

Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands June 16, 2021– Meeting Minutes

EXECUTIVE SESSION 6:30PM

REGULAR MEETING: 8:00PM - MEETING STATEMENT:

The Borough Clerk read the public meetings statement.

This is a meeting of the Borough Council June 16, 2021. The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Martin, Councilmember Mazzola, Councilmember Melnyk, Council President Olszewski, and Mayor Broullon were all Present.

Absent: None

Also in attendance were Borough Attorney Andrew Ball, Esq., CFO Patrick DeBlasio, and Acting Municipal Clerk Michelle Hutchinson

Approval of Minutes

May 5, 2021 Executive Meeting Minutes

May 5, 2021 Regular Meeting Minutes

May 19, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Councilmember Melnyk to adopt minutes.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

June 2, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Councilmember Mazzola to adopt minutes.

Ayes: Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: Martin

Absent: None

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES:

Acting Borough Clerk Michelle Hutchinson read the following ordinance by title:

1. O-21-27 An Ordinance Amending Chapter 2-10.15(C) Of The Borough Code With Regard To Hourly Rates For Officers Performing Off-Duty Work
Mayor opened to the public.
Kim Skorka, Shore Drive – Asked for a comparison of hourly rate versus officer’s hourly rate.
Attorney Andrew Ball explained.
Mayor opened to Council.
No Comment.
It was moved by Mayor Broullon and seconded by Councilmember Martin to close public hearing and carried to adopt this ordinance on second and final hearing.
Roll Call Vote:
Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon
Nays: None
Abstention: None
Absent: None
Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.
2. O-21-28 Bond Ordinance Providing For The Construction Of A New Municipal Building, Appropriating \$10,000,000 Therefor And Authorizing The Issuance Of \$4,750,000 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The Borough Of Highlands, In The County Of Monmouth, New Jersey
Mayor explained ordinance.
Mayor opened to the public.
 1. Anna Little, 52 5th Street-speaking as a resident: Supports municipal building. Believes it is a necessary project due to existing safety conditions.
 2. Valeri Montecalvo, 104 Portland Road-Supports Ordinance O-21-28. Borough deserves a building

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to be proud of and will help community.

3. Susan Clement, 36 Navesink - Supports municipal building.
4. Pat Hoffman, 75 Highland Avenue - In support of Ordinance O-21-28.
5. Luke Bollerman, 1 Willow Owner - Supports municipal building. Stated as town grows we need to grow as well.
6. Sherry O'Connor, future resident - Supports municipal building.
7. Melissa Pedersen, Bay Street – Opposes Ordinance O-21-28. Stated she would like a compromise.
8. John Bentham, 39 Washington Avenue – Supports municipal building. Believes it is something we need.
9. Kim Skorka, Shore Drive – Opposes Ordinance O-21-28. Would like a compromise. Believes shared services should be considered.
10. Claudette D'Arrigo, 12 Seadrift – Opposes Ordinance O-21-28. Feels shared services should be considered.
11. Carla Cefalo, 62 Gravelly Point Road – Supports Ordinance O-21-28.
12. Terri Turner, Hwy 36 – Does not oppose ordinance, opposed to cost.
13. Mike Warren, Lighthouse Drive – Does not oppose municipal building is opposed to Ordinance O-21-28 due to cost.
14. Barbara Dominguez- Supports Ordinance. Believes this was already decided many years ago.
15. Mary Saltzman, 43 Snug Harbor – Opposes Ordinance O-21-28. Questioned why this was brought up again.
16. Mischelle Diebold, 221 Navesink Avenue – Opposes Ordinance O-21-28 due to cost.
17. Charles LaRue, 2nd Street – Thanked Council for all they do. Supports Ordinance O-21-28.
18. Tricia Rivera, Waterwitch Avenue – Opposes Ordinance O-21-28 due to cost. In support of a building for police and employees.
19. Martin Kiely, Oceanview Terrace – Opposes Ordinance O-21-28 due to cost.

