

Mayor & Borough Council Reorganization Meeting Minutes
Community Center – 22 Snug Harbor – Highlands
Monday, March 21st 2018
7:00pm

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council 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. Formal Action will be taken.

Call to Order
Meeting Statement
Roll Call
Executive Session Resolution

EXECUTIVE SESSION: 6:00PM

Litigation: Block 56, Lot 13
Personnel: Department of Public Works
Finance
Attorney-Client Privilege: Redevelopment Process
Short Term Rentals
Contract Negotiations: Architectural Services – New Borough Hall
Sea Bright Lifeguard Services
Open Space Proposal

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Approval of Minutes

February 7th 2018
February 21st 2018

Public Comment on Resolutions

Consent Agenda

R-18-065 Authorize Payment of the Bills (03/07/2018)
R-18-066 Authorize Application for the 2018 Summer Food Program
R-18-067 Authorize Disposal for Scrap Metal Value of one 2004 Polaris ATV
R-18-072 Authorize Submission of Tax Reimbursement Certificate for Recycling Tonnage Grant
R-18-073 Authorize Purchase of Sewer Pump Part for the Shore Drive Pump Station
R-18-074 Appoint Additional Fire Police
R-18-075 Authorize Payment of the Bills (03/21/2018)
R-18-080 Authorize Disabled Parking Spot

Resolutions

R-18-068 Authorize Award of Non-Fair & Open Contract for Professional Services to T&M Associates
R-18-069 Accept Recommendation of LUB Designating B105.107 L1.1 in Need of Redevelopment
R-18-070 Accept Recommendation of LUB Designating B84 L2.01 in Need of Redevelopment
R-18-071 Oppose Offshore Oil & Gas Activities
R-18-076 Adopt Highlands Business Partnership Budget for the Year 2018
R-18-077 Authorize Award of Non-Fair & Open Contract for Professional Services for a Professional Services for a Licensed Plans for B84, L2.01 & B105.107, L1.1
R-18-078 Authorize Emergency Contract Due to Blockage of Sewer Main on Bay Avenue
R-18-079 Municipal Budget for the Year 2018 – Introduction
R-18-081 Authorize T&M Associates to Move Forward on Bidding Process for replacement of One Pump at Shore Drive Pumping Station

Ordinances: Introduction & First Reading

O-18-06 Amend Chapter 21 to Revise the CBD Zone & Deletion the B-1 Neighborhood Business District
O-18-07 Exceed the Municipal Budget Appropriation Limits & Establish a CAP Bank for 2018

Ordinances: Public Hearing & Possible Adoption

O-18-05 Amend Section 2-8.5 to Establish Noneligibility of Dwellings for Tax Abatements

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Other Business:

Borough Wide Yard Sale

Cell Towers

Veterans' Park

Parking Meters

County Tax Program

Army Corp of Engineers' Coastal Storm Risk Management Feasibility Study

Engineer's Report

Administrator's Report

Police Chief's Report

Public Comments:

Adjourn

Mayor & Borough Council Reorganization Meeting Minutes
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The Meeting was called to order at 6:15pm.

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council 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. Formal Action will be taken.

ROLL CALL:

Present: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil

Absent: None

Also Present: Andrew Ball, Borough Attorney
Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney
Kim Gonzales, Borough Administer

Resolution to enter into Executive Session

A motion to enter Executive Session was offered by Councilmember Ryan and seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The Resolution to enter Executive Session was properly approved.

Executive Session was entered at 8:14pm.

REGULAR MEETING:

The Meeting was called to order at 8:14pm.

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council 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. Formal Action will be taken.

Pledge of Allegiance was led Mayor O'Neil.

ROLL CALL

Present: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil

Absent: None

Also Present: Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney
Kim Gonzales, Borough Administrator

Approval of Minutes:

February 7th 2018

A motion to approve the February 7th 2018 minutes was offered by Councilmember Ryan and seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: Mayor O'Neil (1)

The February 7th 2018 minutes were properly approved.

Mayor & Borough Council Reorganization Meeting Minutes
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February 21st 2018

A motion to approve the February 21st 2018 minutes was offered by Councilmember Broullon and seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The February 21st 2018 minutes were properly approved.

Public Comment on Resolutions

Mayor O'Neil opened the meeting to the public.

Kim Skorka, Shore Drive, commented on Resolution 18-069 noting that she was embarrassed the Borough allowed Shadowlawn to get to such a state of disrepair. She also stated that she supports Resolution 18-071.

Mayor O'Neil closed the meeting to the public.

