

**BOROUGH OF HIGHLANDS
MAYOR AND COUNCIL
REGULAR MEETING
JUNE 21, 2006**

Mayor O'Neil called the meeting to order at 7:34P.M.

Mrs. Flannery read the following statement: As per requirement of P.L. 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Mayor and Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press, the Courier and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CAL:

Present: Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

Absent: None

Late Arrival: Mrs. Little arrived at 8:10 P.M.

Also Present: Nina Light Flannery, Borough Clerk
David Gilson, Borough Administrator
Dominick Manco, Esq., Borough Attorney
Stephen Pfeffer, CFO

EXECUTIVE SESSION RESOLUTION:

Mrs. Flannery read the following Resolution for approval:

Mayor O'Neil 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. Court Matters – Superior Court Visit Report
2. Grand Tour – Possible Violations
3. Contracts – PBA and the Blue Cross/Blue Shield Dental
4. Real Estate Matters – Rice Parking Lease
5. Personnel – Summer Employees and Recycling Dept, B. McCann

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. Would constitute an unwarranted invasion of individual privacy.
2. Deals with collective bargaining, including negotiation positions.

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3. Deals with purchase, lease or acquisition of real property with public funds.
4. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
5. Related to investigation of violations or possible violations of the law.
6. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.
7. Falls within the attorney-client privilege and confidentiality is required.
8. Deals with personnel matters of public employees and employee has not requested that the matter be made public.

Seconded by Mr. Caizza and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: Mrs. Little
ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor O'Neil called the Regular Meeting back to order at 8:48 P.M.

ROLL CALL:

Present: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

Absent: None

Also Present: Nina Light Flannery, Borough Clerk
David Gilson, Borough Administrator
Dominick Manco, Esq., Borough Attorney
Stephen Pfeffer, CFO

PRESENTATION FROM VFW POST 6902:

Mrs. Flannery announced that Don Manrodt and Al Emery of the VFW are here to give a Special Presentation to the Governing Body this evening.

Donald Manrodt stated that they are here this evening to give a Banner of the Pledge of Allegiance to the Borough for their 60th Anniversary. He then invited them to attend the VFW picnic.

Mayor O'Neil accepted the Banner on behalf of the Borough and asked that everyone stand for the Pledge of Allegiance.

CONSENT AGENDA: RESOLUTIONS

Mrs. Flannery read the titles of the following Resolutions for approval:

Mayor O'Neil offered the following Resolution and moved its adoption

R-06-100

RESOLUTION AUTHORIZING REFUND OF SEWER OVERPAYMENT

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WHEREAS, the Sewer Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to a certain lien holder as a result of an erroneously sold Municipal Lien and;

WHEREAS, the Sewer Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Sewer Collector is authorized to immediately refund and pay the overpayment of sewer to the individual listed below and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
103	16	2005	\$765.60	American Tax Funding

Seconded by Mrs. Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

Mayor O'Neil offered the following Resolution and moved its adoption:

**R-06-101
AUTHORIZING REFUND OF TAX OVERPAYMENT**

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes; and

WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals;

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
6	9	2006	\$1300.00	Mace W. Shorie
35	12	2005	151.61	Jerry Feliciano

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Seconded by Mrs. Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

Mayor O'Neil offered the following Resolution and moved for its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-06-102

**RESOLUTION - CANCELING RESERVE FOR BAYSIDE DRIVE
(SPECIAL EMERGENCY APPROPRIATION)**

WHEREAS, the reserve balance for Bayside Drive remains on the balance sheet of the current fund; and

WHEREAS, the Chief Financial Officer and the Mayor have investigated the reserve balance and have determined that the reserve should be canceled;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that the following reserve in the amount of \$211,313.46 be and the same is hereby canceled:

Bayside Drive	\$211,313.46
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Seconded by Mrs. Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

Mayor O'Neil offered the following resolution and moved its adoption:

R-06-103

**RESOLUTION AUTHORIZING AGREEMENT
WITH HORIZON HEALTHCARE AND DESIGNATING
BROKER-OF-RECORD**

WHEREAS, the Mayor and Council of the Borough of Highlands has been actively seeking contracts to help keep the cost of employee health benefits as low as possible while maintaining the benefits outlined in employee healthcare contracts; and

WHEREAS, the Borough of Highlands had asked Ted Wardell of Grinspec Consulting, Inc. to assist in that search; and

WHEREAS, Ted Wardell has been able to assist the Borough in that project;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that it does hereby accept a group dental proposal from Horizon Healthcare Dental Services effective August 1, 2006 and that the plan will be administered at the rates, benefits and terms illustrated in Horizon's proposal and

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understood that the benefits are guaranteed by Horizon Healthcare Dental Services to be equal to or greater than MetLife; and

BE IT FURTHER RESOLVED that the Borough of Highlands appoints GRINSPEC Consulting Inc, whose address is 219 South Street, New Providence, NJ 07974 as the broker-of-record for our Horizon dental plan. GRINSPEC Consulting Inc. and Ted Wardell are authorized to act on our behalf in all group dental matters and to receive commissions already built into the proposed rates effective August 1, 2006. This designation of our broker-of-record will remain in effect until we notify Horizon in writing to the contrary

Seconded by Mrs. Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

Mayor O'Neil offered the following Resolution and moved its adoption:

**R-06-105
RESOLUTION APPOINTING TEMPORARY SUMMER EMPLOYEES**

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

WHEREAS, Timothy Hill made the following recommendations for appointments to the Governing Body;

