

**MAYOR AND COUNCIL
REGULAR MEETING
MARCH 5, 2008**

This Meeting was held at the Community Center located on Snug Harbor Avenue, Highlands.

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 posted on the public bulletin board and transmitted to the Courier, Asbury Park Press and The Two River Times.

Roll Call:

Present: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little

Absent: None

Also Present: Nina Light Flannery, Borough Clerk
Bruce Hilling, Borough Administrator, Robert Bucco, Borough Engineer
Catherine Britell, P.E., Edward McKenna, Esq., Joseph Oxley, Esq.,
Borough Attorney

Executive Session Resolution

Mrs. Flannery read the following Resolution for approval:

Mr. Nolan 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.Contracts: PBA

2. Personnel: New Policy and procedures to be developed, temporary tax clerk, borough administrator salary review and employee in the DPW

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:

4. Deals with collective bargaining, including negotiation positions.

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.

11. 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: All

NAYES: None

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Little called the Regular Meeting back to order at 8:27 p.m.

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Pledge of Allegiance.

Roll Call:

Present: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little
Absent: None
Also Present: Nina Light Flannery, Borough Clerk
Bruce Hilling, Borough Administrator, Robert Bucco, P.E., Borough
Engineer, Catherine Britell, P.E., Edward McKenna, Esq., Joseph Oxley,
Esq., Borough Attorney

Public Participation on Agenda

Payment of bills; R-08-59 (Borough Attorney) and R-08-60 (T&M Associates)

Mr. Parla, Re: Contract for Oxley, what was the contract with Manco.

Mayor Little, it was exactly the same as what Mr. Oxley is going to be taking and I believe Bob Thaler before.

Mr. Francy, 36 Fifth St. I expected Mr. Pfeffer to give a report on the financial. In terms of Reduction in state aid, we lost our \$186,000.

Mr. Nolan, 250.

Mr. Francy, With loss, equivalent amount of cuts in spending ourselves.

Mayor Little, it's an issue we did plan on bringing up today.

Ms. Dibble, (inaudible) Resolution and award for legal services, how do you calculate the billings on this. It says not to exceed 71,000.

Mayor Little, Not to exceed means that that amount is not paid outright, it means that it needs to be billed against and that that money has been made available with the approval of the CFO through the budget.

Ms. Dibble, how is that handled, --

Mayor Little, certain amount paid to the attorney's firm and then another amount that would be for items that are not included under the stipend, at \$125 a hour, which is \$10 an hour less than the county counsel.

Mayor Little close public participation on Agenda itemss

WORKSHOP MEETING:

K-9 Officer

Chief Blewett gives a small presentation regarding K-9. Drugs have been the biggest problem in town, along with gang activity. A dog will be a narcotics detection dog and a patrol dog also.

Matt Chesek will address council on benefits of K-9.

Officer Chesek, Borough officer since 2001 before Monmouth County Sheriff's officer for three years. History of K-9, use in 14 Century, American Revolution, Civil War, Vietnam, etc., sense of smell is acute, 1,000 x more sensitivity than humans. Dog in dual capacity, drug detection and patrol. K-9 gives expanded probable cause to search vehicles, suspected of having drugs, crime deterrent, search in half the time it would take 2 - 3 officers and be more accurate. One K-9 is equivalent to 10 officers. Academy training is 16 weeks long. German Sheppard, more

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agile, okay with kids, etc. Community Relations, K-9 is well received by children as well seniors. Holmdel and Hazlet both have K-9 units they were very helpful in assisting Highlands initiating our K-9 unit. Holmdel's K-9 in 2006 seized \$62,000 and eight vehicles. Basically paid for the K-9 in the first year. Besides Academy training, Attorney General's Office you have to have 6; 4 in service and 2 re-certs every year. Many K-9s train every month. This is for the benefit of Court, showing how much you train the dog. PBA local Highlands/Sea Bright meeting, to help the Borough and purchase 2 (inaudible) for the dog for each year.

Chief Blewett, The reason we asked for a dog, we find, as well nationwide, no matter how many search warrants, investigations for drugs, the large majority of arrest for narcotics are through simple motor vehicle stops.

Officer Chesek, Best comparison hammer versus nail gun, benefits you that much more having a K-9. We had over 2,000 motor vehicle stops last year.

Mr. Nolan, how many times did we call for the dog last year from other municipalities?

Chief Blewett, every time there's a search warrant, and on several writs. At least 2 dozen times.

Mayor Little, Chief will be around for the public portion of meeting. Ask Attorney Oxley if he had anything to add to the discussion of K-9 unit.

Mr. Oxley, Monmouth County had 5 bomb sniffing dogs, one drug sniffing dog and one tracking dog. Invaluable resource. Certainly post 9/11 that's why we actually went up to five bomb sniffing dogs. All 21 counties received a dog and vehicle from Homeland Security.

