

**Highlands Borough Mayor & Council Meeting Minutes**  
**Community Center, 22 Snug Harbor Avenue, Highlands January 20, 2021– Meeting Minutes**

**REGULAR MEETING: 8:00PM - MEETING STATEMENT:**

**TO ATTEND THIS MEETING PLEASE FOLLOW THE LINK BELOW**

For instructions and a link to join this meeting from your mobile device or computer please copy and paste the following URL into your browser:

<https://zoom.us/j/92296128373?pwd=VIUzSjZvd1hTb09MSzNpWDRvNXZtdz09>

To call into the meeting dial: 1- 929- 436- 2866. Enter Meeting ID: 922 9612 8373  
Passcode: 2021

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

**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: -Docket No. MON-L-411-20
2. Contract Negotiations: - Shared Services
3. Purchase, Lease or Sale of Real Estate: - None
4. Matters of Personnel: - None
5. Attorney/Client Privilege: - Redevelopment-Shadowlawn-Captains Cove-Bay Ave  
-Open Space Plan/Grant

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 Melnyk. Motion was carried to move to executive session.

**REGULAR MEETING 8:01PM**

The Borough Clerk read the public meetings statement.

This is a meeting of the Borough Council January 20, 2021. The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

Please be advised that due to the current state of emergency and public health emergency declared by Governor Phil Murphy and pursuant to executive order in an effort to prevent further spread of COVID-21, 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 video conference. Members of the public will be able to give public comment during relevant portions of the meeting.

If you want to ask a question or make a statement to the Governing Body, please press the "raise hand" button then wait to be acknowledged by the Clerk before speaking. If you are calling in, please use \*9 to "raise hand". Please state your name and address for the record before making your statement. There is a three-minute time limit for your comments. The Clerk will inform you when you are near the end of your time and ask you to finish up. Thank you.

**PLEDGE OF ALLEGIANCE**

Mayor Broullon asked for a moment of silence for Nina Flannery, who passed away this morning.

**ROLL CALL**

Councilmember Martin, Councilmember Mazzola, Councilmember Melnyk, Councilmember Olszewski, and Mayor Broullon were all Present.

Absent: None

Also in attendance were Administrator Michael Muscillo, Borough Attorney Brian Chabarek, Esq., Borough Engineer Gregory Valesi, Acting Municipal Clerk Michelle Hutchinson

**Approval of Minutes**

1. December 16, 2020-Regular Meeting Minutes

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The only eligible Councilmembers that can vote are Mayor Broullon and Councilmember Mazzola. Mayor Broullon motioned to approve minutes, seconded by Councilmember Mazzola.

Ayes: Mayor Broullon, Councilmember Mazzola

Nays: None

Abstain: None

Absent:

Motion was carried to move to approve minutes.

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES:**

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

**O-21-01 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**

Mayor Broullon opened the meeting for council comments.

Councilmember Mazzola explained the history of this ordinance. Ms. Mazzola also had questions for engineer. Borough Engineer Gregory Valesi explained and stated that the Borough should only vacate what they have the right of way to.

Council Member Melnyk stated that this is to correct an error from the past.

Council President Olszewski stated there were no objections made to the improvements that were made.

Borough Attorney Chabarek clarified the area that was to be vacated.

Mayor Broullon opened the meeting for public comments.

Kim Skorka, 315 Shore Drive-is opposed to ordinance stated this would take away view for residents.

Daniel Demuro, 24 Cornwall Street-against ordinance would like to see it kept as is. Would like it tabled for further discussion.

Mayor gave explanation for new residents.

Russ Chelak, 3 Washington Avenue-opposed to ordinance would like these improvements kept going.

Jack Manonsos, owner of Proving Ground-thanked Mayor and Council. Approves ordinance will work alongside town.

Douglas Lentz, stated nothing would change area would stay the same if ordinance was passed.

Chris Francy, is opposed to ordinance.

Michael Cannon, 10 Central Avenue-is not in agreement with ordinance. Does not see the need to rush into vacating due to not knowing what will be there in the future.

Kim Skorka, 315 Shore Drive-questioned why the 32-year-old ordinance could not be filed. Borough Attorney Chabarek explained.

Ken Braswell, 62 Gravelly Point Road-is in favor of ordinance. Does not feel any restrictions will be put on residents' views.

Jacklyn Walsh, 57 Shrewsbury Avenue-is in favor of ordinance loves the improvements made to property.

Laura Cowan, 215 Linden Avenue-supports ordinance.

