

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
Wednesday, January 15, 2020– Meeting Minutes**

This meeting of January 15, 2020 is called pursuant to the provisions of the Open Public Meetings Law and was included in a list of meetings notice transmitted to the Two River Times and the Asbury Park Press and posted on the bulletin board in the Municipal Building on January 13, 2020. The meeting notice has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. Official action may be taken at this meeting.

REGULAR MEETING CALL TO EXECUTIVE SESSION 6:30 PM

Call to Order

Roll Call

Councilmember Mazzola, Council Member Valkos, Council President Ryan and Mayor Broullon were all Present

Councilmember Braswell was absent.

Also in attendance were Administrator Attorney Brian Chabarek, Esq., Clerk Matthew Conlon, and Economic Development Advisor Cliff Moore.

Executive Session: 6:30 P.M.

BE IT RESOLVED that the following portion of this meeting shall not be open to the public,

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

1. Pending or Anticipated Litigation: **-10 Seadrift Avenue
-Caruso**
2. Contract Negotiations: **-NONE**
3. Purchase, Lease or Sale of Real Estate: **-NONE**
4. Matters of Personnel: **-NONE**
5. Attorney/Client Privilege: **-Captains Cove Redevelopment
-Central Business District
-Fee Ordinance
-Uniform Packaging Practices Ordinance
-Variances**

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 when the need for privacy no longer exists.

Council President Ryan Motioned to enter into Executive Session. Mayor Broullon Seconded. All were in favor. Councilmember Braswell was absent.

Council entered into executive session at 6:02 pm.

Council Exited Executive Session at 8:10 pm.

REGULAR MEETING: 8:10 PM

Call to Order

This meeting of January 15, 2020 is called pursuant to the provisions of the Open Public Meetings Law and was included in a list of meetings notice transmitted to the Two River Times and the Asbury Park Press and posted on the bulletin board in the Municipal Building on January 13, 2020. The meeting notice has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. Official action may be taken at this meeting.

Flag Salute

Roll Call

Councilmember Mazzola, Council Member Valkos, Council President Ryan and Mayor Broullon were all Present

Councilmember Braswell was absent.

Also in attendance were Administrator Attorney Brian Chabarek, Esq., Clerk Matthew Conlon, CFO Patrick DeBlasio and Economic Development Advisor Cliff Moore and Police Chief Burton

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Ordinances

Introduction and Set Public Hearing Date

- O-20-02** An Ordinance Amending Chapter 2 of the Revised General Ordinance of the Borough of Highlands that established the Recreation Committee, (Advisory) within the Borough of Highlands

- O-20-03** An Ordinance Amending Borough Code Section 16-3 “Retail Food Establishment” to update fee provisions to match those required by the Monmouth County Board of Health

**BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH
 Ordinance 20-02**

**An Ordinance Amending Chapter 2 of the Revised General Ordinance of the
 Borough of Highlands that established the Recreation Committee,
 (Advisory) within the Borough of Highlands**

Whereas, the Borough of Highlands, by Ordinance, codified in Chapter II of the Code of the Borough of Highlands, established a Recreation Committee (Advisory); and

Whereas, the governing body of the Borough of Highlands finds that it is in the best interest of the Borough to dissolve the Recreation Committee (Advisory) and wishes to dissolve this Code Section in its entirety.

Now Therefore, Be it Ordained, by the governing body of the Borough of Highlands as follows:

SECTION I. Borough Code Section 2-23 “Recreation Committee, (Advisory)” is hereby dissolved and deleted in its entirety.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

First Reading and Set Hearing Date for O-20-02 for February 5, 2020

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF VOTE: 01/15/2020

Matthew Conlon, RMC, Municipal Clerk

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The Public Hearing was set for February 5, 2020 for Ordinance 20-02

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

Ordinance 20-03

An Ordinance Amending Borough Code Section 16-3 “Retail Food Establishment” to update fee provisions to match those required by the Monmouth County Board of Health

Whereas, the Borough of Highlands by way of Resolution 19-291 authorized execution of a Shared Services Agreement with the Monmouth County Board of Health for health services effective January 1, 2020; and

Whereas, the Monmouth County Board of Health fees are established by Monmouth County Board of Health Ordinance No. 3-2017; and

Whereas, the governing body of the Borough of Highlands wishes to update the fee provisions of the Borough Code in Chapter XVI, Health, to match those required by the Monmouth County Board of Health.