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

2006	Summer	Seasonal	Rec. Dept.		
Program	Position	Name	Years Experience	Hourly Rate	
Summer	Supervisor	Kim Karaman	18+	\$15.00	
June 26 to	Supervisor	Mike Gannon	3+	\$12.00	
August 23, 2006	Programmer	Val Chaparro	6+	\$10.75	
	Sec./Monitor	Carol Fox	11+	\$12.50	
	Rec Aide	Amanda Basich	5+	\$8.50	
	Rec Aide	Amanda Campbell	2+	\$7.50	
	Rec Aide	Emilie Little	2+	\$7.50	
	Rec Aide	Amy Cullen	1	\$7.00	
	Rec Aide	Sajmantha Crailg	1	\$7.00	
	Rec Aide	Brian Olofson		\$6.50	
	Rec Aide	Samantha Mikhail		\$6.50	
	Rec Aide	Julie Dellapietro		\$6.50	
Lifeguards	Head LG	Kristie Pawlo	6+	\$14.00	
June 26 to	LG	Heather Stewart	3+	\$9.50	
Sept. 4, 2006	LG	Nick Penta	3+	\$9.50	
	LG	Susan Foster	2+	\$8.50	
	LG	Bernadette Conte	1	\$7.75	
	LG	Tiffany Creighton	1	\$7.75	*app.

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SFSP	Cook	(to be hired)	(up to \$10.00) up to 25 hr./wk
July 5 to	Food Prep	Pete Lutchko	\$7.00 25 hr./wk
August 18, 2006	Janitor	(to be hired)	\$6.50 33 tot hrs
	Director	Tim Hill	27+ \$13.75 50 tot hrs
	Record Keeper	Jen Rounds	7+ 50 tot hrs

These positions are listed within the Community Center Budget*, Beach Budget and the 2006 Summer Food Service Program Sponsor Management Plan Budget. (*Due to use of school facility for this years' program: changed 1 programmer position to sec/Monitor, and add 1 Rec Aide for =\$ amount)

Seconded by Mrs. Little and adopted on the following Roll Call Vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Mayor O'Neil offered the following resolution and moved its adoption:

**R-06-106
AGREEMENT BY THE GOVERNING BODIES OF ATLANTIC
HIGHLANDS AND HIGHLANDS REGARDING CERTAIN
REDUCTIONS TO THE HENRY HUDSON REGIONAL SCHOOL DISTRICT
BUDGET FOR 2006-2007**

WHEREAS, on April 18, 2006, the general fund tax levy for the Henry Hudson Regional School District in the amount of \$6,655,873.00 for the 2006-2007 school year, as prepared by the Board of Education of the Henry Hudson Regional School District, in the County of Monmouth (hereinafter referred to as the "Board of Education"), was submitted to the voters of the Boroughs of Atlantic Highlands and Highlands and was defeated;

WHEREAS, the proposed general fund tax levy allocation among the constituent municipalities was Atlantic Highlands being \$3,308,416.97 and Highlands being \$3,347,456.03;

WHEREAS, the Governing Body of the Borough of Atlantic Highlands determined, on or about May 10, 2006, that a reduction of the 2006-2007 budget of the Board of Education was not merited and that the budget was sufficient to provide a thorough and efficient system of education at the Henry Hudson Regional School;

WHEREAS, on May 10, 2006, the Governing Body of the Borough of Atlantic Highlands adopted a Resolution setting its share of the tax levy certified for the Board of Education as \$3,308,416.97;

WHEREAS, subsequent to the certification of the tax levy by the Governing Body of the Borough of Atlantic Highlands, the Governing Body of the Borough of Highlands did not certify its tax levy for the 2006-2007 school year by the May 19, 2006 deadline established by the State of New Jersey;

WHEREAS, subsequently the Governing Body of the Borough of Highlands at its meeting of June 7, 2006 recommended the 2006-2007 budget of the Board of Education be reduced by a total of \$50,000.00;

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WHEREAS, thereafter, and in an effort to reach an agreement by the Governing Bodies of both municipalities as to their differing recommendations, Eugenia E. Lawson, Monmouth County Superintendent of Schools (“County Superintendent”), held a meeting on June 12, 2006 among representatives of the Governing Bodies of the Boroughs of Atlantic Highlands and Highlands and representatives from the Board of Education at the Office of the Monmouth County Superintendent of Schools and during that meeting, the aforesaid representatives of the Governing Bodies of both boroughs agreed to recommend a total reduction for the 2006-2007

budget of the Board of Education in the amount of \$10,006.00, said total reduction resulting in a reduction in the tax levy on the Borough of Highlands of \$5,032.34 and a reduction in the tax

levy on the Borough of Atlantic Highlands of \$4,973.66, and said recommendation was made and agreed to by representatives of the Governing Bodies of both boroughs to harmonize the recommended amount of the budget and to protect vital programs for all students attending the Henry Hudson Regional School; and

WHEREAS, by way of letter dated June 14, 2006, the County Superintendent requested that both Governing Bodies adopt formal Resolutions supporting the reduction as recommended by the representatives of both Governing Bodies.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth and State of New Jersey that it concurs with and supports a total reduction of \$10,006.00 from the 2006-2007 budget of the Board of Education, which will result in a reduction of \$5,032.34 to the Highlands tax levy, and that said reduction will not adversely impact on the ability of the Board of Education to provide a thorough and efficient system of education for the students of the Henry Hudson Regional School;

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Highlands, County of Monmouth and State of New Jersey respectfully requests that the Commissioner of Education approve the 2006-2007 budget for the Board of Education with a total reduction of \$10,006.00 and that the Commissioner of Education make no further reductions to the budget of the Board of Education; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is authorized and directed to file a certified copy of this Resolution with the Board of Education and also directed to file two certified copies of this Resolution with the Office of the Monmouth County Superintendent of Schools and to take any other further action necessary and appropriate to render effective the terms and conditions of this Resolution.