Portland Road Engineer Proposal

Mrs. Flannery, describes the issue, examination of a sewer line. The sewer pipe is a 12 inch having multiple cracks. Debris was found and a piece of rebar in the pipe and more significant pipe fracture was noted at 16 or 17 feet down. Fractures noted from 21 to 31 feet downstream. Engineer estimated that budgetarily including fees for engineering, legal and administrative cost the project will run in the neighborhood of \$268,000 and would be a bondable issue.

Mayor Little opens to council for discussion.

Mr. Urbanski, get a contractor up there to (inaudible)

UNIDENTIFIED: A little background, this has been an ongoing issue for probably about 8 or 9 months, the actual storm drain that collapsed caused a hole to develop between 2 adjoining backyards. And over that hole is a porch collapsed into a hole. Our DPW -- the gentleman that had the right of way, he signed an agreement allowing us to come in and get rid of that porch which will help reduce that somewhat. Maybe get a contractor look at it, and see if he could prepare it at considerably less amount than what T&M is recommending.

Mr. Urbanski, pipe disconnected, you've got to do the whole thing, Bruce and I spoke, \$300,000 if somebody can go in there for \$10,000 do the job and reconnect it and it last 10, 15, 20 it's money well spent.

UNIDENTIFIED: this is not an emergency situation, this is something that we don't have to jump into. It needs to be done but it's not something that's an emergency.

Mr. Urbanski, not the job, the access, get consent, we'd be good to go.

Mrs. Burton, feel more comfortable discussing with our professionals, CFO, etc.,

Mayor Little, Agreed, CFO can speak to the finances and also get engineer's input on Mr. Urbanski's suggestion, because there's a considerable difference between \$246,000 and \$10,000 which is being represented --

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Mr. Urbanski, -- cut him out of the action, I think.

Mayor Little quite possible.

Mrs. Burton, under costs, there's at least three or four permit fees wetland permit, Army Corps of Engineers, so it really might be a bigger job than what we are thinking.

Mayor Little Your engineer is going to be here next meeting on a number of issues, so if you want to have a contractor take a look at it and give us some --

Mayor Little closes discussion.

Annual Recommendations from Zoning Board

Mayor Little opens for council discussion.

Mrs. Burton, What's the procedure,

Mayor Little Zoning Board makes the recommendations to Council and then we have to determine what our actions is going to be.

Mr. Nolan, Councilman Urbanski and I are working on something can we hold this off until the next meeting, two more meeting. First meeting in April.

Mr. Urbanski, (inaudible) if we can incorporate them it could save us a lot of money.

Mr. Nolan, April 2nd, if we can.

Mayor Little, hold the recommendations for further discussion that's your motion and you are going to add some discussion about items that you've been working on that are not included in those recommendations.

Motion by Mr. Nolan to hold discussion until a later meeting.

Seconded by Mr. Caizza

ROLL CALL:

AYES: All

NAYES: None

ABSTAIN: None

Approve Mercantile License Application – Sandwich Shop

Mrs. Flannery discussions application for the "The Sandwich Shop", this is a temporary approval. Mr. Nolan maybe able to give you a little more information. We are trying to move these along a little faster, --

Mr. Nolan Background, open near old Parrot on the corner of Waterwitch and Shore Drive. Waiting to come back for the fingerprints, we know the person doing it. Has been fingerprinted in another state and there's no problems there, we are just waiting for the actual document. Everything else passed, fire, code, etc., trying to expedite it here tonight.

Mayor Little opens for discussion.

Mayor Little calls for vote. Mayor Little moves to approve

Seconded by Mr. Nolan

ROLL CALL:

AYES: All

NAYES: None

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ABSTAIN: None

Mrs. Burton, fingerprints come back with history.

Mr. Nolan, shut him down.

Mayor Little, we were defer to the Police Chief to make a recommendation and then we would act upon that recommendation.

COMMITTEE REPORTS:

FINANCE:

Mr. Nolan, we had a report we were going to present tonight with CFO Steve Pfeffer, he has the flu. Obviously we have some things we are going to need to talk about in the next month or so, - 185,000 having Steve Pfeffer they left out quite a bit, it's going to be closer to \$250,000 that we are going to actually lose on an 8 million dollar budget that's pretty significant. We are going to have to do a lot of homework in the next month and come up with something for that.

New building and stuff, I don't know if we are going to be able to move forward, knowing all these cuts, school budget coming up.

Mayor Little from the finance committee a report as soon as possible on the item that was on the agenda for this evening which is the cost of the new municipal building. Very committed to moving forward on that project.

Mr. Nolan, will try to have at the next meeting Mayor.

