

**Borough of Highlands
Mayor & Council
Regular Meeting
May 18, 2016**

Meeting Location: Robert D. Wilson Memorial Community Center, 22 Snug Harbor Ave., Highlands

Mayor Nolan called the meeting to order at 7:12 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 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: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

Absent: None

**Also Present: Carolyn Cummins, Borough Clerk
Patrick DeBlasio, Tax Collector
Tim Hill, Borough Administrator
Brian Geoghehan, Interim Administrator
Brian Chabarek, Borough Attorney
Dale Leubner, Borough Engineer
Rob Keady, 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:

Introduction of Borough Administrator

- 1. Litigation: Shore Dr. Road Imp. Project
Baymen's Litigation
COAH Report**
- 2. Contract: Architectural RFP's
Shared Service TOMSA
Mechanical Services**
- 3. Real Estate: 19 Bay Avenue**
- 4. Personnel Matters: Administrator
DPW Summer Seasonal**
- 5. Investigation:**
- 6. Attorney-Client Privilege: Property Assessment Demo Program
Grant Writer Update
W/S Lines for Trailers
Moving Bldg Dept Update
Tilt-Up Cost Update
Tax Abatement- Sandy Hook Marina**

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:

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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.
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 Mr. Card and adopted on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAYS: None
ABSENT: None
ABSTAIN: None

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The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:27 p.m.

Mayor Nolan stated that the Girl Scouts are present tonight and will lead us in the Pledge of Allegiance.

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAYS: None
ABSENT: None
ABSTAIN: None

Plaque Presentation – Tim Hill, Borough Administrator:

Mayor Nolan announced that tonight is Mr. Hill's last Council Meeting. He read and presented Mr. Hill with a plaque on his retirement.

Mayor Nolan thanked Mr. Hill for all that he has accomplished and has done for the community.

Oriana Nolan, local Girl Scout, acknowledged all the hard work, dedication and support for the Girl Scouts. She presented Mr. Hill with assorted Girl Scout cookies.

Resolution R-16-120 – Resolution Appointing Borough Administrator:

Mrs. Cummins read the title of Resolution R-16-120.

Mayor Nolan explained that there were many interviews and conversations. He spoke highly of the new administrators qualifications. He welcomed Brian Geoghegan as the new administrator.

R-16-120

RESOLUTION APPOINTING BOROUGH ADMINISTRATOR

WHEREAS, Tim Hill has served as the Borough Administrator, including on an interim basis, since May 4, 2011; and

WHEREAS, on or about March 15, 2016, Tim Hill informed the Borough that he would be retiring from his position as Borough Administrator effective May 31, 2016; and

WHEREAS, the governing body of the Borough of Highlands has determined that Brian Geoghegan is qualified to serve in the position of Borough Administrator and will be able to perform the duties of Borough Administrator as the successor to Tim Hill.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that Brian Geoghegan is hereby appointed Borough Administrator, beginning June 1, 2016, for a two (2) year term to expire on May 31, 2018 and will serve in that capacity for an annual salary in the amount of 110,000.00. Further, Brian Geoghegan shall be paid at an hourly rate of 52.88, for any transition work performed prior to June 1, 2016.

BE IT FURTHER RESOLVED that the attached employment contract for said position is hereby approved and the Mayor is authorized to execute the said agreement.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA			YES	X	NO	

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Mayor Nolan introduced Brian Geoghegan.

Public Comment Period on Consent Agenda Resolutions Only:

Ms. Broullon asked to table R-16-127 – Resolution Appointing Substandard Housing Members. She stated that our attorney, Mr. Chabarek, is looking over our current ordinance regarding appointing members.

Ms. Broullon asked to table R-16-128 – Resolution Appointing Special Police Officer. The applicant has taken another position.

Mr. Chabarek stated that R-16-127 can be brought back at the June 15th meeting.

Ms. Broullon asked to table R-16-125 – Resolution Appointing DPW Summer Seasonal until the June 1st meeting.

Ms. Broullon offered a motion to table R-16-127, 128 & 125, seconded by Mrs. Wells and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D’Arrigo, Mrs. Wells, Mayor Nolan
NAYS: None
ABSENT: None
ABSTAIN: None

Ms. D’Arrigo would like to table R-16-121. She would like for the new administrator to be a part of this.

Mrs. Wells questioned why we are delaying this and why wasn’t it discussed in the Executive Session.

