

**Borough of Highlands  
Mayor & Council  
Regular Meeting  
February 4, 2015**

Ms. Kane called the meeting to order at 7:03 p.m.

Mrs. Cummins read through the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Work Shop/Regular Meeting of the Mayor & Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

**ROLL CALL:**

**Present:** Mr. Card, Ms. Kane, Mr. Redmond, Ms. Ryan, Mayor Nolan

**Late Arrival:** Mayor Nolan – arrived at 7:10 p.m.

**Also Present:** Carolyn Cummins, Borough Clerk

Tim Hill, Borough Administrator

Patrick DeBlasio, Tax Collector

Bruce Padula, Borough Attorney

Dale Leubner, Borough Engineer

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**Executive Session Resolution**

Mr. Redmond offered the following Resolution and moved its adoption:

**RESOLUTION  
EXECUTIVE SESSION**

**BE IT RESOLVED** that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

- 1. Litigation: Captain's Cove Marina**
- 2. Contract:**
- 3. Real Estate:**
- 4. Personnel Matters: Municipal Judge Position**
- 5. Investigation:**
- 6. Attorney-Client Privilege: Clam Plant Lease**

**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; and

**BE IT FURTHER RESOLVED** that no portion of this meeting shall be electronically recorded unless otherwise stated; and

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

1. Any matter which, by express provision of Federal Law, State statute or rule of court shall be rendered confidential or excluded from public discussion. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Any matter in which the release of information would impair a right to receive funds from the federal government.
3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

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4. Any collective bargaining agreement, or the terms and the conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
5. Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investments of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.
6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of law
7. **Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.**
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124, NJ 478 (1991).
9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

**BE IT FURTHER RESOLVED** that action may be taken after the executive session.

Seconded by Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Card, Ms. Kane, Mr. Redmond, Ms. Ryan

**NAYS:** None

**ABSENT:** Mayor Nolan

**ABSTAIN:** None

The Governing Body then entered into Executive Session.

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Ms. Kane called the Regular Meeting to order at 8:06 p.m.

Ms. Kane asked all to stand for the Pledge of Allegiance.

**ROLL CALL:**

**AYES:** Ms. Kane, Mr. Redmond, Ms. Ryan

**NAYS:** None

**ABSENT:** Mr. Card, Mayor Nolan

**ABSTAIN:** None

**Mr. Padula was also absent.**  
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**National Park Service Presentation – Update of Rehab of Historic Buildings at Sandy Hook:**

Pete McCarthy, Unit Coordinator at Sandy Hook, spoke about the RFP's they have for six buildings. He then gave an update.

John Warren gave a power point presentation. He explained that they have a Federal Advisory Committee consisting of elected officials, local citizens, and experts on different types of content, to help guide this process. They have been meeting since January 2013. They have given a lot of feedback. In 2013, we issued a Request of Expressions of Interest. It basically asked if you could lease a building, what ideas would you have. We received 41 responses. We took this information and created a land use map. It is not set in stone. It's something we will look at and refine and redesign as we go along. The RFP's are open right now for 6 buildings. The deadline is April 17<sup>th</sup>. There are two bed and breakfast, two residential and two for non-profit. All information is available on the government website. He continued to explain the process and criteria. He stated that their goal is to save buildings, not to make money.

Mr. Hill spoke of his experience on the Advisory Committee. He thinks it's a great program.

Tom Reed of Snug Harbor explained that he tried to lease a building years ago. He asked about the lease process.

John Warren explained the process and the information they require on the application.

Barbara Ianucci of 28 Shrewsbury Avenue questioned the rehabilitation.

Pete McCarthy described the building elevations and flooding of buildings. The buildings can't be elevated but the utilities will be. There were some buildings that did not get any flooding.

Pete McCarthy thanked the Council for giving them time to do the presentation.

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**Consent Agenda:**

Mayor Nolan, Mr. Card and Mr. Padula returned at 8:25 p.m.

Mayor Nolan asked if anyone had questions or items pulled from consent agenda.

Ms. Kane said that Resolution R-15-51 is for an Atlantic Highlands PTO event but the event is being held in Highlands.

