

**Borough of Highlands
Mayor & Council
Regular Meeting
May 6, 2015**

Mayor Nolan called the meeting to order at 7:18 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, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan

Absent: Mr. Redmond

Also Present: Carolyn Cummins, Municipal Clerk

Tim Hill, Borough Administrator

Patrick DeBlasio, Borough CFO

Bruce Padula, Borough Attorney

Dale Leubner, Borough Engineer

Executive Session Resolution

Mayor Nolan 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:** NJNG Litigation
- 2. Contract:** Clam Plant Consultancy
Public Defender RFP's
Hazard Mitigation RFP's
- 3. Real Estate:** Sale of Municipal Property
- 4. Personnel Matters:** Personnel Matter, Temp P/T Bldg. Dept. Secretary,
PBA Grievance Agreement
- 5. Investigation:**
- 6. Attorney-Client Privilege:** COAH Declaratory Judgement
Petition RE: Bollerman Project
Possible Liq Lic Ord Amendment
First Aide Rig Purchase
Personnel Investigation

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,

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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.

4. Any collective bargaining agreement, or the terms and the conditions of which are proposed for inclusion in any collecting 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 publics 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 Mr. Card and adopted on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mr. Redmond

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:18 p.m.

Mayor Nolan asked all to stand for the Pledge of Allegiance.

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ROLL CALL:

AYE: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

Consent Agenda:

Mayor Nolan asked if anyone had questions on any item on consent agenda.

Mr. Padula stated that R-15-110 needs to be removed pending Civil Service notification.

Mr. Padula stated that R-15-111 will be tabled to the next meeting.

Mrs. Kane-Wells stated that she will abstain on the minutes because she was absent at that meeting.

R-15-105

Resolution Approving UFCW Contract and Authorizing Mayor to Execute Agreement on Behalf of the Borough

Whereas, the Borough previously engaged in negotiations for a successor collective negotiations agreement (“CNA”) with UFCW and agreed to terms of a successor CNA; and

Whereas, the Borough previously approved a memorandum of agreement (“MOA”) with UFCS which incorporated the terms of the successor CNA; and

Whereas, the changes agreed to and memorialized in the MOA have been incorporated into a new collective negotiations agreement.

Now therefore, be it RESOLVED, that the governing body of the Borough of Highlands hereby approves the draft of the collective negotiations agreement between the Borough and UFCW for the term Jan 1, 2015 through December 31, 2018 and authorizes the Mayor to execute the agreement on behalf of the Borough.

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

R-15-106

**RESOLUTION AUTHORIZING
REFUND OF STREET OPENING DEPOSITS**

WHEREAS, the Sewer Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are to be refunded by the Borough of Highlands to the individual listed at the end of the Resolution; and

WHEREAS, these certain individuals posted a \$500.00 deposit with the Borough of Highlands to obtain a Street Opening Permit and the streets have been inspected and approved by Barry McKellar on April 28 , 2015..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Chief Financial Officer

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is hereby authorized to immediately refund the following individual \$500.00 for a Street Opening Deposit:

Street Opening Permit #0060-14
Marie Martin
15 Barberie Avenue
Highlands, NJ 07732

15 Barberie Avenue
\$500.00
Block 77 Lot 15

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

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the April 15th, 2015 regular and Executive Minutes, seconded by Ms. Ryan and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mrs. Kane-Wells

ABSTAIN: Mr. Redmond

Other Resolutions:

R-15-101 – Resolution Appointing P/T Recreation Leader:

Mrs. Cummins read the title of R-15-101.

Mr. Hill was not present at the interview but did recommend this candidate.

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-15-101
RESOLUTION APPOINTING PROVISIONAL
PART-TIME RECREATION LEADER**

WHEREAS, due to the recent resignation of Melissa Festa the Borough of Highlands is in need of hiring a part/time Recreation Leader to assist within the Recreation Department; and

WHEREAS, Jennifer Strehl, Recreation Assistant has interviewed applicants for said position and have recommended that Diane Knox be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Diane Knox is hereby appointed to the provisional part/time position of Recreation Leader effective May 6, 2015.

BE IT FURTHER RESOLVED that said appointment is to be compensated at an hourly rate of \$12.00 per hour.

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

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ROLL CALL:

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

R-15-102 – Resolution Awarding Prof Legal Services:

Mrs. Cummins read the title of R-15-102.

Mr. Padula stated that this is for Mr. McNamara who we hired last year. It is for potential litigation and ongoing issues with NJ Natural Gas. It is a continuation of his contract that he had from last year.

**R-15-102
RESOLUTION AUTHORIZING PROFESSIONAL LEGAL SERVICES**

WHEREAS, the Borough is in need of legal services concerning matters which arose with the Atlantic Highlands/Highlands Regional Sewerage Authority; and

WHEREAS, the Atlantic Highlands/Highlands Regional Sewerage authority was represented by Patrick J. McNamara; and

WHEREAS, the Borough of Highlands previously awarded a Professional Legal Services Contract to Patrick J. McNamara via Resolution R-14-132; and

WHEREAS, the Borough wishes to continue to retain Mr. McNamara for those matters in which Mr. McNamara was involved on behalf of AHHRSA but which the Borough is now involved as a result of the dissolution of the AHHRSA.

NOW, THEREFORE BE IT RESOLVED that the Borough approves a contract for legal services for those matters in which Patrick McNamara was engaged previously for the authority subject legal review and retains Mr. McNamara at a rate of \$150 per hour not to exceed \$17,500 to be allocated with Atlantic Highlands; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2015 budget:

Account # Current Fund – \$17,500

Patrick DeBlasio, Chief Financial Officer

BE IT FUTHER RESOLVED that Patrick McNamara shall comply with the provisions of the local unit pay to play law, borough code regarding public contracting and chapter 271.

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

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R-15-103 – Resolution Apointing Recycling Coordinator & Auth Tonnage Grant:

Mrs. Cummins read the title of R-15-103.

**R-15-103
RESOLUTION
APPOINTING RECYCLING COORDINATOR
& AUTHORIZING TONNAGE GRANT APPLICATION**

WHEREAS, the Mandatory Source Separation and Recycling Act. P.L. 1987, c 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop, new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands the Borough hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection Office of Recycling and designates Adam Hubeny, Recycling Coordinator to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED that Adam Hubeny is appointed Recycling Coordinator and that he is compensated an annual fee of \$250.00

	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-15-104 – Resolution Amending Temporary Budget:

Mrs. Cummins read the title of R-15-104.

Mr. DeBlasio explained that this puts funds in place for us to continue operating until our budget is adopted.

