

Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands September 2, 2020– Meeting Minutes

This meeting of September 2, 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 1, 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.

Special notice regarding conduct of borough of highlands council meetings – excluding general public from meetings members of the public may access the public portion of the September 2, 2020 meeting via Zoom using the following link:

<https://zoom.us/j/92871418410?pwd=d2xxTDJFeEw5dIRPZXc1dzdURHZuZz09>

Meeting ID: 928 7141 8410

Passcode: 07732

The workshop will begin at 6:30 p.m., the open public meeting at 8 p.m. or upon the conclusion of executive session.

Please be advised that due to the current state of emergency and public health emergency declared by governor Phil Murphy pursuant to executive order and in an effort to prevent further spread of covid-19, the general public will be excluded from borough council meetings until further notice. The public will be able to participate in all borough council meetings by telephone bridge. A link for the livestream and call in number will be posted on the borough website, www.highlandsborough.org. Members of the public will be able to give public comment during relevant portions of the meeting.

WORKSHOP MEETING 6:30PM-CANCELED

Call to Order

Flag Salute

Mayor Broullon requested a moment of silence for Mr. Robert M. Rauen

Councilmember Braswell and Council President Ryan mentioned Mr. Rauen's dedication and service as a former councilmember for the Borough of Highlands.

Roll Call

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

Also in attendance were Administrator Kim Gonzales, Borough Attorneys Brian Chabarek, Esq., Borough Engineer Douglas Rohmeyer, P.E., Acting Clerk Michelle Hutchinson

The Township Clerk read the public meetings statement.

This meeting of September 2, 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 1, 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.

EXECUTIVE SESSION 6:30PM

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: - None
2. Contract Negotiations: - Time Off
- Cable Franchise
- Engineering Services
3. Purchase, Lease or Sale of Real Estate: - None
4. Matters of Personnel: - None
5. Attorney/Client Privilege: - Captain's Cove Redevelopment
- Ordinances

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.

Mayor Broullon motioned to adjourn to Executive Session, seconded by Councilmember Valkos. Motion was carried to move to executive session.

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REGULAR MEETING 8:00PM

Roll Call

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

Also in attendance were Administrator Kim Gonzales, Borough Attorneys Brian Chabarek, Esq., Borough Engineer Douglas Rohmeyer, P.E., Municipal Clerk Matthew Conlon

The Township Clerk read the public meetings statement.

This meeting of August 19, 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 1, 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.

PROCLAMATIONS:

None

INTRODUCTION OF PROPOSED ORDINANCES:

Acting Borough Clerk Michelle Hutchinson read the following ordinance by title:

O-20-19 An Ordinance Vacating a Portion of Cornwell Street Located Adjacent to Lot 2, Block 51 and Lot 4, Block 50 in The Borough of Highlands, County of Monmouth, State of New Jersey

It was moved by Mayor Broullon and seconded by Councilmember Braswell to pass this ordinance on first reading.

Roll Call Vote: Ayes: Braswell, Mazzola, Ryan, Valkos, Mayor Broullon
 Nays: None
 Abstention: None
 Absent: None

Acting Borough Clerk Michelle Hutchinson stated motion carried to pass this ordinance on first reading with a public hearing to be held on September 16, 2020.

RESOLUTIONS:

Resolution 20-192

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 September 2, 2020, which totals as follows:

Current Fund	\$ 784,744.55
Sewer Account	\$ 5,110.54
Capital Fund	\$ 13,542.25
Trust-Other	\$ 3,901.26
Federal/State Grants	\$
Total	\$ 807,298.60

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$807,298.60** 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.

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

Resolution 20-193

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE TOWNSHIP OF MIDDLETOWN FOR THE PROVISION OF MUNICIPAL CLERK SUPPORT SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

WHEREAS, the Borough of Highlands and the Township of Middletown wish to encourage inter-municipal cooperation; and

WHEREAS, the Borough of Highlands and the Township of Middletown have reached an agreement for which the cost to provide such services to the Borough of Highlands will be \$56,000.00 per year, billed and paid on a quarterly basis, consisting of the following:

- a. Work closely with Highlands' Acting Clerk and answer questions on process and statutory requirements.
- b. Assist with online forms, creating meeting minutes, and agenda packet preparation and attend council meetings when needed.
- c. Assist with Request for Proposals and Non Fair/Fair and Open bids.
- d. Process local permits and licenses for ABC, LGCCC, Landlord Registration certificates, and any other local licenses to be determined.
- e. Assist with the certification of polling places and party petitions, process returns to the County, and cover issues that arise on Election Days.
- f. Provide RIM system training for imaging, inventory, and destruction of records.
- g. Assist with meeting notices, resolution publications, and ordinance publication and codification.
- h. Prepare professional service contracts for RFP's and support documents.
- i. Assist with Registrar matters and processing.