**R-15-48  
RESOLUTION  
HIGHLANDS - GRANT**

**FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough of Highlands Governing Body, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough of Highlands Governing Body further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough of Highlands Governing Body applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey hereby recognizes the following:

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1. The Borough of Highlands Council does hereby authorize submission of a strategic plan for the (name) Municipal Alliance grant for fiscal year July 2014 – June 2019 in the amount of:
 

DEDR               \$ 31,960  
 Cash Match       \$ 3,995  
 In-Kind             \$ 23,970
  
2. The Governing Body of the Borough of Highlands acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
(Name), Mayor

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			x	YES	NO	

**R-15-49**

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**RESOLUTION - APPROVAL OF CORRECTIVE ACTION PLAN FOR CALENDAR  
YEAR 2013**

**WHEREAS**, the Directive by the Division of Local Government Services, Local Finance Notice 92-15 dated August 9, 1992, requires that the Chief Financial Officer must submit a Corrective Action Plan, relative to the findings and recommendation in the annual audit report; and

**WHEREAS**, the Governing Body of the Borough of Highlands has reviewed the Audit for Calendar Year 2013 which does not have any recommendations;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that a Corrective Action Plan is not required.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Chief Financial Officer, the Director of the Division of Local Government Services, and all appropriate Borough Officials.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			

REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA    x    YES        NO						

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**Resolution R-15-49**  
**Attachment**

**CORRECTIVE ACTION PLAN - CALENDAR YEAR 2013**

**BOROUGH OF HIGHLANDS**

**SFY 2013 Recommendations:   NONE**

**RESOLUTION**  
**R-15-50**  
**SAFETY AND COMPLIANCE PROGRAM**  
**ACCEPTANCE RESOLUTION**

BOROUGH OF HIGHLANDS

COUNTY OF MONMOUTH  
 STATE OF NEW JERSEY

**RESOLUTION ACCEPTING AND ADOPTING THE MONMOUTH COUNTY MUNICIPAL**  
**JOINT INSURANCE FUND – SAFETY AND COMPLIANCE PROGRAM**

WHEREAS, The Borough of Highlands is a member of the Monmouth County Municipal Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents an/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their member’s employees, volunteers and public are provided with a safe and healthy environment free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their member’s are in compliance with applicable safety and health requirements; and

WHEREAS, the MONMOUTH JIF has established a SAFETY AND COMPLIANCE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, Borough Administrator has reviewed this SAFETY AND COMPLIANCE PROGRAM and has recommended its adoption by the Borough of Highlands Mayor & Council.

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Council of Highlands, County of, Monmouth, State of New Jersey that the MONMOUTH COUNTY Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Highlands.

ATTEST

ATTEST \_\_\_\_\_

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			x	YES	NO	

Frank L. Nolan, Mayor

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**R-15-51  
RESOLUTION  
APPROVING RAFFLE LICENSES**

**WHEREAS**, the Atlantic Highlands PTO has submitted a Raffle License Application No. RA1317-15-04; and

**WHEREAS**, all paperwork appears to be in order.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands does hereby approve Raffle License Application RA#1317-15-04 and the Borough Clerk is authorized to sign off on licenses.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA		x	YES		NO	

**RECAP OF PAYMENT OF BILLS  
02/04/2015**

<b>CURRENT:</b>		\$	851,872.12
Payroll	( 01/30/2015)	\$	268,039.78
Manual Checks		\$	
Voided Checks		\$	
 <b>SEWER ACCOUNT:</b>		\$	2,305.16
Payroll	(01/30/2015)	\$	7,069.14
Manual Checks		\$	
Voided Checks		\$	

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CAPITAL/GENERAL		\$	
CAPITAL-MANUAL CHECKS		\$	
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	13,233.98
Payroll	(01/30/2015)	\$	725.00
Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	
GRANT FUND		\$	
Payroll	(01/30/2015)	\$	2,182.66
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER’S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

THE COMPLETE PAYMENT OF BILLS IS AVAILABLE IN  
THE CLERK’S OFFICE FOR ANYONE THAT WISHES TO REVIEW THE LIST.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA    x    YES    NO						

**Minutes Approved on Consent Agenda:**

Mayor Nolan offered a motion to approve the January 21<sup>st</sup> , 2015 minutes for approval, seconded by Mr. Redmond and all were in favor on the following roll call vote:

**ROLL CALL:**

**AYES:**            Mr. Card, Mr. Redmond, Ms. Ryan, Ms. Kane, Mayor Nolan  
**NAYES:**        None  
**ABSTAIN:**    None  
**ABSENT:**      None

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**Other Resolutions:**

**R-15-31 – Resolution Establishing Additional Public Portion Comment Period:**

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Mayor Nolan read the title of Resolution R-15-31.

