

The **April 27, 2015** meeting of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey, was called to order by Mayor Gavino Maccanico at 7:35 p.m. in the Frank E. Adams Municipal Building.

ROLL CALL

Present:

Mayor Gavino Maccanico
Councilman Christopher Campion, Jr.
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler

Absent:

Councilman Christopher Tienken
Councilman Thomas Vorbach

Also Attending:

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

7:00 pm EXECUTIVE SESSION - Resolution No. R2015-72

- Attorney Client Privilege - Personnel – DPW Summer Employment

On a motion by Mr. Shuler, seconded by Mrs. King, Resolution R2015-72, authorizing an Executive Session was adopted without objection. The public meeting was recessed at 7:00 p.m. and the Executive Session convened in the Conference Room.

8:00 p.m. - PUBLIC SESSION

1. CALL TO ORDER ▪ SILENT REFLECTION ▪ PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Gavino Maccanico
Councilman Christopher Campion, Jr.
Councilwoman Sara King
Councilman Thomas O'Brien
Councilman James Shuler
Councilman Thomas Vorbach
Councilman Christopher Tienken

Absent: None

Also Attending:

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

2. **STATEMENT OF COMPLIANCE** - 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.
3. **APPROVE AGENDA** - Mayor Maccanico requested that Resolution 2015-82, appointing temporary/seasonal employees for Public Works be added to the agenda.

On a motion by Mr. Campion, seconded by Mrs. King, the agenda was approved with the addition of Resolution 2015-82, by the following vote:

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

4. APPROVE MINUTES – April 13, 2015 & April 20, 2015

On a motion by Mrs. King, seconded by Mr. O'Brien, the minutes of April 13, 2015 were approved by the following vote:

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

On a motion by Mrs. King, seconded by Mr. O'Brien, the minutes of April 20, 2015 were approved by the following vote:

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

5. PRESENTATIONS.

▪ Crosby Road, Norman Terrace & Jeanette Court, Road and Drainage Improvements

Mr. May explained that the borough had received funding for this project. He went on to explain that drainage issues would be addressed and that the road including gutters would be milled and paved. It also includes joint repairs of 7 locations along the sanitary sewer system. Manhole replacement would be done as required. Sidewalks are planned to be installed subject to a council decision. Mr. May went on to say that Norman Terrace would also have a no parking area around the cul-de-sac. Councilman Tienken asked about the sidewalk plan that was previously put together, he asked Mr. May about presenting that again. Mr. Delaney suggested a discussion at the next council meeting or at a special meeting. Mr. Delaney pointed out that if council desired to change the parking on Norman Terrace an ordinance to that effect would have to be adopted. Mr. Delaney reviewed that the balance of funding would come from a 2011 Bond that included \$300,000 for road and drainage improvements.

▪ Tree Preservation at Allaire Road Park

The discussion would be held off until the Environmental Meeting scheduled for May 4th; at which time Mr. May & Mr. Delaney would attend that meeting for suggestions by the Commission.

6. SCHEDULED PUBLIC HEARINGS.

▪ Community Development Block Grant – Soliciting Project Ideas

Mr. Delaney reviewed the submission process and how applications are reviewed. He announced that the Borough would receive some funding from last year's application, although an amount has not been given. That application was for the Community Center renovations which included kitchen upgrades and the removal of the back patio to expand the building to include rooms so that multiply meetings could occur. A generator was also a part of the upgrade. Councilman Vorbach reminded everyone that during Superstorm Sandy, a portable generator was brought in and the facility was used as a charging station for our residents. Mr. Delaney's suggestion was that the 2015 submission should replicate last year so that all of the renovations could be completed but tonight's hearing is to solicit ideas from the public.

The public was invited to make their suggestions.

Evelyn Condello 809 Park Ave. stated that she thought that there was asbestos in the basement and could that be cleaned up as part of the project. She also suggested an entrance and exit signs in the parking lot and installing a hand rail at the back entrance. She also commented on how much cleaner the community center is not that an employee cleans the premises. She suggested that someone visit the Sea Girt Center, she felt that the storage of their tables and chairs is efficient.

Rita Murphy Emergency Management Coordinator, asked about the type of generator for the center, Mr. May replied that is a Natural Gas Generator with a automatic transfer switch.

The public hearing was closed by Mrs. King, seconded by Mr. Shuler; roll call taken all ayes.

Mayor Maccanico asked Mr. Delaney to prepare the application and the public hearing will be scheduled for May 11, 2015.

7. PUBLIC COMMENT. (Agenda items only)

Evelyn Condello 809 Park Ave. expressed concern for a large pothole on Old Mill Road before Warren Ave. Mr. May explained that the borough does not own the necessary equipment to pave with hot patch, he borrows from Sea Girt or Wall Township. You can fill with cold patch but that is more costly. He is looking to develop a shared service with Spring Lake for the future.

Mrs. Condello stated that one of the senior activity directors had to cancel a class last minute; is it possible to have back up instructors.