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R-15-104
AUTHORIZING AMENDMENT TO THE 2015
TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2015;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2015 and the adoption of the Local Budget for the Borough of Highlands, County of Monmouth and State of New Jersey for the fiscal Year 2015:

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries</u>	<u>Other Expenses</u>
20-100	Administration	\$ 25,000.00	\$ 1,000.00
20-110	Mayor and Council	3,000.00	10,000.00
20-120	Municipal Clerk	16,000.00	10,000.00
20-130	Finance	30,000.00	5,000.00
20-135	Annual Audit		0.00
20-145	Tax Collection	15,000.00	3,000.00
20-150	Assessment of Taxes	6,000.00	12,000.00
20-152	Central Services	8,000.00	10,000.00
20-155	Legal Services and Costs		15,000.00
20-165	Engineering Services & Costs		40,000.00
21-180	Planning Board	2,000.00	7,000.00
21-185	Zoning Board of Adjustment	2,000.00	7,000.00
21-190	Affordable Housing	0.00	0.00
22-195	Construction Official	45,000.00	6,000.00
22-200	Code Enforcement	12,000.00	7,000.00
22-201	Code Substandard Housing		10,000.00
23-210	Insurance-Other		0.00
23-215	Workers Compensation Insurance		0.00
23-220	Medical-Surgical Insurance		0.00
23-230	Unemployment Compensation		0.00
25-240	Police	500,000.00	25,000.00
25-250	Police Dispatch	45,000.00	500.00
25-251	911 Telecommunications		7,000.00
25-252	Emergency Management	1,000.00	5,000.00
25-260	First Aid Contribution		10,000.00
25-262	PEOSHA		1,000.00
25-263	Fire Department		17,000.00
25-265	Uniform Fire Safety	7,000.00	1,000.00
25-275	Municipal Prosecutor	5,000.00	
26-290	Streets & Roads	45,000.00	15,000.00
26-292	Snow Removal	0.00	0.00
26-294	Stormwater Management		10,000.00
26-300	Mechanical Garage		1,000.00
26-305	Sanitation	500.00	13,000.00
26-306	Sanitation-Contractual		0.00
26-308	Recycling Tax		1,000.00
26-309	Monmouth County Reclamation		50,000.00
26-310	Public Building & Grounds	5,000.00	20,000.00
26-312	Shade Tree Commission		300.00
26-325	Condo Services Act		7,000.00
27-335	Environmental Health		0.00
27-337	Monmouth County Regional Health		0.00
27-340	Dog Control		3,000.00

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27-350 Substance Abuse		
28-360 Community Center	25,000.00	7,000.00
28-375 Parks & Playgrounds		4,000.00
28-376 Beachfront Maintenance	13,000.00	5,000.00
28-385 Public Events		1,000.00
29-390 Library		
30-415 Accumulated Time	8,000.00	
30-420 LOSAP		22,000.00
31-430 Utilities-Electric		10,000.00
31-435 Street Lighting		10,000.00
31-440 Telephone		8,000.00
31-445 Utilities-Water		3,000.00
31-446 Utilities-Natural Gas		10,000.00
31-450 Telecommunications		10,000.00
31-460 Utilities-Fuel		20,000.00
31-463 Utilities-Fire Hydrants		15,000.00
36-471 Public Employees Retirement System		0.00
36-472 Social Security System		35,000.00
36-475 Police & Fire Retirement		0.00
36-477 DCRP		1,500.00
41-714 Matching Funds for Grants		
42-490 Shared Agreement-Court		0.00
42-717 Interlocal-A.H.-Garage		0.00
43-490 Municipal Court	5,000.00	1,000.00
43-495 Public Defender	1,500.00	
44-901 Capital Improvement		0.00
45-910 Debt Service		100,000.00
		0.00
TOTALS	\$825,000.00	\$592,300.00

SEWER UTILITY

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries</u>	<u>Other Expenses</u>
55-501	Operating	\$ 20,000.00	\$ 300,000.00
55-502	Shared Service-Operator		0.00
55-502	Insurances		18,000.00
55-502	Social Security		5,000.00
55-502	Interest on Bond		2,740.24
55-502	NJEIT		3,581.74
	TOTALS	\$ 20,000.00	\$ 329,321.98

	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-15-107 – Resolution Appointing (2) Temp P/T Bldg Dept Secretaries:

Mrs. Cummins read the title of R-15-107.

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Mayor Nolan explained that both candidates have the required certificates in place. He also stated that the hourly rate is still be negotiated.

Mr. Padula stated that the appointment is not to exceed 180 days.

R-15-107

**RESOLUTION APPOINTING
TEMPORARY PART-TIME BUILDING DEPARTMENT SECRETARY**

WHEREAS, there is a need within the Building Department to appoint a temporary part-time Building Department Secretary; and

WHEREAS, it is the recommendation of the Borough Administrator that Kathy Burgess and Jennifer Rose are appointed.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Kathy Burgess and Jennifer Rose are hereby appointed as a temporary part-time Building Department Secretary effective May 6, 2015.

BE IT FURTHER RESOLVED that said temporary appointment be compensated at an hourly rate of as recommended by the Borough Administrator for an amount not to exceed \$20.00 per hour.

BE IT FURTHER RESOLVED that said appointments do not exceed 180 days.

	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-15-108 – Resolution Approving Person & Place Transfer of Liq License:

Mrs. Cummins read the title of R-15-108. She explained that at the last meeting we approved Person to Person transfer. She did not list place to place and the State kicked back the application. We need to do both.

Mr. Padula stated that this is a liquor license transfer. There are two ways you can transfer, person to person or place to place. He further described each. This is doing both.

Mayor Nolan stated that the Chief of Police approved of this and all vetting has been done.

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COUNTY OF MONMOUTH**

R-15-108

RESOLUTIONS AUTHORIZING THE PERSON-TO-PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1317-33-019-010 HELD BY TRIPLE BETA, LLC TO ATLANTIC STREET INNKEEPERS, LIMITED LIABILITY COMPANY

WHEREAS, an application has been filed for the person-to-person and place to place transfer of the Borough of Highlands Plenary Retail Consumption License No. 1317-33-019-010 from Triple Beta, LLC d/b/a The Clam Hut to Atlantic Street Innkeepers LLC.; and

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WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license; and

WHEREAS, the applicant has indicated that it intends to make application to the Highlands Planning Board for an expansion of the premises for the service of licensed beverages; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Highlands does hereby approve effective April 15, 2015, the person-to-person and place to place transfer of the aforesaid Plenary Retail Consumption License to Atlantic Street Innkeepers, LLC. and does hereby direct the Borough Clerk to endorse the license certificate.

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

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

Municipal Budget 2015

Public Hearing on the 2015 Municipal Budget:

Mrs. Cummins stated the 2015 Municipal Budget will not be adopted tonight. The budget was published and we are ready for a public hearing.

Mayor Nolan would like to have a town hall meeting to discuss further with the public before adoption.