Seconded by Mrs. Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O’Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Mayor O’Neil offered the following Payment of Bills and moved on its approval for payment:

**RECAP OF PAYMENT OF BILLS
06/21/06**

CURRENT:		\$ 60,505.03
Payroll	(06/15/06)	\$ 110,637.12

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Manual Checks	\$	25,545.30
Voided Checks	\$	
SEWER ACCOUNT:	\$	3,928.39
Payroll (06/15/06)	\$	5,167.82
Manual Checks	\$	145.51
Voided Checks	\$	
CAPITAL/GENERAL	\$	42,423.03
CAPITAL-MANUAL CHECKS	\$	
Voided Checks	\$	
TRUST FUND	\$	44,282.97
Payroll (06/15/06)	\$	912.00
Manual Checks	\$	
Voided Checks	\$	
UNEMPLOYMENT ACCT-MANUALS	\$	
DOG FUND	\$	
Voided Checks	\$	
GRANT FUND	\$	932.00
Payroll (06/15/06)	\$	1,485.02
Manual Checks	\$	
DEVELOPER'S TRUST	\$	26.50
Manual Checks	\$	
Voided Checks	\$	

**THE COMPLETE PAYMENT OF BILLS IS AVAILABLE IN
THE CLERK'S OFFICE FOR ANYONE THAT WISHES TO REVIEW THE LIST.**

Seconded by Mrs. Little and approved for payment on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Mayor O'Neil explained that he went to Freehold to meet with the County Superintendent of Schools regarding the Henry Hudson Budget.

Mr. Manco explained that that the County Superintendent did not show up for the meeting. He also explained that Highlands should come up with a compromise with Atlantic Highlands as to how we would strike the budget which he further explained.

Mrs. Little described the Henry Hudson Budget discussions that took place. She explained that they had to vote on the budget to either reduce it or to keep it the way it is before May 19th. This Borough Council chose not to do that because they wanted to cut the budget but were uncertain as to where they could do so without reducing the services

to the children in the classroom or in the sports or music areas. Now the County Superintendent is supposed to provide the service of reviewing that budget with the

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borough council and making recommendations back. The County Superintendent is not doing that, she is requiring the Councils to make that decision without assistance and if we do not make recommendations then we will not have any recommendation from the County Superintendent going up to the State Superintendent. The State Superintendent has indicating informally that if we do not make a joint recommendation with Atlantic Highlands and there is no recommendation from the County then the maximum cuts will be made.

Mr. Francy questioned the Governing Body about the process of making cuts to the school budget.

The Governing Body further discussed the budget cut process.

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OTHER RESOLUTIONS:

Mrs. Flannery read the title of Resolution R-06-104 for renewal of Liquor Licenses and stated that there were no objections from the Code Enforcement, Fire Official or Board of Health. Copies of complaint cards were submitted by the Police Department and there was a request from the owners of the Claddagh for the removal of a special condition.

Ara Jamgochian, 50 Ocean Blvd, Alt. Highlands, NJ, Owner of the Claddagh stated that on his liquor license there is a special condition that there be three bouncers on during certain days and he feels that they should have the same rules as other bars and they should be able to decide if they need bouncers. He stated that he would like to try to have a single guitar player and there may be no customers and they don't want to have to pay bouncers when they are not busy.

Dan Shields, Owner of the Windansea and Sugar Shack stated that they have bouncers by choice.

Mr. Caizza explained that the reason that the Special Reason was imposed on the Claddagh license is because there was a lot of trouble down there.

The Governing Body discussed the Special Reason with Mr. Jamgochian.

Chief Blewett stated that with regard to the license being owned by new management, Mr. Harten was managing the club until 2004 and Mr. Harten is part owner on the current license and he is not in favor of dropping the condition completely.

The Governing Body continued to discuss the request for the removal of the special reason.

Ara Jamgochian stated that he would like the choice of when bouncers are needed and how many bouncers are needed which he further explained.

Mr. Nolan asked Mr. Jamgochian if he would feel comfortable with having two bouncers when he has a band and stated that this could be reviewed again next year.

Mayor O'Neil stated that there will be two bouncers when ever there is more than two people in a band.

Mr. Jamgochian asked if he and his partner could serve as a bouncer.

The Governing Body explained that it can't be him and Mr. Harten serving as bouncers.

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Mr. Manco explained that if a bouncer is found to be drinking on the job, then a hearing would take place and it's possible that the license could be suspended.

Mayor O'Neil offered the following Resolution and moved on its adoption:

**R-06-104
RESOLUTION
RENEWING 2006-2007 LIQUOR LICENSES**

WHEREAS, Liquor License Renewal Applications were filed for the year 2006-2007 for the following Liquor Licenses; and

WHEREAS, no objections were filed against the renewals of licenses listed below:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following liquor licenses be renewed for the period of July 1, 2006 to June 30, 2007:

1317-31-027-001	American Legion Twilight Post 143 t/a American Legion Twilight Post 143	85-87 Bay Avenue
1317-31-028-001	Highlands Post 6902 VFW US t/a Highlands Post 6902 VFW	331 Bay Ave
1317-32-009-006	The Sugar Shack, LLC t/a The Sugar Shack	23 Bay Avenue
1317-32-018-004	Wundebar, Inc. t/a Driftwood Liquors	300 Bay Ave
1317-32-021-003	Andy's Shore Bar, Inc. t/a Andy's Shore Bar	150-52 Bay Ave
1317-33-001-003	Bahrs Restaurant, Inc. t/a Bahrs Landing Moby's	2 Bay Avenue
1317-33-003-006	Claddagh of Highlands, LLC t/a The Claddagh	297 Bay Ave
	Claddagh of Highlands, LLC – Required to provide two bouncers when there is a band playing with two or more band members.	
1317-33-004-011	Bay Avenue Restaurant Co, LLC t/a Carmine's	123 Bay Ave
1317-33-006-003	LB L.L.C t/a LB L.L.C.	Foot of Atlantic St

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that transfers between SFY 2006 Budget Appropriations be made as follows:

CURRENT FUND -----	FROM -----	TO -----
Administrator:		
Other Expenses	\$ 4,000	
Finance:		
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Other Expenses	2,000	
Tax Assessor:		
Other Expenses	3,000	
Borough Clerk:		
Other Expenses		\$ 2,000
Central Services:		
Other Expenses		3,000
Zoning Board:		
Other Expenses		1,000
Uniform Fire Safety:		
Other Expenses		1,000
Uniform Construction Code:		
Other Expenses		1,000
Code Enforcement:		
Other Expenses		1,000
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	\$ 9,000	\$ 9,000

Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:
AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O’Neil
NAYES: None
ABSENT: None
ABSTAIN: None

Mrs. Flannery read the title of Resolution R-06-108 for approval:

Jaelyn Flor, P.E. of T & M Associates explained that basically it’s going to be an application for Phase-II.

Mr. Caizza offered the following resolution and moved its adoption:

**R-06-108
 RESOLUTION TO APPLY FOR STATE AID FOR
 WASHINGTON AVENUE PHASE-II FROM RECREATION PLACE TO MARINE
 PLACE**

BE IT RESOLVED, that application is hereby made to the Commissioner of Transportation for an allotment of aid for the improvement of Washington Avenue – Phase II from Recreation Place to Marine Place in the Municipality of the Borough of Highlands, County of Monmouth, State of New Jersey for a distance of 0.07 miles or such portion thereof as may be approved by the Commissioner of Transportation. The total cost estimate for this improvement is \$148,223.00. The Sponsor requests \$148,223.00 in State funds and anticipates contributing project design costs; and

BE IT RESOLVED that any aid received as a result of this application will only be used for eligible costs for the project; and

BE IT FURTHER RESOLVED that if this application is approved and accepted by the New Jersey Department of Transportation (“the Department”), the Sponsor agrees that:

- a. It shall arrange for financing of the total cost of the project provided for in this Agreement.
- b. It recognizes and agrees that continuation of funding under this Agreement is expressly dependent upon the availability to the Department of funds appropriated by the

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State Legislature from State revenues or such other funding sources as may be applicable. The Department shall be held liable for any breach of this Agreement because of the absence of available appropriation.

c. In the event that the Department approves funds in an amount less than requested, the Sponsor, at its option, 1) may either rescind this Agreement or 2) continue with the project and assume the entire difference between the total cost of the project and the allotment of State funds or 3) re-evaluate the project limits or scope and submit a letter of justification to the Department for approval. In the event the Sponsor rescinds the Agreement, the allotted funds shall revert to the source of funding.

d. The Sponsor must notify the Department of its rescission of this Agreement within thirty (3) days of the expiration of the Agreement or subsequent extensions. Not meeting this requirement will result in future grants being provided on a reimbursement basis until such time as the municipality demonstrates satisfactory performance in awarding construction contracts. This does not apply to the County Aid Program.

e. Any purported transfer or assignment of the written obligations of the Sponsor contained herein without prior approval of the Department shall be void.

f. New Jersey Office of Management and Budget, Circular Letter 05-12, Grant Agreements – Agency Contracts and any supplemental compliance statements by the Department, must be complied with by the Sponsor.

g. The work to be performed by the Sponsor under this Agreement shall include but not be limited to the following:

1. Preparation of contract drawings and supplementary specifications.
2. The acquisition of all necessary right-of-way, easements, slope rights and permits.
3. Construction of the above referenced improvement.
4. Monitoring and supervising compliance with all provisions of this

Agreement.

h. It shall defend, indemnify, protect and save harmless the State and its officers, agents, servants, and employees from and against any and all suits, claims, demands or damages of whatsoever kind and nature arising out of, or claimed to arise out of, any act, error or omission of the Sponsor, its consultants, contractors, agents, servants and employees in the performance of the work of the project including, but not limited to, expenditures for and costs of investigations, hiring of expert witnesses, court cost, counsel fees, settlements, and judgments.

i. It shall engage a Professional Engineering, registered in the State of New Jersey, for design services on the project. In its agreement for professional services, the Sponsor shall require the provisions of professional liability insurance or errors and omissions insurance sufficient to protect against liabilities arising out of the professional obligations performed pursuant to the agreements.

j. In its agreements for professional and non-professional services, the Sponsor shall require the provisions of public liability insurance and every such policy shall include the Sponsor and State as additional names insureds.

k. All design work shall conform to the applicable American Association of State Highway and Transportation Officials (AASHTO) design criteria and the Department’s Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines. The design of traffic barriers and drainage systems shall conform to the Department’s Roadway Design Manual. No deviation shall be allowed without the knowledge of the

Department. If there is deviation from those standards, the Sponsor shall accept any and all responsibility for any injury or damage by such deviation to any Person or property and shall indemnify the State as outlined in this Agreement. All design shall also conform to the current "Manual on Uniform Traffic Control Devices" published by Federal Highway Administration. Design Exception reports will be prepared for all controlling substandard design elements in accordance with the Department's Design Exception Manual. Design Exception reports shall be certified by a New Jersey licensed professional engineer.

l. It shall provide maps, reports, detailed plans, supplementary specification and contract documents required by the Department.