Mr. Card said he wanted to offer the public an opportunity to question items on the consent agenda in the beginning of the meeting.

Ms. Ryan asked if this would mean two public portions for each meeting or workshop only.

Mr. Card stated that it should be any time we have a meeting.

Discussion continued.

Mr. Card said it would be two separate public portions.

Mr. Padula stated that consent agenda item questions would not be questioned in the second public portion because it would have been done in the first public portion.

Mr. Redmond asked if there would be a time limit.

Mr. Card said it would be the same time limit, three minutes.

**Failed Adoption:**

**R-15-31  
Resolution establishing public comment at the beginning of each meeting of the governing body for public comment on agenda items only**

**Whereas**, the Open Public Meetings Act provides for public comment at least one time at each meeting of a public entity governing body; and

**Whereas**, the Borough of Highlands provides public comment on all matters at the end of each meeting; and

**Whereas**, the Borough wishes to provide the public with the opportunity for public comment on agenda items only prior to their consideration by the governing body.

**Now, therefore, be is RESOLVED** by the governing body of the Borough of Highlands that there be established a public comment item on each agenda prior to consideration of the consent agenda for public comment on agenda items only.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD	x		x			
KANE				x		
REDMOND				x		
RYAN		x	x			
NOLAN				x		
ON CONSENT AGENDA      YES <u>  x  </u> NO						

**R-15-36 – Resolution Awarding Professional Engineering Service – Street Scape:**  
Mrs. Cummins read the title of Resolution R-15-36.

**Borough of Highlands  
Resolution R-15-36  
AUTHORIZING THE BOROUGH OF HIGHLANDS TO AWARD A CONTRACT FOR  
PROFESSIONAL PLANNING, DESIGN, ENGINEERING AND GRANT**



**Borough of Highlands  
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ADMINISTRATION SERVICES FOR THE BAY AVENUE STREETSCAPING  
PROJECT**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-1 et. seq. the Borough of Highlands advertised and solicited for request for proposals for Professional Planning, Design, Engineering and Grant Administration Services for the Bay Avenue Streetscaping Project; and

**WHEREAS**, the Borough of Highlands received six (6) Request for Proposal as listed.

<b>Suburban Consulting Engineer</b>	<b>\$143,215</b>
<b>AR Terial, LLC</b>	<b>\$205,540</b>
<b>Amy Rhine Smith Engineering</b>	<b>\$163,500</b>
<b>Master Consulting</b>	<b>\$217,400</b>
<b>Najarian Associates</b>	<b>\$199,368</b>
<b>T &amp; M Associates</b>	<b>\$143,000 Revised Price</b>

**WHEREAS**, the Councilman Card and Councilman Redmond have evaluated the proposals for qualification, experience and cost reasonableness, and recommends the award of a contract to T & M Associates, 11 Tindal Road, Middletown, NJ 07748.; and

**WHEREAS**, the Governing Body finds that T & M Associates is the firm to award to.

**WHEREAS**, the Chief Financial Officer certified funds in the amount of \$143,000 are available from \_\_\_\_\_; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands, County of Monmouth, New Jersey that the Borough awards the contract for Professional Planning , Design, Engineering and Grant Administration Services for the Bay Avenue Streetscaping Project; and

**BE IT FURTHER RESOLVED** that the Mayor, Administrator or his designee, is hereby authorized and directed to sign such contracts and take any such ministerial actions as are necessary to effectuate the provisions of this resolution.

**BE IT FURTHER RESOLVED** that the Borough Attorney is hereby directed to prepare a contract between the Borough and T& M Associates in accordance with the Bid Specifications l and this resolution.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$143,000 are available for the above contract from Account# \_\_\_\_\_.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	x	NO	

\_\_\_\_\_  
Patrick DeBlasio, CFO

**Borough of Highlands  
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**R-15-52 – Resolution Awarding Professional Engineering Service – Stormwater Project**  
Mrs. Cummins read the title of R-15-52.

