

The **September 16, 2019** regular session 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, 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. Campion, seconded by Mr. Shuler, the agenda was amended to include R2019-163 and R2019-164 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. Campion, 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 -**      September 3, 2019

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

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

**PRESENTATIONS**    None

**SCHEDULED PUBLIC HEARINGS**    None

**PUBLIC COMMENT** (Agenda items only)

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

No comment

On a motion by Mr. Campion, seconded by Mr. Shuler, the public comment section 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

**DISCUSSION ITEMS** – None

## MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Mr. Capristo – no report

Mr. Willms – no report

Mrs. King – no report

Mayor reported on 2 action items/suggestions of Environmental Committee meetings – work on expanding buffer around park and planting trees in playground area which has no shade. Mayor also wants to expand the committee from 4 to 10 people.

On a motion by Mr. Campion, seconded by Mr. Graetz, above-mentioned expansion of buffer and planting of trees 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

Mr. Shuler – no report

Mr. Campion – PBA fundraiser/Wine Tasting on October 25, tickets are available on Facebook. The Sea Girt Police have alerted residents to suspicious activity; he warned everyone to lock cars, don't leave valuables etc.; August reports: police responded to 907 calls for service, first aid to 129 calls.

Mr. Graetz – The Recreation Cornhole league is up & running, 20 teams; he reported that the Mets Game trip had a hiccup, the bus was 2 hours late, and there were some complaints.

## REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Police Monthly Report – August 2019
- Spring Lake First Aid Monthly Report – August 2019
- County of Monmouth Public Hearing September 4 & 10, 2019 RE; Surplus Property
- Spring Lake Heights Planning Board Public Hearing September 18, 2019 Re: 901 Warren Ave
- Township of Wall Public Hearing September 25, 2019 Re: Ordinance No. 14-2019 Amend/Supplement Chapter 140 Schedule of Permitted Uses & Conditional Uses
- JCP&L Public Hearing September 18, 2019 Re: Annual Proposed recovery through the basic generation recovery charges of costs resulting from Statewide Auction
- NJ Natural Gas Public Hearings Sept. 26 and Oct. 3, 2019 Re: Request for deferred accounting authority for costs related to new information technology & Approval for increase in rates

## ORDINANCE INTRODUCTIONS None

## RESOLUTIONS

- **R2019-155**, Requesting Director of NJ Division of Local Government Services to approve amendments to the Borough's 2019 Municipal Budget

On a motion by Mr. Shuler, seconded by Mr. Willms, Resolution No. 2019-155 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

- **R2019-156**, Authorizing the refund of overpaid or cancelled property taxes-Blk 38 Lot 11

On a motion by Mr. Campion, seconded by Mr. Graetz, Resolution No. 2019-156 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

- **R2019-157**, Authorizing the refund of duplicate payment of property taxes-Blk 55 Lot 24

On a motion by Mr. Graetz, seconded by Mr. Willms, Resolution No. 2019-157 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

Attorney Collins stated for the record that he is not related to person receiving refund.

- **R2019-158**, Approving use of the Cornelius V. Kelly Community Center

On a motion by Mrs. King, seconded by Mr. Graetz, Resolution No. 2019-158 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

- **R2019-159**, Approving use of the Cornelius V. Kelly Community Center

On a motion by Mrs. King, seconded by Mr. Willms, Resolution No. 2019-159 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

- **R2019-160**, Approving a request for outdoor music permit- 113 Meadowbrook Road

On a motion by Mr. Campion, seconded by Mr. Willms, Resolution No. 2019-160 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

- **R2019-161**, Approving the issuance of a Social Affair Special Permit to the Spring Lake Heights Uniformed Police Association

On a motion by Mr. Campion, seconded by Mrs. King, Resolution No. 2019-161 was approved by the following vote:

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

- **R2019-162**, Approving payment of the itemized claims as set forth on the September 12, 2019 Bill List

On a motion by Mr. Campion, seconded by Mr. Willms, Resolution No. 2019-155 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

\*Mr. Willms abstains from any bill related to his brother, Casey Willms.

- **R2019-163**, Authorizing agreement for professional services by Russell Feinstein, Esq.

On a motion by Mr. Graetz, seconded by Mr. Willms, Resolution No. 2019-163 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

Attorney Collins explained need for special counsel for "Quiet Title Action" on Ocean Road Park; limited field of law; borough needs deed to park to proceed with grant.

Mrs. King was concerned that this was last-minute. Mr. Collins explained process of looking for special counsel; only one who responded to RFP.

- **R2019-164**, Authorizing submittal of application to obtain Open Space funds

On a motion by Mr. Graetz, seconded by Mr. Willms, Resolution No. 2019-164 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

#### **PUBLIC COMMENT (Any item)**

On a motion by Mrs. King, seconded by Mr. Willms, 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

Margaret Melchione, of 2 Jeanette Ct., thanked Mayor for the meeting & the Environmental Commission for hosting public forums. She read a letter which is attached to petition with 300 signatures to restore trees to Allaire Rd. Park. (attached as part of minutes)

Maureen Miller, of 567 Monmouth Ave. asked if there is a resolution to exercise classes/recreation; Mayor & Mrs. Gillis explained we are gathering information in order to figure out best way to proceed with program.

Betty Cerkanowicz, of 411 8<sup>th</sup> Ave., stated we had a robust activity program at Community Center 15 years ago (bridge, library, exercise etc.) run by volunteers; she's asking to reconsider keeping activities for residents, in particular for those who do not live in Fairway Mews. Mayor responded providing these services is a great idea, need to make sure we handle it correctly.

Anna Kuntz, of 2205 Parkview Terrace, stated years ago we had a fantastic program of activities for seniors; she hoped to see more for seniors. Mr. Graetz stated that borough and the new recreation director are interested in building up program for all age groups, not just seniors, Erik is only on the job a few months, a work-in-progress; he appreciated the feedback. Ms. Kuntz also asked what generated need for Quiet Title Action; Attorney Collins explained we need deed to park to close out grant.

Karen Burke, of 606 Shore Rd., representing Shore Rd. community, read letter to council about maintenance around Wreck Pond: over-grown vegetation blocks view of water, dead trees, mosquitos/ticks, allergy issues, algae bloom, limited outdoor activities; asking grant application to include clean-up of entire length of Wreck Pond shoreline, east & west of Hwy 71; visual & physical access. Mayor responded we are applying for grant to address issues in this area. The letter is attached as part of minutes.

Richard Caunitz, of 5 6<sup>th</sup> Ave., thanked council for bringing the grant application forward; adding the pond is a great natural resource, he commended council for doing the work they do.

Kathy Kelsey, of 64 Jersey Ave., asked for a trash can on Shore Rd.; inquired if we had a beautification committee to decorate sign on way into town.

Margaret Melchione supports above speakers asking for more activities for seniors, library.

Anna Kuntz asked what's happening with Hwy 71 work by the shopping center; Mr. Champion explained making headway, area being cleaned up, next step is Transit, their pipe is undersized, a choke-point – water backs up there. Work still to be done, assemblymen helping.

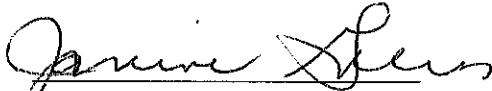
On a motion by Mrs. King, seconded by Mr. Graetz, the public comment section was closed by the following vote:

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. Campion, the meeting was adjourned without objection at 7:56p.m.

  
Janine Gillis, Borough Clerk

Approved: October 7, 2019