Bill Cullen, 26 Central Avenue- questioned whether green acres funding available. Mayor explained no green acres funding used.

Hearing no further comments from the public, it was moved by Mayor Broullon and seconded by Councilmember Melnyk to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Melnyk, Olszewski, Mayor Broullon

Nays: Mazzola

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**O-21-02 AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR THE LEASE OF PROPERTY FROM THE WATER WITCH BEACH IMPROVEMENT ASSOCIATION TO THE BOROUGH OF HIGHLANDS**

Mayor Broullon opened the meeting for council comments.

Councilmember Mazzola stated she is happy to put this through.

Mayor Broullon opened the meeting for public comments.

Bill Cullen, 26 Central Avenue- in favor of ordinance.

Hearing no further comments from the public, it was moved by Mayor Broullon and seconded by Councilmember Martin to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**O-21-03 AN ORDINANCE REPEALING CHAPTER 6-6 OF THE BOROUGH CODE REGARDING IDENTIFICATION CARD REQUIREMENTS FOR EMPLOYEES SERVING ALCOHOL**

Mayor Broullon opened the meeting for council comments.

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Councilmember Mazzola opposes ordinance.

Mayor Broullon opened the meeting for public comments.

Jim O'Connor, 330 Shore Drive-questioned who proposed ordinance and stated this is a way to protect patrons and residents. Mayor stated she did.

Rosemary Ryan, 117 Highlands Avenue-opposes ordinance.

Laura Cowan, 215 Linden Avenue-approves of ordinance.

Douglas Lentz, Central-approves ordinance.

Hearing no further comments from the public, it was moved by Mayor Broullon and seconded by Council President Olszewski to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Melnyk, Olszewski, Mayor Broullon

Nays: Mazzola

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**O-21-04 AN ORDINANCE AMENDING SECTION 2-50.3 OF BOROUGH CODE WITH REGARD TO THE ECONOMIC DEVELOPMENT REVIEW BOARD**

Mayor explained ordinance.

Mayor Broullon opened the meeting for council comments.

Councilmember Melnyk approves of ordinance.

Mayor Broullon opened the meeting for public comments.

Kim Skorka, Shore Drive-questioned if anyone was going to join the Twin lights board. After Kim Skorka's comments, Mayor Broullon explained this is to inform new residents and businesses in the Borough.

Claudette D'Arrigo, 12 Seadrift Avenue-questioned who would be on board. Mayor Broullon explained.

Hearing no further comments from the public, it was moved by Mayor Broullon and seconded by Councilmember Martin to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**O-21-05 AN ORDINANCE AMENDING SECTION 4-9.1 OF THE BOROUGH CODE TO REVISE MERCANTILE LICENSE REQUIREMENTS**

Mayor explained ordinance.

Mayor Broullon opened the meeting for council comments.

Councilmember Melnyk approves of ordinance.

Mayor Broullon opened the meeting for public comments.

Hearing no comments from the public, it was moved by Mayor Broullon and seconded by Councilmember Melnyk to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**O-21-07 AN ORDINANCE AMENDING SECTION 4-9.1 OF THE BOROUGH CODE TO CREATE THE POSITION OF CONFIDENTIAL ADMINISTRATIVE ASSISTANT TO THE MAYOR AND BOROUGH ADMINISTRATOR**

Mayor explained ordinance.

Mayor Broullon opened the meeting for council comments.

Councilmember Mazzola questioned if there were any other administrators or Mayors with assistants and is not in favor of ordinance.

Councilmember Martin is in favor of ordinance.

Council President Olszewski is in favor of ordinance.

Mayor Broullon opened the meeting for public comments.

Kim Skorka, Shore Drive-opposes ordinance does not agree with confidential part and payment.

Luke Bollerman, business owner-is in favor of ordinance. Thinks we should be able to have support.

Melissa Pedersen, 17 Bay Street-opposes ordinance does not understand why this is needed.

Mayor Broullon explained the need.

Councilmember Martin asked to consider the growth of the town.

Councilmember Mazzola stated there has been no enormous increase.

Claudette D'Arrigo, 12 Seadrift Avenue-takes offense to the confidential secretary.

HBP members, 62 Gravelly Point Road-stated many mayor's have assistants and is in favor of ordinance.

Chris Francy, questioned if there will be issues with OPRA due to the confidential title. Borough Attorney Chabarek stated it depends on the nature of the request as there are certain exemptions under OPRA.