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-15-52  
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
T & M ASSOCIATES**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5. This contract is to provide professional engineering services for the additional work on the Storm water Project; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 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**, this contract is to be awarded for an amount not to exceed \$110,000.00 plus reimbursable expenses for Professional Engineering Services to provide professional engineering services to the Borough of Highlands for the period January 1, 2015 through December 31, 2015; and

**WHEREAS**, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M 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 T&M Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, T & M 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 funds are available as follows:

Bond Ordinance Ordinance #C-04-14-108-000-510 –Stormwater Drainage –O-14-08

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Patrick DeBlasio, Chief Financial Office

**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. T & M Associates is hereby retained to provide professional engineering services as described above for an amount not to exceed \$ \$110,000.00 plus reimbursable expenses.
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) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.

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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	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD	x		x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN			x			
ON CONSENT AGENDA      YES <input checked="" type="checkbox"/> NO						

**R-15-53 – Resolution Awarding Professional Engineering Services – N. Street Pump**

Mrs. Cummins read the title of R-15-53.

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-15-53  
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
T & M ASSOCIATES**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5. This contract is to provide professional engineering services for North Street Pump Station Project; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 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**, this contract is to be awarded for an amount not to exceed \$ 70,000.00 plus reimbursable expenses for Professional Engineering Services to provide professional engineering services to the Borough of Highlands for the period January 1, 2015 through December 31, 2015; and

**WHEREAS**, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M 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 T&M Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, T & M 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 funds are available as follows:

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Bond Ordinance Ordinance #C-04-13-120-000-510 –N.Street Pump Station – O-13-20

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Patrick DeBlasio, Chief Financial Office

**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:

- 5. T & M Associates is hereby retained to provide professional engineering services as described above for an amount not to exceed \$ 70,000.00 plus reimbursable expenses.
- 6. 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) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.
- 7. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 8. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND	x		x			
RYAN			x			
NOLAN			x			
ON CONSENT AGENDA       YES <u>x</u> NO						

**R-15-54 – Resolution Approving Title 39 for Block 101 Lot 27.02 & 27.03**  
Mrs. Cummins read the title of R-15-54.

Mr. Padula stated that this a resolution accepting the consent for the Navesink Partners Development to enforce Title 39. We are also preparing an ordinance.

**BOROUGH OF HIGHLANDS  
  
COUNTY OF MONMOUTH**

**R-15-54**

**WHEREAS**, N.J.S.A. 39:5A-1 provides that a corporation may request and consent that the provisions of subtitle 1, Title 39, of the Revised Statutes be made applicable to certain semipublic or private roads, streets, driveways, trails, terraces, bridle paths, parkways, parking areas, or other roadways open to or used by the public, tenants, employees, and the members of such institutions for purposes of vehicular travel by permission of such persons, corporations, or institutions and not as matter of public right; and

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**WHEREAS**, Navesink Capital Partners, LLC and Sandy Hook Developers, LLC are the owners and developers of certain parcels of land within the Borough known as Block 101, Lots 27.02 and 27.03 on the official tax map of the Borough of Highlands; and

**WHEREAS**, by instrument dated January 13, 2015, Navesink Capital Partners, LLC and Sandy Hook Developers, LLC consented to the Borough’s enforcement of Title 39 of the Revised Statutes within Block 101, Lots 27.02 and 27.03; and

**WHEREAS**, the Borough agrees to such consent.

**NOW, THEREFORE, BE IT RESOLVED** that the provisions of subtitle 1, Title 39, of the Revised Statutes shall be made applicable to Block 101, Lots 27.02 and 27.03, effective January 13, 2015.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE	x		x			
REDMOND			x			
RYAN			x			
NOLAN		x	x			
ON CONSENT AGENDA			YES	x	NO	

**R-15-55 – Resolution Authorizing Bid for Lease of Clam Depuration Plant**

Mrs. Cummins read the title of R-15-55.

Mr. Padula stated that this authorizes the Borough to prepare bid specifications to put out for lease of the plant. The lease expires in August of this year. Anyone who is qualified can bid on it.

Mayor Nolan explained that the bid will not be going out until April or May.

Mr. Padula stated that the current lease is for about \$38,000.00. The resolution needs the councils input on a minimum bid. We can always revise it but need a start amount.