Ms. D’Arrigo offered a motion to table R-16-121 – Resolution Appointing P/T Recreation Aide, seconded by Mr. Card and all were in favor on the following:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D’Arrigo, Mayor Nolan
NAYS: Mrs. Wells
ABSENT: None
ABSTAIN: None

Mayor Nolan opened the public portion on consent agenda and resolutions.

Mrs. Bucco of 330 Shore Drive questioned R-16-126. She thought the program was good. It benefited the town and why do we want to opt out.

Mayor Nolan replied that there were more people that were not happy with the program.

Mrs. Bucco cautioned the Borough about hiring the West New York Realty Company.

Kim Skorka of 315 Shore Drive spoke of Resolution R-16-126. She asked why waterfront land is decreasing in value in this town. There is a finite amount of waterfront property in the State. She is concerned with non-waterfront property values. She is fine with the Borough opting out. She also spoke of Resolution R-16-117. She is for removing the Tilt-Up.

Andrew Stockton of 31 Grand Tour stated that he does not understand why Resolution R-16-117 is on the agenda. Mr. Card has stated that this would be fully vetted out. The council has not produced cost for removal. He feels that spending tax dollars to remove this is obscene. He would like to know the amount. He added that there are more important areas in the town for the money to be spent.

Mayor Nolan stated that the vote will be tonight. He added that there are many things that have to be addressed.

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Andrew Stockton is concerned with the parliamentary procedure which requires the town to follow the municipal land use law. He stated that the council would have to bring this to the Planning Board for review.

Mr. Card asked Mr. Stockton if that was done when it was installed.

Mr. Stockton said it was not required. The installation did not cause the need to spend any public funds.

Donica Basinger of 12 Miller Street questioned Resolution R-16-129 and do we have permits and design.

Ms. Broullon added that NJ Transit handles this and we will look at what needs to be done from the Borough side.

Loriann Nolan of 65 Snug Harbor questioned Resolution R-16-129 and if this resolution is giving them the approval to go ahead without seeing a design.

Council briefly discussed.

Mr. Card offered a motion to table Resolution R-16-129 to the June 15th meeting, seconded by Ms. D'Arrigo and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAYS: None
ABSENT: None
ABSTAIN: None

Kim Skorka spoke of the Tilt-Up project not costing the town money. She added that Mr. Hill, Mr. Leubner and the Police Department time did cost us money and will they reimburse the salaries.

Mr. Card replied no.

Mary Salsman of Snug Harbor asked if the new administrator will introduce himself to the assembly.

Mayor Nolan responded it is planned for after the first public portion.

Peter Mullen of Marine Place supports Andrew Stockton's opinions. He further explained.

Lori Dibble of 2 Matthew Street said that at the last Council Meeting, the Mayor stated that it would be inappropriate to vote on the Tilt-Up resolution due to lack of information and has something changed since the last meeting.

Mayor Nolan replied that some of the vendors confirmed their costs.

Lori Dibble asked about the permits for removal and permitting it.

Mayor Nolan said for removal, yes, permitting it, no.

Katie Reed of Snug Harbor asked if we could put the money that was budgeted for the council's salaries toward the cost to remove the structure.

There were no further questions.

Mayor Nolan closed the public portion.

Consent Agenda:

Mayor Nolan asked if anyone had any items they would like to remove.

Mrs. Wells spoke of Resolution R-16-124 Accepting Resignations from the Recreation Committee. She suggested adding Carla Cefalo-Braswell and we continue to advertise for members.

R-16-119

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**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN”
CONTRACT FOR PROFESSIONAL SERVICES – GRANT WRITING &
CONSULTING SERVICES**

WHEREAS, the Borough of Highlands has a need for professional grant writing and consulting services; and

WHEREAS, the Borough has gone through the fair and open process, advertised on its website and in the Asbury Park Press on March 31, 2016, the solicitation for receipt of proposals from professional grant writers for said services and three (3) proposals were received and documented on April 22, 2016; and

WHEREAS, the Borough has reviewed all proposals received and it was determined that T & M Associates, satisfies the requisites contained in the request for proposals to be considered for professional services that the Borough may require during the contract year; 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 \$20,000 for the contract year set to expire on December 31, 2016; and

WHEREAS, the governing body of the Borough of Highlands shall select which grants to apply for and will direct T & M Associates accordingly; 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:

Patrick DeBlasio, Chief Financial Officer

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

1. T& M Associates, 11 Tindall Road, Middletown, NJ 07748 is hereby retained to provide professional grant writing and consulting services for an amount not to exceed \$20,000 for the contract year to expire on December 31, 2016.
2. The contract is awarded through the fair and open process as a Professional Service in accordance with N.J.S.A. 19:44A-20.5 et seq. and in accordance with 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.
3. A copy of this Resolution as well as the contract/proposal shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA			X	YES		NO

