

The April 5, 2021 Executive Session of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Council President Graetz at 6:00 p.m. in the Frank E. Adams Municipal Building with a moment of silence and a salute to the flag.

ROLL CALL

Present:

Councilman John Casagrande
Councilman Leonard Capristo
(Joined meeting at 6:35pm)
Councilman William Graetz
Councilwoman Sara King
Councilman Christopher Willms

Absent:

Mr. Christopher Campion

Also attending:

Dennis Collins, Borough Attorney

Attorney Collins read the resolution into the record.

- **R2021-61**, Authorizing an Executive Session and Permitting the Governing Body to exclude the public from a portion of a public meeting

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public: **Anticipated Litigation**

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the Public at a later date under the following circumstance.

BE IT FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- _____ 1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
- _____ 2. Rendered confidential by State Statute or Court Rule.
- _____ 3. Would constitute an unwarranted invasion of individual privacy.
- _____ 4. Deals with collective bargaining, including negotiation positions.
- _____ 5. Deals with purchase, lease or acquisition of real property with public funds.
- _____ 6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
- _____ 7. Related to tactics and techniques utilized in protecting the safety and property of the public and disclosure may adversely affect the public.
- _____ 8. Related to investigation of violations or possible violations of the law.
- X 9. Related to pending/anticipated litigation or contract negotiations in which the public body is or may be a party.
- X 10. Falls within the attorney-client privilege and confidentiality is required.

APPROVE MINUTES - March 1, 2021

On a motion by Mr. Casagrande, seconded by Mr. Gallo, the minutes for March 1, 2021 were approved by the following vote:

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

PRESENTATIONS – None

DISCUSSION ITEMS – None

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Mr. Gallo – no report

Mr. Willms – no report

Mr. Capristo – no report

Mr. Casagrande – met with the finance team, reported that the 2021 budget will hopefully be introduced at next meeting; want to minimize any financial impact of pandemic on residents. Also, we will soon be introducing an ordinance to prohibit any cannabis businesses in borough; can revise in future if necessary.

Mrs. King – no report

Mr. Graetz – no report

REPORTS, NOTICES & CORRESPONDENCE

- Letter from Monmouth County Bd of County Commissioners RE: Municipal Open Space Grant Award for Shore Road Park Improvements
- Wall Township Planning Board Public Hearing Monday, April 5, 2021 Adoption of Round 3 Housing Element & Fair Share Plan
- Board of County Commissioners Resolution #2021-0217 adopted March 25, 2021 Denouncing the publication of a sexist & anti-Semitic caption in the Asbury Park Press

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

Sharon Batteau, 1719 Beverly Ave., asked if there is a plan on the design for Robertson Park; she asked if there will be a public hearing on what should be there. Mrs. King replied that the plan has been approved; it contains walking and biking paths. The committee does not want any more sports at the park, they would like to bring it back to its original state. The plan was detailed in the Coast Star Article.

Eileen Eilenberger, 1213 Pond Rd., asked how much the Shore Rd. grant was for. Mr. Casagrande estimated \$125-\$150,000.

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

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

SCHEDULED PUBLIC HEARINGS

- **Ordinance No. 2021-03 – Ordinance Amending & Supplementing Chapter XXII- Municipal Land Use Article 3 Definitions**

On a motion by Mrs. King, seconded by Mr. Willms, the public hearing was opened, by the following vote:

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

Mr. Collins reviewed Planning Board response to ordinance. Submitted comments:

- Definition for front, rear & side lot lines
- Eliminate street line
- Lot coverage - no definition presently
- Area of pool should be considered impervious
- Definition of porch screens in rear

There was discussion about pools (pervious/impervious), decks (lot coverage/building coverage) and porches (front/rear).

Sharon Batteau, 1719 Beverly Ave., asked about lot coverage for flagstone patio, pool and pergola.

On a motion by Mr. Willms, seconded by Mr. Gallo, the public hearing was closed by the following vote:

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

On a motion by Mrs. King, seconded by Mr. Willms, Ordinance No. 2021-03 was adopted by the following vote:

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

ORDINANCE INTRODUCTIONS

- **Ordinance No. 2021-04** Ordinance Amending & Supplementing Section 22-603 of the Revised general Ordinances of the Borough of Spring Lake Heights entitled "Prohibited Uses"

On a motion by Mrs. King, seconded by Mr. Willms, Ordinance No 2021-04 was introduced by the following vote:

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

The public hearing is scheduled for April 19, 2021.

CONSENT AGENDA Resolutions R2021-62 to R2021-

Consent Agenda items are considered routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certification of Availability of Funds; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

- **R2021-62**, Approving Outdoor Music – The Mill Lakeside Manor
- **R2021-63**, Approving Outdoor Music – Spring Lake Manor
- **R2021-64**, Approving use of the Cornelius V. Kelly Community Center
- **R2021-65**, Approving the Shore Municipal Alliance Grant Application for Fiscal Grant Cycle July 2020-June 2025

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

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

RESOLUTIONS

- **R2021- 66**, Authorizing contract with H2M for engineering services related to Fairway Mews Wastewater Pump Station

On a motion by Mr. Willms, seconded by Mr. Casagrande, Resolution No. 2021-66 was approved by the following vote:

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

- **R2021-67**, Approving the payment of the itemized claims as set forth on the April 1, 2021 bills list

On a motion by Mr. Casagrande, seconded by Mr. Gallo, Resolution No. 2021-67 was approved by the following vote:

Ayes: Mr. Capristo, Mr. Casagrande, Mr. Gallo, Mr. Graetz, Mrs. King, Mr. Willms
Nays: None Abstain: Mr. Graetz & Willms abstained from Lincoln Financial

- **R2021-68**, Awarding contract for Joseph Robertson Park Project to Landscape Down to Earth

On a motion by Mrs. King, seconded by Mr. Gallo, Resolution No. 2021-68 was approved by the following vote:

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

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Willms, the meeting was adjourned without objection at 7:40p.m.


Janine Gillis, Borough Clerk

Approved April 19, 2021