

Mayor & Borough Council Meeting Minutes
Community Center – 22 Snug Harbor – Highlands
Wednesday, December 6th 2017
8:00pm

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

Call to Order
Meeting Statement
Roll Call
Executive Session Resolution

EXECUTIVE SESSION: 7:00PM

Contract Negotiations: Marina Tax Abatement
B37, L12.01 & 13
Parking License
Attorney-Client Privilege: Division of Tax Assessments
HES Smoke Test
Construction Enforcement

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Presentation

Larry Kelly – 27 Years of Service to the First Aid

Approval of Minutes

November 1st 2017

Public Comment on Resolutions

Consent Agenda

R-17-186 – Property Tax Cancellation
R-17-187 – Authorize Payment of the Bills
R-17-188 – Approve Highlands Business Partnership’s 2018 Events Calendar
R-17-189 – Appoint Municipal Clerk & Registrar
R-17-190 – Execution of Chief of Police Contract
R-17-191 – Transfer of Surplus Funds
R-17-192 – Donation of Vehicle to Sea Bright
R-17-193 – Approve Highlands Business Partnership’s Winter Wonderland Run

Resolutions

R-17-194 – Amend R-17-109 Authorize Award of Non-Fair & Open Contract for Professional Engineering Services to T&M Associates
R-17-195 – Amend R-17-179 Authorize Award of Fair & Open Contract to Serve as the Project Engineer for the 2017 Capital Road Improvements to Valley Street, Hillside Avenue & Portland Road to CME Associates
R-17-196 – 2016 LOSAP Contributions
R-17-197 – Appoint Interim Tax Assessor Due to Emergent Need

Ordinances

O-17-21 – Amend Division of Tax Assessments Adding Office of Deputy Assessor
O-17-22 – Resident Parking Permits
O-17-23 – Tax Agreement with Sandy hook Developers LLC., B101 L27.03
O-17-24 – Amend Stipend for Health Care Benefits Waiver to Employees
O-17-25 – Bond Ordinance Amending Bond Ordinance O-13-20 (Which provides for Reconstruction of the North Street Pump Station) Adopted on October 24, 2013
O-17-26 – Establishing Salaries & Fixing Compensation of Certain Employees for 2018

Other Business:

Police Chief’s Report

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Administer's Report

Approval of Facility User Permit – Polar Bear Plunge 01/01/2018

Draft CBD Ordinance

Public Comments:

Adjourn

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The Meeting was called to order at 7:00pm.

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

ROLL CALL:

Present: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells

Absent: Mayor O'Neil

Also Present: Bonnie Brookes, Deputy Borough Clerk

Brian Chabarek, Borough Attorney

Patrick DeBlasio, CFO

Kim Gonzales, Interim Borough Administrator

Resolution to enter into Executive Session

A motion to enter into Executive Session was offered by Councilmember Broullon and seconded by Councilmember Kane-Wells

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo, Kane-Wells & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The Resolution to enter into Executive Session was properly approved.

Executive Session was entered into at 7:05pm.

REGULAR MEETING: 8:00PM

Call to Order

Pledge of Allegiance

ROLL CALL:

Present: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells

Absent: Mayor O'Neil

Also Present: Bonnie Brookes, Deputy Borough Clerk

Brian Chabarek, Borough Attorney

Patrick DeBlasio, CFO

Kim Gonzales, Interim Borough Administrator

Approval of Minutes

November 1st 2017 - Regular Meeting

A motion to approve these meeting minutes was offered by Councilmember Broullon and seconded by Councilmember D'Arrigo.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (3)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

The November 1st 2017 meeting minutes have been properly approved.

Public Comment on Resolutions:

Council President Broullon opened the meeting to public comments. With no one from the public wishing to speak, Council President Broullon closed the meeting for public comments.

Consent Agenda

R-17-186 – Property Tax Cancellation

R-17-187 – Authorize Payment of the Bills

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- ~~R-17-188 – Approve Highlands Business Partnership’s 2018 Events Calendar~~ TABLED
R-17-189 – Appoint Municipal Clerk & Registrar
R-17-190 – Execution of Chief of Police Contract
R-17-191 – Transfer of Surplus Funds
R-17-192 – Donation of Vehicle to Sea Bright
R-17-193 – Approve Highlands Business Partnership’s Winter Wonderland Run

Councilmember D’Arrigo motioned to table Resolution 17-188 which was seconded by Councilmember Card.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D’Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O’Neil (1)

ABSTAIN: None (0)

Resolution 17-188 was properly tabled.