Ms. Ryan asked for a potential date.

Mayor Nolan stated that he is hoping for last week in May or first week in June.

Mayor Nolan opened the public hearing.

Barbara Ianucci of 28 Shrewsbury Avenue asked who will have the final say on the budget after the hearing the public recommendations and make changes based on them.

Mayor Nolan replied that in the end, it would be the council as a whole.

Barbara Ianucci asked if any directions are given to the department heads to reduce budgets by 5%.

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Mayor Nolan explained how budget line items are set up and the committee also recommends reducing the budget.

Barbara Ianucci said that did not happen. It looks like things went up. She expressed concerns with the budget.

Mayor Nolan explained that there were a lot of conversations about intent to reduce.

Barbara Ianucci said that she does not except this budget and continued to express her opinion.

Greg Wells of 246 Bayside Drive asked how we can get detail on line items listed as “other” for the Community Center and Parks and Playgrounds.

Mr. Hill explained that the Community Center “other” incorporates all of the programs run thru the center. He can get him a detail of expenses.

Mr. Card stated that he does not have confidence this budget. People want explanations.

Mr. Hill stated that 1/3 of the Community Center “other” is for transportation for Senior Citizens.

Mr. Card wants to eliminate the title “other” from the budgets. We should itemize it out. It does not look like there have been any cuts.

Mr. Hill will make copies available at Borough Hall.

Greg Wells asked if we received the Clean Community Grant.

Mr. Hill said yes, it was \$13,500.00.

Carla Braswell said that the “other” line item under parks and recreation, who know the money goes to the Senior Program, Kid Programs and After School Program.

Mayor Nolan said we can make a drill down under “other.”

Gert Sofman of 157 Bay Avenue spoke of the “other” line item. She said it could be done on an excel spreadsheet. She would like to see more detail. We need to see the “other” broken down.

Ms. Thompson of 8 Bay Street would like an inventory of vehicles and equipment. She would also like to see amount of time used and maintenance records.

Mr. Hill stated that we have a shared service with Atlantic Highlands. We do not have document use but we do have maintenance records.

Mrs. Cummins stated that we do not have a document for usage.

Mr. Card feels that we should look into this.

Carl Rodriquez asked if we have a log out sheet for every vehicle.

Mr. Hill replied no. We only have three employees and we don't have use issues.

Mayor Nolan responded that the First Aide and Fire Department have that.

Carol Bucco of 330 Shore Drive said that she sees a lot of zero's under “other.” There aren't any numbers under salaries. Are we going to sell the garbage trucks?

Ms. Ryan stated that she is looking at a temporary budget.

Mr. Hill stated that they are still in use.

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Mr. Card stated that we have a massive inventory of our equipment. We have to pay insurance on this. Maybe the premium would be lowered if we eliminated some equipment.

Discussion continued about all equipment.

Mr. Card spoke of OEM's equipment with 15 spot lights. Do we need to insure them? He feels we are in denial about getting more ratables in a timely manner. All departments need to tighten up their belts.

Mrs. Kane-Wells spoke of the OEM vehicles. They are much needed in a time of need. She spoke about rescues made to people trapped in their homes. Sea Bright and Atlantic Highlands have used them also.

Mr. Card spoke of Standard Operating Procedure for OEM before and after Sandy.

Carol Bucco asked OEM vehicles being taken to out of town.

Greg Wells asked if we can audit usage and mileage.

Mayor Nolan stated that we will revisit this again. We will look into insurance costs, saving if less vehicles, which employee is using each vehicle, mileage, etc.

Discussion continued at the table.

Sean Colmbs of 141 Highland Avenue questioned the landfill fees.

Mr. DeBlasio responded: \$199,000.00 for 2014
\$200,000.00 for 2015 budget cost.

Sean Colmbs asked if twice weekly garbage is needed.

Mayor Nolan stated that we tried that and residents complained.

Claudette D'Arrigio of 12 Seadrift Ave asked if our vehicles have GPS and she feels that we should.

Mr. Hill replied no.

Mayor Nolan explained that there are costs associated with that.

Lori Dibble of 2 Matthew Street said that a lot of the budget is debt servicing. Can that be changed?

Mr. DeBlasio said yes. We are refunding two existing Bond Ordinances which will produce \$153,000.00 savings. He further explained.

Carl Rodriguez of 164 Linden Avenue asked about their condo services.

Mr. Hill stated that he had already spoken to him and he will be setting up a meeting.

Dan Shields of 55-56 Shrewsbury Avenue explained that he will be going before the Planning Board next week about his bar. He feels that there is a Planning Board member named Chris Francy who is going after him personally. He has been on social media speaking against his planning board application.

Melissa Pederson of Bay Street spoke of the vehicle list and are we going to sell any of them.

Mr. Hill said that he is hoping to have an auction in June. There are two fire vehicles and one BMW that was confiscated by the Police Department. There is also a lot of scrap.

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Melissa Pederson continued to question uncovered FEMA expenses and feels we need to push on this.

Mr. Hill explained that the number is still a moving target.

Discussion continued.

Tina Cameron of 160 Linden Avenue asked about the projected increase to each property owner.

Mr. DeBlasio explained that we don't have a final assessment yet. We have pluses and minuses with tax appeals going on now. Right now as it sits, it's at 2% which is about a \$54.00 per year increase to the homeowner. We will find out in June. He further explained waiting to hear from the State about grants.

Council continued discussion on ratable before and after Sandy.

Mr. DeBlasio said we are about 4.69% down.

Kim Skorka of 315 Shore Drive spoke of comparing last year's budgeting to be collected by taxes and this year's anticipated collection. She comes up with a 5.3% increase in tax dollars. She spoke about the cost of the election and building department software costs. She wants to see reductions in the budget.

Mr. DeBlasio explained different deductions in the budget.

Mayor Nolan continued to explain the various costs pre-Sandy.

Kim Skorka questioned insurance on vehicles and if there are different policies where we can save.

Mr. Hill will look into insurance savings.

Kim Skorka spoke of the Community Center budget and would like to see it reduced. She also asked if the money for vacant job openings could be used to decrease the budget.

Mr. DeBlasio explained that the budget can be adjusted before adoption. The budget is your spending plan. He says the tax increase is still 2%.

Carla Braswell of 62 Gravelly Point Road commended the budget committee if her taxes only go up \$54.00.

Mayor Nolan closed the public portion.

Added Resolutions:

Mrs. Cummins stated that there are two resolutions that we are adding on tonight.

R-15-109 – Resolution Appointing Fisheries Technology Associates, Inc.

Mrs. Cummins read the title of R-15-109 and the entire resolution into the record.