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m. All workmanship and materials shall conform to current "New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction" as amended for State Aid.

n. It is the responsible authority, without recourse to the State, regarding the settlement and satisfaction of all contractual and administrative issues arising out of the procurement entered in support of this funding.

o. Prior to advertising for bids, the Sponsor shall notify the Department if it intends to substantially change the scope of the project proposed in the resolution, Application, and Agreement. No substantial change shall be included in the project unless it has been approved by the Department.

p. Any changes in work after the award of contract shall be documented with a Department approved change order.

q. Fifteen (15) calendar days prior to advertisement, the Sponsor shall submit the following to the Division of Local Aid and Economic Development:

1. One (1) copy of the contract plans, specifications, engineer's estimate, and engineer's design certification.
2. Other documents as required.

r. It shall advertise and award the contract in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40 A:11-1 et. seq.

s. It shall comply with all applicable Federal, State and Local laws, rules, ordinances and regulations.

t. Within thirty (30) calendar days of construction bids, unless the Department grants an extension of this time, the Sponsor shall submit the following to the Division of Local Aid and Economic Development:

1. Two (2) copies of the summary of construction bids.
2. A resolution awarding the contract to the lowest responsible bidder submitting a responsive bid, subject to the approval of the Department.

u. For municipal grants, the municipality shall award a construction contract for the grant project within eighteen (18) months of approval of this Resolution, Application, and Agreement by the Department. The Department in its sole discretion may provide one six (6) month extension after receiving an adopted resolution and justification from the Sponsor at least thirty (30) days prior to the expiration of the grant agreement. The Department in its sole discretion may provide a second six (6) month extension under extraordinary circumstances as defined by N.J.A.C. 16:20B1.3 after receiving an adopted resolution and justification from the Sponsor at least thirty (30) days prior to the expiration of the first six month extension. The Department may cancel the grant agreement if requested at least thirty (30) days prior to the expiration of the grant agreement of subsequent extensions; or if an extension of time is not granted.

v. Cancellation of the grant agreement because a construction contract was not awarded within the time requirements or because an extension of time was not properly requested thirty (30) days prior to grant agreement expiration or subsequent extensions will result in future grant funds being provided on a reimbursement basis until such time as the Sponsor demonstrated it can award a construction contract within the specified timeframes.

w. Sponsors may voluntarily cancel the grant agreement with written notice thirty (30) days prior to the expiration of the grant agreement or subsequent extensions.

Voluntarily canceling the grant agreement with proper notification will result in no penalties or future grants.

- x. Upon prior approval of the Department, it may elect to undertake the work through the use of its own forces when it is deemed applicable and appropriate.
- y. Neither design costs, the costs for acquisition of all necessary right-of-way, easements, slope rights, and permits nor utility costs shall be considered costs of the project for purposes of computation of the allotment of State Aid funds under this Agreement except in special cases approved by the Department.
- z. State participation in the cost of the project shall not exceed the lesser of either 100 percent of the cost of the completed construction work including eligible construction supervision, inspection and material testing, or the original allotment. State

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participation in inspection and material testing costs combined shall be limited to 15 percent of the eligible construction work cost. The State shall not participate in costs that the Department determines to be beyond the scope of the purposes of the allotment, excessive or otherwise unallowable. The Sponsor shall be afforded an opportunity to challenge this determination at an informal hearing.

aa. At the discretion of the Commissioner of Transportation, payment of the allotted funds may be made to the project Sponsor in the form of a grant. Grant payments shall be made as follows:

1. For programs administered by the Division of Local Aid and Economic Development, a specified percentage, of the lesser of the eligible award amount or allotment amount shall be paid at the time of concurrence in the award of contract by the Department or the full amount of the allotment shall be paid upon approval of this Agreement as determined by the Commissioner. The remaining percentage or balance of funds shall be paid upon submission of a final voucher with supporting information as required by the Department. The final voucher must be submitted to the Department within six (6) months of project acceptance. The Department reserves the right to inspect the work associated with the grant as per N.J.A.C. 16:20B-3.2.
2. For County Aid and the Local Bridge Bond Act, the full amount of the annual allotment amount shall be paid upon approval of the Annual Transportation Plan (ATP) and the execution of this Agreement unless the County has demonstrated unsatisfactory performance, whereby funds will be provided similar to municipal grants.
3. If the Sponsor requests, progress payments shall be on a reimbursement basis. It shall request reimbursement from the Department by submitting vouchers supplied by the Department with supporting information as required by the Department. Progress payments of not less than \$50,000 may be made.

bb. The Sponsor hereby certifies that all allotted funds shall only be spent on eligible costs for the approved project(s) as described in this Agreement.

cc. In the event allotted funds remain after completion of the work, the remaining funds shall revert to the source of the funding and shall be re-allotted by the Department in manner determined solely by the Commissioner of Transportation.

dd. In the event that the Department determines that it has reimbursed the Sponsor in an amount in excess of the funds actually due under this Agreement, the Sponsor shall, upon notice from the Department, make timely repayments to the State. Upon failure of the Sponsor to timely repay such funds, the State is hereby authorized by this Agreement to deduct those funds from any monies due the Sponsor under the terms of any agreement between the State, its Departments and Agencies and the Sponsor or to gain reimbursement through any other remedies available at law or equity.

ee. It shall provide cost certification and maintain financial records relating to all costs for the project in accordance with N.J.A.C. 16:A or 16:20B, as applicable, and comply with State of New Jersey audit requirements specified therein.

ff. It shall maintain complete documentation of the project for a period of three (3) years after receiving final reimbursement or payment by the State.

gg. It shall maintain the completed project in a manner satisfactory to the Department.