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 R-16-122**

**Resolution
 Supporting the *Click It or Ticket* Mobilization of
 May 23 – June 5, 2016**

Whereas, there were 560 motor vehicle fatalities in New Jersey in 2015; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that Borough of Highlands declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA			X	YES		NO

R-16-123

RESOLUTION AUTHORIZING TRIMMING OF TREES ON BOROUGH OWNED PROPERTY ADJACENT TO 3 RALPH STREET

WHEREAS, the residents of 3 Ralph Street have requested permission to trim trees on Borough owned property adjacent to their property just above Bayside Drive; and

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WHEREAS, the residents of 3 Ralph Street have represented that they will hire a professional tree care company under the supervision of a New Jersey Certified Tree Expert to perform Vista Pruning and/or crown reduction pruning not exceeding 1/3 of the canopy of the subject trees; and

WHEREAS, the residents of 3 Ralph Street are responsible for the cost and expense of such work to be performed; and

WHEREAS, the Borough will authorize such tree services to be performed on Borough owned property under certain conditions; and

WHEREAS, the Borough requires that the professional licensed tree care company, being used by the residents of 3 Ralph Street, send a letter to the Borough Administrator, with a copy to the Tree Commissioner, detailing the specific scope of work to be performed, including photos and a statement that the work to be performed will not fatally damage the trees at issue; and

WHEREAS, the Borough also requires that the professional licensed tree care company represent that all cuttings will be collected and removed from the site; and

WHEREAS, the Borough must approve of the work schedule so that the Shade Tree Commissioner, or another member of the Shade Tree Commission, can be present at the start and completion of the work; and

WHEREAS, upon satisfaction of all of the requirements outlined above, the Borough Administrator may grant permission to the residents of 3 Ralph Street to proceed with the trimming of said trees as outlined above, subject to his discretion that all of the above requirements have been met.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the residents of 3 Ralph Street may be granted permission to trim trees on Borough owned property adjacent to their property just above Bayside Drive, at their sole cost and expense, subject to meeting the required conditions outlined above to the satisfaction of the Borough Administrator.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA		X	YES		NO	

R-16-124

**RESOLUTION ACCEPTING RESIGNATION
BOARD MEMBERS**

WHEREAS, Tim Hill, Planning Board Borough Official Member has submitted a letter of resignation from the Planning Board effective May 31, 2016; and

WHEREAS, Sonya Cashner, Katie Reed and Valerie Browning has submitted letters of resignations from members of the Recreation Committee.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Borough does hereby accept the resignations of Tim Hill, Sonya Cashner, Katie Reed and Valerie Browning and thanks them for their service to the Community.

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BROULLON		X	X			
CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA	X	YES	X	NO		

**RECAP OF PAYMENT OF BILLS
05/18/2016**

CURRENT:		\$	222,078.64
Payroll	(04/30/2016)	\$	110,543.41
Manual Checks		\$	
Voided Checks		\$	
SEWER ACCOUNT:		\$	73,322.08
Payroll	(04/30/2016)	\$	3,521.19
Manual Checks		\$	
Voided Checks		\$	
CAPITAL/GENERAL		\$	159,779.42
CAPITAL-MANUAL CHECKS		\$	
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	12,122.49
Payroll	(04/30/2016)	\$	14,710.00
Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	
GRANT FUND		\$	31,810.91
Payroll	(04/30/2016)	\$	1,091.33
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

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**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
BROULLON		X	X			
CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA		X	YES		NO	

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the April 20th, 2016 Executive and Regular minutes for approval, seconded by Mrs. Wells and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAYES: None
ABSTAIN: Mr. Card
ABSENT: None

Other Resolutions:

R-16-117 – Resolution Approving Removal of Tilt-Up Structure:

Mrs. Cummins read the title of Resolution R-16-117.

Mr. Chabarek explained that this resolution gives the Borough Officials to start the process and to make sure it is done the right way.

Mrs. Wells explained the reason she will be voting no. She is concerned about the tax burden.

Mayor Nolan explained that he will be voting no also. He feels we didn't vet it out. He wants it to go to referendum.