**R-15-109
Resolution Appointing
Fisheries Technology Associates, Inc. as
Clam Depuration Plant Consultants**

Whereas, the Borough is in need to retain a Clam Depuration Consultant for the purposes of advising on the operation of the Clam Plant, negotiation of the new lease, and preparation of specifications for a new lease; and

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Whereas, these services are unique in nature and qualify as an extraordinary unspecifiable service which does not require public bidding; and

Whereas, Fisheries Technology Associates, Inc. of Ft. Collins, Colorado has experience in the field and the ability to provide such services.

Now, therefore, be it RESOLVED that the Governing Body approves an agreement with Fisheries Technologies Associates, Inc. of Ft. Collins, Colorado in an amount not to exceed \$32,000.00 for the purposes of Clam Plant consultancy subject to all legal requirements,

Whereas, the CFO has certified that funds are available for these services.

R-15-109 Discussion:

Mr. Hill explained that we did go out for an RFP. He explained the various RFP's received and their qualifications.

Mayor Nolan stated that the Borough owns the building and equipment. There is a group that works in the building and also there is a management group. We want to get a long term agreement. We want to keep as many local people working there.

Mrs. Kane-Wells added that we want to add a community feeling to it.

Mr. Card feels that the council will put together an agreement that benefits everyone across the board.

Ms. Ryan added that we want more people to come to Highlands. We can do this by making this another site that people come to visit. There are many schools in the area that go to Twin Lights for school trips. I want to have educational facility and tour, souvenirs and gift shop. There are only a few clam plants around. This will help market the town.

Lori Dibble of 12 Matthew Street questioned what the control is for.

Mayor Nolan explained it is to do an assessment. He further explained about the grant.

Lori Dibble continued to question about grants available.

Ms. Ryan will speak with Lori Dibble after the meeting.

Council continued to explain the purpose of this firm. They are here to help us all.

Chris Francy of Fourth St. said that their contract ends in three month and what is the backup plan if the current people who run the plant walk away.

Mayor Nolan explained we have thought all of this thru. There are many services out there who would make it a seamless operation.

Dave Tauro asked about the firms qualifications.

Mr. Card stated that they are vetted. They are qualified.

Mayor Nolan said we are going to vote on this and closed the public discussion.

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

R-15-112 – Resolution Authorizing Professional Engineers-Community Center:

Mrs. Cummins read the title of R-15-112.

Mr. Leubner explained the time frame to complete the Community Center.

**R-15-112
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 for the Community Center Storm Damage Repairs project as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 \$10,000 plus reimbursable expenses for Professional Engineering Services as stated on the T & M Associates proposal dated May 6, 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 contingent upon the adoption of the 2015 Municipal Budget:

I hereby certify funds are available as follows:

Current Fund:

Patrick DeBlasio, Chief Financial Officer

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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. Robert Keady, P.E. T & M Associates are hereby retained to provide professional engineering as described above for an amount not to exceed \$10,000 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.
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			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	x	NO	

R-15-113 – Resolution Approving PBA Grievance Agreement:

Mrs. Cummins read the title of R-15-113.

Mr. Padula stated that this was from a grievance and the PBA was looking for reimbursement for retirees paying for Part A and Part B Medicare. He further explained that the cost does not exceed the health benefit cost that we currently pay.

**R-15-113
RESOLUTION APPROVING SETTLEMENT AGREEMENT
WITH THE PBA LOCAL 48 REGARDING
GRIEVANCE OVER MEDICAL COSTS**

Whereas, PBA Local No. 48 filed a grievance concerning payment of Medicare premiums by retired police officers; and

Whereas, prior to the Arbitration, the Parties reached an amicable resolution to the grievance.

Now, therefore, be it RESOLVED that the Borough approves the attached settlement agreement between PBA Local No. 48 and the Borough to resolve the grievance concerning Medicare premiums.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
16						

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

Ordinances: On for Introduction & Setting of a Public Hearing Date of June 3rd:

O-15-18 – Ordinance Amending Noise Ordinance:

Mrs. Cummins read the title of O-15-18 on for introduction and setting of a public hearing date for June 3rd, 2015. Chief Blewett requested that this be tabled because he would like further amendments.

Mr. Card offered a motion to table O-15-18 and seconded by Mayor Nolan and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan

NAYES: None

ABSENT: Mr. Redmond

ABSTAIN: None

O-15-19 – Ordinance Amending BID Ordinance Removing a Parcel:

Mrs. Cummins read the title of O-15-19 on for introduction and setting of a public hearing date for June 3rd, 2015.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of June 3, 2015 at 8:00 P.M.:

**O-15-19
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**AN ORDINANCE CONFORMING SCHEDULE “A” OF
CHAPTER 17-2 OF THE BOROUGH CODE TO REMOVE
BLOCK 43, LOT 1 FROM THE BUSINESS
IMPROVEMENT DISTRICT**

WHEREAS, the Borough has established a Business Improvement District (BID) and there is a process by which property owners may be removed from the BID provided certain conditions are satisfied; and

WHEREAS, by Resolution R-11-121, adopted on May 18, 2011, Block 43, Lot 1 (the “Parcel”) was removed from the list of parcels included in the BID because the property has been sold and is used solely as residential property; and

WHEREAS, the Parcel has not been subject to the special or added assessment levied upon the Parcel since adoption of the aforementioned resolution.

NOW, THEREFORE, BE IT ORDAINED as follows:

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SECTION ONE: Schedule “A” of Chapter 17-2 of the Borough Code shall be amended by the removal of Block 43, Lot 1 from the list of parcels included in the BID;

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

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

SECTION SEVEN. Effective. This Ordinance shall take effect upon final passage and publication as provided by law.

Seconded by Ms. Ryan and introduced on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mr. Redmond

ABSTAIN: None

O-15-20 - Ordinance Modifying Multi-Home and Multi-Family Requirements:

Mrs. Cummins read the title of O-15-20 on for introduction and setting of a public hearing date for June 3rd, 2015. She stated that this has to be sent to the Planning Board for their recommendations.

Mayor Nolan offered the following ordinance pass introduction and that a public hearing date be schedule for June 3, 2015 at 8:00 P.M. and authorized publication according to law:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

ORDINANCE #15- 20

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21-89 OF THE
REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED
“ZONING” MODIFYING THE REQUIREMENTS OF THE MH MOBILE HOME
RESIDENCE DISTRICT AND ALLOWING MULTI-FAMILY DEVELOPMENTS IN
THE MH ZONE AS A CONDITIONAL USE AND ESTABLISHING REGULATIONS
PERTAINING THERETO**

WHEREAS, the Borough currently has one MH Mobile Home Residence zone;

WHEREAS, the Borough has determined that it is in its best interest to amend its zoning code to permit, as a conditional use, certain multi-family development in the MH Mobile Home Residence zone; and

WHEREAS, permitting residential multi-family development under the conditions described herein is consistent with the master plan and the surrounding zones, specifically, the adjacent multifamily zone.

