

The September 20, 2021 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 7:00 p.m. in the Frank E. Adams Municipal Building with a moment of silence and a salute to the flag.

ROLL CALL

Present:

Councilman Leonard Capristo
Councilman John Casagrande
Councilman Peter Gallo
Councilman William Graetz
Councilwoman Sara King
Councilman Christopher Willms

Absent:

Mayor Christopher Campion

Also attending:

Dennis Collins, Borough Attorney

Council President Graetz 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 Mrs. King, seconded by Mr. Willms, the amended 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: Mr. Campion

APPROVE MINUTES - September 6, 2021

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

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

PRESENTATIONS – None

DISCUSSION ITEMS – 913 Shenandoah Dr Re: Retaining Wall

Mr. Collins gave a synopsis of the history of the retaining wall on the property at 913 Shenandoah Drive. He clarified that an appeal to the Land Use Board was not what the homeowners needed but a license agreement with the borough to allow for the structure in the right-of-way.

Mr. Casagrande questioned if the wall is in the same location as the previous wall and if a letter referenced in Mr. & Mrs. Hagins correspondence was able to be presented. Borough Clerk Mrs. Gillis replied that no record of the letter was found.

Mrs. King inquired if the homeowners would need to remove the retaining wall if the agreement wasn't put into place. Mr. Collins confirmed that the agreement would need to be put into place for the retaining wall to stay as is, the zoning officer has no authority to allow the retaining wall in the right-of-way which is why the agreement was necessary. He stated that the license/encroachment agreement would be recorded with the title of the property.

Mr. Capristo asked if this agreement would create a precedent and if indemnification was necessary? Mr. Collins replied that it could set a precedent, but this case is fact sensitive for the agreement and yes it would include indemnification.

On a motion by Mrs. King, seconded by Mr. Casagrande, the license agreement was approved by the following vote:

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

MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS

Mr. Gallo – reminded residents that hydrant flushing was starting on September 20, 2021, and that low pressure and discolored water were possible.

Mr. Willms – no report

Mrs. King – reported that she had an update on Allaire Road Park. She met with the landscaping company, they will be planting the additional trees and replacing the trees that did not survive in October. She also spoke to the landscaping company regarding pricing for the walkway. Mrs. King further reported that she would be meeting with Mr. May regarding preparing for the additional trees.

Mr. Casagrande – explained that there are two resolutions regarding receiving grant money on the agenda and thanked the finance team for helping to secure funds.

Mr. Capristo – reported the cornhole league games that were postponed due to weather are not cancelled, they will be rescheduled. He also reminded residents that the book sheds at the recycling center are currently empty due to renovations but will be refilled when the work is complete.

Mr. Graetz - reviewed the Police, Fire and First Aid calls. He recognized Ptl. Kwiatkowski, Ptl. O'Neill and Ptl. Davis for their professional response to a situation and congratulated Chief Gunnell.

PUBLIC COMMENT (Any Item)

On a motion by Mr. Casagrande, seconded by Mrs. King, 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: Mr. Champion

Dennis Walsh, 901 Jersey Ave, expressed his concern to the Borough Council regarding an issue with rats on Jersey Avenue.

Attorney Collins summarized and explained an ongoing situation on Jersey Avenue.

Al Seniszyn, 606 Prospect Ave, explained he has owned a home on Jersey Avenue for approximately 15 years and recently has an issue with vermin. Al showed pictures and video of the vermin to the Council. He explained home repairs he had to conduct due to the rats and disruptions in his tenants due to the situation.

Diane Meserlin, 907 Jersey Ave, stated she has lived on Jersey Avenue for fifty plus years. Dianne described the experience she has had with mice, rats, and pests in her home. She continued to explain her backyard, animals, and the vegetative overgrowth from a neighbor yard.

Mr. Collins explain that private citizens have more power to bring private claims to court in comparison to the process Government is required to follow.

Jay Zenick, 908 Shore Rd, expressed frustration with the need for extensive pest control and vegetative overgrowth on his property due to a neighboring property.

Mr. Barrett and Mr. Collins explained further on the situation regarding court proceedings and the avenues the Borough has currently taken. Mr. Collins also explained what action the Borough would ultimately have to take and what course would have to be followed.

The Borough Council thanked the residents for bringing their experience further to light and expressed their concern.

On a motion by Mr. Willms, seconded by Mr. Casagrande, 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: Mr. Champion

SCHEDULED PUBLIC HEARINGS - None

REPORTS, NOTICES & CORRESPONDENCE

- Spring Lake Heights Police Monthly Report – August 2021
- Spring Lake Heights Municipal Court Monthly Report – August 2021
- Independent Fire Co #1 Monthly Report – August 2021
- Spring Lake First Aid Squad Monthly report – August 2021
- NJ Transit Public Hearing 10/28/21 Re: Senior Citizen & Disabled Residents Transportation Assistance

ORDINANCE INTRODUCTIONS - None

CONSENT AGENDA Resolutions R2021-148 to R2021-152

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.

- **R2021-148**, Issuance of an Alcoholic Beverage Control Social Affair Special Permit for Independent Fire Company #1
- **R2021-149**, Requesting the Director of the New Jersey Division of Local Government Services approve an amendment to the Borough’s 2021 Municipal Budget – Body Worn Camera Grant
- **R2021-150**, Requesting the Director of the New Jersey Division of Local Government Services approve an amendment to the Borough’s 2021 Municipal Budget – Hazardous Discharge Site Remediation Fund
- **R2021-151**, Authorizing cancellation of property taxes and property tax refund for taxes paid in 2021
- **R2021-152**, Appointing a probationary public works laborer

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

Mrs. King inquired on R2021-152. Mr. Barrett clarified the position available and the need.

Ayes: Mr. Casagrande, Mr. Gallo, Mr. Graetz, Mrs. King, Mr. Willms

Nays: Mrs. King to R2021-152 Abstain: Mr. Willms to R2021-148 Absent: Mr. Campion

RESOLUTIONS

- **R2021-153**, Approving Payment of the Itemized Claims as set forth on the September 16, 2021, Bills List

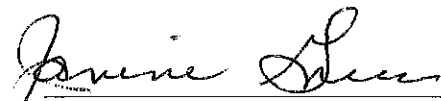
On a motion by Mr. Casagrande, seconded by Mr. Gallo, Resolution No 2021-153 was approved by the following vote:

Ayes: Mr. Capristo, Mr. Casagrande, Mr. Gallo, Mr. Graetz, Mrs. King, Mr. Willms

Nays: None Abstain: None Absent: Mr. Campion

ADJOURNMENT

There being no further business, on a motion by Mrs. King, seconded by Mr. Willms, the meeting was adjourned without objection at 8:10p.m.


Janine Gillis, Borough Clerk

Approved: October 4, 2021