R-16-117

**RESOLUTION APPROVING THE REMOVAL OF THE TILT-UP SANDY
MEMORIAL CONCRETE STRUCTURE**

WHEREAS, the Borough of Highlands conducted a survey as well as a Town Hall Meeting in order to obtain feedback from the residents to address the Tilt-Up Sandy Memorial Concrete Structure and;

WHEREAS, the governing body has made a determination that it is in the best interests of the residents to have the concrete structure removed from the Community Center Beach;

WHEREAS, the governing body hereby authorizes the Borough's employees and professionals, including, but not limited to, the Borough Administrator, Construction Official, Borough Attorney and Borough Engineer to take whatever action is necessary in order to ensure compliance with any and all regulatory agencies and or requirements prior to the removal of the Concrete Structure otherwise known as the Tilt-Up Sandy Memorial;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands, that the governing body hereby approves the removal of the Tilt-Up Sandy Memorial Concrete Structure.

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BE IT FURTHER RESOLVED that the governing body hereby authorizes the Borough's employees and professionals, including, but not limited to, the Borough Administrator, Construction Official, Borough Attorney and Borough Engineer, to take whatever action is necessary in order to ensure compliance with any and all regulatory agencies and or requirements prior to the removal of the Concrete Structure otherwise known as the Tilt-Up Sandy Memorial.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD	X		X			
D'ARRIGO		X	X			
WELLS				X		
NOLAN				X		
ON CONSENT AGENDA			YES	X	NO	

R-16-118 – Resolution Petition to Extend Licensed Premise :

Mrs. Cummins read the title of Resolution R-16-118.

Chief Blewett is waiting for a copy of insurance prior to his approval. He is okay with the event.

Council discussed.

Mrs. Cummins will contact Mr. Lentz for a copy of insurance by Friday or approval will be denied.

R-16-118

**RESOLUTION APPROVING PETITION TO EXTEND LICENSED PREMISES
FOR INLET CAFÉ, INC.**

WHEREAS, the Inlet Café, Inc. located at 3 Cornwall Street has filed an application for a petition to extend licensed premises for an event to be held on June 5, 2016 with a rain date of June 12, 2016; and

WHEREAS, the application has been reviewed and approved by the Chief of Police subject to certain conditions; and

WHEREAS, the Inlet Café, has indicated that they plan to hold the event between the hours of 12 p.m. and 8 p.m. and to utilize a portion of Borough owned property, Cornwall Street; and

WHEREAS, the Inlet Café will cooperate with Public Safety including, but not limited to, the Borough's Police Department, Fire Department and First Aid, in connection with any closing of a portion of Cornwall Street for the event; and

WHEREAS, the Inlet Café will name the Borough as an additional insured on their policy of insurance, with minimum liability limits in the amount of \$1,000,000.00, and provide a Certificate of said insurance to the Borough to the satisfaction of the Borough Administrator; and

WHEREAS, the Inlet Café will certify to the satisfaction of the Borough Administrator that the Windanse Restaurant has no objection to the potential closing of a portion of Cornwall Street for the event; and

WHEREAS, the Inlet Café will agree to clean up any debris left on Cornwall Street as a result of holding the event at their sole cost and expense; and

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WHEREAS, the event is subject to approval by the State of New Jersey, Division of Alcoholic Beverage Control, wherein the Inlet Café is filing a Petition to Extend Licensed Premises with the said entity and will furnish a copy of any permit issued to the Borough Administrator.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve the application for a petition to extend licensed premises Permit for the Inlet Cafe located at 3 Cornwall Street for an event to be held on June 5, 2016 with a rain date of June 12, 2016, subject to the aforementioned conditions.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-16-121 – Resolution Appointing P/T Recreation Aide:

R-16-125 – Resolution Appointing DPW Seasonal:

Mrs. Cummins read the title of Resolution R-16-125.

Mayor Nolan stated that R-16-121 and R-16-125 have been tabled.

R-16-126 – Resolution Opting Out of Property Demonstration Tax Assessment Program:

Mrs. Cummins read the title of Resolution R-16-126.

Council discussed.

Mr. Card explained his vote. He feels that opting out is a good move. We don't have all of the information.

Mrs. Wells explained that she will vote no. She feels this program will keep our market ratios fluid. She further explained.

Mayor Nolan will vote to opt out. He feels we can put together a more proactive plan.