Consent Agenda

R-18-065 Authorize Payment of the Bills (03/07/2018)

R-18-066 Authorize Application for the 2018 Summer Food Program

R-18-067 Authorize Disposal for Scrap Metal Value of one 2004 Polaris ATV

R-18-072 Authorize Submission of Tax Reimbursement Certificate for Recycling Tonnage Grant

R-18-073 Authorize Purchase of Sewer Pump Part for the Shore Drive Pump Station

R-18-074 Appoint Additional Fire Police

R-18-075 Authorize Payment of the Bills (03/21/2018)

R-18-080 Authorize Disabled Parking Spot

Councilmember Broullon motioned to amend Resolution 18-065 by removing the Feed and Seed line item stating it would be a donation, which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-065 was properly amended.

Mayor O'Neil motioned to approve the consent agenda which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The consent agenda has been properly approved.

Resolutions

R-18-068 Authorize Award of Non-Fair & Open Contract for Professional Services to T&M Associates

Mayor O'Neil motioned to approve Resolution 18-068 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-068 has been properly approved.

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R-18-069 Accept Recommendation of LUB Designating B105.107 L1.1 in Need of Redevelopment

Councilmember Broullon motioned to approve Resolution 18-069 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-069 has been properly approved.

R-18-070 Accept Recommendation of LUB Designating B84 L2.01 in Need of Redevelopment

Councilmember Ryan motioned to approve Resolution 18-070 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-070 has been properly approved.

R-18-071 Oppose Offshore Oil & Gas Activities

Mr. Chabarek noted that the date needed to be changed due to the previous Council meeting being cancelled. Councilmember Braswell stated why he was opposed to this resolution. Councilmember Ryan motioned to approve Resolution 18-071 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon, D'Arrigo, Ryan & Mayor O'Neil (4)

NAY: Councilmember Braswell (1)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-071 has been properly approved.

R-18-076 Adopt Highlands Business Partnership Budget for the Year 2018

Mayor O'Neil opened the meeting to the public.

Kim Skorka, Shore Drive, asked the Council not to approve the budget and read a prepared statement which listed the issues she had with the resolution and the Highlands Business Partnership (HBP). She requested the Councilmember Broullon abstain from the vote and that the Council not "rubberstamp" this resolution.

Councilmember D'Arrigo stated that she also had concerns with the HBP and noted that she had requested additional documents from them and quoted their response. She also provided a history of her requests for additional information from the HBP.

Carla Cefalo-Braswell, HBP & Gravelly Point Road, defended her response to Councilmember D'Arrigo and explained that they have responded to her requests for information. She stated that the HBP's budget is more detailed than other business improvement districts. Ms. Cefalo-Braswell & Councilmember D'Arrigo continued to discuss this.

Bill Iller, Bay Avenue & Jackson Street, explained how he, once a skeptic, is now a supporter of the HBP and noted why. He asked that a personality conflict not ruin a good thing. Councilmember D'Arrigo noted that there are rules and regulations that govern the Borough. Mr. Iller continued to explain why the Council should approve the resolution.

Mayor O'Neil closed the meeting to the public.

Councilmember Ryan motioned to approve Resolution 18-076 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon, Ryan & Mayor O'Neil (3)

NAY: Councilmember D'Arrigo (1)

ABSENT: None (0)

ABSTAIN: Councilmember Braswell (1)

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Resolution 18-076 has been properly approved.

R-18-077 Authorize Award of Non-Fair & Open Contract for Professional Services for a Professional Services for a Licensed Plans for B84, L2.01 & B105.107, L1.1

Councilmember Broullon motioned to table indefinitely Resolution 18-077 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

Resolution 18-077 has been properly tabled indefinitely.

R-18-078 Authorize Emergency Contract Due to Blockage of Sewer Main on Bay Avenue

Mayor O'Neil motioned to approve Resolution 18-078 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

Resolution 18-078 has been properly approved.

R-18-079 Municipal Budget for the Year 2018 – Introduction

Mayor O'Neil motioned to approve Resolution 18-079 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, Ryan & Mayor O'Neil (4)
NAY: Councilmember D'Arrigo (1)
ABSENT: None (0)
ABSTAIN: None (0)

Resolution 18-079 has been properly approved.

R-18-081 Authorize T&M Associates to Move Forward on Bidding Process for replacement of One Pump at Shore Drive Pumping Station

Councilmember Broullon motioned to approve Resolution 18-081 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

Resolution 18-081 has been properly approved.

Ordinance: Introduction & First Reading

O-18-06 Amend Chapter 21 to Revise the CBD Zone & Deletion the B-1 Neighborhood Business District

Councilmember Broullon motioned to introduce Ordinance 18-06 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

Ordinance 18-06 has been properly introduced and a public hearing will be held on May 2nd 2018.

O-18-07 Exceed the Municipal Budget Appropriation Limits & Establish a CAP Bank for 2018

Councilmember Broullon motioned to introduce Ordinance 18-07 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

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Ordinance 18-06 has been properly introduced and a public hearing will be held on April 4th 2018.

