

The **September 28, 2015** meeting of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey, was called to order by Acting Mayor Sara King at 8:00 p.m. in the Frank E. Adams Municipal Building with a moment of silence and the Pledge of Allegiance.

ROLL CALL:

Present:

Councilman Christopher Campion
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Councilman Thomas Vorbach

Absent:

Councilman Thomas Tienken
Mayor Gavino Maccanico

Also Attending:

Janine Gillis, Borough Clerk
Joseph J. Delaney, Jr., Administrator
Gary McLean, Esq., Borough Attorney

OPEN PUBLIC MEETINGS ACT STATEMENT OF COMPLIANCE

The Clerk 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.

APPROVE AGENDA

Mrs. King asked for a motion to approve the agenda with the addition of Resolution 2015-155, hiring of a mechanic for DPW.

On a motion by Mr. O'Brien, seconded by Mr. Campion, the agenda was approved as amended, by the following vote:

Ayes: Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach
Nays: None Abstain: None Absent: Mr. Campion

APPROVE MINUTES

- May 28, 2013 Executive & Regular

On a motion by Mr. Shuler, seconded by Mr. Vorbach, the minutes of May 28, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- June 10, 2013 Executive & Regular

On a motion by Mr. Vorbach, seconded by Mr. Shuler, the minutes of June 10, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- June 24, 2013 Executive & Regular

On a motion by Mr. Vorbach, seconded by Mr. Shuler, the minutes of June 24, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- December 2, 2013 Special

On a motion by Mr. Shuler, seconded by Mr. Vorbach, the minutes of December 2, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- December 16, 2013 Executive

On a motion by Mr. Shuler, seconded by Mr. Vorbach, the minutes of Executive Session on December 16, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
 Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- December 16, 2013 Regular

On a motion by Mr. Shuler, seconded by Mr. Vorbach, the minutes of Regular Session on December 16, 2013 were approved, by the following vote:

Ayes: Mrs. King, Mr. Shuler, Mr. Vorbach
 Nays: None Abstain: Mr. Campion, Mr. O'Brien Absent: Mr. Tienken

- September 14, 2015 Regular

On a motion by Mr. Campion, seconded by Mr. Shuler, the minutes of September 14, 2015 were approved, by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Shuler, Mr. Vorbach
 Nays: None Abstain: Mr. O'Brien Absent: Mr. Tienken

PRESENTATIONS - None

SCHEDULED PUBLIC HEARINGS

- **Ordinance No. 2015-08**, An ordinance amending Chapter 22 (municipal land use regulations) to provide for residential building heights in flood zones, includes a copy of report issued by Planning Board.

Mr. O'Brien commented that he doesn't feel that the council should be regulating how a house looks, he feels limiting the ability to increase your elevation is not a good idea.

Mr. Campion added that it is our job to watch the planning that it why there is a Planning Board. Mr. Campion also stated that the neighbors came forward and we're not happy with the existing property.

Attorney McLean wanted to point out that the recommendations for amendments by the Planning Board do not require new publication, both he Planning Board Attorney, Dennis Collins felt that the addition language further clarified the language, therefore council can move forward tonight with public hearing.

The meeting was open to the public. None presented.

On a motion by Mr. Shuler, seconded by Mr. Campion, the public session was closed without objection.

On a motion by Mr. Campion, seconded by Mr. Shuler, Ordinance No. 2015-08 was adopted, by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. Shuler
 Nays: Mr. O'Brien, Mr. Vorbach Abstain: None Absent: Mr. Tienken

- **Ordinance No. 2015-09**, An ordinance authorizing a special emergency appropriation in the amount of \$6,000 for the codification of ordinances of the Borough of Spring Lake Heights, NJ

Mr. Vorbach asked if this was going to bid, Mr. Delaney replied that the additional appropriation was an extension of a contract awarded previously. Mr. Delaney reminded all that at a previous discussion it was determined that it didn't make sense to change.

The meeting was open to the public.

Kat Crippen 564 Atlantic Ave wanted to state that the work was paused, not by Coded Systems, it was the council that they dropped the ball, Coded Systems wanted to move forward. Mr. Vorbach thought it would be best to go out to bid, Ms. Crippen added that there aren't too many companies that do this work.

Mr. O'Brien asked if the \$6,000, will we complete the project, Mr. Delaney replied yes, up to July 2015.