**R-15-55**

**RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO  
ADVERTISE FOR RECEIPT OF BIDS FOR THE LEASE AND  
OPERATION OF THE CLAM DEPURATION PLANT AND ADJACENT  
PROPERTY OWNED BY THE BOROUGH OF HIGHLANDS LOCATED  
AT 75 FIFTH ST.**

**WHEREAS**, the Borough owns a clam depuration plant and adjacent property located at 75 Fifth Street in the Borough of Highlands, also known as Block 66, Lots 15 and 15.01, Block 67, Lots 1 and 1.01 and Block 56, Lots 13 and 13.01 (all parcels collectively referred to as the “Property”); and

**WHEREAS**, the current lease for the Property expires on or about August 15, 2015; and

**WHEREAS**, N.J.S.A. 40A:12-14(a) requires that such property be leased to the highest bidder by sealed public bidding; and

**WHEREAS**, the Borough wishes to advertise for and solicit bids for lease of the Property commencing on the expiration of the current lease.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Highlands that the Clerk is directed to advertise for and solicit sealed bids for a lease of the Property in accordance with NJSA 40A:12-14(a); and, be it further

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**RESOLVED**, that the Clerk, Administrator and Qualified Purchasing Agent shall prepare specifications for the lease of the property in accordance with law and the provisions of this Resolution; and, be it further

**RESOLVED**, that the following minimum conditions be included in the specifications:

1. Term of ten (10) years with one ten (10) year renewal, commencing on or about August 16, 2015;
2. Minimum yearly rental of \$ 76,000.00;
3. Successful bidder must include and describe an educational component of the plant operation related to the shellfish industry in the Borough, which shall be open to the public;
4. The Borough shall reserve the right to reject all bids when the highest bid is not accepted; and, be it further

**RESOLVED**, that notice of this bid solicitation shall be published in a newspaper circulating in the municipality by two insertions at least once a week during two consecutive weeks and shall include the terms and conditions established by this Resolution.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD		x	x			
KANE			x			
REDMOND	x		x			
RYAN			x			
NOLAN			x			
ON CONSENT AGENDA			YES	x	NO	

-----  
**Ordinances: Introduction & Set Public Hearing Date of February 18<sup>th</sup>, 2015:**

**O-15-6 –Ordinance – Bond Ordinance for Various Projects:**

Mrs. Cummins read the title of O-15-4 on for introduction and setting of a public hearing date for February 18, 2015.

**BOROUGH OF HIGHLANDS  
BOND ORDINANCE NUMBER O-15-6**

**BOND ORDINANCE PROVIDING VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,386,000 THEREFOR (INCLUDING GRANTS IN THE AGGREGATE AMOUNT OF \$588,077) AND AUTHORIZING THE ISSUANCE OF \$782,830 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken

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by the Borough of Highlands, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,386,000, which sum includes \$210,000 as the amount of a grant received or expected to be received from the New Jersey Department of Transportation for the improvement or purpose set for in Section 3(a)(i) herein, \$200,000 as the amount of a grant received or expected to be received from the New Jersey Department of Transportation for the improvement or purpose set for in Section 3(a)(ii) herein and \$178,077 as the amount of a grant received or expected to be received from the County of Monmouth for the improvement or purpose set for in Section 3(a)(iii) (collectively, the "Grants") and \$15,093 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,386,000 appropriation not provided for by application hereunder of the Grants or said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$782,830 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$782,830 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
i. Various Improvements to Shrewsbury Avenue, including but not limited to, as applicable, milling, paving, joint stabilization, construction, reconstruction and resurfacing the roadway, the repairing and/or installation of curbs, sidewalks, culverts and driveway aprons, the acquisition and installation of various signage and	\$363,000 (including a \$210,000 grant received or expected to be received from the New Jersey Department of Transportation)	\$153,000	\$0 (no down payment is required pursuant to N.J.S.A. 40A:2-11(c))	20 years

