moving it, not sure of feasibility. Mr. Capristo looking at options. She presented a petition by 6 residents concerning the pump station along with 2 pages with 13 photos.

Victor Tuoly, of 562 Atlantic Ave., confirmed Ms. McKenna's issue, with a southwest wind there is an odor. Mr. Capristo explained odor issue has been addressed with gaskets and mats over doors, seems to be working.

Sharon Bateau, of 1719 Beverly Ave., inquired about shredding event on Saturday, Janine Gillis responded; also asked if residents could be noticed when street cleaning is happening to get cars off street; Joe responded he'd like to put it on calendar; also asked if we could get back bulk pick-up by swapping it with a recyclable pick-up.

Betsy Cross inquired about Qualified Purchasing agent; Mayor replied we have a contract for financial and administrative services on hourly basis. Also asked if borough paid for course through which person became qualified; not known; Mr. Barrett will find out.

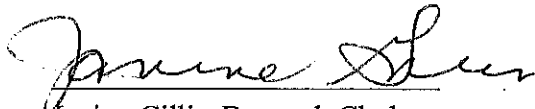
On a motion by Mr. Shuler, seconded by Mr. Graetz, the Public Comment Section was closed by the following vote:

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

Nays: None Abstain: None Absent: None

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Graetz, the meeting was adjourned without objection at 8:44p.m.


Janine Gillis, Borough Clerk

Approved: August 12, 2019