Russ Chelak, 3 Washington Avenue-fully supports ordinance stated classified assistant is a standard term.

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Jim Smith, Mississippi-stated opposition of ordinance questioning why this position would be needed.  
Harry Walker, 123 Marina Bay Court-questioned what managerial authority this position would have. Borough Attorney Chabarek explained.

Gina Melnyk, C-5 Twinlights Terrace-is in favor of the ordinance.

John Bentham, 39 Washington Avenue-in favor of ordinance.

Hearing no further comments from the public, it was moved by Mayor Brouillon and seconded by Councilmember Melnyk to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Melnyk, Olszewski, Mayor Brouillon

Nays: Mazzola

Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

**INTRODUCTION OF PROPOSED ORDINANCES:**

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

**O-21-08 AN ORDINANCE DESIGNATING RESTRICTED PARKING IN FRONT OF RESIDENCE OCCUPIED BY PERSON WITH DISABILITIES**

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

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Brouillon

Nays: None

Abstention: None

Absent: None

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on first reading with a public hearing to be held on February 3, 2021.

**RESOLUTIONS:**

**Resolution 21-39**

**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 15, 2021, which totals as follows:

Current Fund	<b>\$ 99,283.58</b>
Sewer Account	<b>\$ 56,622.07</b>
Capital Fund	<b>\$ 201,597.33</b>
Trust-Other	<b>\$ 52,101.83</b>
Federal/State Grants	<b>\$</b>
<b>Total</b>	<b>\$ 409,606.81</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 409,606.81 to 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](http://www.highlandsborough.org) and on file in the Municipal Clerk's office for reference.

Motion to Approve R-21-39:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin		X	X			
Mazzola			X			
Melnyk			X			
Olszewski			X			
Brouillon	X		X			

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**RESOLUTION 21-40  
RESOLUTION APPOINTING MEMBER TO THE LAND USE BOARD**

WHEREAS, a vacancy exists on the Land Use Board as to a Class IV-member consisting of a citizen of the municipality.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following appointment be and is hereby confirmed to the Land Use Board:

POSITION:	NAME:	TERM:	EXPIRATION:
Member (Class IV)	Frank Montecalvo	4 Years	12/31/2024
Alternate 2	Helen Chang	2 Years	12/31/2022

Motion to Approve R-21-40:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola			X			
Melnyk		X	X			
Olszewski			X			
Broullon	X		X			

**R 21-41**

**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 submitted license renewal application received a 12.39 special ruling and was approved by the State Alcohol Beverage Control Director, a copy of which is annexed hereto; and

**WHEREAS**, the applicants are qualified to be licensed per standards established by Title 33 of the 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 term ending on June 30<sup>th</sup> 2021, is hereby authorized:

License Number	Licensee	Establishment
1317-33-010-011	181 HOSPITALITY LLC	INACTIVE
1317-33-024-017	LA BISE LLC	INACTIVE
1317-33-016-004	FILIP ENTERPRISES INC	INACTIVE

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

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**RESOLUTION 21-42**

**A RESOLUTION APPOINTING ENGINEER TO PROVIDE CONSULTING SERVICES FOR MARINE/COASTAL ENGINEERING FOR THE CALENDAR YEAR 2021 & AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

WHEREAS, the Borough of Highlands has a need for professional engineering services to provide Marine/Coastal Engineering Consulting Services for the calendar year 2021 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional services can only be provided by licensed professionals and Maser Consulting is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, Maser Consulting has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

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

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$20,000.00; and

WHEREAS, certification of the availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2021 Budget; and

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 of Highlands Governing Body as follows:

1. Maser Consulting is hereby appointed to provide Marine/Coastal Engineering Consulting Services for the calendar year 2021 and is awarded a professional services contract for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$ 20,000.00.
2. The Mayor and Borough Clerk are hereby authorized to sign the Professional Services Contract for the aforesaid services.
3. This 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)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk
5. The Borough Clerk is hereby directed to publish notice of this award as required by law

Council member Mazzola questioned what projects were for this appointment. Mayor Broullon stated that has not been determined yet.