NOW, THEREFORE, BE IT ORDAINED that Section 21 of the revised general ordinances of the Borough of Highlands be and hereby is amended in following part only:

SECTION ONE: § 21-89, “MH Mobile Home Residence,” is hereby amended and supplemented as follows: (Additions noted by underscore. Deletions noted by strikethrough)

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A. Section 21-89(A)(2), "Permitted Accessory Uses," shall be supplemented by the addition of the following: "Other accessory uses and structures incidental to the permitted principal uses, including but not limited to structured parking for multi-family residences only."

B. Section 21-89(A)(3), "Conditional Uses," shall be supplemented by the addition of the following: "Multi-family dwellings, and structured parking accessory or appurtenant thereto subject to the requirements of §21-97(M). For purposes of this conditional use only, multi-family developments shall be defined as any residential building of greater than four (4) stories and no greater than ten (10) stories."

SECTION TWO: §21-97, "Conditional Uses," is hereby supplemented by the addition of a new Paragraph "M," which provides:

M. Multi-Family Developments in the MH Zone. Multi-family developments in the MH Zone are subject to RSIS standards, and shall not be required to meet the requirements of Schedule I where said requirements are inconsistent with either RSIS or the follow requirements.

1. Density shall not exceed 30 dwelling units per acre
2. Minimum lot size: 10 acres.
3. Minimum front yard setback: 100 feet to a principal building or structured parking facility
4. Minimum side yard setback: 60 feet to a principal building or structured parking facility
5. Minimum rear yard setback: 60 feet to a principal building or structured parking facility
6. Minimum Buffer area along any property line: 25 feet. Driveways and sidewalks shall be permitted to cross buffer areas to provide access to streets and adjacent properties. Pedestrian paths shall be permitted within buffer areas. Development identification signs and gatehouses shall be permitted in buffer areas within 75 feet of driveway entrances providing access to a public street
7. Maximum building coverage: 25 percent
8. Maximum lot coverage: 50 percent
9. Maximum FAR: 1.50. The floor area of structured parking facilities underneath and adjacent to residential buildings shall not be considered as floor area for purposes of the Floor Area Ratio (FAR).
10. Maximum Height:
 - a. Residential buildings: 120 feet, but not greater than ten (10) stories . The height of residential buildings shall be measured from the floor of the building lobby or the first level that contains dwellings whichever is lower. Elevator shaft may exceed this limitation by no more than 15 feet.
 - b. Structured parking: 45 feet. Parking structures may be located underneath and/or adjacent to residential buildings.
 - c. Recreational facilities and other accessory structure: 25 feet.
11. Accessory Structures:
 - a. Recreational facilities. Recreational facilities shall be provided for the use of residents of the multi-family development. Such facilities shall be setback a minimum of 50 feet from any property line.
 - b. Signs. Development identification signs shall be permitted adjacent to the main entrance of a multi-family development. Such signs shall either consist of a monument sign or be mounted on a freestanding wall. The maximum number of signs shall be two faces on a monument sign or two wall-mounted signs. The maximum area per sign face shall not exceed 100 square feet. A development identification sign shall be setback a minimum of 5 feet from any property line.

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c. A gatehouse or similar structure shall be permitted within 75 feet of driveway entrances providing access to a public street.

12. Steep Slopes and Setback from Slopes. Developments in the MH Zone District shall comply with the minimum foundation (face of footing) clearances from the top of a steep slope, at the tract perimeter, of the International Building Code (IBC), 2009 or later, New Jersey edition, as illustrated in Figure 1808.7.1 of the 2009 IBC, NJ edition and with the Steep Slope and Slump Block Ordinance, § 21-84B of this Code. , The minimum clearance of the face of the footing and setback shall apply only to the top of a steep slope at the tract perimeter and shall be the least of the smaller of the height of the slope divided by three (3) or forty (40) feet, in accordance with the IBC, 2009 above and illustrated in Figure 1808.7.1 of the 2009 IBC. Notwithstanding the foregoing, the minimum setback from the top of a steep slope at the tract perimeter shall not be less than forty (40) feet. This requirement shall be considered as a bulk requirement of the conditional use. Relief for the steep slope and slope setback requirement, above shall be addressed under 40:55D-970.c.

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

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

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

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

ROLL CALL:

AYE: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mr. Redmond

ABSTAIN: None

Ordinances: 2nd Reading, P.H. & Adoption:

O-15-14 – BID Ordinance:

Mrs. Cummins read the title of Ordinance O-15-14 on for 2nd reading, Public Hearing and adoption.

Mr. Padula stated that this for CVS and QuikChek. It is to combine the properties.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-15-14 for final reading and adoption.

Mayor Nolan offered the following Ordinance pass final reading and moved on its adoption and authorized its publication according to law:

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**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

O-15-14

**AN ORDINANCE AMENDING “SCHEDULE A” OF CHAPTER 17-2 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS TO
AMEND THE LIST OF PARCELS WITHIN THE BUSINESS IMPROVEMENT
DISTRICT TO ACCOUNT FOR THE COMBINING OF CERTAIN PARCELS AS A
RESULT OF THE REDEVELOPMENT OF BLOCK 108, LOTS 1, 2.01, 2.02 AND 2.03
(440-470 NAVESINK AVENUE)**

WHEREAS, the Borough of Highlands previously adopted and renewed an ordinance, codified in Chapter 17 of its Borough Code, establishing a business improvement district (“**BID**”) within the Borough; and

WHEREAS, parcels within the **BID** have been consolidated as a result of redevelopment, which requires an amendment to the list of parcels contained within the **BID** as codified in Schedule A of § 17-2 of the Borough Code; and

WHEREAS, these parcels consist of Block 108, Lots 1, 2.01, 2.02 and 2.03; and

WHEREAS, as a result of the redevelopment and construction of QuickCheck located at 440-450 State Highway 36 (also known as Navesink Ave.), Block 108, Lots 1 and 2.01 were combined to form Block 108, Lot 1.01, effective February 5, 2015 (the “**QuickCheck Property**”); and

WHEREAS, a Lot Consolidation Deed, dated March 28, 2012, was recorded on March 28, 2012 regarding the QuickCheck Property; and

WHEREAS, as a result of the redevelopment and construction of CVS located at 470 State Highway 36 (also known as Navesink Ave.), Block 108, Lots 2.02 and 2.03 will be combined to form Block 108, Lot 2.04 (the “**CVS Property**”); and

WHEREAS, a Lot Consolidation Deed, dated May 29, 2014, was recorded on June 3, 2014 regarding the CVS Property; and

WHEREAS, the Borough wishes to amend Schedule A of § 17-2, as of the effective dates of the consolidation of the aforementioned block and lots

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION ONE: Chapter XVII, Schedule A, of the Revised Borough Code of the Borough of Highlands shall be amended to delete all references to the following:

Block	Lot	Class	Property Location
108	1	4A	440 NAVESINK AVENUE
108	2.01	4A	450 HWY 36

SECTION TWO: Chapter XVII, Schedule A, of the Revised Borough Code of the Borough of Highlands shall be amended to include the following:

Block	Lot	Class	Property Location
108	1.01	4A	450 STATE HIGHWAY 36, also known as 450 NAVESINK AVE.