R-16-126

RESOLUTION ADVISING THE MONMOUTH COUNTY BOARD OF TAXATION THAT THE BOROUGH OF HIGHLANDS IS OPTING OUT OF THE MONMOUTH COUNTY ASSESSMENT DEMONSTRATION PILOT PROGRAM

WHEREAS, in March 2013, Governor Christie signed into law P.L. 2013, Chapter 15 known as the Assessment Demonstration Pilot Program; and

WHEREAS, Monmouth County elected to participate in this pilot program; and

WHEREAS, the Borough of Highlands was ordered by the Monmouth County Board of Taxation to implement the Assessment Demonstration Program (ADP); and

WHEREAS, the program requires the municipal Assessor to perform annual reassessments; and

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WHEREAS. the Monmouth County Board of Taxation approved a resolution on November 30, 2015 authorizing that “any municipality may opt out of the requirement to perform Annual Reassessments within the ADP for 2017 if they did so by 11:59 p.m. on April 29, 2016”, now extended to May 31, 2016; and

WHEREAS, the Borough of Highlands has met with representatives of the Monmouth County Board of Taxation; and

WHEREAS, the governing body of the Borough of Highlands believes that opting out of the Monmouth County Assessment Demonstration Program is in the best interest of the taxpayers of the Borough of Highlands.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Highlands hereby approves of the Borough’s opting out of the Monmouth County Assessment Demonstration Program.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON	X		X			
CARD			X			
D'ARRIGO			X			
WELLS				X		
NOLAN		X	X			
ON CONSENT AGENDA			YES	X	NO	

R-16-127 – Resolution Appointing Substandard Housing Member:

Mrs. Cummins read the title of Resolution R-16-127.

This resolution was tabled.

R-16-128 – Resolution Appointing Special Police Officer:

Mrs. Cummins read the title of Resolution R-16-128.

This resolution was tabled.

R-16-129 – Resolution Approving Bus Shelter at Huddy Park:

Mrs. Cummins read the title of Resolution R-16-129.

This resolution was tabled.

R-16-130 – Resolution Approving Mechanical Shared Service Agreement:

Mrs. Cummins read the title of Resolution R-16-130.

Mr. Card stated that he and Mr. Hill met with Mr. Hubeny, Borough of Atlantic Highlands Administrator. He is comfortable with the agreement. He further explained that we will be requesting documentation of work being done.

Council discussed briefly.

R-16-130

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ATLANTIC HIGHLANDS AND THE BOROUGH OF HIGHLANDS FOR THE ROUTINE MECHANICAL REPAIR AND MAINTENANCE OF HIGHLANDS VEHICLES, EQUIPMENT AND TRUCKS (EXCLUDING FIRE TRUCKS)

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WHEREAS, the Borough of Highlands and the Borough of Atlantic Highlands previously entered into a Shared Services Agreement, wherein the Borough of Atlantic Highlands provided routine mechanical repair and maintenance of Highlands vehicles, equipment and trucks (excluding fire trucks); and

WHEREAS, the Borough of Highlands and the Borough of Atlantic Highlands wish to renew their Inter-Local Service Agreement; and

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

WHEREAS, the Borough of Atlantic Highlands has the facility, equipment, manpower and expertise to provide this type of service to the Borough of Highlands; and

WHEREAS, the Administrator of the Borough of Atlantic Highlands and the Borough of Highlands have reached an agreement for said services at the rate \$ 55 per hour plus the cost of any needed parts; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the Mayor is hereby authorized to execute an Interlocal Service Agreement with the Borough of Atlantic Highlands for the routine repair and maintenance of Highlands' vehicles, equipment and trucks (excluding fire trucks) with an effective date retroactive to January 1, 2016 through December 31, 2018; and

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

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD	X		X			
D'ARRIGO			X			
WELLS						
NOLAN		X	X			
ON CONSENT AGENDA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO						

Ordinances: 2nd Reading, Public Hearing and Adoption:

O-16-11 Traffic Ordinance

Mrs. Cummins read the title of Ordinance O-16-11. She requested a motion to table this ordinance to the June 1st meeting. There were publication issues.

Mayor Nolan offered a motion to table Ordinance O-16-11 to the June 1st meeting, seconded by Ms. Broullon and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAY: None
ABSENT: None
ABSTAIN: None

Mayor Nolan asked Brian Geoghegan to introduce himself.

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Brian Geoghegan gave a brief description of his work background and education.

Other Business:

Borough Engineers Status Report

Mr. Leubner gave a brief summary of his report listed below.