It was moved by Mayor Broullon and seconded by Councilmember Melnyk to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Mazzola, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

INTRODUCTION OF ORDINANCES:

1. O-21-26 An Ordinance Amending Chapter VII, Schedule 1 “No Parking” Of The Code Of The Borough Of Highlands Related To Areas Of No Parking In Various Locations Throughout The Borough

It was moved by Mayor Broullon and seconded by Councilmember Melnyk to pass this ordinance on first reading.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on first reading with a public hearing to be held on July 14, 2021.

2. O-21-29 An Ordinance Amending Section 21-65.14 Of The Borough Code To Address Off-Street Parking Requirements

It was moved by Mayor Broullon and seconded by Council President Olszewski to pass this ordinance on first reading.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on first reading with a public hearing to be held on August 18, 2021 for transmittal to the Landuse Board for review.

RESOLUTIONS:

RESOLUTION 21-134

RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated, June 11, 2021 which totals as follows:

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Current Fund	\$ 198,124.97
Sewer Account	\$ 48,966.77
Capital Fund	\$ 11,363.00
Trust-Other	\$ 2,733.15
Federal/State Grants	\$ 780.00
Total	\$ 261,967.89

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 261,967.89 to be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at www.highlandsborough.org and on file in the Municipal Clerk's office for reference.

Motion to Approve R-21-134:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

**RESOLUTION 21-135
RESOLUTION AUTHORIZING AN ISSUE OF REFUNDING BONDS OF THE
BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY
AND PROVIDING FOR THE FORM, MATURITIES, INTEREST RATES AND
OTHER DETAILS THEREOF AND FOR THE SALE THEREOF TO THE
MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

June 16, 2021

WHEREAS, the Atlantic Highlands/Highlands Sewerage Authority (the "AHHSA"), a former regional sewerage authority created by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough") and the Borough of Atlantic Highlands, in the County of Monmouth, New Jersey ("Atlantic Highlands"), has heretofore issued various series of bonds to finance and/or refinance various capital assets, including, inter alia, its \$7,905,000 Sewer Revenue Bonds, Series 2011 dated January 24, 2011 (the "2011 AHHSA Bonds"); and

WHEREAS, upon issuance, the Series 2011 AHHSA Bonds were sold by the AHHSA to the Monmouth County Improvement Authority (the "MCIA") to secure payment of an allocable portion of the debt service on the MCIA's \$40,325,000 Governmental Pooled Loan Revenue Bonds, Series 2011 dated January 24, 2011 (the "2011 MCIA Bonds"); and

WHEREAS, on April 1, 2014, the Borough and Atlantic Highlands caused the dissolution of the AHHSA, as a result of which the Borough assumed 52% of the outstanding debt of the AHHSA (including 52% of the 2011 AHHSA Bonds) and Atlantic Highlands assumed the remaining 48% of the outstanding debt of the AHHSA (including 48% of the 2011 AHHSA Bonds); and

WHEREAS, by Refunding Bond Ordinance No. O-21-17 finally adopted on May 19, 2021 (the "Refunding Bond Ordinance"), the Borough Council of the Borough has heretofore authorized the issuance of not to exceed \$2,750,000 General Obligation Refunding Bonds of the Borough (the "Refunding Bonds") pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., in order to refund all or part of the Borough's 52% share of the 2011 AHHSA Bonds; and

WHEREAS, the Borough now desires to authorize the issuance of the Refunding Bonds and to provide for the form, maturities, interest rates and other details thereof and for the sale thereof to the MCIA; and

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WHEREAS, the proceeds of the sale of the Refunding Bonds will be used to refund an allocable portion of the 2011 MCIA Bonds, thereby indirectly refunding all or part of the Borough's 52% share of the 2011 AHHSAs Bonds; and

WHEREAS, the Refunding Bonds will be issued in accordance with N.J.S.A. 40A:2-51(c), and therefore the consent of the New Jersey Local Finance Board is not required;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) that:

Section 1. General Obligation Refunding Bonds, in an amount not exceeding \$2,750,000 (the "Refunding Bonds"), of the Borough are hereby authorized to be issued and sold in order to refund all or part of the Borough's 52% share of the 2011 AHHSAs Bonds. The Mayor, Deputy Mayor or Chief Financial Officer (each, an "Authorized Officer") shall determine the actual aggregate principal amount of the Refunding Bonds to be issued and, if less than all of the Borough's 52% share of the 2011 AHHSAs Bonds are to be refunded, the portion thereof to be refunded; provided, that such determinations shall be consistent with the Refunding Bond Ordinance and that the maturities, interest rates and terms of sale are in accordance with the provisions of N.J.S.A. 40A:2-51 and N.J.A.C. 5:30-2.5 (which does not require the approval of the Local Finance Board, provided certain conditions therein are satisfied).

Section 2. The Refunding Bonds shall be designated "General Obligation Refunding Bonds" and shall be numbered from one (1) consecutively upward with a prefix designating the series. The Refunding Bonds shall be dated the date of delivery of the Refunding Bonds and will be issued in fully registered form. The Refunding Bonds shall be issued in such principal amount (not exceeding \$2,750,000) as shall be determined by an Authorized Officer to be necessary to provide a deposit to one or more escrow funds in respect of the 2011 MCIA Bonds and/or the 2011 AHHSAs Bonds and to pay issuance expenses (including the Borough's allocable share of issuance expenses in respect of the 2021 MCIA Bonds). The Refunding Bonds shall mature on such dates and in such amounts, and shall bear interest at such rates, as shall be determined by an Authorized Officer and as required by the MCIA. The Refunding Bonds may be subject to redemption prior to their stated maturities as determined by an Authorized Officer, as shall be set forth in the MCIA's proposal for the purchase of the Bonds, the acceptance of which is authorized pursuant to Section 5 hereof.

Section 3. The Refunding Bonds shall be payable as to interest at the corporate trust office of U.S. Bank National Association, Edison, New Jersey. Unless otherwise determined by an Authorized Officer, interest shall be payable on the January 1 and July 1 prior to each January 15 and July 15 interest payment date, commencing July 15, 2021, in an amount equal to the interest accruing to each such January 15 and July 15, and payable as to principal at the corporate trust office of U.S. Bank National Association. Interest on the Refunding Bonds shall be calculated on the basis of a 360-day year or twelve 30-day calendar months.

Section 4. The Refunding Bonds shall be signed by the Mayor or Deputy Mayor and the Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon, and shall be attested by the manual signature of the Clerk or Deputy Clerk.

Section 5. The Refunding Bonds are hereby sold and awarded to the MCIA at a price determined by an Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Borough and the MCIA (the "Bond Purchase Agreement"), in substantially the form presented to this meeting as Exhibit A attached hereto, with such changes as may be approved by the Authorized Officer executing same, such approval to be conclusively evidenced by his or her execution thereof. Any Authorized Officer is hereby authorized on behalf of the Borough to execute the Bond Purchase Agreement and, if required, a Continuing Disclosure Agreement by and between the Borough and U.S. Bank National Association and/or one or more escrow deposit agreements in respect of the 2011 MCIA Bonds and/or the 2011 AHHSAs Bonds, each in such form as may be approved by the Authorized Officer executing same, such approval to be conclusively evidenced by his or her execution thereof.

Section 6. The Refunding Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MONMOUTH

BOROUGH OF HIGHLANDS
GENERAL OBLIGATION REFUNDING BOND

DATE OF
ORIGINAL
ISSUE: July __, 2021

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The Borough of Highlands, in the County of Monmouth, New Jersey, hereby acknowledges itself indebted and for value received promises to pay to

THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY (the "Authority")
c/o U.S. BANK NATIONAL ASSOCIATION
(the "Trustee")

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the _____ 15 and _____ 15 prior to each _____ 1 and _____ 1, commencing _____ 1, 202_, in an amount equal to the interest accruing to each such _____ 1 and _____ 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on May 6, 2021 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) three percent above the interest rate that JP Morgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (ii) the maximum interest rate allowed by law.