Now, Therefore, Be it Ordained by the governing body of the Borough of Highlands as follows:

SECTION I. Borough Code Section 16-3 “Retail Food Establishment”, Subsection 16-3.4 “Permit and License” shall be amended as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~***strikeovers in bold italics.***~~).

16-3.4 Permit and License.

- a. *Required; Posting of License.* No person shall operate a retail food handling establishment unless a certificate or approval of an existing certificate, permit or license to operate same is issued. Such certificate or approval of an existing certificate, permit or license shall be posted in a conspicuous place in such establishment.
- b. *Fee.* ~~***There shall be a charge of five (\$5.00) dollars for such certificate or approval of an existing certificate, permit or license.***~~ **The Monmouth County Board of Health (MCHB) does not charge fees for the initial inspection of retail food establishments. However, the MCBH shall charge fees for the re-inspection of retail food establishments. failure to submit re-inspection fees within thirty (30) days upon receipt of the fee notice will result in the issuance of a summons for appearance in municipal court and the requirement to pay a penalty fee of not less than \$100.00 in addition to the re-inspection fee.**

Retail Food Establishment - Re-Inspection

First Re-Inspection \$100.00

Second Re-Inspection within two years \$250.00

Third Re-Inspection within two years \$500.00

Retail Food Establishments (N.J.A.C. 8:24 et. seq.)

New Facility/Plan Review

Retail Food Category - Risk 1 \$25.00

Retail Food Category - Risk 2 \$75.00

Retail Food Category - Risk 3 \$100.00

Retail Food Category - Risk 4 \$200.00

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- c. *Expiration.* Certificates issued or approved under the provisions of this chapter shall expire annually on December 31 and application for renewal thereof shall be submitted together with the required fee prior to January 1 of each year.
- d. *Itinerant License.* A person conducting an itinerant retail food handling establishment shall secure a certificate or if such person is the holder of a certificate, permit or license issued by the Board of Health or governing body of another jurisdiction, the certificate, permit or license may be approved by the Council and there shall be a fee of five (\$5.00) dollars charged for approval.
- e. *Suspension and Revocation.* A certificate or approval of certificate, permit or license, may be suspended or revoked for violation by the holder of any provision of this chapter or code after an opportunity for a hearing by the Council or its authorized representative.
- f. *Transferability.* A certificate or approval of a certificate, permit or license issued by another board of health or borough council is not transferable.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

First Reading and Set Hearing Date for O-20-03 for February 5, 2020

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/15/2020

Matthew Conlon, RMC, Municipal Clerk

The Public Hearing was set for February 5, 2020

Public Hearing and Final Adoption

None

Resolutions

Consent Agenda Resolutions

1. R 20 049 A Resolution Authorizing the Payment of Bills
2. R 20 050 A Resolution Appointing a Part-Time Aide for the Borough of Highlands Recreation Department
3. R 20 051 A Resolution Amending Resolution 20-047 Concerning the Appointment of a Code Enforcement Officer and Public Officer

Mayor Broullon Requested the Consent Agenda Resolutions be read into the record by title.

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BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-049

A Resolution Authorizing the Payment of Bills

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated January 1, 2020, which totals as follows:

Current Fund	\$ 1,006,595.92
Sewer Account	\$ 62,636.12
Capital Fund	\$ 16,290.50
Trust-Other	\$ 9,040.57
Federal/State Grants	\$ 1,146.33
Total	\$ 1,095,709.44

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$1,095,709.44 be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at www.highlandsborough.org and on file in the Municipal Clerk's office for reference.

