

Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
Wednesday, March 6th 2019 - 6:30 p.m.

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

WORKSHOP: 6:30PM

Monmouth County Dispatch
New Municipal Building

EXECUTIVE SESSION: 7:00PM

Attorney-Client Privilege: Highlands Business Partnership
Captain's Cove Marina
Contract Negotiations: Economic Development Officer

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Minutes

December 19th 2018
February 6th 2019
February 20th 2019

Consent Agenda

R-19-082 Approve Payment of the Bills
R-19-083 Authorize Refund of Tax Overpayment
R-19-084 Authorize Refund of Sewer Overpayments
R-19-085 Amend Members of the Green Team
R-19-086 Approve Request for Waiver of Alcohol Ban at the Community Center
R-19-087 Authorize Disposal of Surplus Property
R-19-088 Approve Fire Department Membership

Resolutions

R-19-089 Authorize Amendment to 2019 Temporary Budget
R-19-090 Introduce the 2019 Municipal Budget
R-19-091 Authorize Award of Non-Fair & Open Contract for a Licensed Planner to Prepare Amended Redevelopment Plan for B84 L2.01
R-19-092 Certify & Approve 2018 First Aid LOSAP Contributions
R-19-093 Approving Salary Increase for Senior Account Clerk
R-19-094 Award Non-Fair & Open Contract to CME for Valley Street Improvement Construction Administration

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Ordinance: Introduction & First Reading

- O-19-05 Amend Chapter 11 Concerning the Uniform Fire Code
- O-19-06 Amend Chapter 17 Establishing a Business Improvement District
- O-19-07 Exceed Municipal Budget Appropriation Limits & Establish a CAP Bank

Ordinance: Second Reading, Public Hearing & Possible Adoption

- O-19-03 Amend Chapter 8-5 of Borough Code, Snow & Ice Removal

Other Business

Administrator's Report
Police Chief's Report

Public Comments:

Adjourn

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The Meeting was called to order at 6:32pm.

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. Time maybe allotted for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or discipling of any specific or prospective or current employee.

Roll Call

 X Councilmember Braswell
 X Councilmember Broullon
 X Councilmember Mazzola
 X Councilmember Ryan
 X* Mayor O'Neil

Also Present:

 X Andrew Ball, Borough Attorney
 X Bonnie Brookes, Clerk
 X** Brian Chabarek, Borough Attorney
 X Kim Gonzales, Borough Administrator
 X Rosa Pace, Deputy Clerk

Workshop

*Mayor O'Neil entered the meeting at 6:36pm.

Monmouth County Dispatch

Ms. Gonzales stated that the County offered this shared service and noted that the Council had toured the facility. Undersheriff Robert Dawson reviewed the visits the Council had and noted that Highlands would be one of twenty-four (24) municipalities using their dispatch services. He noted that this had been discussed with Chief Burton and an equipment assessment had already begun, explaining how outdated the Borough's equipment was.

Pat Mason, Highlands OEM Coordinator, stated that OEM is already on the County dispatch, but the fire department had concerns over their frequency. Undersheriff Dawson stated that they tested the fire department's frequency last night and were satisfied with the results. Mr. Mason confirmed it worked, noting some areas are still spotty. He inquired if the fire department would be able to continue to use their own channel and Undersheriff Dawson stated that it is encouraged.

Council asked if the public had any questions.

Name: Chris Francy

Address: Fifth Street

Asked why this system was better then the status quo and how much will it cost the Borough.

Undersheriff Dawson explained that the County already handles the Borough's 911 service, so this will increase information sharing and mapping for an OEM standpoint. He also added that it will rid the

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Borough of personnel needs. Mayor O'Neil stated that the County has state of the art technology which Councilmember Ryan explained in more detail.

Councilmember Broullon inquired if the Borough's personnel could apply to work for the County and Undersheriff Dawson explained that they encourage it.

Name: Kim Skorka

Address: Shore Drive

Explained that there is constant confusion between Atlantic Highlands and the Highlands, in addition to, similar street names such as Bay Street and Bay Avenue and asked if this would cause delays in emergency services arriving.

Undersheriff Dawson explained that the system is not perfect, but they use GIS which helps them to pinpoint where a cell phone is calling from and maps the location. He did acknowledge that the landline State system, which only make up 10% of their calls, is antiquated.