Motion to Approve R-21-42:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola			X			
Melnyk			X			
Olszewski		X	X			
Broullon	X		X			

**RESOLUTION 21-43**

**A RESOLUTION APPOINTING BOROUGH PLANNER FOR BUSINESS DISTRICT AND RESIDENTIAL DEVELOPMENT MODIFICATIONS FOR THE CALENDAR YEAR 2021 & AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES**

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WHEREAS, by way of Resolution 20-172, duly adopted August 3, 2020, the Borough appointed Phillips Preiss Grygiel Leheny Hughes, LLC to serve as the Borough Planner to provide professional services for business district and residential redevelopment modifications; and

WHEREAS, the Borough of Highlands continues to have a need for professional planning services to be provided to the Borough of Highlands for the calendar year 2021 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and Phillips Preiss Grygiel Leheny Hughes, LLC. are so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, Phillips Preiss Grygiel Leheny Hughes has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

WHEREAS, Phillips Preiss Grygiel Leheny Hughes, has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c. 271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, for professional services, for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$25,000.00; and

WHEREAS, certification of the availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2021 Budget; and

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 of Highlands Governing Body as follows:

1. Phillips Preiss Grygiel Leheny Hughes, LLC is hereby appointed to serve as Borough Planner to provide professional services for business district and residential redevelopment modifications for the calendar year 2021 and is awarded a professional services contract for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$ 25,000.00.
  2. The Mayor and Borough Clerk are hereby authorized to sign the Professional Services Contract for the aforesaid services.
  3. This 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)(i), because it is for services performed by persons authorized by law to practice a recognized profession.
  4. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk
  5. The Borough Clerk is hereby directed to publish notice of this award as required by law
- Mayor Broullon explained resolution.

Motion to Approve R-21-43:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola		X	X			
Melnyk			X			
Olszewski			X			
Broullon	X		X			

**RESOLUTION 21-44**

**A RESOLUTION APPOINTING SPECIAL COUNSEL FOR REDEVELOPMENT PROJECTS FOR THE  
CALENDAR YEAR 2021 & AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR  
PROFESSIONAL SERVICES**

WHEREAS, by way of Resolution 20-2017, duly adopted on October 7, 2020, the law firm of McManimon, Scotland & Baumann, LLC was appointed to serve as special counsel for redevelopment projects within the Borough; and

WHEREAS, the Borough of Highlands continues to require special counsel to perform professional legal services in connection with its various redevelopment projects in the Borough of Highlands for the calendar year 2021 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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WHEREAS, such professional legal services can only be provided by licensed professionals and the law firm of McManimon, Scotland & Baumann LLC. are so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, McManimon, Scotland & Baumann LLC. completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

WHEREAS, McManimon, Scotland & Baumann LLC., has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c. 271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, for professional services, for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$25,000.00; and

WHEREAS, certification of the availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2021 Budget; and

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 of Highlands Governing Body as follows:

1. McManimon, Scotland & Baumann LLC. is hereby appointed special counsel for redevelopment projects for the calendar year 2021 and is awarded a professional services contract for the period of January 1, 2021 through December 31, 2021, for an amount not to exceed \$ 25,000.00.
  2. The Mayor and Borough Clerk are hereby authorized to sign a Professional Services Contract for the aforesaid services.
  3. This 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)(i), because it is for services performed by persons authorized by law to practice a recognized profession.
  4. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
  5. The Borough Clerk is hereby directed to publish notice of this award as required by law.
- Mayor Broullon explained resolution.

Motion to Approve R-21-44:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola		X	X			
Melnyk			X			
Olszewski			X			
Broullon	X		X			

**RESOLUTION 21-45**

**A RESOLUTION AUTHORIZING THE RELEASE OF  
ESCROW LAND USE FUNDS FOR FRED ROSIAK**

WHEREAS, Fred Rosiak, Captains Cove Marina submitted an escrow for land use in 2016, this escrow has been requested to be released, and pursuant to Borough Ordinance, the remaining escrow in the amount of \$ 6,300.00 will be released; and

WHEREAS, Mr. Rosiak is no longer pursuing the application in question, and the Borough Administrator has authorized said release; and

WHEREAS, the Borough's CFO has recommended the return of the aforementioned escrow in the accounts of T-03-56-856-810-168.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the Borough's Finance Officer is hereby authorized to return the escrow deposit in the amount of \$6,300.00 to Fred Rosiak, Captains Cove Marina for the escrow deposits for the property located at 2 Washington Ave, Highlands, NJ 07732.



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**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this Resolution to the following:

1. Borough Finance Officer.
2. Fred Rosiak, Captains Cove Marina.

Mayor Broullon explained resolution.

