

**Borough of Highlands
Mayor & Council
Regular Meeting
June 17, 2015**

Mayor Nolan called the meeting to order at 7:07 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, Mr. Redmond, Ms. Ryan, Mayor Nolan

Absent: None

Also Present: Carolyn Cummins, Municipal Clerk
Tim Hill, Borough Administrator
Patrick DeBlasio, Borough CFO – arrived at 8:17
Bruce Padula, Borough Attorney
Ashley Malandre, 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:

- 1. Possible Litigation: Ronald Osadecz, Bay Street, Sandy Hook Bay Marina Project, Veteran's Park Improvements**
- 2. Contract Negotiations: Hazard Mitigation RFP's
Community Center Rehab
Clam Plant**
- 3. Real Estate: Electronic Messaging System - Lease**
- 4. Personnel Matters: Promotions within the Police Dept.
F/T Code Enforcement Update
Professional Legal COAH Services**
- 5. Investigation:**
- 6. Attorney-Client Privilege: Possible Liquor License Ord Amendment**

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

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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. Redmond and adopted on the following roll call vote:

ROLL CALL:

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

NAY: None

ABSENT: None

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:17 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, Mr. Redmond, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: None
ABSTAIN: None

Regular Meeting:

R-15-126 – Resolution Authorizing Promotions within the Police Department & Swearing In

Mrs. Cummins read the title of R-15-126.

Mayor Nolan thanked Captain Clagett for his years of service and all that he has done for the town.

Sgt. Robert Burton was sworn in as Captain by Mayor Nolan.

Ptl. George Roxby was sworn in as Sergeant.

**R-15-126
RESOLUTION AUTHOZING THE PROMOTION OF POLICE OFFICERS**

WHEREAS, due to pending retirement there is a need to make certain promotions within the Police Department; and

WHEREAS, based on the results of the current Civil Service promotional exam Chief Blewett hereby recommends the promotions of Sgt. Robert Burton to Cpt. Burton and the promotion of Ptl. George Roxy to Sgt. Roxby;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that Sgt. Robert Burton is hereby promoted to Captain and Ptl. George Roxby is hereby promoted to Sergeant.

BE IT FURTHER RESOLVED that as per PBA Local 48 contract with the Borough of Highlands said promotions be compensated as following inclusive with longevity:

Robert Burton, Cpt.	Total New Annual	\$118,282.98
George Roxby, Sgt.	Total New Annual	\$111,591.27

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

Ordinance: 2nd Reading, Public Hearing & Adoption

Mr. Padula stated that due to the amount of people in attendance, the council chose to move the 2nd reading of Ordinance O-15-20 up on the agenda.

O-15-20 – Ordinance Modifying Requirements of the MH Zone District – Review Planning Board Recommendations/Public Hearing/Adoption:

Mayor Nolan asked if there was any discussion at the table.

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Mr. Redmond offered a motion to table Ordinance O-15-20 indefinitely.

Ms. Ryan stated that this has been brought to the table several times. There are a lot of concerns from the community. We are also in the midst of a new Master Plan. She will second Mr. Redmond's offer to table this ordinance indefinitely and wait for the Master Plan to come out.

Mr. Card said that this is the third time that this has come before the governing body. It has been in court. The Master Plan will address this issue. He is glad it is being tabled.

Mr. Padula stated that the motion to table indefinitely effectively kills the ordinance.

Mr. Redmond offered a motion to table Ordinance O-15-20 indefinitely, seconded by Ms. Ryan and all were in favor on the following roll call vote:

ROLL CALL:

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

JCP&L:

Kieran Tintle, Area Manager of JCP&L introduced himself. Highlands is part of his territory. He then gave his background. He gave his contact information and if we have any issues to contact him. He also explained a new Youth Program up to a \$1,000.00 grant. He will get information to the council. He thanked Mayor and Council for their time.

Mayor and Council thanked him.

Consent Agenda:

Mayor Nolan asked if anyone had anything they wanted removed from the consent agenda.

There were none.

**R-15-123
RESOLUTION APPROVING SOCIAL AFFAIR PERMIT**

WHEREAS, the Highlands Business Partnership has filed an application for a Social Affairs Permit for an event to be held on July 30, 31, 2015 and August 1, 2nd, 2015 with no rain dates; and

WHEREAS, the Highlands VFW has filed an application for a Social Affairs Permit for an event to be held on July 30,31st, and August 1, 2nd 2015; and

WHEREAS, the submitted application forms are complete in all respects, fees have been paid, and the license has been properly reviewed and approved by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands do hereby approve the Social Affairs Permits for both the Highlands Business Partnership and the Highlands VFW.

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

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**R-15-124
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 management of the FEMA Eligible Demolition of Private Property Debris Removal (PPDR) Programs 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 \$234,180.00 plus reimbursable expenses for Professional Engineering Services as stated on the T & M Associates proposal dated May 20, 2015 and

WHEREAS, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit T&M Associates from making any reportable contributions through the term of the contract, and

WHEREAS, T & M Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands

I hereby certify funds are available as follows:

Bond Ordinance O-13-23:

Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED BY THE Borough Council of the Borough of Highlands as follows:

1. T & M Associates is hereby retained to provide professional engineering as described above for an amount not to exceed \$234,180 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.

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

**R-15-125
RESOLUTION
APPROVING RAFFLE LICENSE APPLICATIONS**

WHEREAS, the Highlands Fire Department has submitted a Raffle License Application No. RA1317-15-13; and

WHEREAS, the Highlands Business Partnership has submitted three Raffle License Applications No. RA#1317-15-14, RA#1317-15-15, RA#1317-15-16 (4 Games of Chance & 1 Money Wheel); and

WHEREAS, all paperwork appears to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands does hereby approve Raffle License Applications RA#1317-15-13, 14, 15 and 16 and the Borough Clerk is authorized to sign off on licenses.

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

**RESOLUTION R-15-128
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

**AUTHORIZE FEE FOR BID SPECIFICATION DOCUMENTS FOR THE
REHABILITATION PROJECT OF THE ROBERT D. WILSON MEMORIAL
COMMUNITY CENTER**

WHEREAS, the Borough of Highlands Mayor and Council, County of Monmouth and State of New Jersey, has authorized going out to bid for the rehabilitation of the Robert D. Wilson Memorial Community Center; and

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WHEREAS, the Bid Documents will be available at the Highlands Municipal Office, 42 shore Drive, Highlands, NJ in accordance with the Public Notice to Bidders.