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-050

**A Resolution Appointing a Part-Time Aide for the
Borough of Highlands Recreation Department**

Whereas, the Borough has a need for a part-time aide in the Recreation Department; and

Whereas, Kim Gonzales, Borough Administrator, has made the following recommendation to the Governing Body for appointment; and

Whereas, the position for a part-time aide has been included in the Municipal Budget within the Recreation Department;

Now Therefore, Be It Resolved by the Governing Body of the Borough of Highlands that Olivia Fair is hereby appointed as a part-time aide for the Recreation Department at the per diem hourly rate of \$11.00, effective January 21, 2020.

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-051

**A Resolution Amending Resolution 20-047 Concerning the Appointment of a Code
Enforcement Officer and Public Officer**

Whereas, by way of Resolution 20-047, duly adopted January 1, 2020, the Borough appointed William Brunt as the Code Enforcement Officer and Public Officer for the period beginning January 1, 2020 through December 31, 2020; and

Whereas, a need exists to amend the continued appointment of William Brunt to the position of Code Enforcement Officer for an indefinite amount of time, in accordance with the provisions of N.J.S.A. 11A:1-1 et. seq.; and

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Whereas, in accordance with Borough Code, Chapter 10-4.2, the Public Officer shall be appointed for a term of one year, and as such, the appointment of William Brunt as Public Officer will remain for the period beginning January 1, 2020 through December 31, 2020; and

Whereas, Resolution 20-047 set forth that Mr. Brunt would receive \$35.00 per hour in his position as Code Enforcement Officer, however a need exists to amend this provision to reflect that his salary will be in conformance with the Collective Negotiations Agreement between the Borough of Highlands and the United Food and Commercial Workers International Union, Local 152.

Now Therefore, Be It Resolved, by the Borough of Highlands governing body that Resolution 20-047 be and is hereby amended to reflect that William Brunt’s appointment is not limited to a one-year term and he is hereby appointed to continue to serve as the Code Enforcement Officer for an indefinite amount of time in accordance with the provisions of N.J.S.A. 11A:1-1 et. seq.

BE IT FURTHER RESOLVED, that Resolution 20-047 be and is hereby amended to reflect that the Code Enforcement Officer’s salary shall be in conformance with the Collective Negotiations Agreement between the Borough of Highlands and the United Food and Commercial Workers International Union, Local 152.

BE IT FURTHER RESOLVED, that Resolution 20-047 is still effective in all other respects, wherein William Brunt shall serve as the Public Officer for the period beginning January 1, 2020 through December 31, 2020.

Motion and Vote to Approve the Consent Agenda (Resolutions 49, 50 & 51)

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
<i>BRASWELL</i>						X
<i>MAZZOLA</i>			X			
<i>RYAN</i>		X	X			
<i>VALKOS</i>			X			
<i>BROULLON</i>	X		X			

This is a true and correct record of the vote of the Governing Body of the Borough of Highlands on January 15, 2020.
DATE OF VOTE: 01/15/2020
Matthew Conlon, RMC, Municipal Clerk

Resolutions

1. R 20 052 A Resolution Appointing Special Law Enforcement Officers
2. R 20 053 A Resolution Rejecting Bids Re: Annual Repair of Sanitary Sewer System
3. R 20 054 A Resolution Adopting A Domestic Violence Policy
4. R 20 055 A Resolution Approving the Execution of a Cable Franchise Agreement Ascertainment Report
5. R 20 056 A Resolution Authorizing and Emergency Contract due to Soil Slippage and Slope Instability
6. R 20 057 A Resolution Authorizing and Emergency Contract due to the Failure of the North Street Stormwater Pump
7. R 20 058 A Resolution to Authorize Participation Under the SHBP and or SEHBP
8. R 20 059 A Resolution Approving A Social Affairs Permit for American Legion Twin Lights Post # 114 Under Liquor License Number 1317-31-028-001
9. R 20 060 A Resolution Approving a Social Affairs Permit for the Highlands Business Partnership benefitting the Sandy Hook PBA
10. R 20 061 A Resolution Authorizing the Use of Miller Beach for a Polar Plunge by American Legion Twin Lights Post # 114 to raise funds for “Angel Warriors”