Mrs. Condello asked Attorney McLean if a motion was needed to remove the Tree Preservation from the agenda; he replied no. She also asked if last year's CDBG grant application is available to the public, Mr. Delaney replied yes.

Kat Crippen 564 Atlantic Ave. stated that the discussions involving the budget detailed a rate increase of zero to 2 cents; she announced that the school budget is going up 2 cents. She also asked why there is an ordinance on to exceed the cap; she felt that the borough needed to tighten its belt.

On a motion by Mrs. King, seconded by Mr. Shuler, the public comment period was closed.

8. DISCUSSION ITEMS. None

9. MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS.

- Councilman Vorbach, Announced that he felt Joe and the DPW guys are doing a great job.
- Councilman Tienken, announced that summer camp registration will be starting.
- Councilman Shuler, No report
- Councilman Campion, asked Mr. May about the night time hydrant flushing, Mr. May stated that he had spoken to the Utility Authority and they're recommendation was to do it at night; it has a lesser impact on the residents and commercial business and the pressure is better. The hydrants are flushed remove sediment from the pipes in order to maintain water clarity and quality in the distribution pipes. Mr. May added that the process has gone quicker and it seemed that the office received less phone calls regarding dirty water. Mr. Campion asked Mr. May about a noise complaint that had been received; Mr. May pointed out that on some of the valves a generator is need to open it up but that this was on a limited basis, they had tried to open the values prior to the flushing week but hadn't gotten to all of them. Mr. Campion asked if the men doing the work at night were paid on an overtime basis, Mr. May replied no, their schedule had been altered to evenings for the 2 weeks of flushing. Mr. Vorbach added that the process is a very quick one.
- Councilman O'Brien, wanted to acknowledge receipt of the audit and that council members had reviewed the audit. He stated that on the agenda is the resolution acknowledging receipt and review of at least the comments by the auditor, and that council would need to sign the affidavit that the audit had been reviewed by council.
- Councilwoman King stated that she had no Police issues but wanted to address a previous complaint residents had about the fire sirens. She reported that there are 3 sirens in town all of which were old and not working although the siren at Greve Ave. was repairable. Councilwoman King stated that Fire Chief Joesph Tompey was looking into replacing the siren. The new siren would be less piercing and that only one would be needed and that it would be at the fire house.
- Mayor Maccanico reminded everyone of the townwide yard sale on May 16, 2015
- Mr. May wanted to remind everyone of the closing of Ocean Road starting on Wednesday, April 29th, due to repairs by NJ Transit, this project is funded by NJ Dept. of Transportation. The borough would be able to repair and improve the drainage issue that presently exists at the intersection of Railroad Ave and Ocean Road. Mr. Shuler pointed out that there were signs on the Spring Lake side of Ocean Road but nothing on the Spring Lake Heights side, Mr. May stated that the signs would be going up.

10. REPORTS, NOTICES & CORRESPONDENCE.

- March 2015 – Municipal Court Report
- NJ Transit Public Hearing Notice – proposed changes to fares
- Copy of Resolution #15-87, adopted by Millstone Township
- State of NJ – Department of Transportation – 2015 Municipal Aid Award

11. ORDINANCE INTRODUCTIONS.

- **Ordinance 2015-01**, An ordinance amending Chapter 2 – establishing the position of Deputy Tax/Utility Collector

On a motion by Mrs. King, seconded by Mr. Shuler, Ordinance 2015-01 was introduced with a public

hearing scheduled for May 11, 2015 by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Absent: None Abstain: None

▪ **Ordinance 2015-02**, An ordinance establishing recreation program fees

Mayor Maccanico asked Mr. Tienken if the new fees met with his approval; Mr. Tienken replied yes.

On a motion by Mr. Shuler, seconded by Mr. O'Brien, Ordinance 2015-02 was introduced with a public hearing scheduled for May 11, 2015 by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Absent: None Abstain: None

▪ **Ordinance 2015-03**, An ordinance to exceed municipal appropriation limits & to establish a cap bank

Mayor Maccanico asked that due to John Barrett (PM Consultants was not able to attend this evening, that this should be tabled.

On a motion by Mr. Vorbach, seconded by Mrs. King, Ordinance 2015-03 was tabled and carried to the next council meeting on May 11, 2015, by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Absent: None Abstain: None

12. RESOLUTIONS.

▪ **R2015-73**, Authorizing the refund of overpaid or cancelled taxes

On a motion by Mr. Vorbach, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

▪ **R2015-74**, Approving use of the Community Center

On a motion by Mrs. King, seconded by Mr. Vorbach, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

▪ **R2015-75**, Approving membership to the Fire Department

On a motion by Mrs. King, seconded by Mr. Vorbach, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

▪ **R2015-76**, Certifying that Governing Body has reviewed the Annual Report of Audit for 2014

On a motion by Mr. O'Brien, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

▪ **R2015-77**, Approving the Corrective Action Plan for 2014

On a motion by Mr. O'Brien, seconded by Mr. Campion, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