Mr. Champion asked if this amount was consistent with the pricing of the original bid, Mr. Delaney replied yes. This new proposal actually came in higher; Coded Systems did discount to approximately half.

On a motion by Mr. O'Brien, seconded by Mr. Shuler, the public session was closed without objection.

On a motion by Mr. Champion, seconded by Mr. Shuler, Ordinance No. 2015-09 was adopted, by the following vote:

Ayes: Mr. Champion, Mrs. King, Mr. O'Brien, Mr. Shuler

Nays: Mr. Vorbach Abstain: None Absent: Mr. Tienken

PUBLIC COMMENT (Agenda items only) None Presented

On a motion by Mr. Shuler and seconded by Mr. Champion the public comment was closed without objection.

DISCUSSION ITEM

MAYOR & COUNCIL REPORTS/ANNOUNCEMENT

- Councilman Champion- announced that the area was in a drought watch so please curtail water usage.
- Councilwoman King – no report
- Councilman Vorbach – no report
- Councilman Shuler – commented on the letter to the editor in the Coast Star last week regarding the great job our Public Works Dept., he wanted to second that.
- Councilman O'Brien – no report

Mrs. King asked Mr. Carragher to step forward for his announcement about Veterans Day and the annual luncheon. Mr. Carragher announced that it was set for Wednesday, November 11th at Noon at Doolan's.

REPORTS, NOTICES & CORRESPONDENCE

- South Monmouth Regional Sewerage Authority –Public Hearing on October 8, 2015
Amend Sewer Use Charge
- NJ Water Supply Authority – Meeting on November 5, 2015 – Proposed Rate Increases
- Police Department Monthly Report – August 2015

ORDINANCE INTRODUCTIONS

- **Ordinance 2015-10**, An ordinance amending & supplementing section 7-12 entitled "Handicapped Parking" of Chapter VII (Traffic)

On a motion by Mr. Vorbach, seconded by Mr. Campion, Ordinance No. 2015-10 was introduced for adoption, by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken

The clerk announced that the public hearing on this ordinance would be set for the next meeting, October 13, 2015.

RESOLUTIONS

- **R2015-151**, Approving use of the Community Center-Girl Scout Troop Nos. 748 & 502 & Charity Event on November 7, 2015

On a motion by Mr. Vorbach, seconded by Mr. Campion, Resolution R2015-151 was approved by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken

- **R2015-152**, Approving change order #1 for Allaire Rd & Ocean Rd. parks improvements, decreasing the contract with Thor Construction

On a motion by Mr. Vorbach, seconded by Mr. Shuler, Resolution R2015-152 was approved by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken

- **R2015-153**, Authorizing the sale of surplus items through USGOVBID.com

On a motion by Mr. Vorbach, seconded by Mr. Campion, Resolution R2015-153 was approved by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken

- **R2015-154**, Approving payment of claims on the Bill List dated September 23, 2015

On a motion by Mr. Vorbach, seconded by Mr. Campion, Resolution R2015-154 was approved by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken

- **R2015-155**, Authorizing the sale of surplus items through USGOVBID.com

On a motion by Mr. Shuler, seconded by Mr. Campion, Resolution R2015-155 was approved by the following vote:

Ayes: Mr. Campion, Mr. O'Brien, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None Absent: Mr. Tienken


PUBLIC COMMENT(Any item)

Sharon Batteau 1714 Beverly Ave expressed her concern over the upcoming referendum vote at Manasquan for improvements to the high school and the athletic fields there. She voiced that it was very unfair that the sending districts did not have the ability to vote on this matter. She inquired if it passes was there recourse. Mrs. King answered that attending the Board of Education meetings and voice her concerns. Mr. O'Brien stated that Spring Lake Heights has representation on that Board, but that is a small voice. Mr. Campion added that the council worked very hard to not raise taxes but unfortunately there is no control with the outside entities.

Mrs. Batteau also inquired as to the properties on Highway 71 behind her home if plans were submitted and if property owners within 200 ft. would be notified. Mr. Delaney replied that the new owners may or may not need to fulfill that requirement, it all depended on the requirements of that zone and if the new construction was conforming or not. She also asked if there would be additional discussions on changing the setbacks, Mr. Delaney replied not at this time.

ADJOURNMENT

There being no further business, on a motion by Mr. Vorbach, seconded by Mr. O'Brien, the meeting was adjourned without objection at 8:29 p.m.


Janine Gillis, Borough Clerk

Approved: October 13, 2015