Councilmember Kane-Wells motioned to pull the Fire Department’ clothing allowance portion of R-17-187 from the consent agenda to be voted on separately which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D’Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O’Neil (1)

ABSTAIN: None (0)

The Fire Department’s clothing allowance portion of R-17-187 was properly removed from the consent agenda.

Councilmember Broullon motioned to approve the consent agenda which was seconded by Councilmember Kane-Wells.

ROLL CALL:

AYE: Councilmembers Broullon, Card & D’Arrigo (3)

NAY: None (0)

ABSENT: Mayor O’Neil (1)

ABSTAIN: Councilmember Kane-Wells (1)

Councilmember Broullon motioned to approve the Fire Department’s clothing allowance portion of the payment of the bills which was seconded by Councilmember D’Arrigo.

Councilmember Broullon motioned to approve the Fire Department’s clothing allowance portion of R-17-187 which was seconded by Councilmember D’Arrigo.

ROLL CALL:

AYE: Councilmembers Broullon & D’Arrigo (2)

NAY: Card (1)

ABSENT: Mayor O’Neil (1)

ABSTAIN: Councilmember Kane-Wells (1)

The Fire Department’s clothing allowance portion of R-17-187 was properly approved.

Resolutions

R-17-194 – Amend R-17-109 Authorize Award of Non-Fair & Open Contract for Professional Engineering Services to T&M Associates

Mr. Chabarek noted that this was amending another resolution to include additional streets. Councilmember Broullon motioned to approve R-17-194 which was seconded by Councilmember Kane-Wells.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D’Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O’Neil (1)

ABSTAIN: None (0)

Resolution 17-194 has been properly approved.

R-17-195 – Amend R-17-179 Authorize Award of Fair & Open Contract to Serve as the Project Engineer for the 2017 Capital Road Improvements to Valley Street, Hillside Avenue & Portland Road to CME Associates

Mr. Chabarek noted that this was amending another resolution to include additional streets. Councilmember Broullon motioned to approve R-17-195 which was seconded by Councilmember Card.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)
NAY: None (0)
ABSENT: Mayor O'Neil (1)
ABSTAIN: None (0)

Resolution 17-195 has been properly approved.

R-17-196 – 2016 LOSAP Contributions

Mr. DeBlasio explained that some Councilmembers had not had the opportunity to review the supporting documents and if approved the Finance Department would hold the check until the Council is comfortable. Councilmember Card motioned to approve R-17-196 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon, Card & D'Arrigo (3)
NAY: None (0)
ABSENT: Mayor O'Neil (1)
ABSTAIN: Councilmember Kane-Wells (1)

Resolution 17-196 has been properly approved.

R-17-197 – Appoint Interim Tax Assessor Due to Emergent Need

Mr. Chabarek noted that the Borough was hiring Gerald Jay Briscione at a rate of \$1,138 per pay period. Councilmember Broullon motioned to approve R-17-197 which was seconded by Councilmember Kane-Wells.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)
NAY: None (0)
ABSENT: Mayor O'Neil (1)
ABSTAIN: None (0)

Resolution 17-197 has been properly approved.

Ordinances: Introduction

O-17-21 – Amend Division of Tax Assessments Adding Office of Deputy Assessor

Councilmember Broullon motioned to introduce Ordinance 17-21 which was seconded by Councilmember Card.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)
NAY: None (0)
ABSENT: Mayor O'Neil (1)
ABSTAIN: None (0)

Ordinance 17-21 has been properly introduced and the public hearing will be on December 20th 2017.

O-17-22 – Resident Parking Permits

Mr. Chabarek pointed out a late addition to the ordinance. Councilmember Broullon motioned to introduce Ordinance 17-22 which was seconded by Councilmember Kane-Wells.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)
NAY: None (0)
ABSENT: Mayor O'Neil (1)
ABSTAIN: None (0)

Ordinance 17-22 has been properly introduced and the public hearing will be on December 20th 2017.

O-17-23 – Tax Agreement with Sandy hook Developers LLC., B101 L27.03

Councilmember Broullon motioned to introduce Ordinance 17-23 which was seconded by Councilmember Card.