- hh. It will comply with Title VI of the 1964 Civil Rights Act.
- ii. Failure to comply with all provisions contained in this Resolution, Application and Agreement may result in the suspension and/or termination of funding.
- jj. Approval as to Form by Certification Process.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute and attest this Resolution, Application and Agreement.

Resolution seconded by Mr. Urbanski and adopted on the following roll call vote:

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ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

ORDINANCES: Second Reading, Public Hearing and Adoption

Ordinance O-06-08

Mrs. Flannery read the title of Ordinance O-06-08 for the second reading and opening of the public hearing.

Mayor O'Neil opened the public hearing on Ordinance O-06-08.

Mr. Nolan explained that we need parking in town and this is for parking behind the Sugar Shack and Sasha's.

Donald Manrodt of 268 Bayside Drive asked if this would be for 24-hour parking.

Mr. Caizza explained that there are restrictions during storms and that this is for parking on one side only.

Chris Francy of 36 Fifth Street – how did you resolve your obligation with the bike path with this resolution.

Mayor O'Neil – we left one side open and other than that the bike path is not open yet. Once the bike path comes in then we will have to review it again.

The Governing Body discussed the ordinance and the bike path.

Pauline Peterson of 42 Ocean Avenue, Highlands – questioned if this parking ordinance affected Bay Avenue and asked about signs in front of certain businesses that there is a maximum of 30-minute parking.

The Governing Body explained that this ordinance does not affect Bay Ave and there are some limits in certain areas for a maximum time for parking. They then explained that this ordinance is for the southern (hillside) portion of Shore Drive.

Mrs. Flannery advised the Governing Body that this ordinance allows for parking on the northern side of Shore Drive and prohibits parking on the southern side and if they want to change the parking to be permitted on the southern side that it would require a reintroduction of the ordinance.

The Governing Body discussed adopting the ordinance tonight and that they amend it at a later date.

Mrs. Little offered the following Ordinance pass third and final reading and adoption and authorized its publication according to law:

O-06-08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII OF THE REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED "TRAFFIC", AMENDING AND SUPPLEMENTING SECTION 7-3.4 AND SCHEDULE I THEREOF ENTITLED, "NO PARKING" TO INCLUDE A 100 FOOT PORTION OF SHORE DRIVE.

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WHEREAS, there has been a request to revise the "No Parking" restrictions on Shore Drive Extension between South Street and Bay Avenue, which has been reviewed by the Police Department, the Borough Engineer, by Commerce Risk Control, so as to permit parking on the North side of said right-of-way, while continuing to prohibit parking on the South side of said roadway; and

WHEREAS, the recommendation requires compliance with Part 9 of the Manual on Uniform Traffic Control Devices., "Traffic Controls for Bicycling Facilities" ;

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands that Chapter VII of the Revised General Code of the Borough of Highlands, entitled "Traffic" and more particularly Section 7-3.1 and Schedule I thereof entitled "No Parking", be and hereby is amended and supplemented with respect to Shore Drive Extension in the following part **only**:

SCHEDULE I

NO PARKING

Delete from existing text:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Shore Drive Extension	Both sides	From South Street to Bay Avenue

Replace with:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Shore Drive Extension	South Side only	From South Street to Bay Avenue

BE IT FURTHER ORDAINED THAT all other provisions of the aforesaid ordinances which are not expressly amended herein shall remain in full force and effect, except to the extent modified hereby.

BE IT FURTHER ORDAINED THAT this ordinance shall not take effect until:

1. Approval by NJDOT, if required by law.
2. Posting of proper signs as required by *NJSA 39:1-1 et seq.*

3. Publication upon adoption.

Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

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ORDINANCE: Introduce & Set Public Hearing Date

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Ordinance O-06-09

Mr. Manco read the title of the following Ordinance for introduction and setting of a public hearing date:

Mr. Nolan offered the following ordinance pass introduction, that a public hearing date be set for Wednesday, July 19, 2006 at 8:00 PM and authorized its publication according to law:

O-06-09

**AN ORDINANCE AMENDING ORDINANCE O-06-08 ENTITLED AN
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII OF THE
REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED
"TRAFFIC", AMENDING AND SUPPLEMENTING SECTION 7-3.4 AND
SCHEDULE I THEREOF ENTITLED, "NO PARKING" TO INCLUDE A 100
FOOT PORTION OF SHORE DRIVE.**

WHEREAS, there has been a request to revise the "No Parking" restrictions on Shore Drive Extension between South Street and Bay Avenue, which has been reviewed by the Borough Engineer and by Commerce Risk Control, so as to permit parking on the South side of said right-of-way, while continuing to prohibit parking on the North side of said roadway; and

WHEREAS, the recommendation requires compliance with Part 9 of the Manual on Uniform Traffic Control Devices., "Traffic Controls for Bicycling Facilities" ;

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands that Chapter VII of the Revised General Code of the Borough of Highlands, entitled "Traffic" and more particularly Section 7-3.1 and Schedule I thereof entitled "No Parking", be and hereby is amended and supplemented with respect to Shore Drive Extension in the following part **only**:

SCHEDULE I

NO PARKING

Delete from existing text:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Shore Drive Extension <i>Replace with:</i>	Both sides	From South Street to Bay Avenue

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Shore Drive Extension	North Side only	From South Street to Bay Avenue

BE IT FURTHER ORDAINED THAT all other provisions of the aforesaid ordinances which are not expressly amended herein shall remain in full force and effect, except to the extent modified hereby.