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11. R 20 062 A Resolution Increasing the Contract Amount for Special Counsel with Regard to Litigation

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-052
A Resolution Appointing Special Law Enforcement Officers

Whereas, the Borough of Highlands from time-to-time has the need to employ Special Police Officers; and

Whereas, the Chief of Police has made a recommendation to the Governing Body regarding appointment of said Officers.

Now Therefore, Be It Resolved, by the Governing Body of the Borough of Highlands that the following persons be and are hereby appointed Special Law Enforcement Officers of the Borough of Highlands for a one-year period, with an effective date of January 1, 2020 and an expiration date of December 31, 2020:

Special Law Enforcement Officer Class I	Diane Alvator
Special Law Enforcement Officer Class II	David Osuch
Special Law Enforcement Officer Class II	Andrew Mueller

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

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DATE OF VOTE: 01/15/2020
Matthew Conlon, RMC, Municipal Clerk

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-053
A Resolution Rejecting Bids Re: Annual Repair of Sanitary Sewer System

Whereas, by way of Resolution 19-221, duly adopted August 21, 2019, the Borough authorized the Project Engineer, CME Associates, to solicit bids for the Annual Repair of Sanitary Sewer System; and

Whereas, two (2) proposals were received for the aforesaid Annual Repair of Sanitary Sewer System and reviewed by the Project Engineer; and

Whereas, the following bids were received:

Contractor

1. Lucas Construction Group, Inc.
2. Fiore Paving Co., Inc.

Whereas, the Project Engineer, CME Associates, has made the recommendation to reject the bids and return the bid security to each bidder; and

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Now Therefore, Be it Resolved, by the Borough of Highlands Governing Body, that the bids that were received in response to the aforesaid advertisement of bids be and are hereby rejected and the bid security be returned to each bidder.

Be It Further Resolved, by the Borough of Highlands governing body that CME Associates be and is hereby directed to re-advertise and solicit bids for the Annual Repair of Sanitary Sewer System.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/15/2020
Matthew Conlon, RMC, Municipal Clerk

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-054
A Resolution Adopting a Domestic Violence Policy**

Whereas, on or about October 15, 2019, the New Jersey Civil Service Commission issued a Statewide Domestic Violence Policy (DVP) for Public Employees, and

Whereas, pursuant to N.J.S.A. 11A:2-6a(b)(1). "The [Civil Service Commission] shall develop a uniform domestic violence policy, which all public employers shall adopt and distribute to their employees, regardless of whether a public employer is subject to the provisions of Title 11A. Civil Service, of the New Jersey Statutes"; and

Whereas, the Borough of Highlands seeks to update its Employee Handbook to comply with N.J.S.A. 11A:2-6a(b)(1).

Now Therefore, Be It Resolved, by the Borough of Highlands governing body, that the Borough of Highlands Employee Handbook is updated as follows:

1. The Domestic Violence Policy For Public Employers shall be referenced and adopted in the Borough of Highlands Employee Handbook.
2. The Borough of Highlands shall designate Kim Gonzales as primary and David Milmoie as secondary Human Resource Officers (HRO) for purposes of the DVP.

