

**Borough of Highlands
Mayor and Council
Regular Meeting
December 5, 2007**

Mr. Nolan called the meeting to order at 7:24 P.M.

Mrs. Flannery made 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 Courier, The Asbury Park Press and The Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Nolan, Mr. Caizza, Mr. Urbanski

Absent: Miss Thomas, Mayor O'Neil

Also Present: Nina Light Flannery, Borough Clerk
Dominick Manco, Esq., Borough Attorney
Bruce Hilling, Borough Administrator

Executive Session Resolution

Mrs. Flannery read the following Resolution for approval:

Mr. Caizza 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. Litigation: Update of Shadow Lawn; Goldman Property; Windansea; Portland Road Drainage; Franklin Settlement**
- 2. Comcast Agreement**

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:

- 9. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.*
10. Falls within the attorney-client privilege and confidentiality is required.

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

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mr. Nolan called the Regular Meeting back to order at 8:07 P.M.

Mr. Nolan asked all to stand for the Pledge of Allegiance.

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ROLL CALL:

Present: Mr. Nolan, Mr. Caizza, Mr. Urbanski

Absent: Miss Thomas, Mayor O'Neil

Also Present: Nina Light Flannery, Borough Clerk
Bruce Hilling, Borough Administrator
Dominick Manco, Esq., Borough Attorney

Consent Agenda Resolutions

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

Mr. Nolan offered the following Resolution and moved its adoption:

**R-07-198
RESOLUTION APPOINTING COURT OFFICER
(FULL-TIME PROVISIONAL)**

WHEREAS, Elizabeth Searcy, Court Administrator has advised the Governing Body of her intention to retire on December 31, 2007; and

WHEREAS, advertisement was made for a new Court Administrator and interviews conducted by the Borough Administrator, Ms. Searcy and members of the Monmouth County Court System and presented to the Governing Body for their review; and

WHEREAS, Bruce Hilling, Borough Administrator has recommended the appointment of Blanche Reed, CMCA, 24 Gulf Road, East Brunswick, NJ 08816 as Court Administrator (full-time); and

WHEREAS, the Governing Body of the Borough of Highlands agrees with that recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that Blanche Reed, be and hereby is appointed Court Administrator effective December 10, 2007; and

BE IT FURTHER RESOLVED that compensation for said position be set at \$47,000.00 per year.

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

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

Mr. Nolan offered the following Resolution and moved its adoption:

**R-07-199
RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR:
SALT AND SAND STORAGE FACILITY**

WHEREAS, bids were received on November 15, 2007; and

WHEREAS, one (1) bid was picked up by a vendor, and one (1) Responsive Bid was received as follows:

VENDOR

AMOUNT

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**1. COVER-ALL BUILDINGS OF NEW JERSEY \$ 44,100.00
549 WOODLAND AVENUE
BRIELLE, N.J. 08730**

Bids were advertised as per N.J. State Statutes and affidavit of publication is on file in the Office of the Borough Clerk.

COVER-ALL BUILDINGS OF NEW JERSEY, 549 WOODLAND AVENUE,

BRIELLE, N.J. 08730. shall Furnish and Deliver the following as per Bid Proposal & Specifications & Covenants thereof dated November 15, 2007. said bidder being the Lowest Responsible Bidder.

DESCRIPTION

VENDOR

**SALT AND SAND STORAGE
FACILITY FOR THE
DEPARTMENT OF
PUBLIC WORKS**

**COVER-ALL BUILDINGS OF NEW JERSEY
549 WOODLAND AVENUE
BRIELLE, N.J. 08730**

WHEREAS, bids have been reviewed by the Purchasing Agent and it is his recommendation that the contract be awarded to **COVER-ALL**

BUILDINGS OF NEW JERSEY, 549 WOODLAND AVENUE, BRIELLE, N.J.

08730. in the amount of: \$ 44,100.00

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands, County of Monmouth, State of New Jersey as follows:

1. It hereby awards the contract for "Salt and Sand Storage Facility to Cover-All Buildings of New Jersey, 549 Woodland Avenue, Brielle, N.J. 08730 at a cost of: \$ 44,100.00

BE IT FURTHER RESOLVED, this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5 et seq.