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BE IT FURTHER ORDAINED THAT this ordinance shall not take effect until:

1. Approval by NJDOT, if required by law.
2. Posting of proper signs as required by *NJSA 39:1-1 et seq.*
3. Publication upon adoption.

BE IT FURTHER ORDAINED THAT this ordinance repeals ordinance O-06-08.

Seconded by Mrs. Little and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

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OTHER BUSINESS:

Engineers Report

Jaclyn Flor, P.E. of T & M Associates stated the following:

1. Community Center Improvements – the contract has been awarded to A.B.Design Contracting Corp and the contractor is currently packaging shop drawings for submittal and review and plans to mobilize on the site the week of July 10, 2006.
2. Fire House - The remaining exterior brickwork is to be completed by the end of June. The annex roof and the retaining wall will begin within the next few weeks.
3. NJDOT Route 36 Bridge – A meeting was held on June 15th to discuss Green Acres and Right of Entry issues. The project is currently scheduled to be awarded in March of 2007. The cost of the entire project is estimated at \$106 million with a construction schedule of about two years.
4. NJDEP Stormwater Management Regulations – there is no change there, a draft outfall report has been submitted for Borough review and we are awaiting comments from the Governing Body. Once the comments are received then we will finalize the report.
5. Valley Street Pump Station Rehabilitation Project – the 20-day public hearing

process is underway. The apparent low bidder is EDC Electric Contractors and we have submitted a proposal to the Governing Body for consideration for contract administration and inspection services.

6. 2006 Road Program – we have submitted a design proposal to the Governing Body for consideration. The three roadways and limits previously outlined by Mayor and Council have been combined into one project.
7. North Street – Box Culvert Replacement – The project has been completed and the contractor has posted his maintenance bond.
8. Basin Eight Sanitary Sewer Rehabilitation Project – They have submitted a design proposal for consideration by the Governing Body. Once authorized, they are prepared to begin the design work immediately.
9. NJDOT Application – that was done earlier this evening.

Mrs. Flannery stated that we have been awarded a grant for the Community Center Playground Project but it has not been received yet.

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Mr. Pfeffer explained that on the grant that we are getting from the County, more than likely we couldn't charge this all to the grant, that's probably a construction grant. So we need to come up with another source for this \$11,750.00 Engineer Proposal in order to get this project done. His recommendation would be that he try to find the \$11,750.00 to do a Professional Service Resolution at the special meeting that will be held at the end of the month.

Mrs. Little stated that she had a conversation with a Council Person of Sea Bright and they did approve the pedestrian overpass in Sea Bright, so the pedestrian over pass will be included from the bridge over to Sea Bright and that it will be included as part of the bridge project.

CDBG Firehouse, Additional \$78,500.00

Mrs. Flannery stated that an additional \$78,500 was received from CDBG on that project.

Mr. Pfeffer stated that he was not sure of the Councils intentions. He was notified by the County last week to bring a voucher to them so that they could pay us right away. He does not know if it's the Councils intension to use the \$78,500 to reduce the amount of debt authorized for this project or to use increase the scope of the project.

The Governing Body advised the CFO that this money was to be used to reduce the amount of debt for this project.

Beach Sifting Proposal

Mrs. Little stated that the beaches in town are safe however she does believe that after a demonstration of the effect of sifting upon the beaches at Miller and Snug Harbor the quality of the beach is greatly enhanced. The proposal from Andrew Fitzpatrick is for about eleven weeks of sifting at about \$400.00 per week at the Miller Beach and about \$250 a week at the Snug Harbor beach. The total price is under \$8,000 and she recommends this to enhance the quality of the beaches in Highlands.

Mr. Nolan spoke favorably of this beach sifting proposal.

The Governing Body discussed the beach sifting proposal.

Roberta McEntee of Fifth Street stated that the idea of beaches being cleaned is wonderful but unless we enforce things then it's a waist of money because of people not picking up after their dogs.

Mr. Urbanski agreed with Ms. McEntee.

Pauline Peterson of Ocean Avenue expressed her frustration with people walking their dogs and not picking up after them.

Carol Bucco of 330 Shore Drive also expressed her frustration with people walking their dogs and not picking up after them.

Donna Conrad of Washington Ave said that it would be nice if the beaches were cleaned.

Pauline Peterson questioned why the Police can't enforce the ordinance to pick up after your dog. She also suggested that the borough have a port-a-potty on the beach.

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Mayor O'Neil said the problem is where would you put it but he agrees that there should be some facilities.

Mrs. Little said that she could pull out some old specs on bathroom facilities for the Council to review.

Carla Cefalo-Braswell questioned the proposal of the beach sifting.

Mayor O'Neil wanted to know how many hours a day this person would sift the beaches.

Carla Cefalo stated that this proposal is more than last year's proposal and suggested that they renegotiate the price.

Mr. Nolan stated that he would obtain more information from Mr. Fitzpatrick on the beach sifting proposal.

Chris Francy of Fifth Street – we should specify that he clean the beaches on Thursday and Friday before the weekends and set an hourly rate and a number of hours.

The Governing Body agreed with Mr. Francy's comments.

Review of the Tree Removal Ordinance

Mr. Urbanski stated that the current ordinance has the fee at \$3.00 per tree and the fine is only \$5.00.