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SECTION THREE: Chapter XVII, Schedule A, of the Revised Borough Code of the Borough of Highlands shall be amended to delete all references to the following:

Block	Lot	Class	Property Location
108	2.02	4A	HIGHWAY 36 HIGHLANDS
108	2.03	4A	470 HIGHWAY 36

SECTION FOUR: Chapter XVII, Schedule A, of the Revised Borough Code of the Borough of Highlands shall be amended to include the following:

Block	Lot	Class	Property Location
108	2.04	4A	470 STATE HIGHWAY 36, also known as 470 NAVESINK AVE.

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

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

SECTION SEVEN. Effective. Sections One and Two of this Ordinance shall take effect after final passage and publication as provided by law, *nunc pro tunc* to March 28, 2012. Sections Three and Four of this Ordinance shall take effect after final passage and publication as provided by law, *nunc pro tunc* to June 3, 2014. Sections Five, Six and Seven of this Ordinance shall take effect upon final passage and publication as provided by law.

Seconded by Mrs. Kane-Wells and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Mrs. Kane-Wells, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

Committee Reports:

Ms. Ryan stepped out of the meeting at 9:26 p.m.

Finance:

Mr. DeBlasio stated that he had four members of the public involved on the Budget Committee. He thanked Kim Skorka, Melissa Pedersen, Ex-Councilman Chris Francy and Joe McFadden. They have been meeting since September. Their comments were very helpful.

Mr. DeBlasio spoke of CDBG extension they applied for. He also added that on line payment can be made from our website in one week.

Public Safety:

Mayor Nolan stated that Chief Blewett was absent as well as Police Department liaison Kevin Redmond. Chief Blewett's report will be inserted into the minutes.

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POLICE DEPARTMENT
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT
CHIEF



171 BAY AVENUE HIGHLANDS, N.J. 07732



TEL: 732-872-1158
FAX: 732-872-9240

***Report to Council
May 2015***

- * On March 16, 2015, six (6) lottery scratch off tickets were reported stolen from a vehicle while it was parked in a Bay Avenue business parking lot.
- * Sometime between October 2014 and March 2015, unknown person(s) entered a Scenic Drive condominium and removed several pieces of jewelry valued at approximately \$3,000.00.
- * On March 21, 2015, The Highlands Police Department was contacted by an outside agency requesting assistance locating a missing juvenile. The juvenile was reported to be possibly suicidal and authorities were able to ping the juvenile's cell phone to the Highlands area. Officers searched the surrounding area around the location of the ping with negative results but later located the juvenile on Laurel Drive with three local youths. The investigation revealed that the missing juvenile met a Highlands youth on Instagram and arranged to hang out with the youth in Highlands without parental consent. All youths were released to the custody of their parents/guardians.
- * On March 25, 2015, the Highlands Police Department received several reports from residents reporting that unknown person(s) entered their vehicles during the night. In most cases, nothing was reported stolen but one vehicle had a small amount of change taken.
- * Frank W. Egan, 20 years old, Highlands and a 17 year old Highlands male were arrested on March 25, 2015 and charged with possession of a controlled dangerous substance (marijuana) and drug paraphernalia. Mr. Egan was processed and released on a summons pending a future court appearance. The juvenile was processed and later released into the custody of his parents.
- * While investigating a suspicious person's complaint on April 2, 2015, officers found two individuals to be in possession of a controlled dangerous substance; specifically marijuana, and drug paraphernalia while in a parked vehicle. As a result, Cody Olson, 21 years of age, Miller Street, Highlands and Stephanie Hoffman, 19 years of age, Seadrift Avenue, Highlands, were arrested for the violation. Both individuals were processed and later released on a summons to appear in Municipal Court.
- * David Rodriquez, 41 years old, Laurel Drive, Highlands was arrested and charged with being a fugitive from justice on April 13, 2015. Officers initially came in contact with Mr. Rodriquez while he attempted to pick up his girlfriend's children from school. While investigating a claim that Mr. Rodriquez was wanted out of Pennsylvania for a parole violation Mr. Rodriquez tried to deny his true identity, but officers ultimately confirmed his identity through photographs, tattoos and fingerprints. Bail was then set at \$100,000.00 and Mr. Rodriquez was subsequently transported to the Monmouth County Correctional Institution, Freehold pending extradition.

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* **Administration:**

- Ordinances
 - Noise Ordinance
 - Training – April 24, 2015
 - Attended by police officers, business owners and borough representatives.
 - **Recommended Changes**
 - **3-2.2 section C** - This section needs to be deleted as there should **only** be one standard to access noise not two different standards.
 - **3-2.4 section I** - The hours stated in this section should be changed to 11:00 a.m. until 9:00 p.m. on Sunday through Thursday. The section stating “plainly audible inside a complainant’s property with all of the windows and doors closed” needs to be deleted for the same reasoning as above.
- Budget
 - New Patrol Vehicle
 - Delivered
 - Coordinating with various companies for the installation of the new equipment
- Grants
 - Body Armor Grant
 - The department will be replacing (4) officers vests totaling approximately \$3500.00. Monies from both the State and Federal Grant awards will cover the costs 100%. The officers’ body armor is replaced every (5) years on a rotating basis

* **Training:**

- Firearms
 - April 1, 2015
 - Officers attended mandatory range qualifications

* **Investigations:**

The Highlands Police Department has been receiving an increased number of reports relating to an IRS telephone scam in which potential victims are told that they owe money that needs to be paid immediately

- Remember the IRS will always send written notification via the U.S. mail and will never ask for credit card, debit card or pre-paid card information over the phone.
 - If you receive a telephone call from an unfamiliar number making a claim like this try to get as much information about the caller as you can and hang up.
 - Under no circumstances should you send money anywhere, purchase pre-paid cards or provide any personal information.

March 20, 2015 – Dsgt. Rogers in cooperation with the Monmouth County Prosecutor’s Office and the Division of Child Protection and Permanency is investigating an allegation that a twelve (12) year old juvenile was assaulted by the mother’s boyfriend.

- First Aid
 - Narcan Administration
 - On March 27, 2015, officers responded to a Bay Avenue residence regarding a reported unresponsive male. Upon arrival officers found a 48 year old male unconscious in the kitchen. Although, residents denied any

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drug use by the victim it appeared that the victim was suffering from an opiate overdose. Officers then began rescue breathing and administered Narcan. The victim regained consciousness within minutes of receiving the Narcan and declined any additional medical treatment.