BE IT FURTHER RESOLVED, that a copy of the aforesaid Domestic Violence Policy for Public Employers, shall be forwarded by the Borough Administrator to all Borough Employees.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

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DATE OF VOTE: 01/15/2020

Matthew Conlon, RMC, Municipal Clerk

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-055**

A Resolution Authorizing Execution of a Cable Franchise Ascertainment Phase Report

Whereas, the Borough of Highland's current Cable Franchise Agreement with Comcast expires on February 4, 2021; and

Whereas, pursuant to the state law and regulation, upon Comcast's request for renewal of the Agreement, the Borough of Highlands is to perform an Ascertainment Phase review to ensure the Cable Operator's performance complies with various legal requirements; and

Whereas, the governing body of the Borough of Highlands has obtained copies of customer complaints filed against Comcast, conducted a survey of residents, solicited public comment, and held a public hearing as part of the Ascertainment Phase review;

Whereas, the governing body of the Borough of Highlands has prepared the required Ascertainment Phase Report.

Now Therefore, Be it Resolved, by the Borough of Highlands governing body that the Mayor be and is hereby authorized to execute the Ascertainment Phase Report and submit same to the New Jersey Office of Cable Television and to Comcast.

Be It Further Resolved, that the Mayor and Borough Administrator are hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

R20-055

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/15/2020

Matthew Conlon, RMC, Municipal Clerk

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BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

Resolution 20-057

A Resolution Authorizing and Emergency Contract due to the Failure of the North Street Stormwater Pump

WHEREAS, the local Public Contracts Law permits the award of emergency contracts pursuant to N.J.S.A. 40A:11-6 et. seq., subject to certain criteria; and

WHEREAS, the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-6 et. seq., allows the award of contracts without public advertising for bids and bidding when an emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or the performance of services, wherein the award of a contract is made in the manner prescribed by the aforesaid statutory provision; and

WHEREAS, the Borough of Highlands has determined that an emergency exists, wherein the North Street Stormwater Pump, which mitigates flooding in the Borough due to inclement weather and tides, failed on December 27, 2019; and

WHEREAS, the Borough has determined that the aforesaid emergency affects the public health, safety and/or welfare and requires immediate performance of services; and

WHEREAS, in accordance with the declaration and pursuant to N.J.S.A. 40A:11-6 et. seq., the aforesaid emergency repair of the North Street Stormwater Pump is awarded to Pumping Services, Inc. of Middlesex, New Jersey for an amount not to exceed \$10,000; and

WHEREAS, certification of funds having been made by the Chief Financial Officer, that funds are available for the said purpose.



Patrick DeBlasio, Chief Financial Officer

Account Number: C 04 13 120 000 555

Amount: \$10,000

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the contract for the aforesaid emergency due to the failure of the North Street Stormwater Pump be and is hereby authorized and ratified to Pump Services, Inc., of Middlesex, New Jersey in an amount not to exceed \$10,000.

BE IT FURTHER RESOLVED, that the contract is being awarded without public advertisement for bids pursuant to an emergency situation affecting the public health, safety and/or welfare, and as authorized by the Local Public Contracts Law, in accordance with N.J.S.A. 40A:11-6, which permits the awarding of emergency contracts.

BE IT FURTHER RESOLVED, that the Borough officials, including but not limited to, the Borough Administrator, are hereby authorized to execute the said emergency contract, as well as any and all documents required to effectuate the same.

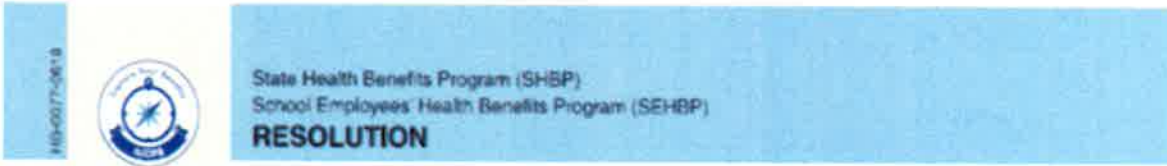
	INTRODUC	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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Matthew Conlon, RMC, Municipal Clerk

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7. This resolution shall take effect immediately and coverage shall be effective as of 01 / 15 / 2020 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the