Motion to Approve R-21-45:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola			X			
Melnyk		X	X			
Olszewski			X			
Broullon	X		X			

**RESOLUTION 21-46**

**A RESOLUTION AUTHORIZING THE RELEASE OF  
ESCROW FUNDS FOR STREET VACATION FOR A PORTION OF CORNWELL STREET**

**WHEREAS**, 56 Shrewsbury Avenue LLC, Proving Ground and Cornwall Street LLC, Inlet Café, submitted an escrow for a Street Vacation in 2020, this escrow has been requested to be released, and pursuant to Borough Ordinance, the remaining escrow in the amount of \$ 3,600.00 will be released; and

**WHEREAS**, the Borough's CFO has recommended the return of the aforementioned escrow in the accounts of T-03-56-856-800-109 and T-03-56-856-800-110.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Highlands that the Borough's Finance Officer is hereby authorized to return the escrow deposit in the amount of \$3,600.00 to 56 Shrewsbury Avenue LLC, Proving Ground and \$3,600.00 to Cornwall Street LLC, Inlet Café, for the escrow deposits for the Street Vacation request for a portion of Cornwell Street, Highlands, NJ 07732.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this Resolution to the following:

1. Borough Finance Officer.
2. 56 Shrewsbury Avenue LLC, Proving Ground.
3. Cornwall Street LLC, Inlet Café

Mayor Broullon explained resolution.

Motion to Approve R-21-46:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin		X	X			
Mazzola			X			
Melnyk			X			
Olszewski			X			
Broullon	X		X			

**OTHER BUSINESS:**

**Garden Club:** Mayor Broullon explained that the annual contribution of \$3,500.00 to the garden club. Councilmember Mazzola stated they do a fantastic job.

Council President Olszewski commented that they do a beautiful job.

Councilmember Melnyk spoke regarding website thanked the committee that put it together. Would like to see someone else be able to post updates as well not just one employee. Mayor Broullon stated Mr. Melnyk should work on a plan with administrator.

**Parking restrictions:** Attorney Brian Chabarek explained that the Chief of Police and the Engineer were working on introducing an ordinance for the next meeting.

Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands January 20, 2021- Meeting Minutes

**REPORTS:**

Engineer Reports

CME - Gregory Valesi gave an update on Locust Street project as well as Bay Avenue sewer project.

Mayor asked if any comments from council. No comments.

Mayor opens public portion.

**PUBLIC PORTION:**

Lizzy, 15 Washington-Comments for Public Works regarding brush pickup. Questioned if the town imposing a Waterview tax on residents was a rumor. Councilmember Mazzola and Mayor Broullon confirmed that was just a rumor.

Kim Skorka, 315 Shore Drive-Would like to get rid of permitted parking on Marine/Matthew Street paint yellow curbs as alternative. Disappointed that Linda Mazzola is no longer a liaison. Also asked for Army Corp update.

Councilmember Mazzola explained that the meeting was not a formal meeting more of a tour. Council President Olszewski agreed with Mazzola's comment.

Jim Smith, 380 Holly Springs, Mississippi-stated his disapproval of the Mayor and the public meetings. Mayor responded to his questions.

John Bentham, 39 Washington Avenue-questioned when we would go back to in person meetings. Mayor stated not anytime soon.

Gina Melnyk, C-5 Twinlights Terrace-welcomed new council also thanked the Mayor and councilmember Mazzola.

Claudette D'Arrigo, 12 Seadrift Avenue-Questioned form of government that Borough follows. Questioned Mr. Martin's qualifications for Land Use Board. Questioned why committees were changed and why does HBP have a liaison and questioned if Ms. Olszewski understands what being a council president is. Mayor answered all of Ms. D'Arrigo's questions.

Tricia Rivera questioned why Doug Rohmeyer was no longer the Borough Engineer.

The Mayor answered the question.

Edward Grimes, 84 Hanover Road, East Hanover-questioned ban on cannabis. Mayor explained that the ordinance is being reviewed by the land use board and will be heard at a later date.

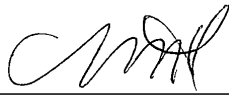
Marina Remenan, Sayreville-spoke about medical marijuana is in favor of ordinance.

Jeffrey King, 24 Elizabeth Parkway, Eatontown-would like town to reconsider ordinance and the importance of medical marijuana.

**ADJOURN:**

Upon motion by Mayor Broullon, seconded by Councilmember Melnyk, motion carries to adjourn at 10:49PM. All in Favor.

Approve:   
Carolyn Broullon

Attest:   
Michelle Hutchinson, Acting Borough Clerk