NOW, THEREFORE BE IT RESOLVED that a fee for acquiring said bid specifications for this project is hereby established at \$150.00, which is non-refundable and must be paid at the time that the bid documents are picked up.

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

**R-15-130
RESOLUTION AUTHORIZING DISPOSAL OF
BOROUGH EQUIPMENT**

WHEREAS, the Police Chief, Fire Chief, OEM Coordinator and the Borough Administrator have determined that the Borough of Highlands have vehicles in our inventory which no longer operate and are of no use; and

WHEREAS, the following vehicles may be disposed of, salvaged, or auctioned off as allowable under the law:

1. 1998 BMW VIN# WBADD 6328W BW496 74 (Police Dept.)
2. *1979 Mack Aerialscope VIN# CF686FAP1308 (Fire Dept.)
3. *1986 Mack Pumper VIN# 1M2A1 14COG M0022 75 (Fire Dept.)
(*Items 2 & 3 cannot be used for active fire service)
4. 1986 Chevy Utility Truck VIN# 1G8ED18J0GF169871 (OEM)
5. 1984 Chevy Utility Truck VIN# 1G8ED18J8FF151650 (OEM)
(Items 4&5 equivalent to Chevy Blazer)
6. 2005 Ford Crown Vic VIN# 2FAFP71W65X141364 (Police Dept.)
7. 2009 Dodge Durango VIN# 1D8HB38P99F712695 (Police Dept.)

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the above listed equipment will be disposed of, salvaged or auction off as stated.

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

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**RECAP OF PAYMENT OF BILLS
06/03/2015**

CURRENT:		\$	625,834.66
	Payroll (05/30/2015)	\$	106,796.23
	Manual Checks	\$	
	Voided Checks	\$	
SEWER ACCOUNT:		\$	33,740.53
	Payroll (05/30/2015)	\$	3,448.34
	Manual Checks	\$	
	Voided Checks	\$	
CAPITAL/GENERAL		\$	1,908.00
CAPITAL-MANUAL CHECKS		\$	
	Voided Checks	\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	29,167.01
	Payroll (05/30/2015)	\$	4,125.00
	Manual Checks	\$	
	Voided Checks	\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	
GRANT FUND		\$	650.00
	Payroll (05/30/2015)	\$	1,091.33
	Manual Checks	\$	
	Voided Checks	\$	
DEVELOPER'S TRUST		\$	
	Manual Checks	\$	
	Voided Checks	\$	

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

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**RECAP OF PAYMENT OF BILLS
06/17/2015**

CURRENT:		\$	162,671.54
Payroll	(06/15/2015)	\$	
Manual Checks		\$	
Voided Checks		\$	
 SEWER ACCOUNT:		 \$	 60,980.80
Payroll	(06/15/2015)	\$	
Manual Checks		\$	
Voided Checks		\$	
 CAPITAL/GENERAL		 \$	 225,456.62
CAPITAL-MANUAL CHECKS		\$	
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
 TRUST FUND		 \$	 4,120.25
Payroll	(06/15/2015)	\$	
Manual Checks		\$	
Voided Checks		\$	
 UNEMPLOYMENT ACCT-MANUALS		 \$	
 DOG FUND		 \$	
 GRANT FUND		 \$	 9,695.33
Payroll	(06/15/2015)	\$	
Manual Checks		\$	
Voided Checks		\$	
 DEVELOPER'S TRUST		 \$	
Manual Checks		\$	
Voided Checks		\$	

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

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Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the May 20, 2015 Regular and Executive Minutes, seconded by Mrs. Kane-Wells and all were in favor on the following roll call vote:

ROLL CALL:

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

Other Resolutions:

R-15-111 – Resolution Amending Professional Special Legal Counsel Services:

Mrs. Cummins read the title of R-15-111.

Mr. Card asked to move Resolution R-15-111 to Executive Session.

Mr. Padula stated that there is possible action after the second Executive Session.

R-15-122 – Resolution Approving CWA Memorandum of Agreement:

Mrs. Cummins read the title of R-15-122.

Mr. Padula stated that an agreement was reached with the CWA. It is for a 2% increase. He further explained the other changes to the contract. They cleaned up some language.

**R-15-122
Resolution Approving a Memorandum of Agreement
Between the Borough of Highlands and Communication Workers of America
Local 1032**

Whereas, the Borough and the CWA (Union) agreed to the terms of a successor collective negotiations agreement; and

Whereas, those terms have been incorporated into a memorandum of Agreement (“MOA”); and

Whereas, the Borough wishes to approve those terms and incorporate them into a successor collective negotiation agreement.

Now therefore, be it resolved that the Borough approved the terms of the “MOA” and directs Labor Counsel to prepare a successor collective negotiations agreement incorporating those terms.

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

R-15-127 – Resolution Appointing Summer Seasonal Employees:

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Mrs. Cummins read the title of R-15-127.

**R-15-127
RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL EMPLOYEES
FOR THE BOROUGH OF HIGHLANDS**

WHEREAS, the Borough has the need for temporary summer employees to work with the DPW & Summer Recreation Program; and

WHEREAS, Timothy Hill, Borough Administrator and Jennifer Strehl, Recreation Assistant have made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed have been included in the Municipal Budget within each department, the 2015 SFSP Approved Budget and use of 2014 SFSP carryover funds.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following seasonal temporary appointments be and hereby are approved:

<u>DPW</u>	<u>Position</u>	<u>Name</u>	<u>Hrly. Rate</u>
Full-time	Laborer	Billy O'Neil	\$16.00
Part-Time	Laborer	Joseph Mosito	\$16.00
	Laborer		

<u>Rec. Dept.</u>	<u>Position</u>	<u>Name</u>	<u>Hrly. Rate</u>
Summer Rec.	Supervisor	Kim Karaman	\$19.50
6/29/15 - 8/19/15	Supervisor	Stephanie Paroumakian	\$18.00
	Programmer	Michael Gannon	\$16.50
	Programmer	Amanda Campbell	\$13.00
	Rec Aide	Amy Cullen	\$11.25
	Rec Aide	Frank DiMaio	\$10.00
	Rec Aide	Alexandra Cassidy	\$ 9.00
	Rec Aide	Ganessa Hans	\$ 8.75
	Rec Aide	Alex Braswell	\$ 8.75
	Rec Aide	Justin Santiago	\$ 8.75
	Rec Aide	Erica Calmon	\$ 8.75

Summer Food	Food Prep	Louise Romeo	\$10.00 (25 hrs/wk)
7/6/15 - 8/14/15	Food Prep	Amelia Vogt	\$ 8.75 (25 hrs/wk)
	Food Prep	Emily Wells	\$ 8.25 (25 hrs/wk)
	Director	Jennifer Strehl	\$19.25 (30 total hrs)
	Record Keeper	Amanda Campbell	\$13.25 (30 total hrs)

	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-15-129 – Resolution Renewing Liquor Licenses:

Mrs. Cummins read the title of R-15-129. She asked to add a third license to the resolution for the Inlet Café.