Mayor Little now that you've brought it up, would like to have an explanation of the effect of the loss of State Aid.

Mr. Nolan, also have some information if not at the next meeting in March, first one in April what we are looking at with the school budget too.

Mayor Little Technology needs, preliminary, ask that the administrator discuss that.

Mr. Hilling, Number one priority is new phone system, current system antiquated, numerous malfunctions, electrical storms go down, looking at 15 to 20 K for state of the art system.

Mayor Little any other technology needs,

Mr. Hilling, the other thing for discussion again, we have a serious problem with storage in the building, record storage right now. We use the offices, attic, off site storage facility in Middletown. There's no centralization, inconvenient, sometimes a chore to get to it. The second priority would be automation to modernize --

Mrs. Flannery, we want to start scanning the records in for storage. Going to Freehold on the 12 March to visit with County Clerk who is giving us 10 square feet of space, for each municipality to store some of our records. I'm looking to put some of the very old minutes, they are fragile, I don't like to go into them, let alone let the public into them, but you know they do have their opportunities to do that.

Mayor Little perhaps we can hear from you monthly on this topic, it is very very important. Any progress in modernizing is going to make public access to what goes on in government a lot easier.

Mrs. Flannery, looking for volunteers to pack up some files.

Mr. Nolan, ADP does document storage, widely used. Never had a problem in 20 years using it, they've been doing it for at least a decade, if we use them for payroll --

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Mayor Little No, we don't.

Mr. Nolan, it's very cheap, very reliable, can we store things in the firehouse or no?

Mrs. Burton, I thought we would be talking about the technology grant that we will be receiving, I was hoping that that grant, -- going to the public for computer systems, upgrading a few other things.

Mayor Little I do remember us discussing that. I was not thinking about the technology grant when we were hearing this committee report. Was that on your mind, Mr. Administrator in connection with this report.

Mr. Hilling, it was not because from what I recall in dealing with Comcast in the past, it takes four or five months for that grant to come through.

Mayor Little The technology grant from Comcast should be used for computers.

Mrs. Burton, on our website we can pay a ticket violations I believe but something to look into in the future,

PUBLIC SAFETY

Mr. Caizza, reports the new firehouse, moving along. First project 3 weeks, replace the ramp out front. Firemen have been setting up over the last few months, day room, meeting room, waiting for chairs to come in. Chief's office is almost done. Fire Prevention office and OEM together. We are there on Tuesdays nights from 7:00 on. St. Paddy's day we will be there.

Emergency Management, new whistle almost like a Sea Bright whistle give warnings during storms follow with a voice activated later. Working on phone system over there. Dave Parker \$45,000 grant for equipment, we are looking to put another tower next to the whistle. Whistle behind the generator, 8' by 6' slab back there and that's where Soden Electric is going to put the whistle. We do a disaster shut down the building, turn the generator on set up everything, communicate with police and fire and County. Big concern purchase a tower and he figures about \$7,000 with radio antennas and repeaters on it.

Mayor Little Add, did have the pleasure of walking through the fire house with Mr. Parker and Mr. Murphy, and did speak about their plans, explained a lot of the facilities that are existing in the new firehouse, very pleased.

Mr. Caizza, Dave is buying through fire prevention, every fundraiser, furnish the fire house, we have been saving for about 16 years to furnish this firehouse, everything through fundraising efforts.

Mr. Nolan acknowledge Chief _____ seamless transition from going in there, clearing the building and --

Mr. Caizza, we were at that one house they are talking about for a fire call. Paul could have closed it down that day, but they had an investigation going on,

DEPARTMENT OF PUBLIC WORKS

Mr. Urbanski, reports. Sewer plant, did investigate with the engineer in September of '07, to knock it down, \$100,000 engineering fees. I would like to move forward. It's actually filled with water during the summer and mosquitoes trees growing out of it. If we use it for a public purpose, public building of any sort, the DEP requirements are very minimal. If you want to knock it down and sell, a lot of Environmental requirement, but if you use it for municipal purpose. I had a proposal I'm not happy with their fees, negotiating that, by next meeting, -- I'll speak with Bruce, if we can't come to some resolution maybe we'll look for other proposals.

Mrs. Burton, looking for other proposals for demolition --

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Mr. Urbanski, We'll have to bond it no doubt, it should have been done, I think, thinking about it it should have been done 10 years ago.

Mrs. Burton, hole go underground --

Mr. Urbanski, quite deep, they did one in Bradley Beach that was about \$100,000. Basically what we want to do is leave it at the Shore Drive level, keep the wall on the South 2nd, Street and keep it at that height -- I'll have a proposal for you next meeting.

Mayor Little we'll hold the discussion until then.

