

The June 15, 2020 regular session of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Mayor Campion at 7:04 p.m. in the Frank E. Adams Municipal Building with a moment of silence and a salute to the flag.

Mayor Campion was joined by Councilwoman Sara King, Councilman Shuler and Borough Attorney Dennis Collins at the municipal building, the remainder of Council members joined the meeting via virtual means.

Mayor Campion 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.

ROLL CALL

Present:

Councilman Leonard Capristo
Councilman John Casagrande
Councilman William Graetz
Councilwoman Sara King
Councilman James Shuler
Councilman Christopher Willms
Mayor Christopher Campion

Absent:

None

Also attending:

Dennis Collins, Borough Attorney

APPROVE AGENDA

On a motion by Mr. Casagrande, seconded by Mr. Graetz, Resolution No. 2020-83 was removed from the agenda by the following vote:

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

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

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

APPROVE MINUTES - June 1, 2020

On a motion by Mr. Casagrande, seconded by Mr. Graetz, the minutes of June 1, 2020, were approved by the following vote:

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

PRESENTATIONS - None

SCHEDULED PUBLIC HEARINGS -

- **Ordinance 2020-03** Amending & Supplementing Chapter IV General Licensing Creating New Section 4.7 Entitled Permits for Outside Dining Areas, Outdoor Eating Areas and Sidewalk Café Areas.

On a motion by Mr. Graetz, seconded by Mr. Casagrande, the public comment section on Ordinance 2020-03 was opened, by the following vote:

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

Mayor Champion announced that there is slight modification to the ordinance; picnic tables will be permissible; tents will be allowed but only under a State of Emergency. He would like to discuss the hours of operation. Council members discussed possible hours of 9am-9pm, maybe till 10 or 11pm on weekends. The ordinance requires permit to be renewed annually which gives us the opportunity to revisit/make changes if hours need to be tweaked in future. In respect to issue of cars on streets near restaurants, it is difficult to know what parking impact will be due to both reduced capacity and use of ride-share services.

The Fire Code must be followed in respect to powering dining areas. Police & Fire Code Depts. will inspect and approve allowable space for outdoor dining.

The Ordinance will be changed regarding the allowed start and end of the outdoor dining permit schedule from April 15 start to a May 15 start and end October 15. Mayor feels it is important for restaurants to survive, a benefit to our community.

Marianne Stoll, 820 Pitney Drive, as the owner of Marigold Café is very excited to open, she feels she has a great location and that the 8:00 am opening is important as she is open for breakfast and lunch. Mayor Champion asked what her closing time is, she replied presently 3:00 pm but may change to 2:00 pm due to the outside temperature.

Rick Roccasano stated he is owner of Triangle Shopping Center and inquired about the insurance requirement. Borough Attorney offered that it was his recommendation as a level of protection for the municipality adding that there should be no additional cost for the coverage.

Eileen Eilenberger, 1213 Pond Road, inquired about wording of definition in Ordinance; thought that the word "permitted" be added to retail food establishment; also, that sidewalk café area to should read "connected to a business". Eileen also inquired about set-backs for outdoor dining areas. Borough Attorney Collins thanked Eileen for her editing comments and explained that the set-backs for accessory structures apply; ordinance will be revisited in future when we emerge out of crisis. Eileen also inquired about liquor licenses; Borough Attorney answered that Governor's directive allows special expansion of license.

John Kelly owner of CJ's located in the shopping center. He stated that he did apply for the permit to serve alcohol outside; he will have 6 tables outside with 6 ft distance. He is happy and will follow all the rules and work with property owner for proper ingress & egress.

Barbara & Jim Sabaitis owners of 2003/2005 Highway 71 thanked Mayor and Council for moving forward on outside dining. They feel it is a positive and would like to see the ordinance adopted.

John Nagle owner of Spring Lake Manor offered that the restaurant owners need the extended time till 11pm to serve; without it, it's almost not worth opening due to the extra expenses that they're incurring. He also stated that an outside service bar is needed.