BOROUGH OF HIGHLANDS 01 / 15 / 2020
Corporate Name of Employer mm / dd / yyyy

42 SHORE DRIVE HIGHLANDS NJ 07732
Street Address City State Zip Code

732 872 1224 X 203
Area Code Telephone Number

Signature **Municipal Clerk**
Official Title

Number of Employees 216000720
Employer's State Employer Identification Number (EIN)

Mail Completed Resolution to: **New Jersey Division of Pensions & Benefits
Health Benefits Bureau
P.O. Box 299
Trenton, NJ 08625-0299**

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
BROULLON		X	X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL			X			

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 DATE OF VOTE: 01/15/2020
 Matthew Conlon, RMC, Municipal Clerk

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-059
A Resolution Approving A Social Affairs Permit for American Legion Twin Lights Post #
114 Under Liquor License Number 1317-31-028-001**

Whereas, an application has been filed for a Social Affairs Permit for a fundraiser for "Angel Warriors" to be held February 8, 2020, with a rain date of February 15th 2020; and

Whereas, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed by the Chief of Police, or his designee, who has not objections to the issuance of said permit.

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Now Therefore, Be it Resolved that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the American Legion Twin Lights Post # 114 for February 8, 2020 with a rain date of February 15, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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Matthew Conlon, RMC, Municipal Clerk

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-060**

**A Resolution Approving A Social Affairs Permit for the Highlands Business Partnership
benefitting the Sandy Hook PBA**

Whereas, an application has been filed for a Social Affairs Permit for a fundraiser for "Sandy Hook PBA" to be held February 22, 2020; and

Whereas, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed by the Chief of Police, or his designee, who has not objections to the issuance of said permit.

Now Therefore, Be it Resolved that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the Highlands Business Partnership for February 22, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
RESOLUTION 20-061**

**A Resolution Authorizing the Use of Miller Beach for a Polar Plunge by American Legion
Twin Lights Post # 114 to raise funds for “Angel Warriors”**

Whereas, American Legion Twin Lights Post # 114 has filed a Recreation Department Facility Request application with the Office of the Borough Administrator to hold a polar plunge event to raise money for “Angel Warriors” on February 8, 2020; and

Whereas, the applicant has agreed to supply lifeguards, acquire event liability insurance, and has agreed to indemnify and hold the Borough of Highlands harmless as conditions for the applicant hosting this event on Borough property; and

Whereas, the Borough Administrator has determined that the application is complete in all respects and fees and insurance, if required, have been paid and acquired;

Now Therefore, Be it Resolved, that the Mayor and Council of the Borough of Highlands does hereby approve the application for American Legion Twin Lights Post # 114 for use of the Beach at Miller Street to conduct a polar plunge on February 8, 2020

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

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DATE OF VOTE: 01/15/2020

Matthew Conlon, RMC, Municipal Clerk

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
Resolution 20-062**

A Resolution Increasing the Contract Amount for Special Counsel with Regard to Litigation

Whereas, by way of Resolution 19-218, the Borough retained Richard Gantner, Esq., of the law firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC. to serve as Special Counsel with regard to a litigation matter pending in the Monmouth County Superior Court, Docket No. MON-L-1838-19; and

Whereas, by way of Resolution 19-218, the aforesaid Special Counsel was awarded a non-fair and open contract to provide such professional legal services for an amount not to exceed \$5,000 per year at an hourly rate of \$150 per hour; and

Whereas, this litigation is still pending in the Monmouth County Superior Court thereby requiring an increase in the contract amount; and

Whereas, the Borough Administrator recommends an increase in the contract in an amount not to exceed \$12,500; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

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I hereby certify funds are available as follows:

Account: 0-01-20-155-000-251

Amount: \$12,500



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that the Contract awarded to Richard Gantner, Esq. of Cleary, Giacobbe, Alfieri Jacobs to provide professional legal services with regard to the litigation matter pending in the Monmouth County Superior Court, Docket No. MON-L-1838-19 be and is hereby increased to an amount not to exceed \$12,500.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						X
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

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Reports

None

Council Reports

Communications Committee

Councilman Valkos indicated the final touches were being put on the new calendar and that it would be out shortly. The calendar will be comprehensive with Borough events.