**R-15-129
RESOLUTION
RENEWING 2015-2016 LIQUOR LICENSE**

WHEREAS, Liquor License Renewal Applications have been filed for the year 2015-2016; and

WHEREAS, no objections were filed against the renewal the liquor licenses and Tax Clearance Certificates have been received for the licenses listed below:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following liquor license be renewed for the period of July 1, 2015 to June 30, 2016:

- | | | |
|------------------------|--|-----------------------|
| 1317-44-011-003 | Monir, Inc
t/a Bay Spirits | 116 Bay Ave |
| 1317-33-022-010 | M & D, Inc
t/a Off the Hook | 1 Navesink Ave |
| 1317-33-007-003 | Inlet Café
t/a Inlet Cafe | 3 Cornwall St |

	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-15-131 – Resolution Authorizing Reforeclosure of Bl 47 lot 10:

Mrs. Cummins read the title of R-15-131.

Mr. Padula stated that this is the lot next to the Tratoria on Bay Avenue. He gave a brief history. There was an issue with title.

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**RESOLUTION NO.
R-15-131**

**A RESOLUTION AUTHORIZING REFORECLOSURE IN REM OF BLOCK 47, LOT
10**

WHEREAS, the Borough of Highlands is desirous of reforeclosing a tax sale certificate it held in an In Rem Reforeclosure Proceeding; and

WHEREAS, the Borough of Highlands initiated a Complaint In Rem on or about September 24, 1997 to which Final Judgment was entered on or about October 8, 1998 and recorded October 12, 2001 with the Office of the Monmouth County Clerk in Book 8058, Book 5748; and

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WHEREAS, service of the Complaint In Rem and Final Judgment to a record creditor/mortgagor was not effectuated in accordance with R. 4:64-7, requiring the Borough to reinstate foreclosure proceedings; and

WHEREAS, formal Resolution by the Governing Body of a Municipality is required under N.J.S.A.54:5-104-71 to authorize such a proceeding.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, that the Tax Sale Certificate as shown on the attached foreclosure list now held by the Borough of Highlands be reforeclosed by the summary proceedings IN REM, and as described by N.J.S.A. 54:5-104-.29 to N.J.S.A.54:5-104.71, as amended, and N.J.S.A.54:5-104.72 and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

Parcel No.: Block 47, Lot 10

NOTICE. The Borough Clerk shall advertise copies of this Resolution as required by N.J.S.A. 40A:12-13(a) and therefore shall advertise the open public sale at auction of the Property in a newspaper circulating in the municipality in which the Property is situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

AUTHORIZATION. The Mayor, Clerk, Borough Attorney, and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Resolution including, but not limited to, preparing and executing a deed and all other necessary documents to convey the Property to the successful bidder, subsequent to the Governing Body adopting a resolution awarding the bid.

	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-15-132 – Resolution Approving Street Opening Permit:

Mrs. Cummins read the title of R-15-132.

Mr. Hill gave a brief explanation.

**RESOLUTION R-15-132
RESOLUTION APPROVING STREET OPENING PERMIT
FOR NEW JERSEY NATURAL GAS**

WHEREAS, New Jersey Natural Gas has submitted a Street Opening Application for renewal of gas service at 27 Washington Avenue, Highlands, NJ which was impacted by Sandy; and

WHEREAS, there is a seven year moratorium on this section of Washington Avenue because it was reconstructed less than seven years ago; and

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WHEREAS, New Jersey Natural Gas has agreed to complete an infrared repair at this opening and to have the repair inspected and approved by the borough engineer.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Highlands hereby approves the Street Opening Application for 27 Washington Avenue that was submitted by New Jersey Natural Gas and that the Borough Administrator is hereby authorized to execute the approval of the said Street Opening Permit.

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

R-15-133 – Resolution Approving Handicap Parking Designation:

Mrs. Cummins read the title of R-15-133.

**R-15-133
RESOLUTION APPROVING DISABLED PARKING SPACE**

WHEREAS, an application for a Disabled Parking Designation was submitted to the Highlands Police Department by Lawrence Wallace, 2 Rogers Street; and

WHEREAS, the Chief of Police has reviewed the application and recommends the approval of said Disabled Parking Designation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the application for Disabled Parking Designation for the following is hereby approved:

1. L. Wallace, 2 Rogers Street, Highlands.
Location: handicap parking space be erected on Rogers Street north (towards S. Linden Ave) from the current sign location assigned to P427529. The new space should be designated with Mr. Wallace’s placard #P11249000.

	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-15-134 – Resolution Authorizing Street Survey for Bay Street:

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Mrs. Kane-Wells stated that we are adding of R-15-134. She read the title into the record. Mayor Nolan explained that they received a lot of concerns on Bay Street. He then explained the background to the resolution. We are authorizing \$10,000.00 to do a survey on Bay Street.

**R-15-134
RESOLUTION AUTHORIZING T & M ASSOCIATES TO CONDUCT A
SURVEY OF BAY STREET**

WHEREAS, the Borough of Highlands is concerned with the condition of the roadway known as “Bay Street”; and

WHEREAS, the Borough Engineer has recommended that a survey be conducted to determine what repairs are necessary to ameliorate flooding and other issues with the roadway; and

WHEREAS, the Borough has authorized T & M Associates to conduct a survey of Bay Street to ascertain what repairs are necessary to be completed; and

WHEREAS, the Borough CFO, Patrick DeBlasio has certified that funds are available not to exceed \$10,000.

Patrick DeBlasio. CFO

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, in the State of New Jersey hereby authorizes T & M Associates to conduct a survey of Bay Street at a cost not to exceed \$10,000.

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

R-15-136 – Resolution Authorizing Additional Design Fees for Street Scape Project:

Mrs. Cummins read the title of R-15-136.

Mr. Leubner gave a brief description of the project.

Mr. Card spoke how this will improve intersections and eliminate walking thru puddles.