▪ **R2015-78**, Authorizing Submission of 2014 Recycling Tonnage Grant Application

On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mr. Campion, Mrs. King, Mr. O'Brien, Mr. Shuler, Mr. Tienken, Mr. Vorbach

Nays: None Abstain: None Absent: None

- **R2015-79**, Accepting Donation of Automated External Defibrillators from the Spring Lake First Aid Squad

Mr. O'Brien asked about training of employees, Mr. Campion replied yes, there would be, he had spoken to Howard Rockhill, from the First Aid Squad and that training would be coordinated with him, he felt that this was a great opportunity for the Borough

On a motion by Mr. Campion, seconded by Mr. Tienken, the resolution was adopted by the following vote:

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

- **R2015-80**, Approving payment of claims on the April 23, 2015 Bill List.

On a motion by Mr. O'Brien, seconded by Mr. Tienken, the resolution was adopted by the following vote:

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

- **R2015-81**, Budget Introduction

Mayor Maccanico asked that this resolution be tabled due to John Barrett not in attendance.

On a motion by Mrs. King, seconded by Mr. Vorbach, the resolution will be tabled and carried by the following vote:

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

- **R2015-82**, Appointing Seasonal/Temporary employees for Public Works

On a motion by Mr. Shuler, seconded by Mrs. King, the resolution was adopted by the following vote:

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

13. PUBLIC COMMENT. (Any item)

Nate Novak 907 Keith Ave. stated that there is a defibrillator at the Little League Shack.

George Corbeels 6 Nadine Drive stated that utility companies doing work open up the street and leave large craters in the road. Mayor Maccanico deferred to Joe May. Mr. May stated that NJ Natural Gas does have a bond posted for non-compliance of road repair. He would make contact with them to address the situation. Mr. Corbeels also commented that when bringing trimmings down to the recycling center there isn't a place for you to get rid of the plastic bags that you've used, also there isn't a place for fluorescent tubes. On Saturdays there used to be a truck for you to bring garbage down, which is no longer available, he stated that it seems people are just leaving the bags. He stated there was no notification of the change.

Mr. May explained that our recycling center is not considered a transfer station; therefore we're not allowed to collect garbage it's just a recycling center, that is a DEP regulation. He went on to say that when garbage collection is done, the truck gets full and goes right over to the waste facility. As far as the bulbs, he would speak to the men, the bulbs are collected. Mr. May stated that quite often out of town people have dumped at our facility. Mr. Corbeels suggested stickers for our residents. Mr. Corbeels also suggested that the town go for a grant to change the street lights to LED lights, he suggested someone to speak to the town of Marlboro, where they have installed LED. Councilman Campion pointed out that the town doesn't own the lights and JCPL hasn't been receptive to the change. Mayor Maccanico asked Mr. Delaney if he could check with Marlboro.

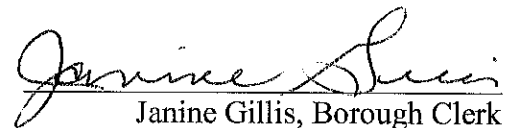
Evelyn Condello 809 Park Avenue stated that she had someone knock on her door stating that they were from the Dept. of Justice; she was concerned about the safety of the residents. She also asked about the new assessment program and if there was a way for them to make appointments first. Mr. Delaney stated that the letters are sent first with the day and an approximate time, and if that is not convenient to call and make other arrangements. Mr. Delaney stated that if anyone was uncomfortable with someone at the door they should call the Police. She also asked about commercial trucks parked on the street overnight, Mr. May addressed her concern; he stated there is a limit of 10,000 lbs. which is a pretty large vehicle. Mrs. Condello wanted to verify about shredded paper in plastic bags and just to dump it in the bin, Mr. May replied stated that still is accepted. She also was pleased to hear the community center would have a defibrillator. Mrs. Condello wanted to know if the Borough had given the school \$150,000 for the sprinkler system, Mr. Tienken replied that the borough partnered with the school for the improvements. The Borough maintains the fields which is difficult if they are not watered, they just become hard so the school would install the sprinklers and maintain them. Councilman O'Brien pointed out that the money came from open space. She also asked about the ownership of the property, Mr. Delaney verified that the property belongs to the school.

On a motion by Mr. O'Brien seconded by Mr. Champion, the public comment period was closed without objection.

Mr. Champion wanted to express his concerns about the Capital Budget; his concern was that when money is allocated for a certain project how do we make sure that it stays for that purpose. Mr. O'Brien agreed that that is a valid point but that ultimately expenses come up. Mayor Maccanico asked Attorney McLean how we guarantee that; Mr. McLean stated that that is a question for the CFO. Typically when an ordinance is passed you're at the mercy of the following councils.

14. ADJOURNMENT.

There being no further business, on a motion by Mr. Shuler, seconded by Mr. Champion, the meeting was adjourned without objection at 9:27 p.m.


Janine Gillis, Borough Clerk

Approved: May 11, 2015