Ordinances: Public Hearing & Possible Adoption

O-18-05 Amend Section 2-8.5 to Establish Noneligibility of Dwellings for Tax Abatements

Mayor O'Neil opened the meeting to a public hearing on Ordinance 18-05.

Chris Francy, Fifth Street, noted the ordinance was difficult to follow and inquired if single family residents were being removed from eligibility. Mr. Chabarek confirmed they were and explained the abatement process.

Mayor O'Neil closed the meeting to the public.

Mayor O'Neil motioned to adopt Ordinance 18-05 which was seconded by Councilmember Broullon

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Ordinance 18-05 has been properly adopted.

Other Business

Borough Wide Yard Sale

Councilmember Ryan noted the upcoming date and Councilmember Broullon explained what residents need to do participate.

Cell Towers

Ms. Gonzales noted that a cell tower on Borough property could be a good revenue source and was looking into the Borough's options.

Veterans' Park

Councilmember Braswell updated the public on the delays to bringing electricity to the park.

Parking Meters

Ms. Gonzales noted that this could also be a good revenue source for the Borough. Councilmember Ryan stated that she liked the idea and that the Borough should investigate.

County Tax Program

Mayor O'Neil stated that the Borough was looking to re-enter the County's Mod IV program for tax assessment noting the advantages. Ms. Gonzales explained the process to do so. Councilmember Broullon explained that the County had made improvements to the program. The Council decided to have a resolution to re-enter at the next meeting.

Army Corp of Engineers' Coastal Storm Risk Management Feasibility Study

Councilmember Ryan stated that the Borough received a letter that stated that Highlands could do the feasibility study without commitment to a project. Mayor O'Neil expressed that if it was free the Borough should take advantage. Councilmember Ryan explained that a resolution would be needed to move forward which the Council agreed to have ready for the next meeting.

Administrator's Report

Ms. Gonzales updated the public on various projects and events including the Tide Flex valves, shredding day, Clean Ocean Action Beach Sweep, and a NJ FRAMES meeting.

Police Chief's Report

Chief Burton reminded the public of the upcoming St. Patrick's Day parade. Considering recent national events, the Chief noted the police's good relationship with the schools and stated that there would be a greater police presence at both moving forward. He also commented on the many ways the police are engaging the teachers, students, and parents on school safety.

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Public Comment

Mayor O’Neil opened the meeting to the public.

Michael Cannon, Central Avenue, expressed his concern over flooding and suggested reaching out to the NJ DEP or Army Corp of Engineers for assistance. He added that the Borough should look at drainage options and fund them now. Mayor O’Neil explained that the Borough is working on the issue and listed all the projects they are currently working on to remedy the situation.

Kim Skorka, Shore Drive, applauded the Council for trying to find other revenue sources but noted they keep raising taxes and haven’t done anything to help the flooding. Mayor O’Neil addressed Ms. Skoka’s allegations. Ms. Gonzales offered to meet with Ms. Skorka who requested a town hall meeting instead. Ms. Gonzales and Mayor O’Neil explained all the Borough was trying to do to help the flooding situation.

Ms. Skorka asked how a property is placed in the HBP ordinance if it is not already listed. Mr. Chabarek stated that the Borough was in the process of reviewing and correcting the ordinance to ensure all properties are included.

Trisha Rivera, Waterwitch Avenue, noted that the flooding is a major issue which affects her ability to get to work and the quality of life on her street. Mayor O’Neil explained that the Borough was doing their best and Ms. Gonzales explained why the process took so long. Ms. Rivera asked about the location of the sewer improvements which Councilmember Broullon clarified. Ms. Rivera also questioned the Council on a puddle near a pump station.

Ms. Rivera shared with the Council her ideas for the redevelopment of Captain’s Cove Marina. She also questioned the building height requirements in the Borough which the Council explained. Ms. Rivera expressed concern that the current infrastructure could not handle the new large homes which are being built.

Chris Francy, Fifth Street, asked if the Valley Street project was going to occur which Mayor O’Neil confirmed and provided an update.

Mayor O’Neil closed the meeting to the public.

Adjourn:

Councilmember Ryan motioned to adjourn the meeting which was seconded by Councilmember Broullon and approved by all present. The meeting was adjourned at 9:29 pm.

Approval of the Minutes

A motion to approve the Minutes of March 21st 2018 was made by Councilmember Broullon and seconded by Councilmember Ryan.

AYE: Councilmembers Braswell, Broullon, D’Arrigo, Rayn & Mayor O’Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be the action of the Governing Body at its meeting held August 15th 2018.

Approve: 
Richard W. O’Neil, Mayor

Attest: 
Bonnie Brookes RMC, Deputy Clerk