**Borough of Highlands
Resolution R-15-136
RESOLUITON AMENDING R-15-36
AUTHORIZING THE BOROUGH OF HIGHLANDS TO AWARD A CONTRACT FOR
PROFESSIONAL PLANNING, DESIGN, ENGINEERING AND GRANT
ADMINISTRATION SERVICES FOR THE BAY AVENUE STREETSCAPING
PROEJCT**

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

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

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

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

WHEREAS, the Governing Body finds that T & M Associates is the firm to award to and a contract was awarded via Resolution R-15-36 which was adopted on February 4, 2015; and

WHEREA, additional design work is needed which will result in additional cost for professional services in the amount of \$3,500.

WHEREAS, the Chief Financial Officer certified funds in the amount of \$3500 are available from NJEDA Grant; and

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

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the Professional Services contract with T & M Associates for the Streetscape Project is hereby increased by an additional \$3,500 for a total amended contract amount of \$146,500.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of the amended contract amount of \$146,500 are available for the above contract from Account# NJDEA Grant.

Patrick DeBlasio, CFO

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

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Ordinances: On for 2nd Reading, Public Hearing and Adoption:

O-15-19 – Ordinance Removing Bl 43 lot 1 from BID Ord:

Mrs. Cummins read the title of O-15-19 on for 2nd reading and public hearing. This was published in the June 5th edition of the Asbury Park Press. It is now ready for a public hearing.

Mr. Padula stated that this property was commercial and is now residential. It should have been changed a while ago.

Mayor Nolan opened the public hearing.

Marilyn Jecard of Linden Avenue asked where the location is of this property.

Mrs. Kane-Wells explained that it is across from Off the Hook.

Carla Braswell of Gravelly Point Road stated that a property owner can choose to stay in the commercial zone to make the sale of their property more valuable. They were a B&B on Hwy. #36.

Carol Bucco of 330 Shore Drive asked if it's residential, will they be able to rent.

Mayor Nolan said yes.

Marilyn Jecard of Linden Avenue asked if she can switch her residential residents to a commercial property.

Mr. Padula stated that is a public hearing for this ordinance. It is not appropriate for this hearing. He will discuss it with her separately.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-15-19 on 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:

**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:

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;

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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. Kane and adopted on the following roll call vote:

ROLL CALL:

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

Committee Reports:

Finance

Mr. DeBlasio stated that he is waiting for CDBG award. It should be in a week or two and he will report back to the governing body.

Public Safety

Chief Blewett submitted his report.

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
June 2015***

- * On April 17, 2015, an unknown person(s) cut two (2) wires to surveillance cameras located on Bay Avenue. Officers conducted an investigation into the incident and as a result subsequently charged a 14 year old male juvenile with criminal mischief. The juvenile was given community service and ordered to pay restitution.
- * Robert Stewart, 53 years of age, of Shore Drive, Highlands was arrested and charged with disorderly conduct after he was found intoxicated and falling into the roadway on Bay Avenue on April 19, 2015.
- * On April 22, 2015, an unknown person(s) entered a Shrewsbury Avenue home while the residents were out and removed approximately \$1300.00 in cash from the home.
- * On May 2, 2015, duty officers conducted a motor vehicle stop for a minor traffic violation and upon making contact with the driver; the officer noticed an odor of alcohol coming from the vehicle. The suspect identified as Anthony Feldman was put through field sobriety tests and then arrested on a charge of driving while intoxicated.

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* While attempting to serve a Superior Court warrant on Stephen Walsh at a Navesink Avenue apartment, Walsh resisted arrest causing minor injuries to (2) officers. Stephen Walsh, 37 years of age, Asbury Park, was arrested on May 6, 2015 and subsequently charged with 2 counts of aggravated assault on a police officer and 2 counts of resisting arrest. Stephen Walsh claimed to be injured and was transported to a local hospital for medical clearance before being transported to the Monmouth County Correctional Institution, Freehold, in lieu of \$55,000.00 bail. Jacqueline Longo, 39 years of age, Highlands, was also arrested during the incident. Ms. Longo was charged with hindering the apprehension of another by lying about the whereabouts of Mr. Walsh and concealing him in her apartment. Ms. Longo was later released on her own recognizance pending a future court appearance.

* Carrol Rommel, 63 years of age, Shore Drive, Highlands, was arrested on May 14, 2015 and charged with theft of movable property and hindering her own apprehension after she was found to be in possession of an iPad that was reported stolen. The accused also provided false information to a police officer in order to hinder her own apprehension.

* **Administration:**

- Manpower
 - Retirements
 - Cpl Robert White – March 1, 2015
 - Capt. Henry Clagett – December 31, 2015
 - Due to retirements duties will be reassigned
 - Promotions
 - Sgt. Robert Burton to Captain
 - Ptl. George Roxby to Sergeant
 - Ptl. Ryan Clark
 - Graduated the Monmouth County Police Academy on May 14, 2015
 - Weekend night shifts supplemented patrol
 - (1) Special Officer
 - Officer – hired at off duty rate on Shrewsbury Ave by WindanSea
 - Ending Labor Day Weekend
 - DWI Saturation Patrol Officer – paid through Grant
 - Grant period ending – September 30, 2015
- Grants
 - The State Division of Highway Traffic and Safety once again awarded the department funds to covered the cost of hiring off-duty officers for the enforcement of driving while intoxicated laws under a Saturation Patrol Grant. The department was originally (1) of (10) Bayshore Area municipalities participating but due to budgetary constraints the State has reduced the number of municipalities receiving funds. This department is now (1) of (5) Bayshore Area municipalities to be awarded \$10,000 to continue participation.
 - COPS Hiring Program
 - Accepting applications for the hiring of additional officers in an effort to create and preserve jobs and increase community policing and crime prevention efforts. The grant would require hiring an additional officer and the borough would have to maintain the additional staffing level.
- Domestic Violence Response Team (DVRT)
 - (2) volunteer applications received – pending completion of required background check.

* **Investigations:**

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During this period the detective bureau handled **(12)** new initial investigations which included child abuse/neglect, thefts, burglary, sexual assault and an unattended death that required additional follow up including witness interviews/statements, referrals/meetings with other agencies (Monmouth County Prosecutor's Office/Division of Youth and Family Services) and is in addition to investigations that were handled by other officers but does not include routine calls handled on a daily basis or carry over investigations from previous months.