[The Bonds maturing on or prior to _____ 1, 20__ are not subject to redemption prior to their stated maturities. The Bonds maturing on or after _____ 1, 20__ are subject to redemption at the option of the _____ on or after _____ 1, 20__ upon notice as described in a bond resolution adopted by the Authority on May 6, 2021, either in whole or in part by lot within a single maturity from maturities selected by the _____, on any date, at a redemption price equal to 100% of the principal amount thereof (the "Redemption Price"), plus in each case accrued interest to the date fixed for redemption.]

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Borough of Highlands adopted on June 16, 2021 and entitled "_____", and the refunding bond ordinance referred to therein, (each) in all respects duly approved and published as required by law.

The full faith and credit of the Borough of Highlands are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough of Highlands, is within every debt and other limit prescribed by such Constitution or statutes.

The Borough of Highlands agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond, which includes but is not limited to costs in connection with the enforcement of the County Guaranty (as defined in the Bond Resolution) and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Borough of Highlands and the Authority.

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IN WITNESS WHEREOF, the BOROUGH OF HIGHLANDS, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its _____ and its _____, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its _____ Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

BOROUGH OF HIGHLANDS

By: _____

ATTEST:

_____ By: _____

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(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints _____ as Attorney to transfer this bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:

Signature of Guarantee:

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SCHEDULE A

BOROUGH OF HIGHLANDS
GENERAL OBLIGATION REFUNDING BOND
Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Coupon</u>
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Section 7. Any Authorized Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Refunding Bonds which is to be rendered by the firm of GluckWalrath LLP (complete except for omission of its date) to be printed or referred to on the Refunding Bonds, and at the time of the original delivery of payment for the Refunding Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Refunding Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Refunding Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Refunding Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on each of the Refunding Bonds, and (c) to cause, in the event that the Refunding Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Refunding Bonds.

Section 8. Upon the date of issue of the Refunding Bonds, being the date of delivery of the Refunding Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, any Authorized Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said purchaser (a) an arbitrage certification with respect to the Refunding Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of GluckWalrath LLP as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 9. The proceeds of the Refunding Bonds shall be applied in the amounts and for the purposes provided in Section 2 hereof.

Section 10. The Authorized Officers are hereby authorized and directed, as is the Borough Clerk, to execute all documents and certificates, necessary for the sale and delivery of said Refunding Bonds, including, without limitation, any documents and certificates relating to the termination and/or amendment of the Debt Service Reserve Forward Delivery Agreement dated October 29, 2001 by and among Bank of America, N.A., the Authority and First Union National Bank and the Debt Service Forward Delivery Agreement dated November 16, 2001 by and among Bank of America, N.A., the Authority and First Union National Bank (collectively, the "Authority Float Agreements"). Any payments required to be made by the Borough in connection with the termination and/or amendment of the Float Agreements are hereby authorized and approved.

Section 11. This resolution shall take effect immediately.

Motion to Approve R-21-135:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

**RESOLUTION 21-136
RESOLUTION APPROVING RENEWAL OF LIQUOR LICENSE FOR THE 2020-2021 AND 2021-2022 TERM**

WHEREAS, renewal applications have been filed or submitted through POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal application has been accepted via POSSE ABC, the Municipal Fees have been paid and a Tax Clearance Certificate has been received for the following licensee[s]; and,

WHEREAS, the submitted license renewal application received a special ruling pursuant to N.J.S.A. 33:1-12.39 dated May 27, 2021 and was approved by the State Alcohol Beverage Control Director, a copy of which is annexed hereto; and

WHEREAS, the applicant is qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and

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NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2020-2021 and 2021-2022 license terms be and are hereby authorized:

License Number	Licensee	Establishment
1317-33-003	Claddagh of Highlands LLC	Inactive

Motion to Approve R-21-136:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-137

RESOLUTION APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2021-2022 TERM

WHEREAS, renewal applications have been filed or submitted through POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal Fees have been paid and a Tax Clearance Certificate has been received for the following licensee[s]; and,