WHEREAS, the Chief Financial Officer of the Borough of Highlands has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. M.C.I.A. A copy of the said certification is attached hereto and made a part hereof and the funds to be expended herein are assigned to no. M.C.IA. A copy of the within resolution and certification shall be certified by the Borough Clerk. The Borough Attorney is satisfied that the certification of availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

2007 M.C.I.A. - \$ 44,100.00

2. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:

- A) Purchasing Agent
- B) Chief Financial Officer
- C) Administrator
- D) All of the above bidders

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

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ROLL CALL:

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

Other Resolutions

Mrs. Flannery read the following Resolution for approval:

Mr. Nolan offered the following Resolution and moved its adoption:

**R-07-200
RESOLUTION AUTHORIZING SETTLEMENT
AGREEMENT WITH MICHAEL FRANKLIN**

WHEREAS, a dispute has arisen between the Borough of Highlands ("Borough") and a former volunteer with the Highlands First Aid Squad, Michael Franklin ("Franklin") concerning his removal from the First Aid Squad; and

WHEREAS, there is presently pending a lawsuit filed in the Superior Court of New Jersey, Monmouth County, Docket Number L-3298-07; and

WHEREAS, representatives of the Borough and Franklin have been engaged in discussions in a good faith attempt to resolve this litigation; and

WHEREAS, those negotiations have resulted in a proposed Settlement Agreement that resolves all issues between the parties; and

WHEREAS, the Borough Administrator and the Borough's Attorney are satisfied with the terms contained in the aforementioned Settlement Agreement; and

WHEREAS, the Mayor and Borough Council of the Borough of Highlands believe that adoption of this Agreement is in the best interest of the Borough; now therefore

IT IS HEREBY RESOLVED this 5th day of December, 2007 that the Borough approves the settlement of the litigation matter pursuant to the terms of the executed Release; and it is

FUTHER RESOLVED, that a payment in the amount of \$15,000 is authorized as the final settlement payment in this matter.

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

ROLL CALL:

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

Mrs. Flannery stated that the next item on the agenda is the approval of the Payment of Bills and Supplemental Payment of Bills of which copies can be obtained in the Borough Clerks Office for anyone wishing to review them.

Mr. Nolan offered the following Payment of Bills and moved on its approval for payment:

**RECAP OF PAYMENT OF BILLS
12/05/07**

CURRENT: \$ 55,396.71

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Payroll	(11/30/07)	\$	297,629.65
Manual Checks		\$	127,971.00
Voided Checks		\$	2,188.48
SEWER ACCOUNT:		\$	12,292.83
Payroll	(11/30/07)	\$	12,378.57
Manual Checks		\$	3,948.20
Voided Checks		\$	
CAPITAL/GENERAL		\$	2,238.41
CAPITAL-MANUAL CHECKS		\$	
WATER CAPITAL ACCOUNT		\$	15,885.75
TRUST FUND		\$	11,529.35
Payroll	(11/30/07)	\$	3,460.00
Manual Checks		\$	1,424.77
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	89.40
GRANT FUND		\$	18.80
Payroll	(11/30/07)	\$	391.76
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

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

**BOROUGH OF HIGHLANDS
Supplemental Bill List for December 5, 2007**

Reynolds Inliner Inc.	Pipe Lining – Basin 8	\$	80,550.00
National Water Main Cleaning Co:	Basin 8 Sanitary Sewers		
Invoice #1			18,732.81
Invoice #2			26,510.56
			\$ 125,793.37
Total Supplemental Bill List			<u>\$ 125,793.37</u>

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

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

Ordinances: 2nd Reading, Public Hearing and Adoption

Ordinance O-07-25

Mrs. Flannery read the title of Ordinance O-07-25 for the second reading and public hearing.

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Mr. Nolan opened up the public hearing on Ordinance O-07-25.

Chris Francy of 36 Fifth Street – where is this right of way vacation located?

Mr. Nolan advised him to review the attached map.

There were no further public questions therefore Mr. Nolan closed the public hearing on Ordinance O-07-25.

Mrs. Flannery read the title of Ordinance O-07-25 for the third and final reading and adoption and stated that this ordinance was published in its entirety in the October 11, 2007 edition of the Courier.