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<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
various equipment, drainage work, roadway painting, landscaping and aesthetic improvements; and				
ii. Various Improvements to Shore Drive, including but not limited to, as applicable, milling, paving, joint stabilization, construction, reconstruction and resurfacing the roadway, the repairing and/or installation of curbs, sidewalks, culverts and driveway aprons, the acquisition and installation of various signage and various equipment, drainage work, roadway painting, landscaping and aesthetic improvements; and	\$528,000 (including a \$200,000 grant received or expected to be received from the New Jersey Department of Transportation)	\$328,000	\$0 (no down payment is required pursuant to N.J.S.A. 40A:2-11(c))	20 years
iii. North Street Pump Station Inflow Pipe Replacement, including but not limited to, as applicable, the replacement of the inflow pipe from Bay Avenue to the North Street Pump Station and milling, paving, joint stabilization, construction, reconstruction and resurfacing the roadway, the repairing and/or installation of curbs, sidewalks, culverts and driveway aprons, the acquisition and installation of various signage and various equipment, drainage work, roadway painting, landscaping and aesthetic improvements.	\$495,000 (including a \$178,077 Community Development Block Grant received or expected to be received from the County of Monmouth)	\$301,830	\$15,093	20 years
<b>TOTALS</b>	<b><u>\$1,386,000</u></b>	<b><u>\$782,830</u></b>	<b><u>\$15,093</u></b>	

(b) The above improvements and purposes set forth in Section 3(a) shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration and all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$782,830.

(d) The aggregate estimated cost of said improvements or purposes is \$1,386,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grants in the aggregate amount of \$588,077 and the aggregate down payments for said purposes in the amount of \$15,093.

**SECTION 4.** Except for the Grants, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in



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aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. Except for the Grants, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any

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inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$782,830 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$277,200 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

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**SECTION 9.** The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the mayor, as provided by the Local Bond Law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE			x			
REDMOND		x	x			
RYAN			x			
NOLAN	x		x			

ON CONSENT AGENDA			YES	x	NO	

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**Committee Reports:**

**Finance**

Mr. DeBlasio stated that they have been having bi-monthly meetings. We will be applying for an CDBG Essential Service Grant. Our town received a disaster loan which has expired. This is another grant being offered by the State.

**Public Safety**

Chief Blewett will have a report at the next meeting.

**Administration**

Mr. Hill read thru his report.

**1. Department of Public Works / Sanitation Services / Sewer**

- a. Snow Removal – commendable efforts and results during various snow events and preparation for major storm. Continued with removal after snowfalls.
- b. Continue with pot hole repairs as reported / assigned weather permitting
- c. Continued bulk pick-ups as assigned and other debris removal
- d. Sanitation / Recycling schedule was interrupted during snow events. Residents are reminded that bulk items will not be picked up with regular trash and will only be picked up during designated bulk pick-up months (March, June, September, December). Additional bulk pick-ups require a permit fee and items are limited. Construction debris is the responsibility of the homeowner or contractor.

**2. Building and Housing:**

**a. CONSTRUCTION OFFICE**

December – January Report: 47 new permits, 26 permit updates

New Building: 3, Addition: 1, Rehab: 64, Demo: 5

Approx value of construction as per permits: 7.3 million

**b. Zoning Office:**

<b>FLOODPLAIN</b>	9 Approvals	3 Flood Zone Determinations
	10 Letters of Compliance	1 Additional Compliance Required Letter
	1 Elevation Requirements Letter	2 Sub. Damage Determinations, 2 Sub. Damage appeal

**ZONING**      13 Approvals      1 Denials      1 Letter requesting as built height

**c. Code Enforcement:** 30 inspections - 8 failed, 22 CO's issued .

**4. Fire Calls:** 25

Training: Members attended annual recertification training, officers attended Monmouth County Fire Marshalls Chief's seminar.

Misc: New Chief sworn in on 01 Jan 2015, Funeral Howard Paronto jr, member of fire police, Tour for Boy scouts, Snow storm stand by on 27 Jan 15,

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**First Aid – will provide at meeting.**

**OEM – synopsis of Storm: ----- No major incidents reported, no power outages reported, Fire Dept and EMS were on overnight standby. No evacuations and no road closures. County water rescue team reported to HFD as they requested location in our area for mobilization in case of need.**

**5. Recreation Dept.**

- a. Kids on the Move Program – Mon, Tues, Wed afternoons at HES 31 registered
- b. Adult Open Gym Indoor Soccer – Wed eves at HHRS 23 registered
- c. High School teen night held January 9<sup>th</sup>.
- d. Senior Citizens meetings canceled due to weather, will be rescheduled
- e. High School Teen Nights - Feb. 6th, March 13th, April 17th, May 15th, May 29th, and June 12th for grades 9-12 at the Highlands Elem. School Gym from 7-9:30 pm. The event is free and pizza & soda will be served.
- f. Easter Egg Hunt - Saturday, March 28th 10:00 a.m. at the HES Athletic Field. Prizes & refreshments available. Please bring your own basket or bag to collect the eggs. Rain date is Sunday, March 29th at 1:00 pm.