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2021-2022 license term be and is hereby authorized:

License Number	Licensee	Establishment
1317-32-009	Grala LLC	Active
1317-31-027	American Legion	Active
1317-33-015	Chilangos Restaurant Inc	Active
1317-33-017	Highlands Brewery LLC	Inactive

Motion to Approve R-21-137:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-138

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS-NEW BOROUGH HALL PROJECT

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WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a Municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, NJS 40A:5-29 provides for receipt of Donations – New Borough Hall Project; and

WHEREAS, NJS 40A:4-39 provides the dedicated revenues anticipated from “Donations-New Borough Hall Project” are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request approval of the Director of the Division of Local Government Services to pay expenditures of “Donations-New Borough Hall Project”.
2. The Clerk of the Borough of Highlands, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Motion to Approve R-21-138:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

**RESOLUTION 21-139
RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER
FOR DONATIONS-SKATE PARK IMPROVEMENTS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a Municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, NJS 40A:5-29 provides for receipt of Donations - Skate Park Improvements; and

WHEREAS, NJS 40A:4-39 provides the dedicated revenues anticipated from “Donations-Skate Park Improvements” are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, New Jersey as follows:

3. The Governing Body does hereby request approval of the Director of the Division of Local Government Services to pay expenditures of “Donations-Skate Park Improvements”.
4. The Clerk of the Borough of Highlands, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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Motion to Approve R-21-139:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA	X		X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON			X			

**RESOLUTION 21-140
RESOLUTION APPOINTING FIRE POLICE**

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following persons be and hereby are appointed Fire Police for the year 2021:

Chief of Fire Police Edward Sulkowski

Officer Tom Butler

Motion to Approve R-21-140:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

**RESOLUTION 21-141
RESOLUTION ACCEPTING DONATION OF A MOTOR VEHICLE FROM THE COUNTY OF
MONMOUTH FOR USE BY THE FIRST AID SQUAD**

WHEREAS, the County of Monmouth has offered to donate a 2008 Dodge Charger, VIN No. 2B3KA43G68H130976, to the Borough of Highlands in “as is” condition; and

WHEREAS, the donation of the aforesaid 2008 Dodge Charger to the Borough of Highlands by the County of Monmouth shall be subject to an Agreement memorializing the terms of the donation.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Highlands, hereby accepts the donation of a 2008 Dodge Charger in “as is” condition by the County of Monmouth for use by the Borough of Highlands First Aid Squad.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution, including but not limited to, effectuating the transfer of ownership of the said vehicle.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Agreement referenced above to accept the donation of the 2008 Dodge Charger, VIN No. 2B3KA43G68H130976 from the County of Monmouth.

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Motion to Approve R-21-141:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

**RESOLUTION 21-142
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES FOR THE VETERAN’S PARK RIP RAP
SLOPE STABILIZATION IMPROVEMENTS**

WHEREAS, the Borough of Highlands has a need for professional engineering services for the Veteran’s Park rip rap slope stabilization improvements pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Colliers Engineering & Design has set forth its proposed services in a written proposal dated April 27, 2021, a copy of which is available at the Office of the Borough Clerk; and

WHEREAS, said Proposal includes the following: Topographic Survey Services, Engineering Design Services, Construction Administration Services and Reimbursables; and

WHEREAS, the proposed amount of the contract with Colliers Engineering & Design is \$43,850.00, consisting of the following:

Topographic Survey Services	\$ 4,200.00
Engineering Design Services	\$ 19,350.00
Construction Administration Services	\$ 19,800.00
Reimbursables	<u>\$ 500.00</u>
Total:	\$ 43,850.00

; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, 331 Newman Springs Road, Red Bank, NJ 07701 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Colliers Engineering & Design for the engineering services, in connection with the Veteran’s Park rip rap slope stabilization improvements as set forth in its proposal; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$43,850.00 for the aforesaid professional engineering services as stated in the proposal of Colliers Engineering & Design, dated April 27, 2021; and

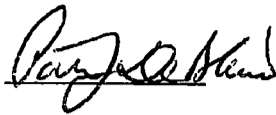
WHEREAS, Colliers Engineering & Design has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit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

WHEREAS, Colliers Engineering & Design has completed and submitted a Political Contribution 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 that funds are available as follows:
Account Number 04-20-101-000-000

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Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that:

1. Colliers Engineering & Design is hereby retained to provide engineering services in connection with the Veteran’s Park rip rap slope stabilization improvements as described in their proposal dated April 27, 2021, for an amount not to exceed \$43,850.00.
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.