The following is the status of various projects in which we are involved as Borough Engineer:

Capital Improvement Projects

1. Stormwater System Improvements:

- Plans have been submitted to the NJDEP as required for the EIT loan.
- Permit applications are currently under review.
 - NJDEP permits have been obtained.
 - Green Acres has advised that they require a permit for the pumpstation as it will exist on the same property as the Community Center which is on the Borough's ROSI.
 - NJDEP had previously approved this project in its entirety but is now requiring the Green Acres Permit approximately four years later.
 - Pre-Application meeting with Green Acres was held on January 27, 2016.
 - USACE permit has been obtained.
 - Resubmission is under review by Freehold Soil Conservation District.
- Project was to be advertised this winter pending approval through the EIT. However, the Green Acres permit may delay the advertisement until at least winter.
 - Potential of relocating generator adjacent to pumpstation.

2. The Replacement of the North Street Stormwater Pumpstation: The station was lost during Hurricane Sandy.

- Design is substantially complete.
 - Station has been redesigned higher to be out of the new floodplain per recent ABFE's.
 - Design has been revised to utilize electric pumps with a backup diesel generator due to the inability to satisfy NJDEP sound attenuation regulations.
- Access agreements are required from the adjacent property owners for construction purposes.
- Meeting with Borough Subcommittee to be held to review the final design.
- Permit applications have been submitted.
 - CAFRA permit has been obtained.
 - USACE permit application has been obtained.
- Construction is anticipated to commence in the fall.

3. The Waterwitch Avenue & Linden Avenue Drainage Project: The intent of this project is to capture sediment frequently received from Monmouth Hills and Route 36 to keep it from clogging the Borough's infrastructure and causing additional flooding.

- Project has been advertised twice. Prices have been significantly higher than the engineer's estimate.
- Bids have been rejected twice.
- We have altered the original design to reduce construction costs.
- Meeting with Borough Subcommittee to be held to review the final design.

4. Community Center ADA Walkway: This project repairs the bituminous walkway along the sports courts and provides ADA access to the beach and gazebo areas.

- Project documents have been completed.
- Informal solicitation of Contractors has been completed.
- One quotation was received in the amount of \$54,600 which substantially exceeded the Engineer's Estimate.
- Additional quotes were solicited as authorized by the Borough's Qualified Purchasing Agent. No responses were received.

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- Proposal had been previously requested from the Contractor who completed the Shore Drive resurfacing phase II project. However, due to additional infrastructure work, there are no available funds remaining in that contract.

5. NJEDA Streetscape Project: This project adds streetscape improvements behind the curblines, plus crosswalks through both downtown business districts. Project involves a \$1.5 million grant from the NJEDA

- Design is complete.
- Meetings have been held with Council Representatives and the Borough Administrator to review the project design and amenities.
- Meeting was held on June 15, 2015, with the Highlands Business Partnership, to advise them of the anticipated improvements and what to expect during construction.

Bid Opening: July 21, 2015
Award: July 23, 2015
Contractor: Defino Contracting, Inc.
Amount: \$1,273,000.00

- Conduit and concrete work has been substantially completed on the north side of Bay Avenue with the exception of the North Street intersection.
- Light poles along the north side of Bay Avenue have been installed and energized.
- Project limits have been reduced in the Huddy Park/Shore Drive area as discussed with the Borough Subcommittee to better utilize the funding in other areas of the project.
- Contractor has remobilized. Stamped concrete subcontractor to remobilize the week of May 31, 2016.

6. The Resurfacing of Shore Drive Phase II: This project extends from Waterwitch Avenue to Locust Street. This project includes a \$200,000 grant from the NJDOT.

Bid Opening: June 23, 2015
Award: June 25, 2015
Contractor: Fiore Paving Company, Inc.
Amount: \$233,000.07

- Project has been substantially completed.
- A project punchlist is being reviewed with the Contractor to complete prior to project closeout.

7. Shrewsbury Avenue Rehabilitation/North Street Stormsewer Inflow Pipe Replacement: This project includes the entire length of Shrewsbury Avenue from Bay Avenue to Miller Street. It also includes replacing the stormsewer inflow pipe to the North Street Pumpstation from Bay Avenue to Shrewsbury Avenue and reconstructing the existing roadway. The projects have been combined due to proximity as well as anticipated better scheduling and pricing. This project includes a \$210,000 grant from the NJDOT for Shrewsbury Avenue as well as \$178,077.00 from the Monmouth County Community Development Block Grant program for North Street.

- Sanitary sewer repairs identified previously will be incorporated into this project rather than video inspect the mains again as discussed with Council.
- Project was advertised and bids received. Prices were higher than the engineer's estimate.
- Project was re-advertised with the following results:

Bid Opening: November 24, 2015
Award: December 2, 2015
Contractor: Lucas Construction Group
Amount: \$859,232.50

- Project has been substantially completed.
- A punchlist is currently being compiled for the Contractor to address prior to project closeout.
- One property owner claim remains outstanding and also needs to be addressed prior to closeout.
- Funding documentation is currently being prepared for Monmouth County to satisfy the Community Development Block Grant requirements.