- Closed – 6
 - Cleared by Arrest – 3
- Open Investigations – 6

* **Community Policing:**

- Explorers
 - Field Trips – April 30, 2015
 - The Explorers went on a tour of the NJ State Police ROIC building which is a large incident command center in which many different emergency services and other services communicate through during times of crisis to conduct emergency operations. The Governor met with hundreds of different agencies there during Hurricane Sandy.
 - Training – May 14, 2015
 - Secret Service
 - A Secret Service member came from the Trenton office to speak about the Secret Service and tell the explorers about all aspects and responsibilities the Secret Service has. The agent also answered any questions the explorers had about the organization.
- Extreme Heat – most heat emergencies occur because a person has been overexposed to heat. Older adults, young children and those who are sick are more likely to succumb to the heat.
 - Precautions to take:
 - Stay indoors as much as possible
 - Drink plenty of water
 - Limit alcoholic beverages
 - Never leave children or pets alone in closed vehicles
 - Check on family, friends and neighbors who live alone or do not have air conditioning

* Total Calls for Service: 481

* Arrests: Adults: 13 (1 for possession of CDS)
JV: 3 (2 for possession of CDS)

* Summons: Total: 59

Moving Violations: 20
Non-Moving: 25
DWI: 2
Boro Ordinance: 12

(Statistical Information is from April 16, 2015 through May 15, 2015)

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Administration

Mr. Hill read thru his report.

1. Department of Public Works / Sanitation Services / Sewer

- Brush pick-up completed as scheduled throughout May. Next brush pick up is scheduled for September. Residents may bring brush to the recycling yard.
- Continue working with Police Dept. regarding replacement of signs throughout town.
- Rounds for trash removal in public areas as well as grass cutting are ongoing.
- Assisted with special events during May.

2. BUILDING AND HOUSING

a. **Construction Office** – No Report

b. **Code Enforcement:** No Report

d. **Property Maintenance** - May Activity Report 8 complaints 8 resolved 4 summonses in court process (court on 6/2) 4 new summonses issued

e. **Zoning Office:**

ZONING:

1 Land Use Determination Letter
2 Denials
11 Approvals

FLOODPLAIN:

2 Floodzone Inquiry Letters
1 Substantial Damage Determination
3 Letters of Compliance
5 Approvals

3. Fire Department: May 2015 Calls: 11

4. OEM / Fire Prevention: Highlands OEM

- Monmouth County Coordinators – Updated plans and information. New OEM county radio system. Highlands has one radio for EOC.
- Coordinator and deputies completed communications licensing for the Borough and transitions to the new Monmouth County radio system 100% in compliance with County. May require additional equipment in the future. Short term and intermediate plans being developed for repeater systems for First Aid Squad and OEM.

Highlands Fire Prevention Bureau

- Continuing with 2015 fire inspections.
- Major F/A system project at Eastpointe awarded to contractor. Plan reviews will be submitted.
- Navesink Shores project final plans received. Project underway.

5. First Aid

Calls Answered 35

Man Hours 154.

Training conducted Basic Skills Assessment. Fundraising efforts included Standby Assistance. Ongoing Monthly Activity: Duty Cleanup and Recruitment of new members.

6. Recreation Dept.

- a. Kids on the Move Program - 35 registered – program ended on June 10.
- b. High School Teen Night May 29th - 19 participants
- d. Senior Citizen Group Social, Hi-Lo Card Games, May 28th - 14 participants
- e. **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.
- f. Middle School Teen Night – June 12
- g. High School Teen Night – June 26
- h. Summer Teen Night – Fridays’ July 10,17, 31 and August 7, 14 at HES from 7-9:30 p.m.
- i. Rain Barrel Distribution – Initial distribution will be held Monday June 22nd to Friday June 26th from 9:30 to 12:00 noon. Distribution will be for those who pre-registered / responded to

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survey. Additional registrations will be accepted, however, rain barrels for new registrants will be done in the future based on availability.

7. Administration

- a. Continue to work with professionals, State OEM and FEMA reps with regards projects.
- b. Met with Fisheries Technology Associates with regards to Clam Plant Lease. Continue with communications and providing information.
- c. Tilt-Up Project ---- This project will provide a new gazebo structure on the Snug Harbor Beach. As part of the Tilt Up Concrete Association's conference, the project will be showcased on Oct. 1, 2015.
- d. DCA is in the process of sending out letters and program information to 36 potential property owners who may qualify for the Unsafe Structures Demolition Program. This project is funded and managed by the DCA.
- f. Request for Vet's Park --- St Bernard Project Fundraising Concert / Event --- August 22. SBP is working in cooperation with the HBP to finalize details and review by departments impacted.
- g. Request for 5K run ---- Friends of Twin Lights in cooperation with Split Second Racing would like to hold their second annual event. Run took place in 2014 with no issues.
- h. Met with FEMA rep's regarding Borough Hall, Storage units and Community Center.
- i. USAC of Engineers – Draft of report should be completed late July. Update meeting will be held on July 22nd at Henry Hudson Regional School.
- j. Working with NJNG on the NJ Rise Program Over 300 homes have to be visited and Excess Flow Valves will be installed where they are lacking. Coordinating this project with areas that will be impacted with road projects. Also, NJNG is doing gas main replacement on Shrewsbury, North Street area, we are mandating that work is to be completed prior to road projects.

Highlands Business Partnership

Carla Cefalo-Braswell read thru her report.

Marketing & Events

The 15th Annual Seaport Craft Show took place on Sunday, May 24th, 10AM-4PM at Huddy Park. We had 39 crafters in attendance. It was a beautiful day in Huddy Park, we had live music and got a lot of positive feedback on this years show. We had great attendance, and our vendors were all very happy with their sales.

We attended Asbury Pride 2015, Sunday June 7th. We distributed 500 Visitor Bags, containing visitor guides, event calendars, county guides and brochures from Highland's establishments and Taste of Highlands was heavily promoted.

The 4th Annual Taste of Highlands will take place June 27th, 12-5PM. Tickets are \$40.00 and available on www.highlandsnj.com. We have invited local artists through HBAC to participate at some of the restaurants. All proceeds to benefit Veterans Park Improvements.

21st Annual Farmers Market - The annual market is scheduled to open on Saturday, June 27th, same day as Taste of Highlands. We have our returning farmers and many other specialty vendors such as Paolo's Italian Specialties from New Providence, Neshanic Beekeepers from Somerville, Gourmet Pickles and Nuts from East Hanover and several craft/retail vendors. We are in the process of working with our bee farmer to produce our own label of Highlands Honey. You will soon be able to purchase it at many of the great Highlands establishments.