The Communications Committee is also working on a standard format for the Borough website with other technology integrations.

Open Space Committee

Councilwoman Mazzola indicated that there will be two new members to the Open Space Committee and the focus will be on updating the 2009 outdated Open Space Plan.

Environmental Commission

Council President Ryan indicated that the Commission is reviewing the steep slope ordinance for revision to ensure it is comprehensive.

Council President Ryan also indicated the Commission will be reviewing the plastic bag ordinance among other projects

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Council President Ryan also indicated that Councilman Valkos and the Green Team were seeking Bronze Certification for the Borough. He also indicated that new resident packets were being worked on.

The mayor discussed that Highlands will be participating with 411 other municipalities in the Mayor's Wellness campaign which will involve numerous events in the Borough.

Economic Development

Cliff Moore updated council on various economic development projects in the Borough including Captain's Cove.

Public Portion

An unidentified gentleman asked whether Captain's Cove was a redevelopment plan. Mr. Moore indicated it was.

Claudette D'Arrigo of Seadrift Avenue – Ms. D'Arrigo read from a prepared statement regarding various citations issued on a property in the Borough at 10 Seadrift Avenue by the former Code Official. The citations spanned from 2013 to 2015. Ms. D'Arrigo also read from a statement regarding the deteriorated condition of the property in 2015. Ms. D'Arrigo also read from animal control reports, and indicated that she received an opened mail which was incorrectly delivered to her address for 10 Seadrift regarding the impending demolition of the property by the Borough at that time. Ms. D'Arrigo had issue with 10 Seadrift Avenue being discussed in Executive Session 7 years after Hurricane Sandy. Ms. D'Arrigo believes that 10 Seadrift Avenue should be discussed in public.

Kim Skorka of Shore Drive asked a question regarding resolution R 20 056. Mayor Broullon answered Ms. Skorka's Questions with regarding to the slope slip. Ms. Skorka indicated that she observed radar monitors being installed by police officers around Thanksgiving and had questions regarding that. Chief Burton answered her question regarding this matter.

Jeff Hand spoke to council about the benefits of medical marijuana and the Borough's ban of cannabis. Mr. Hand also spoke regarding the benefits of medical marijuana. Mayor Broullon corrected the gentlemen indicating that the Borough does not ban medical marijuana, but did ban the opening of a dispensary site within the Borough.

An unidentified friend of Mr. Hand also spoke to council indicating that he has finished 44 chemotherapy treatments and numerous other cancer treatments and he indicated that medical cannabis assisted him in being able to tolerate these treatments.

Mr. Lester Grimes, a friend of Mr. Hand asked Council if they would consider reversing the ban. Mayor Broullon indicated that she did not believe the votes were available to lift the ban, but once again, the ban did not ban the use of medical marijuana but instead banned the placement of a dispensary within the Borough.

Trish Rivera spoke next indicating that reversing the ban could increase business to the Borough, especially if it were a medical facility. Ms. Rivera indicated it could be placed uptown. Ms. Rivera also asked a question about sewer lines and the rejected bid. Mayor Broullon indicated that this did not refer to one specific line but the maintenance of the system and that all of the bids came in well over what was normal and customary for the work and accordingly the bid was rejected. Ms. Rivera suggested the placement of rain barrels at several locations throughout the Borough.


Mayor Broullon Motioned to Adjourn

Councilmember Mazzola Seconded the motion. All were in favor.

Council Adjourned at 8:53 pm.

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I, Matthew Conlon, RMC, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held January 15, 2020.

Approve:  Attest 
Carolyn Bronfman, Mayor Matthew Conlon, RMC, Borough Clerk