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8. **The Reconstruction of Bay Street:** This project will ultimately result in the reconstruction of Bay Street in its entirety.
 - Survey is complete.
 - Several meetings were held with Borough Officials to review survey data with hopes of developing an interim repair of the roadway while funding gets put into place for the overall roadway reconstruction.
 - Interim roadway repairs were performed as discussed in the prior meetings.

9. **The Repair and Mitigation of Veterans Park Electric:** This project will repair and mitigate the electric supply to Veteran's Park.
 - Concerns raised pertaining to utility easement identified near the basketball court.
 - Easement houses a 48" RCP effluent main owned by the Monmouth County Bayshore Outfall Authority.
 - Current and proposed electrical loads have been identified.
 - Delays upwards of a month were experienced due to JCP&L lack of response.
 - Design is complete.
 - Council has advised that the project materials will be donated.
 - Contract documents are being revised to reflect a "labor only" bid.
 - Project to be advertised over the next two weeks.

10. **Bay Avenue Streetscape Phase II:** This project continues various components of streetscape improvements between Washington Avenue and Valley Street. T&M was provided a verbal authorization to proceed with the project by the Governing Body at the March 2, 2016 Council meeting. Construction funding is being provided through a D-Biz Loan.
 - Survey is complete.
 - Design is complete.
 - Final design sent to the County for approval.
 - Base bid for project will consist of stamped concrete, ADA curb ramps and conduit for future decorative street lighting.
 - All other components will be advertised as bid alternates in order of importance.

FEMA Reimbursement Assistance

1. **Residential Demolition Program (FEMA PW 4730):** This is a project that provides for the demolition of structures damaged by Sandy and are currently vacant.
 - Project application package has been formally re-submitted to NJOEM in November for consideration as required.
 - We have been advised that the application package is currently under review.
 - Six (6) properties have moved forward with the demolition of the structures outside of this program.

2. **Borough Hall (FEMA PW 2006):** Actual project dependent upon result of final FEMA review.
 - RFP for architect was advertised and received on April 8, 2016.
 - 19 Architects have submitted a qualification package for consideration.
 - Borough has finalized a selection committee to interview and select a project architect.
 - A short list of architects has been identified and interviews will be held by the selection committee on May 24, 2016.

Grants and Loans

1. **FY 2015 NJDOT Local Aid Applications:** We submitted an application for Miller Street between Shore Drive and Bay Avenue as requested by the Governing Body. The Borough has been advised that they will receive \$83,000 towards this project.

2. **FY 2016 NJDOT Local Aid Applications:** As requested by the Governing Body, we have applied for the Reconstruction of Valley Street from Shore Drive to Fifth Street. The Borough has recently been informed that they will be receiving \$250,000 towards this project.

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3. **2016 CDBG Applications:** Applications are due July 1, 2016. A mandatory pre-application meeting with the County must be held by June 1, 2016. Information and a map of the eligible areas have been sent to the Mayor and Council for review.

Mr. Hill explained eligibility of areas for the CDBG Grant and that the maximum given is \$170-180,000.

Council briefly discussed eligible areas.

Ms. Broullon recommended that the council takes some time to think of projects.

Mayor Nolan directed the council to email Mr. Leubner their thoughts by Wednesday.

Monmouth County Open Space Grant:

Mr. Hill explained the 2016 funding match program for grants for up to \$250,000. The deadline is September 14th. It must be Parks and Recreation related. He will discuss with the Open Space Committee and Recreation Committee. He will get feedback to the council for the July meeting.

Request for Road Repairs on North Street:

Mrs. Cummins explained that we received a letter from a property owner and they also provided photograph of the street. This was emailed to the council. They are requesting that the street be repaired or repaved.

Mrs. Wells agreed that it needs to be fixed.

Mr. Card agreed as well. He would like to investigate it with Mr. Leubner and bring back a proposal to the council.

Mr. Leubner stated that he may have a cost estimate from a few years ago. He added that we have funding left in the NJDOT Grant. He will report back to council with a price.

Mayor Nolan directed Mrs. Cummins to send a letter or an email to the property owner who wrote the letter notifying them of what we will be doing.

Fort Hancock 21st Century FACA Update:

Mr. Hill gave an update about the project. Fort Hancock has their first successful lease signed. He further explained. It is a duplex. One side will be residential and the other side will be a seasonal rental.