The 21st Annual Clamfest will take place July 30 – Aug. 2. Blue Sky Amusements will be returning this year. The midway will have 8-10 rides and Paladin Amusements will stage the games. Raffle licenses and the social affairs permit are in the process of being secured. We are accepting vendor applications. We have a great line up of entertainment and some special items in the beer/wine garden. We will donate \$1000 to the VFW for use of their lot

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for the rides. We also need volunteers so please sign up today or urge anyone you know that is interested to get in touch with our office at 732-291-4713 or email hbpadmin@highlandsnj.com.

A Ribbon Cutting Ceremony was held on May 15th to welcome a new business, Steve Solop Custom Shirts, 205 Bay Ave. Members of the Council, HBP and the community celebrated with Steve and his wife Patty.

Visual Improvement

We had the Miller wall power washed, repaired the cracks, primed and painted in order to prepare for Mural. Muralist Jim Kovic has started the project. We are looking to spruce up the Frank Hall Park. We will be submitting a plan shortly for Council approval. We are also hoping to receive many orders through the adopt-a-bench-program so people can sit and enjoy the completed artwork as well as for the new boardwalk area. Please spread the word.

Economic Development

Veterans Park Boardwalk – HBP applied for a \$3,000 Home Depot grant for the hardware and wood needed for the boardwalk project. After waiting for two weeks for an answer from Corporate, we agreed the project needed to move forward. We got quotes from Monmouth Building, Builders General and Lowes. Home Depot's quote was the lowest, before they applied a 40% discount and gave us the order at cost and free delivery. The requested material was delivered on Thursday, May 28th. Barry Heffernan of Tri Bar and his crew started working on the project the day after delivery. The deck railings will be purchased from same company as black fence and will be installed by Bobby Herold of Perma Fence. We are waiting for NJ code requirements to be emailed so we can send to the company. Standard height is 42" however, we need it in writing.

Robin Hood Grant – The final home is in the process and once complete, final report will be submitted.

Mrs. Kane-Wells added that they had a meeting on Monday with the local businesses regarding the Streetscape Project. It was a very positive meeting and it was well attended. They will also be looking to do electric upgrades at Veteran's Park.

Website RFP

Mr. Hill explained went out and the bid deadline was this past Friday. We received several responses. We will review them next week.

Announcement

Mrs. Kane-Wells stated that she met with a representative from Congressman Pallone's office this week. He reached out to Highlands and wanted to know how we were doing. They spoke of the Resiliency Project and the denial of it. They are looking into to it and will try to rectify it.

Other Business:

Engineer's Status Report

Mr. Leubner read thru his report.

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 being processed.
- Construction is scheduled to commence later this year. Start date will vary based upon grant success or utilizing EIT loan.

1. 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.

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- Access agreements are required from the adjacent property owners for construction purposes.
- Final project design has been authorized and has commenced.
- Permit applications have been prepared for submission.
- Construction is anticipated to commence later this year.

2. **The Replacement of the Bay Street Retaining Wall:** This project will replace the failing retaining wall on Bay Street along the frontage of house #8.

Bid Opening: October 31, 2014
Award: December 3, 2014
Contractor: Berto Construction Incorporated
Amount: \$271,303.00

- Project is substantially complete.
- Additional work pending authorization from the Governing Body.
-

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.

- Design is substantially complete.
- Project scope has been reduced as proposed to and discussed with Mayor and Council.
- Anticipated cost savings to be between \$400,000 and \$500,000 based on the alternate design.
- Replacement of failed pipe from the Waterwitch Avenue/Shore Drive intersection through Huddy Park to Jones Creek will be added to this project as requested by the Governing Body.
- Project to be advertised once approved by the NJDOT and Monmouth County.

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 to be completed by June 19, 2015.
- Construction is anticipated to commence July 2015.

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 substantially 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.
- Additional design fees have been requested to add the design and paving of several intersections within the project limits.

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. A contract has to be awarded by July 2015 to avoid forfeiting the grant money.

- NJDOT has authorized the project to be advertised for bidding.
- Project has been advertised with bids to be received on June 23, 2015.
- Anticipated project award is at the Special Council meeting scheduled for June 25, 2015.
- Project to be constructed this summer.

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

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well as \$178,077.00 from the Monmouth County Community Development Block Grant program for North Street.

- Survey is completed.
- Design is underway.
- Permitting packages are currently being prepared.
- Project to be submitted to the NJDOT and Monmouth County Community Development Office for approval in July.
- Project is scheduled to be constructed late summer/early fall pending upcoming NJNG work.

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.

Mrs. Kane-Wells would like updates on the site selection report from Tomaino.

Request for a No Smoking Ordinance:

Mayor Nolan stated that he received correspondence from Greg Wells asking for a No Smoking Ordinance who is on the Planning Board. He agrees with him and feels that it is a problem.

Greg Wells stated that his main concerns are our beaches, parks and playgrounds and other outdoor areas. There are a lot of cigarette butts. This ordinance is very consistent with ordinances from other towns.

Ms. Ryan questioned sites. We don't own the VFW. She does agree with the park and beaches. Maybe we could have designated areas. The VFW should not be on this list.

Mayor Nolan will have Chief Blewett to give his input first. We will discuss at the July 15th meeting.

NJNG NJ Rise Infrastructure Program:

Mr. Hill covered this in his committee report.

Schedule Special Meeting June 25th:

Mrs. Kane-Wells stated that this is for awarding the Community Center Contractors.

Council had brief discussion.

Mayor Nolan said the meeting will be held at 7:00 a.m. in the meeting room at the Fire House.

Mr. Padula stated that the meeting agenda has to be advertised.

Mr. Leubner said the meeting is only for awarding the Community Center and Shore Drive contracts.

Mr. Card requested that no other items be added to the agenda.

Council briefly discussed.

Mr. Card offered a motion that the Special Meeting be held Thursday, June 25th at 7:00 a.m. in the meeting room in the Fire House with just the two agenda items, and seconded by Mayor Nolan and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Ms. Kane, Ms. Mr. Redmond, Ryan, Mayor Nolan

NAY: None

ABSENT: None

ABSTAIN: None

Valley Ave One Way Report Review From Police/OEM:

Ms. Ryan read the letter that Chief Blewett submitted.