Councilman Capristo stated that he could grant latitude on hours at same time as asking business owners to be good neighbors.

Cornelius Durkin, 905 Woodcrest Drive, thanked Mayor and Council for expediting the ordinance. He understands the tent issue; would like to see closing time be set at 11:00pm. Visitors to the restaurant especially this time of year come off the beach late and get ready to go to dinner at later hour. He understands the concern but offered that certainly if there are problems, council can change the hours at any time.

On a motion by Mr. Shuler, seconded by Mr. Willms, the public comment section was closed, by the following vote:

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

Mayor appreciated restaurant-owner feedback. Council's consensus on hours of operation was 8am start-time and 11pm stop-time. Furthermore, picnic tables are permitted, tents are permitted only during State of Emergency, May 15 start, the borough attorney will also do clerical additions to wording, and that this year the permit fee is waived.

On a motion by Mr. Graetz, seconded by Mr. Shuler, Ordinance No.2020-03 was adopted by the following vote:

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

PUBLIC COMMENT (Any Item)

On a motion by Mr. Shuler, seconded by Mr. Casagrande, the public comment section was opened, by the following vote:

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

John Nagle thanked Mayor and Council; all of the restaurants are grateful and will work together and maintain the rules.

Eileen Eilenberger, 1213 Pond Road, stated that at the last council meeting someone from the public asked about sidewalk installation on a section of Old Mill Road along the golf course. She wanted to point out that due to the narrow area, there just isn't enough of an easement to do it.

Rick Roccasano thanked Mayor and Council for all their efforts.

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

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

DISCUSSION ITEMS – None

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Councilwoman King – stated that she received information from Alex Burke in reference to trees, hopes to meet to discuss planning the perimeter of park.

Councilman Willms – No Report

Councilman Shuler – No Report

Councilman Graetz – Reviewed the Police, Fire and First Aid reports and their monthly calls.

Councilman Casagrande – No Report

Councilman Capristo – Announced that Summer Rec Camp opens on July 6 for 7-week program at Allaire Rd. Park; registration is on Borough website through Community Pass. The State's guidelines are very tight so the program will look a little different. There will also be a summer corn hole league at Ocean Road Park, registration is through Community Pass; possible fall league as well.

Mayor Campion – reminded all that on Tuesday mornings he hosts a live stream. He added that the tennis courts, parks are open; no dogs allowed; reminder to use trash receptacles.

REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Police Department - May 2020 Report
- Spring Lake Heights Municipal Court Report – May 2020
- Independent Fire Co. #1 Report – May 2020
- Spring Lake First Aid Squad Report – May 2020
- Public Notice Spring Lake Heights Board of Education Remote Meeting June 22, 2020
- Borough of Spring Lake Master Plan Reexamination Report
- Letter from State of NJ Dept. of Transportation Certification of Reduced Speed Limit on Highway 71. Speed Limit on entire Highway 71 is 35 mph.

ORDINANCE INTRODUCTIONS - None

CONSENT AGENDA - None

RESOLUTIONS

- **R2020-81**; Approve membership in the Fire Department

On a motion by Mr. Shuler, seconded by Mr. Graetz, Resolution No. R2020-81 was approved by the following vote:

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

- **R2020-82**; Authorizing the refund of duplicate payment of taxes

On a motion by Mrs. King, seconded by Mr. Shuler, Resolution No. R2020-82 was approved by the following vote:

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

- **R2020-84**; Approving payment of the itemized claims as set forth on the June 11, 2020 bills list.

On a motion by Mr. Graetz, seconded by Mr. Shuler, Resolution No. R2020-84 was approved by the following vote:

Ayes: Mr. Capristo, Mr. Casagrande, 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 8:35p.m.


Janine Gillis, Borough Clerk

Approved:  July 6, 2020