Mayor O'Neil stated that he feels that the fee should be based on the caliper of the tree and if your cutting down a bigger tree than you should have to replace it, either on your facility or contribute to a fund.

Mr. Caizza – then we should raise the fee and the fines.

Mr. Emery, Shade Tree Commissioner stated that he has been inspecting trees for about twenty years. He explained the history of the creation of the existing tree removal ordinance. He believes that the fees should be increased and he explained that his biggest problem is receiving calls about people who want their neighbors trees cut down. The first penalty for cutting down a tree without a permit is \$10.00, the second is \$25.00 and the third is a summons and they go to court. He stated that he agrees that the fees should be increased.

The Governing Body discussed the tree ordinance and agreed that the fee needs to be increased and they also believe that just fining a person is not enough, they should have to replace the tree somewhere in town.

Mrs. Little stated that under Section 22-13 it has the replacement of trees under the penalty section. So I think that what we are talking about know is raising that \$3.00 application fee.

The Governing Body discussed a \$25.00 permit fee for tree removal.

Mr. Urbanski expressed his concerns with the boards approving developing and not being aware of replacing trees.

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Jerry Feliciano stated that he would like to see the fees go up to \$20.00 and \$10.00 for a deceased tree and he would like to see a fine of \$500.00 for the removal of trees without a permit to both the homeowner and contractor per tree.

Mayor O’Neil – it should be \$25.00 per visit not per tree.

Mr. Manco stated that as far as the penalties are concerned he will check the State Statute to see what they have been raised to there and check the general provisions of the Statute and then we can look at that.

Donald Manrodt of 268 Bayside Drive – we should also look into tree trimming because on Bayside Drive they trim the trees and cut them to low and then they kill the tree and they also just drop the branches over the side of the hill and they should be required to take the branches away.

Pauline Peterson reminded the Governing Body about the experience that we had when people cut trees for a view and caused a mud slide.

Joseph Dorin of 102 Valley Avenue – it’s a very tough situation because the trees are down before anyone can get there and a lot of people don’t know that there is tree ordinance. He suggested that a newsletter go out to people to inform them.

Jerry Feliciano suggested that after a major storm that fees be waived.

Mrs. Little stated that there a provision already in place for emergencies.

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APPROVAL OF MINUTES:

Mrs. Flannery stated that Mr. Urbanski was absent at the April 5th meeting.

Mayor O'Neil offered a motion to approve the April 5, 2006 and the April 19, 2006 minutes, seconded by Mr. Caizza and all eligible members were in favor.

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PUBLIC PORTION:

Pauline Peterson of Ocean Ave explained that there is a neighboring gutter that is draining onto her property for the past year and a half and nothing seems to be done about it. She showed photographs of the situation and requested that something be done about.

Paul Murphy, Code Enforcement Officer explained that he is working on this situation and that the tenants of the neighboring property are gone and that he will not issue another Certificate of Occupancy for that site until this situation is fixed.

Pauline Peterson continued to express her concerns with the drainage situation.

Mayor O'Neil assured Mrs. Peterson that Mr. Murphy will take care of this.

Albert Emery of 284 Bayside Drive expressed his concern with the heavy traffic of loaded trucks going up Bayside Drive and stated that its starting to cause distress cracks on the Highlands portion.

The Governing Body discussed this matter and Mr. Nolan stated that he will speak with the Police Department about enforcing the traffic on Bayside Drive.

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Donna Conrad of Washington Avenue asked if the Governing Body received and reviewed her letter about the age requirements of the Community Center.

Mrs. Little stated that she will discuss this with Mr. Hill and that she will get back to her.

Donald Manrodt stated that the Recreation Program can use the VFW in September if they need to. On Bayside Drive, the people from Atlantic Highlands fly by in the cars on Bayside Drive.

Mrs. Little said the County is going to take action on what is going on in the Atlantic Highlands side which she further expressed.

The Governing Body discussed the Bayside Drive Road problems and the fact that trucks are driving on it.

Maureen Kraemer of 200 Portland Road stated that she is here for information on the Portland Road issue.

Mrs. Little stated that she spoke to the County Engineer about this situation and he is going to prepare a report on this matter. She also explained that the ownership of that portion of Portland Road was determined by a title search that was ordered by the Borough Attorney.

Mr. Manco stated that the search determined that the County owned the portion of Portland Road.

Mrs. Emery of Bayside Drive requested that a Stop sign or a Dead End sign be installed for Bayside Drive.

Sheila _____ of 151 Highland Avenue spoke about the traffic situation on Grand Tour also known as S. Peak Street. She stated that there are no sidewalks on Grand Tour and there is two- way traffic and parking on both sides and expressed her safety concerns. She suggested prohibiting parking on one side of Grand Tour from Highlands Avenue up to the school and to study this traffic situation. The second item that she spoke about is the abundance of commercial vehicles parked along the residential streets of the borough and believes that they should not be allowed to park on the streets and suggested that an amendment be made to the current 5,000 pound weight limit.

Mayor O'Neil explained that it is very tough to regulate the commercial trucks.

Mayor O'Neil stated that they will review this request for one side parking on Grand Tour.

Roberta McEntee of Fifth Street complained about the visibility of being able to read the documents in the bulletin boards.

Mayor O'Neil – okay, maybe we can put in an in and out box out there.

Mayor O'Neil offered a motion to adjourn the meeting, seconded by Mr. Nolan and all were in favor.

The Meeting adjourned at 10:36 P.M.

CAROLYN CUMMINS, DEPUTY CLERK