Dear Council Members,

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In response to the recent controversy from residents regarding the one-way designation on Valley Avenue, I'd like to remind you that this recommendation was made for the safety of all motorists, pedestrians and residents utilizing Valley Avenue due to numerous accidents that had occurred at the intersection resulting from motorists being unable to properly negotiate the turn from Highway 36 onto Valley Avenue.

While I sympathize with the residents who live on or around Valley Avenue, the inconvenience is very minor in nature especially when compared to the safety of our residents. Since taking office as Chief of Police, my priority has always been to maintain a safe environment for the residents and visitors of our community which is why I previously recommended designating Valley Avenue a one-way street shortly after taking office; although, at that time I did not receive the support of the Mayor and Council. Additionally, I appreciate Councilwoman Ryan's efforts and the opinions of the affected residents, but they are not the only persons affected. I can assure the Governing Body that this recommendation was not made lightly, and contrary to the belief that this change was made solely for (1) resident at the corner of Valley Avenue and Highway 36, it was not.

After reviewing Councilwoman Ryan's report containing a recommendation from several residents "that a double ring of metal posts be installed on the corner to secure the safety of the resident who lives on the corner"; I would be remiss in my duty if I did not inform you that these types of barriers are contrary to the Manual of Uniform Traffic Control Devices which are only meant to protect the motorists and not to protect property or residences adjacent to the highway.

In closing, it is my opinion that the only prudent course of action is to have Valley Avenue remain a way-one street as it is now and I stand by my original recommendation.

Highlands Art Council:

Ms. Ryan spoke of the Art Council events and exhibits. They are painting a mural on an old store front at the corner of Bay Avenue and Miller Street. They will also have an exhibit at Off the Hook this Friday from 7-9 p.m. They also have a film series that is held at Bahr's.

Request for Use of Veteran's Park for Concert:

Mr. Hill explained that this is for the St. Bernard's Project event originally scheduled for Huddy Park. It is just a change of venue. They are working with the Highlands Business Partnership. This is scheduled for Saturday, August 22nd.

Carla Cefalo-Braswell spoke of her concerns that the boardwalk and ramps will be completed in time.

Councils stated that it will be completed.

Gert Sofman of Bay Avenue spoke against the St. Bernard Project & Concert. She feels that they lied to her. She further explained.

Carla Cefalo-Braswell stated that they have been meeting with them weekly and keeping Mr. Hill updated. HBP will be hosting a raffle auction and 50/50. The benefit is for the Sound of Recovery which is the name of the St. Bernard's Concert.

Mr. Card said that they have been vetted out. They have insurance and proper credentials.

Gert Sofman asked where the money goes that they are raising.

Carla Cefalo-Braswell responded that the projects in Highlands are for Highlands.

Arnie Fuog of Valley Street said he has seen posters that they are trying to raise \$50,000.00 to build a house.

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Mr. Hill stated that it's to support efforts in Highlands.

Marilyn Jecard of Linden Avenue asked where she would go to get the financial information on them.

Mr. Padula stated that she would have to contact them directly. They are a private entity.

Kim Skorka of 315 Shore Drive said that guidestar.com has all non-profits tax returns.

Request – Twin Lights 5k Race:

Mr. Hill explained the event. The friends of Twin Lights held their first race last year. They would like to hold this event again on Sunday, August 9th. It is an evening race. It has very low impact on traffic. He will keep the council further informed. It starts at 5pm and is finished by 8 pm.

Public Portion:

Carol Bucco of 330 Shore Drive would like for Highlands to become members of the Monmouth County Library.

Mr. Hill stated that we do pay a county library tax. We are part of the Monmouth County Library System. You are entitled to the benefits of the library.

Ms. Ryan stated that she was told that we do not pay and we are not able to be members for free.

Mr. Hill explained that we do not have to pay to any County connected library.

Ms. Ryan will report back at the July 15th meeting.

Pauline Jennings of Ralph Street said that there is no fee at Atlantic Highlands or Shrewsbury Libraries.

Carol Bucco said that it came to her attention that the condo association paid \$5,000.00 in late sewer fees. She said there are Borough Officials and employees that have not paid their sewer bills. She feels that employees should have their pay docked.

Mayor Nolan stated that legally we cannot do that.

Jerry Feliciano of Valley Avenue spoke of the Chief Report regarding Valley Avenue. He does not agree that it's a minor inconvenience. He further explained.

Ms. Ryan said this was all investigated.

Jerry Feliciano continued to complain about Valley Avenue being made one-way.

John Degaletos Valley Avenue spoke about previous accidents at that location. He wants to be sure accidents are from people turning onto Valley. He feels it's from people driving too fast on the highway.

Jerry Feliciano said that he has a petition with 40 signatures that would like Valley Avenue back to a two way street.

Mayor Nolan directed him to give the petition to the Borough Clerk.

Mr. Redmond said we want do to whatever possible to save lives.

Mayor Nolan said we did not change this for one person.

Melissa Pederson of Barberie Avenue thanked the council on making steps on improving Bay Street.

Mr. Leubner will get it scheduled in a week or two.

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Melissa Pederson wants some compromise on the No Smoking Ordinance. She feels the police can't enforce it.

Greg Wells said signs alone may deter it.

Kim Skorka of 315 Shore Drive thanked council for tabling the Shadow Lawn Ordinance. She also asked if an ash tray can be placed at the Police Department Trailer. There are a lot of cigarette butts out front. She also suggested getting the local business involved in the Twinlights 5k. Maybe they could run down Bay Avenue to get residents involved too.

Mr. Hill stated that the race is run by an official race club. They plan out the routes.

Kim Skorka also applauded Mr. Feliciano for standing up for what he wants regarding Valley Avenue. Visitors don't pay taxes in this town. It should be from the residents. She inquired about when the next meetings are for Town Hall Meeting and Budget Meeting.

Mayor Nolan stated that he is working on it. It will be at the end of this month or in July at Henry Hudson High School.

Pat DeBlasio stated that he doesn't have a problem with meeting on July 1st at 8:00 p.m.

Mayor Nolan stated that he is working on getting the Army Corp of Engineers and another organization for the town hall meeting.

Patty Giebler of Bay Street thanked the council for doing a survey of Bay Street.

Barbara Ianucci of 28 Shrewsbury Avenue said she would like the budget be public for review. She asked where the funding for Veteran's Park is coming from. The Highlands Business Partnership has raised money for it. Is open space helping with electrical and a ramp.