Mayor Nolan spoke of Highlands being responders for emergency services.

Mr. Hill stated that the Park Services is revisiting that issue. He encourages that a member of the council attend meetings.

Atlantic Highlands Lions Club Event:

Mrs. Cummins asked if the Council would like to place an ad from the Mayor and Council as we have done in the past. The ad is fifty dollars.

Mayor Nolan offered a motion to place a \$50 ad, seconded by Mr. Card and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAY: None
ABSENT: None
ABSTAIN: None

Genevieve M Hawley Memorial Scholarship:

Mayor Nolan stated that this is for a \$100 page ad from the Mayor and Council.

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Mayor Nolan offered a motion for a \$100 page ad, seconded by Mrs. Wells and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAY: None

ABSENT: None

ABSTAIN: None

Code Enforcement Officer Revenue Report:

Mrs. Cummins stated that at the last meeting a revenue dollar amount report was requested. It is in the public packet and provided to the Council.

Mr. Card stated that the Code Enforcement Officer will be adding more items to the report. He is making sure he can legally disclose certain information.

Council briefly discussed.

Public Portion:

Carla Cefalo-Braswell of 62 Gravelly Point Road reminded all of the dedication of the Library Box and Park Bench to Tara Ryan on Saturday at 11 a.m.

Lori Dibble of 2 Matthew Street questioned Resolution R-16-117 Removal of Tilt Up Structure. She asked if the town will be exploring the options for acquiring the permits.

Mayor Nolan replied that the majority of the table voted to take it down.

Mr. Card stated that we vetted out a lot of information. He added that he was approached by three attorneys who said they will sue the town if it is not taken down.

Sal Caparese of 313 Shore Drive complained of the noise from rumble the strips on Shore Drive and that they are not slowing cars down. He feels a speed bump would be better as well as reflectors in the crosswalks.

Mayor Nolan explained they we used to have the rumble strips there that have worn down. These are replacements. We are looking into a speed bump.

Mr. Leubner will look at the cost and report back at the June 1st meeting.

Mayor Nolan directed Chief Blewett to come up with enforcement for the speeding issue with signage.

Kim Skorka of 315 Shore Drive also agreed to replace rumble strips with speed bumps.

Mary Salzman of Snug Harbor asked what the next step is to remove the Tilt Up.

Mr. Chabarek stated that there are a number of steps that have to go forward with regulatory agencies. There are also some issues with beach assess that has to be addressed.

Mary Salzman asked if the Tilt Up will remain blocked off.

Mr. Hill is getting a price quote from a fence company.

Mary Salzman stated that the Pulte property was sold in 2015 for \$9.78 million. They are paying approximately \$64,000 in taxes. She questioned the assessment of the land value.

Mr. Chabarek stated that we will investigate it. He requested Mary Salzman to provide the block and lot number to him. He will follow up on it.

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Mary Salzman continued to speak about tax abatement and how it is communicated to resident.

Mr. Chabarek stated that it is in the ordinance.

Mr. Card will speak with the Building Department. The Construction Official does inform residents. He will ask him to put formation in the construction packets.

Loriann Nolan of Snug Harbor announced the Memorial Day parade will be held on Saturday, May 28th. There will be a ceremony afterwards at Veteran's Park.

Loriann Nolan requested the corners of Bay Avenue, Shore Drive and Waterwitch need to be painted yellow. We need to enforce no parking.

Mayor Nolan spoke of the sight line issues.

Mrs. Wells added that the same problem is at Miller and Bay Avenue.

Mayor Nolan said that we will also notify Monmouth County.

Frank Shanagan of 15 Cedar Street stated that he needs help with flood approval. He would like to finish his renovations.

Mr. Leubner stated that last year it was decided by the council to send a letter to FEMA to not make Honey Suckle Lodge part of flood zone. He further explained. FEMA said no.

Mr. Leubner will provide council with copies of his letter and response from FEMA.

Council continued to discuss.

Mr. Card spoke of going against FEMA. It would affect our score card.

Mr. Chabarek stated that he will look into the ordinance to see if we can do that and will have a report at the next meeting and will work with Mr. Leubner.

Carla Cefalo-Braswell asked if the 3 foot setbacks are required for their bungalows.

Mr. Card said that they signed off on elevation not setbacks.

There were no further questions.

Mayor Nolan offered a motion to close the public portion and seconded by Ms. Broullon and all were in favor.

The Meeting adjourned at 10:00 p.m.

Debby Dailey, Deputy Clerk