Motion to Approve R-21-142:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

**RESOLUTION 21-143
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RESTORATION OF THE
BULKHEAD ALONG MARINE PLACE, SOUTH MARINE PLACE AND SNUG HARBOR
AVENUE**

WHEREAS, the Borough of Highlands has a need for professional engineering services for the restoration of the bulkhead along Marine Place, South Marine Place and Snug Harbor Avenue pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Colliers Engineering & Design has set forth its proposed services in a written proposal dated April 27, 2021, revised June 14, 2021, copies of which are available at the Office of the Borough Clerk; and

WHEREAS, said proposal includes the following: Engineering Design Services, Construction Administration Services and Reimbursables; and

WHEREAS, the proposed amount of the contract with Colliers Engineering & Design is \$47,750.00, consisting of the following:

Engineering Design Services	\$18,750.00
Construction Administration Services	\$28,250.00
Reimbursables	<u>\$ 750.00</u>
Total:	\$47,750.00

; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, 331 Newman Springs Road, Red Bank, NJ 07701 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain

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Colliers Engineering & Design for the engineering services, in connection with the restoration of the bulkhead along Marine Place, South Marine Place and Snug Harbor Avenue; and

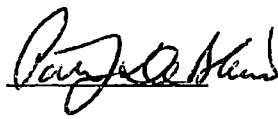
WHEREAS, this contract is to be awarded for an amount not to exceed \$47,750.00 for the aforesaid professional engineering services as stated in the proposal of Colliers Engineering & Design, dated April 27, 2021, revised June 14, 2021; and

WHEREAS, Colliers Engineering & Design has completed and submitted a Business Entity Disclosure Certification which certifies that it 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 Colliers Engineering & Design from making any reportable contributions through the term of the contract; and

WHEREAS, Colliers Engineering & Design has completed and submitted a Political Contribution 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 that funds are available as follows:
Account Number 04-20-101-000-000



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that:

1. Colliers Engineering & Design is hereby retained to provide engineering services in connection with the restoration of the bulkhead along Marine Place, South Marine Place and Snug Harbor Avenue as described in their proposal dated April 27, 2021, revised June 14, 2021, for an amount not to exceed \$47,750.00.
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.

Motion to Approve R-21-143:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION R 21-144

RESOLUTION AUTHORIZING TEMPORARY STREET CLOSURE

WHEREAS, a request has been received by the residents of South Bay Avenue, for the closing of a section of South Bay Avenue from Hillside Avenue to the dead-end for a block party on Saturday, July 3, 2021 between the hours of 12:00p.m. and 10:00p.m.; and

WHEREAS, the Chief of Police has approved the aforesaid request.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve the request

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by the residents of South Bay Avenue, for the closing of a section of South Bay Avenue from Hillside Avenue to the dead-end for a block party on Saturday, July 3, 2021 between the hours of 12:00p.m. and 10:00p.m.

BE IT FURTHER RESOLVED, that a copy of this Resolution certified by the Borough Clerk to be a true copy be forwarded to the Chief of Police.