Mrs. Kane-Wells stated that she has a few issues with the project. It started as a volunteer based effort. We do not have project worksheets. We are not sustainable by FEMA. We don't have a ramp for wheel chairs or strollers. She is concerned.

Mr. Card stated that this was discussed. This will have a ramp. It will not be delayed. The Highlands Business Partnership stepped up. He doesn't feel we should use FEMA as an excuse.

Mrs. Kane-Wells said we never received a request for open space funds. The electric upgrades will be brought up at the next Open Space Meeting. Those funds must be used for viable use. She will work with Carla Braswell-Cefalo to get prices for the electric. She will bring back the information to the Open Space Committee. If we need funds for the ramp then a request should be made.

Mayor Nolan said that when you see things stopped then it goes back to the table.

Carla Cefalo-Braswell stated that the funding for the handicap ramp is not the issue. The ramp is not on the diagram submitted by the contractor. She further explained.

Mr. Card explained that the ramp will be done.

Mr. Hill stated that we need to know the exact location of the placement of the ramp.

Mr. Card agreed and will speak with the contractor tomorrow.

Lori Dibble of 2 Matthew Street questioned resolution R-15-124 for the PPDR and the cost of \$200,000.00 to T&M.

Mr. Leubner explained that it is broken down to the number of houses.

Lori Dibble continued to question T&M's fees for the PPDR.

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Mr. Keady stated that if there are fewer houses done then the fees will be less.

Carolyn Broullon of Miller Street gave an update on the Rain Barrels Project.

Mr. Hill explained that the rain barrels will be distributed next week from 9:30 a.m. to 12:30 p.m. starting on Monday, June 22 to Friday, June 26 at the shed next to the Borough Hall trailers. They will also have hours for pick up on Saturday and Monday evening. They will first be distributed to the residents who signed up. All others will be placed on a waiting list.

David Klein of 1 Scenic Drive thanked the council for tabling Ordinance O-15-20. He inquired how a citizen can get involved or provide input to the Master Plan.

Mayor Nolan responded that he can attend the public hearings. There will be many open public hearings.

Arnie Fuog of 50 Valley Street asked about foreclosures and if the borough was going to sell more properties and if the profits can be earmarked for future purchases of properties. He asked when the street scape pictures can be viewed.

Mrs. Kane-Wells said we can acquire land thru open space. Mr. Leubner will have the pictures at the next meeting for a presentation.

Gert Sofman of Bay Avenue stated that her attorney looked into the St. Bernard Project. They have \$14 million in assets. She feels that they are a shady organization. She thanked the council for the street scape program. From what she has seen at the meeting for the business owners it is a plus for Highlands.

Carla Cefalo-Braswell of 62 Gravelly Point Road said that she hopes we move on the No Smoking Ordinance. She also complained about overgrown grass at the parks. She asked about the street sweeping schedule. She would like Linden Avenue swept. It's really bad.

Mrs. Kane-Wells explained that Linden Avenue is a county road and it is swept sporadically.

Mr. Hill explained that Atlantic Highlands will do Bay Avenue and Waterwitch but not Linden.

Carla Cefalo-Braswell asked if we could use the seasonal help to clean up the road with brooms and shovels.

Mrs. Kane-Wells stated that they were hired tonight.

Mayor Nolan stated that we are also working on a shared service agreement that will double our manpower.

Mayor Nolan announced that the council will be entering back into Executive Session and there may be action after that.

Mayor Nolan offered a motion to adjourn the Public Meeting to enter back into Executive Session, seconded by Mr. Card and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Ms. Kane, Ms. Mr. Redmond, Ryan, Mayor Nolan

NAY: None

ABSENT: None

ABSTAIN: None

The Regular Meeting was closed at 10:04 to go back into Executive Session.

The Governing Body then re- entered into Executive Session at 10:11 p.m.

Mrs. Kane-Wells and Mr. Hill returned to the regular meeting.

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Mayor Nolan called the regular meeting back to order at 10:55 p.m.

R-15-136 – Resolution Awarding Professional Legal Services:

Mr. Padula stated that he needs a motion to approve a contract with Gluck Walrath to represent the Borough of Highlands as COAH Council in the amount of \$175.00 an hour as per their written proposal.

R-15-135

**RESOLUTION AWARDING PROFESSIONAL LEGAL SERVICES CONTRACT TO
THE LAW FIRM OF GLUCK WALRATH, LLP**

WHEREAS, the Borough of Highlands is need of professional legal services for the purpose of representing the Borough with regard to the Fair Housing Act and the Coalition of Affording Housing (COAH’s) regulations; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of Gluck Walrath, LLP, 428 River View Plaza, Trenton, NJ 08611 is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified funds contingent upon the adoption of the 2015 budget:

Patrick DeBlasio, Chief Financial Officer

WHEREAS, this contract is to be awarded for an amount not to exceed \$7,500 at an hourly rate of \$175 per hour as stated in the proposal dated May 29, 2015.

WHEREAS, Gluck Walrath, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Gluck Walrath, LLP 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 Gluck Walrath, LLP from making any reportable contributions through the term of the contract; and

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

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED BY THE Borough Council of the Borough of Highlands as follows:

5. Gluck Walrath, LLP is hereby retained to provide professional legal services as described above for an amount not to exceed \$7,500 plus reimbursable expenses.
6. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.
7. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
8. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

R-15-111 – Resolution Awarding Professional Legal Services:

Mrs. Cummins read the title of R-15-111.

Mr. Padula stated that it is amended. The amount is reduced to \$3500.00. It is an offer only. He will be contacting the attorney.

**R-15-111
RESOLUTION
AMENDING PROFESSIONAL SERVICES
JEAN CIPRIANI, ESQUIRE AS
SPECIAL COUNSEL**

WHEREAS, the Borough is in need of special counsel for a workplace investigation; and

WHEREAS, the Borough adopted Resolution R-15-47 awarded a Professional Counsel Service Contract to Jean Cipriani, Esq., for an amount not to exceed \$5,000.00; and

WHEREAS, this appointment is exempt from bidding as a professional service and the investigation continues and will require additional funds; and

WHEREAS, additional funds are needed to complete the investigation; and

NOW, THEREFORE BE IT RESOLVED that the Borough hereby authorizes an additional \$3,500 for Special Counsel Services with Jean Cipriani, Esquire of Gilmore and Monahan at a rate of \$150.00 per hour, contingent on completing the interviews requested by Councilman Card.

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

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

The Meeting adjourned at 10:57 p.m.