Mr. Caizza offered the following ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**O-07-25
AN ORDINANCE VACATING PORTION OF OSBORNE STREET, LOCATED
ADJACENT TO LOTS 1 & 2 IN BLOCK 29, IN THE BOROUGH OF HIGHLANDS, IN
THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, request has been made to vacate a portion of Osborne Street in the Borough of Highlands by the adjoining property owners; and

WHEREAS, upon review and consideration of this request by the Governing Body and Borough Professionals, it has been determined that said Right of Way is not needed for public purposes.

BE IT ORDAINED by the Borough Council of the Borough of Highlands, in the County of Monmouth and State of New Jersey as follows:

1. That portion of Osborne Street adjacent to Lots 1 & 2 in Block 29, and more particularly described on the attached Schedule A & B is not needed for public purposes and, accordingly, all public right, title and interest therein is hereby released, vacated and extinguished. The Tax Map of the Borough of Highlands shall be amended to in accordance with said legal descriptions. The Borough does not warrant title to the any portion of Lot 1 or 2 in Block 29 located within the right of way of Osborne Street which is vacated hereby.

2. This street vacation is further subject to any other covenants, restrictions and easements of record, in any, except those that have expired by their own limitations.

3. That, independent of, and in addition to any requirements which may be imposed by *N.J.S.A. 40:67-1 et. seq.*, or any other relevant statute or regulation, the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company, as defined in *R.S. 48:2-13*, or by any cable television company, as defined in *N.J.S.A. 48:5A-1, et seq.*, to maintain, repair and replace any existing facilities in, adjacent to, over or under the said vacated area.

4. That, after passage, a copy of this Ordinance published in accordance with law and shall be recorded in the Office of the Monmouth County Clerk in the Book of "Vacations" in accordance with *N.J.S.A. 40:67-21*.

5. That the owner(s) of the subject premises shall reimburse the Borough of Highlands for any cost incurred in the introduction and adoption of said ordinance, including but not limited to document preparation fees, and publication and recording costs associated.

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6. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

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.

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

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

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**INSERT ATTACHEMENTS TO
ORDINANCE O-07-25
HERE**

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Ordinance O-07-27

Mrs. Flannery read the title of Ordinance O-07-27 for the second reading and public hearing.

Mr. Nolan opened the public hearing up for Ordinance O-07-27.

Lori Dibble of 32 Paradise Park questioned if members of the Fire Department were covered by the Borough's Health Insurance.

Mr. Caizza explained that the members of the Fire Department are not covered by Borough's Medical Insurance but that they are eligible for LOSAP which he further explained.

Lori Dibble continued to question Mr. Caizza about the LOSAP program in which he responded to each question.

Chris Francy of 36 Fifth Street – questioned the pension system that the Fire Department receives under the LOSAP Program.

Mr. Caizza further explained the LOSAP Program.

There were no further questions from the public; therefore the public hearing for Ordinance O-07-27 was closed.

Mrs. Flannery read the title of Ordinance O-07-27 for the third and final reading and adoption and stated that it was published in its entirety in the October 11th edition of the Courier.

Mr. Caizza the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

O-07-27

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS , ENTITLED "FIRE DEPARTMENT", AND MORE PARTICULARLY SECTION 2-11.2, TO PERMIT AN INCREASE OF 10 IN MEMBERSHIP OF THE FIRE DEPARTMENT, AND ANY VOLUNTEER FIRE COMPANY WHICH IS A PART THEREOF.

BE IT ORDAINED, by the Borough Council of the Borough of Highlands that Chapter II of the Revised General Ordinances of the Borough of Highlands be amended and supplemented to read as follows:

New Text denoted by Underline, deletions by ~~Strikeover~~.

2-11.2 Organization: Powers and Duties.

The volunteer **fire** companies shall be organized and regulated in accordance with their bylaws. Notwithstanding anything contained in said by-laws to the contrary, membership of any duly formed volunteer fire company operating within the Borough of Highlands may consist of up to sixty (60) members. The fire department shall have exclusive control over all fires within the borough and shall have access to the borough water supply system serving the borough through its fire hydrants for the purpose of extinguishing fires.