Motion to Approve R-21-144:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

RESOLUTION R 21-145

RESOLUTION AUTHORIZING TEMPORARY STREET CLOSURE

WHEREAS, a request has been received by the Highlands Business Partnership for the closing of a section of Washington Avenue between Cheerful and Recreation Place, to host a Weigh In & Post Party for the First Annual Frank Thomas Memorial Fluke Tournament on Saturday, June 19, 2021 between the hours of 12:00p.m. and 8:00p.m.; and

WHEREAS, the Chief of Police has approved the aforesaid request.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve the request for the closing of a section of Washington Avenue between Cheerful and Recreation Place, to host a Weigh In & Post Party for the First Annual Frank Thomas Memorial Fluke Tournament hosted by the Highlands Business Partnership, on Saturday, June 19, 2021 between the hours of 12:00p.m. and 8:00p.m.

BE IT FURTHER RESOLVED, that a copy of this Resolution certified by the Borough Clerk to be a true copy be forwarded to the Chief of Police.

Motion to Approve R-21-145:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA	X		X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON			X			

RESOLUTION 21-146

A RESOLUTION APPROVING FIRST AID SQUAD APPLICATION

WHEREAS, the following individual have submitted Membership Application to the Highlands First Aid Squad:

Cara Ryan

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WHEREAS, Jay Terwiliger, Captain of the First Aid Squad has approved the Membership Application;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the First Aid Squad Membership Application of the above listed individual is hereby approved.

Motion to Approve R-21-146:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

OTHER BUSINESS:

None

REPORTS:

Councilmember Melnyk gave report for Communications & Public Relations. Updates continue website. Tutorials available. Social media update as well, numbers growing. Exploring ways to expand communications beyond digital, possibly a mailer/newsletter. Councilmember Melnyk gave report for Open Space. Continuing work with ROSI. Exploring possibility of a community garden. Volunteer opportunity available with Open Space. No new updates for the Shade Tree Commission at this time.

Councilmember Martin gave report for Environmental Commission. Update on completion of Henry Hudson trail/bike path in conjunction with parking. Invited the rest of Council to take a look and give any suggestions they may have.

Council President Olszewski gave an update on her meeting with Assessor regarding assessments. 60% of properties have been assessed to date. July statements will go out soon. Borough website is helpful, but residents should use County website for the most accurate tax information. Mayor asked that a link be placed on the Borough website to the County website. Explained tax abatements regarding Harborside.

Mayor gave an update for Engineer. Working with NJ DOT grant. Applying in July. Mayor stated Recreation calendar is on website.

PUBLIC PORTION:

Mayor opens public portion.

Anna Little, 52 5th Street-speaking as a resident – Thanked Council for their job as council members.

Rosemary Flannery, 1 Central Avenue – Asked Council to address problem with racoons. Has gotten worse since hurricane Sandy. Questioned Middletown shared service involvement. Mayor explained.

John Behtham, 39 Washington Avenue – In favor of municipal building. Anyone opposed can do a referendum.

Claudette D’Arigo, 12 Seadrift – Opposes FEMA, believes they are not eager to assist. Questioned why grant was changed to a loan. Mayor explained.

Tina Kemper, 164 Linden – Also would like Council to investigate animal control issue. Mayor stated it would be addressed.

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Martin Kiely, B-5 Twinlights – Questioned what the 2019 municipal income was. He believes there is a surplus in budget. Questioned would there be a tax decrease. Mayor and CFO explained.

Carla Cefalo, 62 Gravelly Point Road – Thanked Council. Would like to revisit County rating system. Mayor explained.

Kim Skorka, Shore Drive – Supports shared services. Questioned fee ordinance for rental of barricades and rental of park.

Asked for an update on COVID cares.

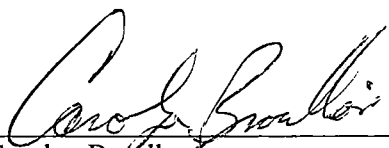
Questioned if combined board for Landuse is cost effective.

Mayor explained.

Cynthia Fair, 73 Navesink Avenue – Stated there is a community garden behind the First Aid Building.

ADJOURN:

Upon motion by Mayor Broullon, seconded by Councilmember Martin, motion carries to adjourn at 10:08 P.M.
All in Favor.

Approve: 
Carolyn Broullon

Attest: 
Michelle Hutchinson, Acting Borough Clerk