Ms. Skorka inquired if Atlantic Highlands used their service. Undersheriff Dawson confirmed that they don't currently, but it is only a matter of time before they use the County as well.

Undersheriff Dawson informed the public that their dispatchers are all trained in emergency medicine along with being required to go through rigorous training prior to answering calls.

New Municipal Building

Architect Kevin Settembrino presented the current plans for the new municipal building to the Council and public. He noted some of the changes that have occurred since the initial set of plans and reviewed the floor plans. Mayor O'Neil explained why the building was positioned in the matter it was to provided police direct access to Route 36 and minimize the impact to the neighborhood. Mr. Settembrino continued to review the exterior plans, elevations, and building materials.

Mayor O'Neil stated that the second floor which would be administration and secured at night.

Name: Chris Francy

Address: Fifth Street

Inquired what meeting spaces would be created which the Mayor listed.

****Brian Chabarek entered the meeting at 7:05pm.**

Councilmember Broullon noted the intention was to move the meetings from the Community Center to the new municipal building.

Mr. Francy had questions concerning the police's access to the road and the police facilities which Mr. Settembrino reviewed. Ms. Gonzales stated that the police department has been heavily involved with these conversations and it meets all AOC and DOC requirements. Mr. Francy also questioned if the church would be allowed to use the parking lot which the Mayor stated would be part of being a good neighbor. He also questioned if the First Aid would be included with the building plans which Ms. Gonzales explained they would be moving to the current Borough trailer location.

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Name: Kim Skorka

Address: Shore Drive

Asked what green elements would be included. Mr. Settembrino stated that they would make the building as sustainable as possible, providing examples, but noted there would have to weigh the costs. Ms. Skorka listed various green elements which could be incorporated which she discussed with Mr. Settembrino.

Name: Mike Cannon

Address: Central Avenue

Inquired on stormwater and water quality regulations which Mr. Settembrino explained how the Borough would meet all standards.

Name: Chris Francy

Address: Fifth Street

Questioned why solar was not included. Mr. Settembrino and the Council discussed the options for including solar into the plan. Mr. Francy questioned when the FEMA monetary numbers would be available, and Ms. Gonzales noted that they should have it for the next meeting.

Executive Session

Attorney-Client Privilege: Highlands Business Partnership
Captain's Cove Marina
Contract Negotiations: Economic Development Officer

Motion to Approve Resolution to Enter into Executive Session:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL			X			

The Resolution to enter executive session was properly approved.

Council entered Executive Session at 7:20pm.

Council exited Executive Session at 8:05pm.

Regular Meeting

Council returned to Public Session at 8:15pm.

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time when recognized by the presiding officer. Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific or prospective or current employee.

Pledge of Allegiance

Lead by

Roll Call

 X Councilmember Braswell
 X Councilmember Broullon
 X Councilmember Mazzola
 X Councilmember Ryan
 X Mayor O'Neil

Also Present:

 X Bonnie Brookes, Clerk
 X Brian Chabarek, Borough Attorney
 X Patrick DeBlasio, CFO
 X Kim Gonzales, Borough Administrator
 X Rosa Pace, Deputy Clerk

Minutes

December 19th 2018

Motion to Approve December 19th 2018 Minutes:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
MAZZOLA					X	
RYAN			X			
O'NEIL		X	X			

The December 19th 2018 Minutes were properly approved.

February 6th 2019

Motion to Approve February 6th 2019 Minutes:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

The February 6th 2019 Minutes were properly approved.

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February 20th 2019

Motion to Approve February 20th 2019 Minutes:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL			X			

The February 20th 2019 Minutes were properly approved.

Consent Agenda

- R-19-082 Approve Payment of the Bills
- R-19-083 Authorize Refund of Tax Overpayment
- R-19-084 Authorize Refund of Sewer Overpayments
- R-19-085 Amend Members of the Green Team
- R-19-086 Approve Request for Waiver of Alcohol Ban at the Community Center
- R-19-087 Authorize Disposal of Surplus Property
- R-19-088 Approve Fire Department Membership

Motion to Approve the Consent Agenda:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
MAZZOLA			X			
RYAN			X			
O'NEIL	X		X			

The Resolution to approve the consent agenda was properly approved.