**6. Administration**

- a. RFP for Master Plan – out today, responses due Feb. 27<sup>th</sup>.
- b. NJDEA Streetscape – Letter rec'd today to proceed.
- c. FEMA Preliminary Flood Insurance Rate Map Monmouth County Open House Session: Friday, February 20th, 2015, 4PM – 8PM, Henry Hudson Regional High School, Cafetorium
- d. Lead Hazard Grant – for income eligible homeowners impacted by Sandy. I will be attending program session in Trenton tomorrow.
- e. Met with various municipal officials in our area to discuss Sandy recovery and other items of mutual concern.
- f. Implementation of dept wide Safety Program in 2015.

**Board of Education**

Ms. Ryan announced that at Highlands Elementary School there is a Pre-K program for children who will be 4 years old by April 1<sup>st</sup>. It is a free program and applications are now being accepted. She also announced that an event had been planned for PARCC, it's a program that helps students decide careers, colleges and has been postponed due to weather conditions. It is now scheduled at Henry Hudson Regional High School on February 10<sup>th</sup> at 7:00 p.m.

**HBP**

Carla Braswell explained that the Visual Improvement Committee prepared a statement of qualifications for the project on Miller Hill. The documents are currently being reviewed and

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will be published on their website and Facebook page. They are hoping to begin the project in March. They will keep council updated. The Economic Council Committee is revisiting electric in Veteran's Park. They would like to have that worked out with the Cornwall Project. She further explained fundraising effort various project and marketing. They had the Beef and Brew St. Patrick's Day Fundraiser at Off the Hook on January 25<sup>th</sup>. They had a great turn out. They raised \$2100.00. The Chili Cook-off will be held on February 22<sup>nd</sup> from 3pm-7pm. at Windansea. She stated that the Monmouth County Visitor's Guide has a full page ad about Highlands from the HBP.

Ms. Ryan asked if you must be a resident to compete in the Chili Cook-Off.

Carla Braswell it's open to anyone.

**Shared Services**

Mr. Hill stated that he and Councilman Redmond met with representatives from Sea Bright. They are interested on joining together on issues that they are having. They are concerned with their operating facilities also. We will continue to meet with them and report back. We will also be benefiting from additional shared services.

Mayor Nolan directed Mr. Hill to include Councilwoman Kane at the next meeting.

Mr. Redmond added that they meet monthly.

**Highlands Art Council**

Ms. Ryan hopes to have a full presentation in March. She wanted to acknowledge the Arts Council. They have been in existence for about a year and have done some fantastic events. They hold art shows in various locations and show films and documentaries from local artists at Bahr's Restaurant. These events are free.

**Green Team**

Ms. Ryan explained that back in 2010, we started the Green Team. We earn points thru Sustainable New Jersey making us eligible for grants. We recently reactivated the Green Team. We will be setting up a meeting and start doing good things for Highlands. She will keep all updated.

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**Other Business:**

**Congressman Frank Pallone Letter to FEMA**

Mayor Nolan explained that he and Becky Kane had a meeting with Congressman Pallone to address issues that we are having in town. This letter came out as part of that meeting.

Ms. Kane read Congressman Pallone's letter in to the record. The letter was addressed to David Stearrett, CFM, Acting Flood Insurance Advocate from Arlington, Virginia.

**Dear Mr. Stearrett,**

**In advance of our meeting next month, I wanted to bring to your attention a matter of urgent importance to a municipality in my district.**

**Highlands, New Jersey is a coastal community which was severely impacted by Superstorm Sandy. This tight-knit community began the process of clean up and rebuilding before the flood waters even receded. However, a number of residents now find themselves in a seemingly impossible situation. As you know, the process of issuing updated flood maps**

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was ongoing before the storm struck. The advisory maps for sections of Highlands moves residents currently in the V zone to the less restrictive AE zone. Typically, this would be a welcome shift, as it carries with it less onerous building requirements and less expensive insurance premiums. However, in Highlands many of the estimated 40 properties impacted by this zone shift need to rebuild because of damage sustained by Sandy. Since homeowners are required to rebuild to the current effective maps, these homeowners will be forced to rebuild to the V zone standards, even though they know that when the mapping process is completed, tentatively in 2016, they will be in an AE zone, and therefore will have built to an unnecessary and costly higher standard. These homeowners cannot wait until the uncertain date when the maps are finalized, not only because they need to rebuild their homes and return to a normal life, but also because many are using grant funds which have time restrictions for use.