- Narcan Administration
On April 4, 2015, a passing motorist reported observing a male who was bleeding to be stumbling in the area of Hwy 36 & Miller Street. Upon officer's arrival, the individual began slipping in and out of consciousness and was foaming from the mouth. The individual was recognized by officers and based on the circumstances including the individual's past history of drug use was administered Narcan. The individual was then transported to a local hospital by the Highlands First Aid Squad where he regained consciousness and became combative.

* **Community Policing:**

- Explorers
 - St Patrick's Day Parade – March 21, 2015
 - Participants assisted with traffic control by blocking the intersections.
 - Training – April 9, 2015
 - First Aid Refresher
 - Little Silver EMS
 - Fundraising
 - Pasta Dinner
 - Location: Highlands Fire Department
 - Date: May 16, 2015
 - Time: 6pm-9pm
 - Tickets: Adults = \$10.00, Students = \$7.00, Seniors/Children 12 and under = \$5.00, Children under 5 = Free

* Total Calls for Service: 498

* Arrests: Adults: 16 (2 for possession of CDS)
JV: 2 (1 for possession of CDS)

* Summons: Total: 85

Moving Violations: 33
Non-Moving: 41
DWI: 5
Boro Ordinance: 6

Administration:

Mr. Hill read thru his report.

1. Department of Public Works / Sanitation Services / Sewer

- Brush pick-up completed as scheduled throughout April, will continue for May as per Zone schedule.
- Working on Clam Plant Lot, investigative work on Valley St. pipe, ongoing park clean-up and maintenance efforts, North Street curb item.
- Rounds for trash removal in public areas as well as grass cutting are ongoing.

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2. Building and Housing:

a. CONSTRUCTION OFFICE – April 2015

New Permits 33 Permit Updates 6 Total Fees April 2015 = \$21,962
Cost of Construction as per permits \$689,835
Sub-Code Inspections 27 Building, 20 Electrical, 6 Fire, 22 Plumbing

b. Zoning Office: ZONING & FLOODPLAIN -

ZONING

1 Mercantile Approval	17 Zoning Approvals	4 Zoning Denials
4 Compliance Required Letters	2 Violation Letters	
1 Borough Requirements Letter	1 Zoning Determination	

FLOODPLAIN

15 Approvals	5 Letters of Compliance
1 Preliminary Letter of Compliance	2 Elevation Requirements Letters
3 Substantial Damage Determinations	

c. Code Enforcement: 34 inspections - 6 Violations 32 CO's issued 4 summons

d. Property Maintenance 10 complaints responded to 8 resolved. 2 requiring further investigation. 4 new summonses issued.

4. Fire Department: April 2015 Calls: 9

Training: Members trained on building construction, two residents on Shrewsbury Ave opened their house to the dept for walk through of new construction on lifted houses.

Misc: Out of the 9 calls this month the dept responded to 1 brush fire, 1 oven fire, 3 calls for mutual aid out of town 1 to Atlantic Highlands and 2 to Rumson for Structure fires. The department did extensive work at the 4 alarm fire in Rumson and our ladder was special requested to the scene by the Monmouth County Fire Coordinators.

Blood Drive held on April 28.

Marine 17 is in service for the summer season.

5. First Aid Calls Answered 26 Man Hours 96.

Training conducted on Cascade 02 System, fundraising efforts included Standby Assistance. Continued monthly activity: Duty Cleanup and Recruitment of new members.

6. Recreation Dept.

a. Kids on the Move Program - 35 registered – will run through June 10.

b. Adult Open Gym Volleyball - 38 registered (Ended April 30th)

c. High School Teen Night, April 17th - 21 participants

d. Senior Citizen Group Social, Hi-Lo Card Games, April 23rd - 12 participants

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- f. Rain Barrel Surveys - 90 participants have
- i. other - Kids on the Move Program – will run through June 10, 2015
- j. **Summer Kidfest Program** - Will be held at the Highlands Elementary School from July 6th - August 14th, Monday - Friday 8:30 am - 2:00 pm for Highlands children ages 6-14. Registration will begin on May 18th at the Borough Hall Trailer. Please register by June 19th.
- k. **High School Teen Night** - Friday, May 29th 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.

7. Administration

- a. Continue to work with professionals, State OEM and FEMA reps with regards to Project Worksheets.
- b. Reached out to additional Fisheries Consulting firm with regards to the Clam Depuration Plant.
- c. Contact made by local resident regarding implementation of a program concept modeled after the “Doors of Dublin”. Idea is to have residents voluntarily participate in painting their front doors to “brighten” up the town.
- d. Tilt-Up Project ---- This project will provide a new gazebo structure on the Snug Harbor Beach is in the design phase.
- e. Contact made by St. Bernard’s Project for potential fundraising concert in late August, and by Mr. Korn regarding the “Highlands Mindful Health and Fitness Festival” scheduled for September. Both events will require borough approvals when the details are finalized.
- f. Memorial Parade Scheduled for Saturday, May 23 at 1:00 p.m. Start at Huddy Park

Board of Education:

Ms. Ryan stated that Highlands Elementary School has received enough applications for first graders that they will have two first grades next year. There is a PTO Plant Sale Fundraiser on May 7th, 8th and 9th at the school. She also spoke of another PTO fundraiser for the school to go toward a Performing Arts Class. They are selling 50/50’s. The tickets are \$5.00 each. You may contact Ms. Ryan for tickets. Also, Henry Hudson Regional High School is running a fundraiser. They are selling raffles for a book of 40 trips on the Seastreak Ferry. The tickets are \$20.00 each.

Highlands Business Partnership:

Mrs. Kane-Wells read thru the HBP report.

Marketing & Events

The 15th Annual Seaport Craft Show will take place rain or shine on Sunday, May 24th, 10AM-4PM at Huddy Park. The show is juried by where we only accept handmade merchandise and local art. We have

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30 crafters accepted to date. We have also invited local artists via Highlands Borough Art Council to participate at a discounted fee.

We distributed approximately 2,500 Visitor Bags at the Great Five Boro Bike Tour containing visitor guides, event calendars, county guides and brochures from Highland's establishments.

The 3rd Annual Taste of Highlands will take place June 27th, 12-5PM. Tickets are \$40.00 and available on www.highlandsnj.com. All proceeds to benefit Veterans Park Improvements.

A Ribbon Cutting Ceremony was held on April 30th to welcome a new business, Logo Wear Pros at 1 Bay Avenue. Members of the Council, HBP and the community celebrated with Tess and Brian who are also residents of Highlands. Their unique shop is worth a visit! Another Ribbon Cutting is scheduled for May 15, for Steve Solop Custom Shirts, 205 Bay Ave. 6:30PM. They will be having an open house that day from 11:30AM – 7:00PM, where they will serving beverages and hors d'oeuvres throughout the day. Please stop by and welcome them to Highlands.