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Resolutions

R-19-089 Authorize Amendment to 2019 Temporary Budget

Motion to Approve Resolution 19-089:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

Resolution 19-089 was properly approved.

R-19-090 Introduce the 2019 Municipal Budget

Motion to Approve Resolution 19-090:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
BROULLON			X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL			X			

Resolution 19-090 was properly approved.

R-19-091 Authorize Award of Non-Fair & Open Contract for a Licensed Planner to Prepare Amended Redevelopment Plan for B84 L2.01

Motion to Approve Resolution 19-091:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
MAZZOLA			X			
RYAN			X			
O'NEIL	X		X			

Resolution 19-091 was properly approved.

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R-19-092 Certify & Approve 2018 First Aid LOSAP Contributions

Motion to Approve Resolution 19-092:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
BROULLON			X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL			X			

Resolution 19-092 was properly approved.

R-19-093 Approving Salary Increase for Senior Account Clerk

Motion to Approve Resolution 19-093:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL		X	X			

Resolution 19-093 was properly approved.

R-19-094 Award Non-Fair & Open Contract to CME for Valley Street Improvement Construction Administration

Motion to Approve Resolution 19-094:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
MAZZOLA			X			
RYAN			X			
O'NEIL	X		X			

Resolution 19-094 was properly approved.

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Ordinances: Introduction & First Reading

O-19-05 Amend Chapter 11 Concerning the Uniform Fire Code

Motion to Introduce Ordinance 19-05:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN	X		X			
O'NEIL		X	X			

Ordinance 19-05 was properly introduced.
The public hearing will be held on March 20th 2019.

O-19-06 Amend Chapter 17 Establishing a Business Improvement District

Motion to Introduce Ordinance 19-06:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL					X	
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

Ordinance 19-06 was properly introduced.
The public hearing will be held on March 20th 2019.

O-19-07 Exceed Municipal Budget Appropriation Limits & Establish a CAP Bank

Motion to Introduce Ordinance 19-07:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

Ordinance 19-07 was properly introduced.
The public hearing will be held on March 20th 2019.

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Ordinances: Second Reading, Public Hearing & Possible Adoption

O-19-03 Amend Chapter 8-5 of Borough Code, Snow & Ice Removal

Mayor O'Neil opened the meeting to the public to discuss Ordinance 19-03.

Name: Kim Skorka

Address: Shore Drive

Stated that she did not see the point in passing this ordinance if the Borough just snow plowed correctly.

Mayor O'Neil closed the meeting to the public.

Motion to Adopt Ordinance 19-03:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL						
BROULLON						
MAZZOLA						
RYAN	X					
O'NEIL						

With no member of the Governing Body seconding the motion to adopt Ordinance 19-03, the ordinance failed and was not properly adopted.

Ms. Brookes stated that the public hearing and possible adoption of Ordinance 19-04 would be on March 20th 2019.

Other Business

Administrator's Report

Ms. Gonzales reported that she had met with several residents and the State, in addition to, having some meetings on potential shared services. She updated the Council and public on the status of the Valley Street Project, Waterwitch Avenue stormwater and sanitary sewer improvement project, and Veteran's Park electric. Ms. Gonzales noted that NJ Natural Gas would be conducting work in the Borough and added that the Borough is looking at Locust Street for the next grant project. She listed upcoming Borough events.

Police Chief's Report

Chief Burton noted that the Police Department had been busy. He explained all the work involved with possibly going to the County for dispatch services and that mandatory training was getting accomplished.

Open the meeting to the Public for Comment

Mayor O'Neil opened the meeting to the public.

Name: Steve Solop

Address: Shore Drive

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Stated that he kept seeing "Highlands Business Partnership" on the Executive Agenda and as a member of the Business Improvement District he has the right to know what they are discussing. Mr. Chabarek explained it was attorney-client privilege. Mr. Solop demanded to know what was being discussed and asked if the Borough was denying him access. Mayor O'Neil stated that he would know when he needs to. Mr. Solop listed his complaints.