The above ordinance shall take effect upon adoption and publication in accordance with law. All ordinances inconsistent herewith shall be repealed to the extent of any such inconsistency.

Should the aforesaid ordinance be determined to be void or unenforceable by a court of competent jurisdiction, in whole or part, the remainder shall remain in full force an effect.

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

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ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

Ordinance O-07-28

Mrs. Flannery read the title of Ordinance O-07-28 for the second reading and public hearing.

Mr. Nolan opened the public hearing up for Ordinance O-07-28.

Mr. Manco stated the Borough has received the Borough Engineers Recommendations on this ordinance. The ordinance contains a provision that is saying that it is subject to all conditions imposed by the Borough of Highlands in connection with any building permits or development approval for any structure improvements for the adjacent properties, so the engineer is recommending that the adoption of this ordinance be expressly contingent upon the Planning Board approving their application, so if this is approved it should be subject to this condition.

There were no questions from the public; therefore Mr. Nolan closed the public portion.

Mrs. Flannery read the title of Ordinance O-07-28 for the third and final reading and adoption and stated that it was published in its entirety in the October 11th edition of the Courier.

Mr. Nolan offered the following ordinance pass third and final reading with the discussed changes and moved on its adoption and authorized its publication according to law:

O-07-28

**ORDINANCE VACATING A PORTION OF A TWELVE FOOT WIDE UNNAMED
RIGHT OF WAY LOCATED BETWEEN BLOCKS 2 & 3 IN THE BOROUGH OF
HIGHLANDS, AND LOTS 5 & 7 IN BLOCK 3 IN THE BOROUGH OF HIGHLANDS,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Highlands, in the County of Monmouth and State of New Jersey as follows:

1. That a portion of a twelve (12) foot wide, unnamed right of way, located between Blocks 2 & 3, situated in the Borough of Highlands as shown on a plan of survey prepared by Yorkanis and White, Inc. P.L.S.P. entitled "Road Vacation Map for an unnamed Right of Way between Blocks 2 & 3, Borough of Highlands, Monmouth County, New Jersey" dated June 27, 2007, attached hereto and made a part hereof as Schedule A-1, and more particularly described as set forth on the legal description attached hereto as Schedule A-2 is not needed for public purposes and, accordingly, all public right, title and interest therein is hereby released, vacated and extinguished.

2. That a portion of a ten (10) foot wide, unnamed right of way, located between Lots 5 & 7 in Block 3, situated in the Borough of Highlands as shown on a plan of survey prepared by Yorkanis and White, Inc. P.L.S.P. entitled "Road Vacation Map for an unnamed Right of Way between Lots 5 & 7 in Block 3, Borough of Highlands, Monmouth County, New Jersey" dated June 27, 2007, attached hereto and made a part hereof as Schedule B-1, and more particularly described as set forth on the legal description attached hereto as Schedule B-2 is not needed for public purposes and, accordingly, all public right, title and interest therein is hereby released, vacated and extinguished.

2. This street vacation is further subject to compliance with all conditions imposed by the Borough of Highlands in connection with the issuance of any building permit, or development approval for any structure, or improvement to adjacent properties. **This street vacation ordinance shall be null and void and of no effect unless the Highlands Planning Board grants timely approval of Development Application Number PB-2007-1, which is**

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presently before the Planning Board. This Ordinance shall not be recorded with the Monmouth County Clerk unless and until PB 2007-1 is so approved.

4. This street vacation is further subject to any other covenants, restrictions and easements of record, in any, except those that have expired by their own limitations.

5. That, pursuant to *N.J.S.A. 40:67-1*, the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company, as defined in *R.S. 48:2-13*, or by any cable television company, as defined in *N.J.S.A. 48:5A-1, et seq.*, to maintain, repair and replace any existing facilities in, adjacent to, over or under the said vacated area.

6. That, after passage, a copy of this Ordinance published in accordance with law and shall be recorded in the Office of the Monmouth County Clerk in the Book of "Vacations" in accordance with *N.J.S.A. 40:67-21*.

7. That the owner of the subject premises shall reimburse the Borough of Highlands for any cost incurred in the introduction and adoption of said ordinance, including but not limited to document preparation fees, and publication and recording costs associated.

8. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

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

ROLL CALL:

AYES: Mr. Nolan, Mr. Caizza, Mr. Urbanski

NAYES: None

ABSENT: Miss Thomas, Mayor O'Neil

ABSTAIN: None

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**INSERT O-07-28
ATTACHMENTS HERE**

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Ordinance O-07-29

Mrs. Flannery read the title of Ordinance O-07-29 for the second reading and public hearing.

Mr. Nolan opened up the public hearing on Ordinance O-07-29 but there were no questions from the public; therefore Mr. Nolan closed the public hearing on Ordinance O-07-29.

Mrs. Flannery read the title of Ordinance O-07-29 for the third and final reading and adoption and stated that this ordinance was published in its entirety in the November 16th edition of the Courier.

Mr. Urbanski offered the following ordinance pass third and final reading and moved on its adoption according to law:

O- 07-29

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3-7A OF THE
REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED
““COLLECTION OF BULK GARBAGE” TO ESTABLISH APPOINTMENT FEES.**

[additions shown in underline, deletions shown by ~~strikeout~~]

WHEREAS, it has been determined by the Governing Body of the Borough of Highlands that in order to better serve and to advance the interests of the health, safety and welfare of the general public, that procedures for the collection of bulk waste be amended so as to promote efficiency, safety, and the public health and welfare;

THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands that Chapter 3-7A, of the Revised General Ordinances of the Borough of Highlands, be amended and supplemented in following part only:

§3-7A.2 Collection of Bulk Garbage

- a. no change
- b. Subsection 2 shall be amended and supplemented in following part only:

2. Every property owner, including landlords, shall be entitled to two annual bulk garbage collections ~~without charge~~ upon payment of a TWENTY DOLLAR,(\$20.00) appointment fee per collection, provided that the materials collected do not exceed ~~five cubic yards for each pick up~~ two items or 2 cubic yards, whichever is the lesser.

BE IT FURTHER ORDAINED THAT all other provisions of Ordinance 3-7A which are not expressly amended herein shall remain in full force and effect, except to the extent modified hereby.

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

ROLL CALL:

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

Other Business

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Peddlers License Review

Mrs. Flannery stated that the Police Department has reviewed this application and reported back to us of a conviction.

Mr. Hilling suggested that the Council table this matter so that he can have an opportunity to speak to the Chief of Police.

The Governing Body requested that this matter be tabled until after the New Year.

CDBG Grant

Mr. Hilling – the CDBG Grant came through for us through the good work of Tim Hill and T & M Associates. We were awarded a grant for three generators one for the Community Center and the other two are for the pump stations. The grant amount that we received is \$185,200.

Announcement of the Reorganization Meeting Date

Mrs. Flannery – the Reorganization Meeting will be held on January 4, 2008 at 7:00 P.M. in this room.

Mr. Nolan advised the public that there would not be a Council Meeting on January 2nd.

Approval of Minutes

Mr. Nolan offered a motion to approve the July 18, 2007 and the August 15, 2007 Minutes, seconded by Mr. Caizza and all were in favor.

Public Portion

_____ of 97 Ralph Street questioned if the Reorganization Meeting is open to the public.

Mr. Nolan explained that yes the January 4th Meeting is open to the public and that it starts at 7:00 p.m.

Lori Dibble of 32 Paradise Park questioned if the Planning and Zoning Boards are going to be combined and how that would be done.

Mr. Manco explained that it's been done in other towns.

Mrs. Flannery – there has been no discussion at this table on this matter.

Connor Jennings of 37 Ralph Street – with regard to the generator grant, that would then allow for the Community Center to be used as an Emergency Shelter.

Mr. Hilling – yes that was one of the justifications for that grant.

Connor Jennings – how many other sites do we have with generators that could be used as emergency shelters.

Mr. Hilling – right now in this building if we need a generator we have to pull a generator up from the DPW.

Mr. Caizza explained that during a major storm we put everyone up at the High School and the Elementary School if we really need to. He then explained how the Red Cross then participates in emergency situations. When there is a disaster the Emergency Coordinator takes over and that is Dave Parker.

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Connor Jennings – where can one review the Emergency Plan.