; and

WHEREAS, the term of the Agreement shall be for a period of one (1) year, with two (2) one (1) year renewal options, along with the ability to terminate with sixty (60) days' notice.

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

I hereby certify that funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the Mayor be and is hereby authorized to execute a Shared Services Agreement with the Township of Middletown for the provision of Municipal Clerk Support services, in the amount of \$56,000.00 per year.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:65-1, a certified copy of the within Resolution shall be forwarded to the New Jersey Department of Community Affairs, Division of Local Government Services.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Chief Financial Officer, the Borough of Highlands Administrator and the Township of Middletown Administrator.

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

Motion to table Resolution 20-194 to September 16, 2020 meeting.

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

R 20-195

A RESOLUTION APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 TERM

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (ABC) has extended the due date for renewal of Liquor Licenses to September 30, 2020 due to COVID 19; and,

WHEREAS, renewal applications have been filed or submitted through POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal Fees have been paid and a Tax Clearance Certificate has been received for the following licensee[s]; and,

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the

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New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2020-2021 license term be and is hereby authorized:

License Number	Licensee	Establishment
1317-33-004	Bay Avenue Entertainment LLC	Inactive
1317-33-003	Claddagh of Highlands	Inactive
1317-33-007	Inlet Café Inc.	Inlet Cafe

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

RESOLUTION 20-196

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL WASTEWATER ENGINEERING SERVICES REGARDING IMPROVEMENTS AT THE WATERWITCH WASTEWATER PUMP STATION

WHEREAS, the Borough of Highlands has a need for Professional Wastewater Engineering Services in connection with the improvements at the Waterwitch Wastewater Pump Station, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, H2M Associates, Inc. has set forth its proposed services in a written proposal dated July 14, 2020, copy of which is available at the office of the Borough Clerk; and

WHEREAS, the proposed services and the amount of the contract with H2M Associates is \$65,000.00, consisting of the following:

Phase 1 - Preliminary Due Diligence	\$ 4,500.00
Phase 2 – Detailed Design	\$29,500.00
Phase 3 – Bid Services	\$ 4,500.00
Phase 4 – Construction Administration	\$17,500.00
Phase 5 – Construction Observation	<u>\$ 9,000.00</u>
TOTAL	\$65,000.00

WHEREAS, such professional wastewater engineering services can only be provided by licensed professionals and the firm of H2M Associates, 4810 Belmar Boulevard, Suite 201, Wall Township, New Jersey 07753 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain H2M Associates for the proposed wastewater engineering services in connection with the improvements at the Waterwitch Wastewater Pump Station; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$65,000.00 for Professional Wastewater Engineering Services as stated in H2M Associates proposal dated July 14, 2020; and

WHEREAS, H2M Associates has completed and submitted a Business Entity Disclosure Certification

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which certifies that H2M Associates has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit H2M Associates from making any reportable contributions through the term of the contract; and

WHEREAS, H2M Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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

I hereby certify that funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. Seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands as follows:

1. H2M Associates is hereby retained to provide wastewater engineering services in connection with the improvements at the Waterwitch Wastewater Pump Station as outlined above for an amount not to exceed \$65,000.00.
2. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. 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			
VALKOS		X	X			
BROULLON	X		X			

**Resolution 20-197
Authorizing an Electronic Tax Sale**

WHEREAS, NJSA 54:5-19.1 permits municipalities to conduct electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highlands, New Jersey, does hereby authorize and direct the Tax Collector to conduct an electronic tax sale.

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

Resolution 20-198

A Resolution Authorizing Participation in the Leap Implementation Grant

WHEREAS, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, \$2 million in LEAP Implementation Grant funds has been set allocated to support costs associated with school district consolidation studies; and

WHEREAS, Atlantic Highlands, Highlands, and Sea Bright have determined to evaluate whether Atlantic Highlands Elementary School, Highlands Elementary School and Henry Hudson Regional School may be able to attain improved educational quality and efficiencies through consolidation or regionalization with Sea Bright; and

WHEREAS, a formal study must be undertaken to accomplish this objective; and

WHEREAS, the Borough of Sea Bright has agreed to be the lead entity in conducting this study and will submit the application for financial support for this study to DLGS on behalf of all participating units.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the Borough of Highlands does hereby join with Sea Bright and Atlantic Highlands in applying for a LEAP Implementation Grant to support undertaking the regionalization and consolidation study of Atlantic Highlands, Highlands and Sea Bright.