Name: Tina Kaemmerer

Address: Shore Drive

Stated that in the recent edition of the Monmouth Journal, the Police Blotter featured fifteen (15) mentions of drug arrests and DUIs in Highlands. She questioned if the Borough has a greater drug problem than other municipalities and what was being done to combat it. Mayor O'Neil stated that it might be people just passing through which the Council discussed. Chief Burton stated that he would happen to have a discussion with Ms. Kaemmerer after the meeting noting that Highlands is not unlike other small towns.

Name: Brian Cobb

Address: Recreation Place

Noted that Ms. Gonzales was doing a good job. He inquired on Resolution 19-091, noting that the neighbors are concerned and expect to receive notification prior to work. Mr. Chabarek explained that there is no two hundred (200) foot list requirement for redevelopment plans.

Name: Anya Clitheroe

Address: Washington Avenue

Stated that the rumor is that part of Captain's Cove Marina would be filled in and stated if that is the case the neighbors should be consulted. Mr. Chabarek explained the process to amend the redevelopment plan, listing all the opportunities the neighbors would have to comment on the plan prior to adoption. Councilmember Ryan explained that this would just be a change not a full study. Mayor O'Neil stated that the Borough is in receipt of plans from a potential redeveloper to fill in the marina and place fourteen (14) homes there with 16-20 boat slips. Mr. Chabarek again noted when the public would have the opportunity to weigh in on these plans and noted the point of redevelopment.

Ms. Clitheroe stated that she felt there was nothing the neighbors could do to stop this from happening. Mayor O'Neil explained why a two hundred (200) foot list would not be required. Councilmember Ryan explained that this is a private business transaction. Councilmember Braswell explained why the marina, the way it is, is a liability to the Borough and the neighbors. Ms. Groves asked the Council to work with and listen to the neighbors.

Name: Kim Skorka

Address: Shore Drive

Stated the Council allowed the marina to get to this condition. She pointed out that the adopted redevelopment plan was acceptable when it was adopted asking why it now must be amended. Ms. Skorka also stated that the Borough should not go out of their way for a developer and rather the developer should pay for the amended report.

Name: Michael Cannon

Address: Central Avenue

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Asked if the redevelopment plans would change the current objective of public access adding that the view is important to people. Mr. Chabarek explained when the public would have the opportunity to weigh in on this plan. Mr. Cannon stated that the Council should know what the community wants. Ms. Gonzales stated that many residents are concerned, and the Council hears their concerns. She explained that because it is a man-made marina it can be filled in and added that she would be meeting with the NJ DEP the following week to discuss this with them. Mr. Cannon expressed that he was mostly concerned with the long-term objectives.

Name: Allison *UNKNOWN*

Address: Barberie Avenue

Questioned what would happen with the paper road, Rogers Avenue. She inquired with out vacating that road would the developer have the room to do what he is proposing without a variance. Allison also asked if the road was going to be vacated would the adjoining property owners be offered the land. Mr. Chabarek stated that the planners would be looking into this and Councilmember Ryan stated that Council had not discussed that. Allison asked if the school could handle the additional children of if the pump station could. She stated that many people have invested in the view.

Name: Trish Rivera

Address: Waterwitch Avenue

Stated that she had received a message from Councilmember Ryan stating that there was a buyer for the marina who would put in a new bulk head and fill in part of the marina. She stated that other counties and states have solved their flooding issues in various ways and the Borough should look at those. Ms. Rivera stated that filling in the marina would not help and was not smart development causing risks to residents. She said that the Borough's biggest assets is the waterfront which this plan would destroy. She announced that this would negatively affect the neighbors and clambers, noting this is not in the best interest of the residents.

Mayor O'Neil closed the public.

Motion to Adjourn the meeting:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

The meeting was adjourned at 8:58pm.

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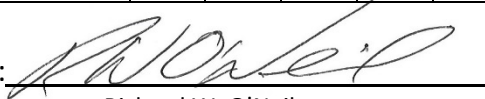
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Motion to Approve the March 6th 2019 Minutes:

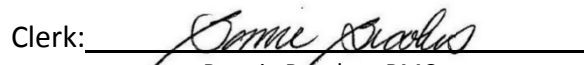
	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
MAZZOLA			X			
RYAN			X			
O'NEIL		X	X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held March 20, 2019. WITNESS my hand this 22nd day of March 2019.

Mayor:


Richard W. O'Neil

Clerk:


Bonnie Brookes, RMC