HBP has donated 20 Bicycle helmets to the Highlands Elementary school to go along with bicycles that were gifted to them from another organization.

HBP will donate a portion of our Foodtown Barter Agreement to the Explorers Learning For Life program for their Spaghetti Dinner. Please come out and purchase a ticket for this worthy cause. The Boys have worked very hard in planning their event and are also receiving assistance form the HFD.

Visual Improvement

We extended the deadline of submission for Statement of Qualifications for the Miller Hill Mural Project for an additional two weeks. We received three applications from muralists. The Mural Committee has met with all three artists and interviewed them. Jim Kovic was picked as the muralist. The Mural will highlight our community assets and tourist attractions. We hope to have the mural complete in 4 weeks time, weather permitting. A contractor has been secured to powerwash and prime the wall including the repair of two cracks. Frank Rahm will be doing a landscape project on the Hill, we are meeting with him this week to discuss a plan. He will also be cleaning and placing planting soil around the Doughboy Monument by the bridge this week at the request of the Garden Club President. They need assistance as they have lost many members. We are desperately seeking volunteers to assist with watering the containers. The Garden Club will plant and maintain the flowers around the Doughboy.

Economic Development

Veterans Park Boardwalk - 40 Yards of beach sand was delivered April 30th to the boardwalk site. Barry Heffernan of Tri Bar will provide the equipment and manpower needed to complete this phase of the boardwalk project. We have his insurance on file and have forwarded to the Borough. The Trek boards are paid for and will be delivered this week.

The hardware list received from Tri Bar totals \$2700 (nuts, bolt etc). We spoke to the manager at Home Depot for a possible donation. He requested that we submit a summary about the project and the park and he will forward to corporate for grant consideration. If it is not donated, he will give us a substantial discount and we will purchase. The deck railings will be purchased from same company as black fence and will be installed by Bobby Herald of the Fence Guys. We are working with Mr. Herald to coordinate the timing.

Robin Hood Grant—As of today 23 projects have been completed. Two homes are in progress; one waiting for concrete when the weather permits and a second has begun and will be completed in the next few weeks. This will close out the program and we will submit the final report to Robin Hood as required.

Shared Services:

Mayor Nolan stated that he had multiple meeting with Sea Bright. Mrs. Kane-Wells and Mr. Redmond attended the last meeting.

Mrs. Kane-Wells explained that they met with a councilman from Sea Bright and the Department of Public Works Supervisor. There is some potential for shared facility for DPW. There are a lot of concepts on the table. There would be shared equipment and manpower. It was a positive discussion. They will be meeting every two weeks. They will bring all information to the table

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for discussion. She met with the seniors in town. They are looking for potential shared services with Middletown. She will be looking in to that and cost. Everything is preliminary.

Mayor Nolan stated that Sea Bright was open to a lot of their ideas.

Website RFP:

Ms. Ryan stated that there was nothing new to report.

Announcements:

Mr. Hill added that the Memorial Day Parade will be held on Saturday, May 23rd at 1:00 p.m.

Public Portion:

Jennifer Perkel of 179 Navesink Avenue spoke of Valley Street being made a one way. There has not been one accident thru snow or rain since it was made a one way street. There were a couple of neighbors who strongly disagreed with it. She thanked the council for a very peaceful past few months.

Mayor Nolan explained the process of the adoption of an ordinance.

Ms. Ryan stated that she will have a report on the one way street at the next meeting.

Kim Skorka of 315 Shore Drive asked if any cost savings were negotiated in the UFCW contract.

Mr. Padula stated that the resolution was for signatures of the contract. He will send her a copy of the MOA. He does not have it with him.

Carol Bucco of 330 Shore Drive spoke about the Bollerman Marina Project. They raised the land to the top of the fence. They were DEP approved. They are still dredging. There are mounds of dirt and rocks at the end of the street. She would like someone to come down and look at it. She is concerned with flooding from run off and feels that drainage must be installed. She also asked if the new CVS is on the tax rolls.

Mayor Nolan said yes.

Melissa Pedersen – left.

Cheryl Bahr of 23 Central Avenue stated that the Skate Park ordinance is not being enforced. The ramps are in bad shape, graffiti and kids not wearing helmets.

Mayor Nolan stated that he will address this with the Chief of Police.

Jerry Feliciano of S. Peak Street wants Valley Avenue back to a two way street.

Ms. Ryan explained that she will be doing a report on this at the next meeting.

Tina Kraemer of 164 Linden Avenue – passed.

Carl Rodriguez of 164 Linden Avenue – passed.

Katy Reed of 7 Snug Harbor explained that she presented to the council last May a list of dilapidated properties. Most of the properties were pre-Sandy. She is officially presenting it again with 25 signatures. She also spoke of 326 Bay Avenue. She contacted the owner and asked him about his plans for his property. He told her that as a business owner, there is no incentive to knock it down.

Mayor Nolan explained that there is development in the program.

Mrs. Kane-Wells added that there have been discussions with the engineers. There will be a presentation on the 19th to kick off the PPDR (Personal Property Debris Removal) program.

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Things are in the works regarding inspections and how it will be facilitated. One of the goals is to have at least 10 houses knocked down around September or October. She further explained what the meeting will cover. Mr. Leubner will be facilitating the meeting.

Mr. Leubner explained the process prior to knocking down a house. The grant is for homes post Sandy. There is 90% reimbursement for Sandy Houses.

Carla Cefalo-Braswell – passed.

Dan Shields of 55-56 Shrewsbury Avenue said that he will be going before the Planning Board next week. He added that a member of the Planning Board said to the council, “when are we going after Windansea?” He further explained that there are two other businesses in town with violations. Why is he being singled out on social media? He feels this member should step down.

Mr. Card agrees with Mr. Shields. There are conflict issues. We have to be professional.

Claudette D’Arrigo of 12 Seadrift Avenue asked about the status of lifeguards.

Mr. Hill explained that the hourly rate is up to \$10.00 per hour to start depending on credentials. The head lifeguard goes up to \$16.00 - \$17.00 per hour.

Claudette D’Arrigo continued to complain about lack of life guards.

Mr. Hill and Claudette D’Arrigo continued to discuss the lack of life guards.

Lori Dibble of 2 Matthew Street asked about Ordinance O-15-20. She asked if this would be addressed by the Master Plan.

Mayor Nolan explained that if the ordinance is adopted, it will be incorporated into the Master Plan.

Mayor Nolan and Lori Dibble continued discussion.

Chris Francy – passed.

There were no further questions.

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

The Meeting adjourned at 10:08 p.m.

Debby Dailey, Deputy Clerk