

The **March 26, 2012** meeting of the **Borough Council of the Borough of Spring Lake Heights**, Monmouth County, New Jersey, was called to order by Mayor Gavino Maccanico at 7:00 p.m. in the Frank E. Adams Municipal Building.

Present:

Mayor Gavino Maccanico
Councilwoman Patricia Cindea
Councilman Richard Diver
Councilwoman Sara King
Councilman James Shuler

Absent:

Councilman Gary McLean
Councilman Thomas Vorbach

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Frederick C. Raffetto, Esq., Borough Attorney
Tracy Armstrong, Esq., Special Counsel

On a motion by Mr. Diver, seconded by Mrs. King, **Resolution #72-2012**, Authorizing an Executive Session was adopted. The public meeting was recessed and the Executive Session convened in the Conference Room.

Executive Session. Special Counsel Tracy Armstrong reported on the status of the Casagrande litigation and the planned answer to the complaint pending further review of options. Ms. Armstrong also detailed the history of the ongoing Johnstone personnel matter and was authorized to continue settlement discussions subject to final approval by the Council. Borough Attorney Raffetto reported on the status of Acting Clerk Janine Gillis with the appointment of a Borough Clerk and reviewed a proposed resolution re-appointing Ms. Gillis to her previous position as Deputy Clerk.

The Executive Session was adjourned at 7:35 without objection.

The Regular Public Session was called to order at 8:00 p.m. by Mayor Maccanico and opened with a silent reflection and Pledge of Allegiance.

1. ROLL CALL.

Present:

Mayor Gavino Maccanico
Councilwoman Patricia Cindea
Councilman Richard Diver
Councilwoman Sara King
Councilman Gary McLean
Councilman James Shuler
Councilman Thomas Vorbach

Absent:

None

Also Attending:

Joseph J. Delaney, Jr., Administrator/Borough Clerk
Frederick C. Raffetto, Esq., Borough Attorney

2. STATEMENT OF COMPLIANCE. The Mayor announced the meeting was being conducted pursuant to the requirements of the N.J. Open Public Meetings Act with notice included in a list of meetings sent to the Coast Star and Asbury Park Press; posted on the bulletin board in the Municipal Building and on the Borough website.

3. APPROVE AGENDA. On a motion by Mr. Diver, seconded by Mrs. King, the agenda was amended to add Resolution #80-2012, 81-2012 & 82-2012 by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. McLean, Mr. Shuler

Nays: Mr. Vorbach Abstain: None

On a motion by Mr. Cindea, seconded by Mr. Diver, the agenda (as amended) was approved by

Introduction of the 2012 Municipal Budget was adopted by the following vote:

Ayes: Mr. Diver, Mrs. King, Mr. McLean, Mr. Shuler

Nays: Mrs. Cindea, Mr. Vorbach Abstain: None

- **Resolution #80-2012**, Authorizing Acceptance of the Middlesex County JIF Proposal for Legal Defense.

On a motion by Mr. Diver, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: McLean

- **Resolution #81-2012**, Authorizing Execution of Separation Agreement – Barry Johnstone.

On a motion by Mr. Diver, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. Shuler

Nays: None Abstain: Mr. McLean, Mr. Vorbach

- **Resolution #82-2012**, Appointing Deputy Borough Clerk.

On a motion by Mrs. King, seconded by Mrs. Cindea, the resolution was adopted by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. Shuler

Nays: Mr. Vorbach Abstain: Mr. McLean

- **Resolution #73-2012**, Refunding Duplicate Tax Payments.

On a motion by Mr. Diver, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. McLean, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None

- **Consent Agenda**

- **Resolution #73-2012**, Refunding Duplicate Tax Payments.

Licenses and Permits:

- Raffle#13-2012- Rotary Club of Spring Lake – 05/24/2012 – The Mill – On Premise Draw
- Raffle#14-2012- Rotary Club of Spring Lake – 05/24/2012 – The Mill – On Premise Draw
- Raffle#15-2012- Ocean Housing Alliance – 05/04/2012 – Doolan’s – Casino Night
- Raffle#16-2012- Ocean Housing Alliance – 05/04/2012 – Doolan’s – On Premise draw
- Raffle#17-2012 – Allaire Woman’s Club – 05-06/2012- SLH Community Center – On Premise 50/50
- Raffle#18-2012 – Allaire Woman’s Club – 05-06/2012- SLH Community Center – On Premise Draw
- Alcoholic Beverage Social Permit – Greater Wall Chamber of Commerce – 4/19/2012 – Doolan’s
- Taxi License Renewal – Sefik Demur – Owner/Driver (Renewal)

On a motion by Mr. Diver, seconded by Mrs. King, the **Consent Agenda**, including **Resolution #73-2012** and the Licenses and Permits were approved by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. McLean, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None

11. SECOND VOICE OF THE PUBLIC – NEW BUSINESS ONLY.

- John Patterson, 110 Ninth Ave., representing American Legion Post 432 - suggested a sign be placed at the corner of Lake & Tenth Avenues commemorating Staff Sargent Steven R. Sherman. Borough Attorney Raffetto suggested the need to review the issue.
- Dennis Pearsall, 817 Central Ave. - supported the memorial for Staff Sgt. Sherman.
- Brian Brendle, 728 Wall Road - expressed concern for the residents of Synder Ave. regarding parking signs

On a motion by Mr. McLean, seconded by Mrs. King, the public comment period was closed without objection.

12. FINANCIAL RESOLUTIONS.

- **Resolution #82A-2012** authorizing 2011 Budget Reserves Transfers (T-1-2012).

On a motion by Mr. Diver, seconded by Mrs. King, the resolution was adopted by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. McLean, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: None

- **A motion to move the bills to the Finance Committee**, by Mr. Diver, seconded by Mrs. King, was approved by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: Mr. McLean

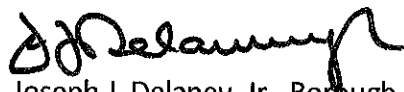
- **A motion to draw voucher warrants**, by Mr. Diver, seconded by Mrs. King, was approved by the following vote:

Ayes: Mrs. Cindea, Mr. Diver, Mrs. King, Mr. Shuler, Mr. Vorbach

Nays: None Abstain: Mr. McLean

13. ADJOURNMENT. There being no further business, on a motion by Mrs. King, seconded by Mrs. Cindea, the meeting was adjourned without objection at 8:50 p.m.

Approved: July 9, 2012



Joseph J. Delaney, Jr., Borough Clerk