While I recognize there are numerous regulatory and legislative hurdles involved in this situation, I hope that you can assign your staff to work with my office and the local officials in Highlands to determine if there are any options available to these effected homeowners.

I look forward to our meeting, and to discuss this and other critical matters with you at that time.

Ms. Kane stated that this is a good letter to show that he is making progress on our behalf. We can get a recap of the meeting which is next month.

**Affordable Housing Alliance**

Ms. Ryan stated that tomorrow, Thursday, there is a meeting at the Atlantic Highlands Office on the Sandy Relief Home Access Program for handicapped or elderly people who need accessibility to their homes. She asked if anyone needs more information to contact her. She also had flyers available tonight.

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**Public Portion:**

Kim Skorka of 315 Shore Drive is upset on the no votes on having another public portion and wants to know why you would vote no.

Mayor Nolan stated that he feels it is excessive. We don't need two sessions of grandstanding.

Kim Skorka spoke of the RFP advertising for the Clam Plant and hopes that it will be excessively advertised. She also mentioned that there is an ice problem at 315 Shore Drive.

Barbara Ianucci - gone.

Carol Bucco of 330 Shore Drive asked Mr. Padula to explain Resolution R-15-54.

Mr. Padula stated that when you have a private development, there is a statute under Title 39 that you have to ask the municipality or give your consent for them to enforce the motor vehicle code.

Carol Bucco asked about vehicles parked illegally at Bayview Condos.

Mr. Padula stated that he will look to see if there is an adopted ordinance regarding the parking at Bayview Condos.

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Carol Bucco questioned asked if the minimum bid of \$76,000.00 was for a ten year lease.

Mayor Nolan explained that it was per year. He stated that the amount is not setting a dollar amount, it's just sending out requests. He further explained.

Tom Reed of Snug Harbor spoke of the letter to Congressman Pallone. He continued to speak about the different zones and regulations. He asked if there is any other way we can light a fire under FEMA, because of time restrictions on grants.

Mayor Nolan spoke of his meeting with Congressman Pallone and their conversation was much broader than the letter. This letter is to open a moratorium to get to where we can build now. This is just the beginning.

Carla Braswell of Gravelly Point Road commended the Borough on snow removal.

George Markow of Shrewsbury Avenue questioned the rate for the lease of the Clam Plant. He feels it is unfair. He feels we need to give the clammers a shot. He continued to express his frustration.

John, last name unknown, of Sea Bright stated that he is a clammer and commends Mr. Markow for his comments tonight. He also feels that the borough should give the clammers a shot and to treat them fairly.

Rick Rossetti of 18 Seadrift Avenue spoke of the sewer problem in front of his house. He would like the engineers to look at it. He spoke of the bulkhead on Marina Place. He continued to talk of the clam plant and that they put \$100,000.00 plus into it.

Mayor Nolan explained the meeting he had with legal representative of three groups for the Clam Plant. To do a fair market value, we need income verification. There are other parts and DEP regulations that we have to follow. There is another meeting next week. Mayor Nolan continued to explain Resolution R-15-55. He spoke of hiring someone who is an expert on this and to come up with what we want for a lease.

Rick Rossetti questioned the status of the Borough Hall building.

Mr. Hill stated that we have a meeting with FEMA on Friday. We are working on maximizing the dollars for that building. The Council will have a lot of decisions to make in terms of returning to that facility. There are also other options that are in discussion.

Mayor Nolan said Mr. Card and Mr. Redmond will continue to talk to the clammers after the meeting.

There were no further questions.

Mayor Nolan offered a motion to adjourn, seconded by Ms. Kane and all were in favor.

The Meeting adjourned at 9:15 p.m.

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Debby Dailey, Deputy Clerk