

The March 20, 2023 regular session of the Borough Council of the Borough of Spring Lake Heights, Monmouth County, New Jersey was called to order by Council President William Graetz 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**

<u>Present:</u> Councilman John Casagrande Councilwoman Michele Degnan-Spang Councilman William Graetz Councilwoman Sara King Councilman Christopher Willms	<u>Absent:</u> Councilman Leonard Capristo Mayor Christopher Campion  <u>Also attending:</u> Dennis Collins, Borough Attorney Janine Gillis, Borough Clerk John Barrett, Borough Administrator
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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 Mr. Casagrande, seconded by Mr. Willms, the agenda was approved by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

**APPROVE MINUTES - March 6, 2023**

On a motion by Mr. Casagrande, seconded by Mr. Willms, the March 6, 2023, regular minutes were approved by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

**PRESENTATIONS – None**

**DISCUSSION ITEMS – None**

**MAYOR & COUNCIL REPORTS/ANNOUNCEMENTS**

Councilman Casagrande- reported that the finance team working on the budget, everyone on council has received a draft, hoping to introduce at the next meeting.

Councilwoman King- Offered that there are 4 ordinances on for public hearing tonight looking forward to moving onto more.

Councilman Willms- No Report

Councilwoman Degnan-Spang- reported that hydrant flushing will start in April, public works working on preparing the hydrants and continues to replace hydrants.

**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. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

None presented

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion.

## SCHEDULED PUBLIC HEARINGS

- **Ordinance 2023-02**, An Ordinance Amending Chapter 22, Article III Definitions, Section 302 Definitions

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

None Presented

Borough Attorney Collins stated this adds a new definition-Banquet Facilities, the Land Use Board has reviewed and found it consistent with the Master Plan.

On a motion by Mrs. King, seconded by Mrs. Degnan-Spang, the public comment section was closed by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

On a motion by Mr. Willms, seconded by Mrs. King, **Ordinance 2023-02** was adopted by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

- **Ordinance 2023-03**, An ordinance Amending Chapter 22, Article VI Zoning Regulations, Section 603 Prohibited Uses

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

None Presented

Borough Attorney Collins stated the Land Use Board has reviewed and found it consistent with the Master Plan. However, they made a recommendation to change the size of a small boat from 16ft to 30 ft. Mr. Collins stated that the Governing Body does not have to make the change. However, if you do, the process will have to start all over again. Councilman Willms and Casagrande offered that the 16 ft is sufficient.

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

On a motion by Mrs. King, seconded by Mr. Willms, **Ordinance 2023-03** was adopted by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

- **Ordinance 2023-04**, An Ordinance Amending Chapter 22, Article VI Zoning Regulations, Section 22.060.1 Rezoning Parcels from B2 to R1

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

Attorney Collins explained the ordinance and the next ordinance take certain lots that are residential uses in a commercial zone which is not permitted. This was pointed out many years ago and has finally being corrected. The borough planner has made this recommendation. If you were to look at the zoning map it is pretty obvious that the correction is needed. Some individuals may not understand the ramifications of being a non-permitted use, Property owners requesting a fence or pool or even an addition need to go the board for approvals. Currently, if one of the residences listed were to be destroyed by fire, the homeowner would need to go to the board for variance approvals which could be costly. It was shared that someone could not get a mortgage.

In the letter that was sent to the homeowners and surrounding neighbors we tried to give a detail explanation as to why the change.

None Presented

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

On a motion by Mrs. King, seconded by Mr. Willms, **Ordinance 2023-04** was adopted by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

- **Ordinance 2023-05**, An Ordinance Amending Chapter 22 Article VI Zoning Regulations, Section 22-606.1 Rezoning Parcels from B2 to R5

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None      Abstain: None      Absent: Mr. Capristo, Mayor Campion

Frank Krause 304 Highway 71 stated that his property was not going to change but expressed concern over the change of his neighbor. His property zoned as business would be directly next to a residential zone and asked if he would be required to put in a buffer. Borough Attorney Collins stated that he is existing he would not need to do anything unless there is a change or expansion which would require going before the Land Use Board.

Karen Davis 621 Central Ave asked why the lots need to be rezoned, is the explanation the same as in Ordinance 2023-04, Attorney Collins replied yes. She asked what's in it for the town? Councilwoman King replied it is beneficial for the property owners. Ms. Davies stated she is an accountant and currently could open an office in her home, Attorney Collins replied not necessarily, that steps would need to be taken. Ms. Davies expressed her concern as to what impact the change could have on her real estate taxes and asked council to find that information from the Tax Assessor before moving forward.

Ann Abbatiello 613 Lake Ave. inquired as to impact on taxes, Attorney Collins explained that the value of your property is based on existing use.

Administrator John Barrett suggested that those questions should be addressed to Tax Assessor who is in the office every Wednesday from 4:30 to 5:30 pm

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

On a motion by Mrs. King, seconded by Mr. Willms, **Ordinance 2023-05** was adopted by the following vote:

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

#### **REPORTS, NOTICES & CORRESPONDENCE**

- Spring Lake Heights Municipal Court Monthly Report – February 2023
- Spring Lake First Aid Squad Monthly Report – February 2023
- Spring Lake Heights Police Monthly Report – February 2023
- Independent Fire Company No #1 Monthly Report - February 2023

#### **ORDINANCE INTRODUCTIONS**

##### **CONSENT AGENDA Resolutions R2023-67 to R2023-69**

- **R2023-67**, Approving membership in the Independent Fire Company No. 1
- **R2023-68**, Appointing the summer recreation program director.
- **R2023-69**, Establish fees for 2023 Fall Festival

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: None Absent: Mr. Capristo, Mayor Campion

#### **RESOLUTIONS**

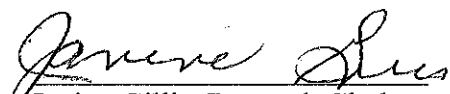
- **R2023-70**, Approving the payment of the itemized claims as set forth on the March 17, 2023 bills list

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

Ayes: Mr. Casagrande, Mrs. Degnan-Spang, Mr. Graetz, Mrs. King, Mr. Willms  
Nays: None Abstain: Absent: Mr. Capristo, Mayor Campion

#### **ADJOURNMENT**

There being no further business, on a motion by Mrs. King, seconded by Mrs. Graetz, the meeting was adjourned without objection at 7:50 pm.

  
Janine Gillis, Borough Clerk

Approved: April 3, 2023