CERTIFICATION

I, Michelle Hutchinson, Acting Municipal Clerk of the Borough of Highlands in the County of Monmouth, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the governing body of the Borough of Highlands at its meeting of September 2, 2020.

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

Resolution 20-199

RESOLUTION APPOINTING MICHELLE HUTCHINSON TO SERVE IN THE POSITION OF REGISTRAR

WHEREAS, the position of Registrar is vacant due to the resignation of Matthew Conlon and the Governing Body of the Borough of Highlands desires to appoint Michell Hutchinson to fill the position to be

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effective on September 2, 2020; and

WHEREAS, N.J.S.A. 26:8-13 provides that “if the local registrar is the municipal clerk, his term of office shall be concurrent with his term of office as clerk”; and

WHEREAS, by Resolution 20-181 Michelle Hutchinson was appointed as Acting Municipal Clerk effective August 18, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Highlands, that Michelle Hutchinson is hereby appointed to serve as Registrar for a term of office concurrent with her term of office as Acting Municipal Clerk; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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

Resolution 20-200

RESOLUTION APPOINTING DONNA CONRAD TO SERVE IN THE POSITION OF DEPUTY REGISTRAR

WHEREAS, the position of Deputy Registrar is vacant due to Michelle Hutchinson being appointed as the Registrar; and

WHEREAS, N.J.S.A. 26:8-17 provides that the Local Registrar, upon acceptance of the appointment, shall appoint a Deputy Registrar; and

WHEREAS, Michelle Hutchinson has determined to appoint Donna Conrad to fill the position of Deputy Registrar and the Governing Body of the Borough of Highlands desires to confirm that appointment by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Highlands, that Donna Conrad is hereby appointed to serve as Deputy Registrar.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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

Resolution 20-201

RESOLUTION APPROVING THE USE OF VETERANS PARK BY THE CHUBBY PICKLE FOR A FUNDRAISER

WHEREAS, the Cubby Pickle has requested to use Veterans Park to host a Fundraiser on Sunday, September 13, 2020 from noon until 6:00 p.m.; and

WHEREAS, the fundraiser will consist of, among other things, a fun table for kids, raffle prizes, live music, t-shirt sales and food vendors; and

WHEREAS, all CDC social distancing guidelines will be adhered to and enforced by staff and volunteers at the fundraiser.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that it hereby approves the use of Veterans Park by the Chubby Pickle for a fundraising event on September 13, 2020 from noon until 6:00 p.m.

BE IT FURTHER RESOLVED, that the Chubby Pickle shall comply with all requirements of Borough Code, including but not limited to, Chapter 2-41 and the payment of fees for use of the park.

BE IT FURTHER RESOLVED, that Certified copies of this Resolution be forwarded to the Chief of Police, the Borough Administrator and the Chubby Pickle.

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

OTHER BUSINESS:

Economic Development

Kim Gonzales, Borough Administrator stated that this item discussion would be postponed to a later date.

REPORTS:

None

Council President Ryan stated she would like to see a flag put up to recognize pediatric cancer for next year. Council agreed that additional flags should be considered.

PUBLIC COMMENTS:

Acting Borough Clerk Michelle Hutchinson read the following statement.

PLEASE WAIT TO BE ACKNOWLEDGED BY THE MAYOR BEFORE SPEAKING. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD BEFORE MAKING YOUR STATEMENT. THERE IS A THREE MINUTE TIME LIMIT FOR YOUR COMMENTS. THANK YOU.

Kim Skorka 315 Shore Drive: Questioned as to why Highlands day was not being done this year. Mayor Broullon explained due to OEM, Governor’s executive order canceling all Borough Events for the month of September.

Ms. Skorka asked for an update on the agreement between Borough and the lessee of Captains Cove. Mayor Broullon stated there is no finished agreement yet.

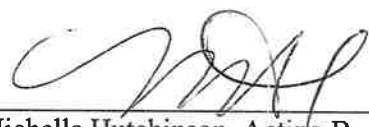
Mayor Broullon asked if any further questions from the public.

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ADJOURN:

Upon motion by Mayor Broullon, seconded by Council President Ryan, motion carries to adjourn at 8:23PM.
All in Favor.

Approve: 
Carolyn Broullon

Attest 
Michelle Hutchinson, Acting Borough Clerk