Mr. Caizza advised Mr. Jennings to contact Dave Parker, Emergency Management Officer at Borough Hall.

Connor Jennings – continued to questioned Emergency Shelter locations and Plan and Mr. Caizza responded to his questions.

Mr. Urbanski explained that two of the grant generators are for the when our lift stations go down so when we lose power our sewer stations can continue to pump the sewerage during power outages.

Don Manrodt of 268 Bayside Drive – asked Mr. Hilling if he received a letter back with regard to the oil that is seeping out of the hill.

Mr. Hilling – I am waiting, the Borough hired a contractor who will give us a written report by Friday and the DEP is aware of this. The preliminary information that I have is that they have found significant amounts of contamination.

Don Manrodt – explained that the smell of oil and gas has affected a woman health down on Bayside Drive and DEP told this woman that its gasoline, oil and kerosene and its contaminated that air, soil and water.

Mr. Hilling – I asked the contractor if they had air samples and they did not have it yet. The DEP already asked me where the nearest gas station was so I am going to take the report on Friday and pass it out to the Council and the public and let the DEP go to work.

Don Manrodt continued to discuss the odor of gas down on Bayside Drive.

Maureen Kraemmer of 200 Portland Road – in regards to the Ferry, on the State DOT website there is a budget for 2008 they have marked for Sandy Hook an amount of \$400,000 for improvements to their dock over there for year round ferry service. Then they have over a million dollars for the study for the Long Branch Ferry from Long Branch to New York. Maybe someone from the borough could look into the impact that these two ferries could have on us.

Mr. Hilling – I could ask some questions.

Maureen Kraemmer – she spoke with Mr. Lambert of the NJDOT and found out the value of the property where the ice cream parlor used to be is valued at \$800,000. I have asked for documentation on that. She went on the Monmouth County website and found that it was assessed at \$190,000 and she is assuming that they are trying to pull the wool over our eyes. She wanted to know what is going to happen to the Gertrude Elderly Park State Property with the bridge ramp.

Mr. Urbanski – no, it's staying there.

Maureen Kraemmer she spoke about the bridge project and her concerns with regard to the starting point of the bridge. She also spoke about her discussions with the NJDOT with regard to this project. She informed the borough that everything that will be in the park will be made of plastic.

Mr. Urbanski stated that Mr. Hilling has been in contact with the NJDOT.

Mr. Hilling – as soon as they award the contract, Mr. Hammer has indicated that they will be down here to have a meeting with the Council.

Mr. Nolan – requested that that meeting be made public.

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Mr. Hilling – they are going to award the contract in January.

Maureen Kraemmer expressed her frustration with the State with trying to obtain information from them.

Mr. Manco stated that there were appraisals for the property diversion and they were filed with the DEP.

Maureen Kraemmer stated that she wants to know where the bridge approach location is and she is frustrated that she can't find out where it is.

Mr. Hilling stated that he would try to obtain some information for Ms. Kraemmer with regard to the ferry information.

Connor Jennings stated that green wood, treated wood has been banned in almost every playground and would not be suitable for use at this site.

Chris Francy of 36 Fifth Street – the DOT has said that the Off the Hook Parking Lot driveway apron is going to remain at the same height and location.

Mr. Urbanski – I would imagine that the passing under the bridge for the vessels will be moved up further into the channel. It's not going to be 65 feet from Off the Hook, it's going to be 35 feet.

Mr. Hilling advised the public that we have moved the Recycling Center up about 50 feet into the DPW Yard itself. We are modernizing the equipment in there. Global Recycling is going to give us some new equipment that is going to simplify the recycling process and also save us a lot of money. So we are in the process of doing that and it's going to be a state of the art facility once we are completed. We are going to asphalt the area that people drop off at which he further explained. Per the directive of the County and the State, we are building a new salt dome down there.

There were no further questions or comments from the public.

Mr. Nolan offered a motion to adjourn the meeting, seconded by Mr. Caizza and all were in favor.

The Meeting adjourned at 8:54 p.m.

CAROLYN CUMMINS, DEPUTY CLERK

**Borough of Highlands
Mayor and Council
Regular Meeting
December 5, 2007**

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