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ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Ordinance 17-23 has been properly introduced and the public hearing will be on December 20th 2017.

O-17-24 – Amend Stipend for Health Care Benefits Waiver to Employees

Mr. Chabarek commented on the amendment. Councilmember D'Arrigo motioned to introduce Ordinance 17-24 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Ordinance 17-24 has been properly introduced and the public hearing will be on December 20th 2017.

O-17-25 – Bond Ordinance Amending Bond Ordinance O-13-20 (Which provides for Reconstruction of the North Street Pump Station) Adopted on October 24, 2013

Councilmember Broullon motioned to introduce Ordinance 17-25 which was seconded by Councilmember Kane-Wells.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Ordinance 17-25 has been properly introduced and the public hearing will be on December 20th 2017.

O-17-26 – Establishing Salaries & Fixing Compensation of Certain Employees for 2018

Councilmember Broullon motioned to introduce Ordinance 17-26 which was seconded by Councilmember D'Arrigo.

ROLL CALL:

AYE: Councilmembers Broullon, D'Arrigo & Kane-Wells (3)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: Councilmember Card (1)

Ordinance 17-26 has been properly introduced and the public hearing will be on December 20th 2017.

Other Business:

Administer's Report

Ms. Gonzales noted that the new trailer was ready and that the last of the offices were in the process of moving. She announced the retirement of Charlie Heck and Carolyn Cummins, updated the Council on the status of various FEMA items, and encouraged anyone to reach out to her if needed.

Approval of Facility User Permit – Polar Bear Plunge 01/01/2018

Councilmember Broullon motioned to approve the American Legion's request to hold a Polar Bear Plunge which was seconded by Councilmember Card.

ROLL CALL:

AYE: Councilmembers Broullon, Card, D'Arrigo & Kane-Wells (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

The Facility Use Permit for a Polar Bear Plunge has been approved.

Draft CBD Ordinance

Councilmember Broullon explained the process to introduce and adopt this ordinance. She explained that this will memorialize what the Land Use Board approved in the Master Plan. Councilmember Doug noted all the Land Use Board's work on this project and explained to the public form based zoning.

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Public Comments:

Council President Broullon opened the meeting to the public for comment.

Carol Bucco, Shore Drive, objected to the date of the upcoming Town Hall meeting due to it being on a Catholic Holy Day of Obligation. Councilmember Broullon explained that this was the first of many meetings. Ms. Bucco commented that she disagreed with the location that has already been chosen and purchased. Councilmember Kane-Wells and Card suggested several ways to improve information flow and meeting information to the residents.

Martin Kiely, Fifty Street & Shore Drive, asked if the Town Hall meeting could be postponed a month. Councilmember Broullon noted that there were assorted reasons and that the Council only received one complaint. Mr. Kiely stated requested Town Hall meetings be held at the Community Center in the future and Councilmember Broullon noted that there was not enough capacity.

Brett Chamberlin, on behalf of Seastreak on Shore Drive, inquired when he would be allowed to comment on the parking permit ordinance noting that he wanted to make sure that their concerns were heard. Mr. Chabarek noted that the public hearing for that ordinance is on December 20th 2017.

Councilmember Broullon wished everyone a Happy Thanksgiving and closed the meeting to the public.

First Aid Presentation

Councilmember Broullon informed the public that the First Aid has been delayed in attending this evening meeting. She thanked retiring member Larry Kelly for his twenty-seven years of service and encouraged the residents to do the same if they saw him. Councilmember D'Arrigo said a few words about Mr. Kelly.

Councilmember Broullon also acknowledged Charlie Heck's and Carolyn Cummins' retirement.

Adjourn:

Council President Broullon motioned to adjourn the meeting which was seconded by Councilmember Kane-Wells. The meeting was adjourned at 8:37 pm.

Approval of the Minutes

A motion to approve the Minutes of December 6th 2017 was made by Councilmember Broullon and seconded by Councilmember Kane-Wells.

AYE: Councilmembers Broullon, D'Arrigo, Kane-Wells (3)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: Councilmember Card & Mayor O'Neil (2)

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be the action of the Governing Body at its meeting held December 20, 2017.

Approve: _____
Carolyn Broullon, Council

Attest: _____
Bonnie Brookes RMC, Deputy Clerk