Mr. Urbanski, Sanitation. Discussions with Bruce and Nancy. Harsh reality, guys are aging, some are ill, we don't have the manpower, we don't have the equipment, we are going to have to move on Sanitation. Whether we contract it out and we pay the contractor or we the taxpayers pay him. The time is now, there's no reason to continue on like we are doing. Five DPW men to man our sanitation end of the deal, daily. 2 call out, three call out, Bruce and me are strapped to get other jobs done. Serious burden -- two trucks, one pretty new, other in need of repair (30,000 worth) I don't think it's feasible to stay in the garbage business any longer. Tipping fees, manpower wise huge saving,

Mr. Hilling, Mayor I agree with Mr. Urbanski, the workforce is getting older, injuries are continuing to mount up, tipping fees are continuing to go up annual basis. Probably one of the few towns that offer what we do to the residents and businesses. We pick up all the businesses, few towns in the county that actually doing that right now with no cost to them.

Mr. Caizza, Red Bank did away with all commercial pick up, offered the businesses here, same as the residents, anything over and above, you have to pay for. Do it this way, people are more apt to put their recycles in container

Mr. Nolan, I agree we have to do something. Start with residents not paying. Limited services we can provide, we should be paying for the residents.

Mayor Little recognizes Councilwoman Burton.

Mrs. Burton, after meeting speaking with representative from reclamation. 30 % of property taxes generally cover sanitation. Looking at commercial aspect, one or two dumpster. Very hard calculation to make, have a report for next meeting. Agree with Mr. Urbanski will help with recycling, Highlands is one of worst Boroughs in recycling .

Mayor Little, we should hear from Highlands Business Partnership with regard to effect upon businesses and economic development.

Mr. Urbanski, use upwards of 50% of what they pay in taxes with sanitation. I have proposed before, we should get out of the commercial garbage business.

Mayor Little continue discussion at the next workshop meeting with some numbers.

BUILDING AND HOUSING

Mr. Caizza, in '07 we did 356 CO, 120 summonses and 264 permits out. In '08 68 CO, 33 summonses and 36 permits. We sent out 487 applications for landlord registration to start the year off. Code enforcer and fire marshall working with the new attorney on stickers, we are trying to legal advice on that. Code enforcer Middlesex College two nights a week for additional education.

Mr. Nolan, conversation at last executive session about trying to find a part time code enforcement in addition to Mr. Murphy. I spoke with Nina and Bruce also, we've only received two applications. Advertised on League of Municipalities Website.

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Mayor Little spoke with clerk and administrator also put an ad in the newspaper.

PARKS AND RECREATION

Mrs. Burton, Memorial project two months ago, had an idea to form a resident group, task force. 12 to 15 residents, two meetings, 8 and 10 present. A member of VFW, encouraged by that. Broken up the project into phases, working to get a general contractor on board to help with possible bidding, and getting the work done. Residents concern goes beyond project, they would like to see that project be complete, ideas of things in the past, additional sculptures throughout the town, boat ramps, more access to water fishing piers, encouraging group, group has many ideas for the future, the CBBG grant, which the Borough received 2007. The Borough will not be able to apply for this grant again, only apply every other year. Non profits can apply.

Park improvements, positive meetings with Ed O'Neil new supervisor of Department of Public Works. Set up water to be provided at the Highway sign which has been a problem in the past. Also have water at the top of Miller hill which is in conjunction with the Highlands Business Partnership barter agreement with Frank (inaudible) Landscaping. \$20,000 to spend on improvements for our park, previous years we have done (inaudible), bulkhead display at the highway sign and a few other projects. This year we will be hillside on Miller from the busstop area all the way to the mural. Also wants to propose to redo the mural. Thanks to Mr. Hilling and Ed O'Neil with DPW for getting water take care of right away.

Flooding problem at Huddy Park. Every year depending on weather real bad flood issue eastern side of the park. Suspect a pipe collapse Ed O'Neil DPW feel put in a new catch basin about 2 foot by 2 foot, deep and move the pipe from the park to the Bay Avenue storm drain. Whatever damage they do to the park will be fixed with a portion of the Highlands Business Partnership barter agreement with Frank (inaudible) landscaping. Mr. O'Neill feels this project will be taken care of, some progress within the next three weeks.

Requests comments from Council and Mr. Hilling removing split rail fence, bad condition, rotting missing almost half of the rails, also DPW removes fence about four times a year. Fence just the tot lot, -- we have money in parks budget, spoke to Mr. Pfeffer about this. Aerate and seed area.

Mr. Caizza, where?

Mrs. Burton, top lot, the little playground area,

Mr. Caizza, no fence in Huddy.

Mrs. Burton, yes. Large events, don't know if we need a fence.

UNIDENTIFIED: like to see some kind of barrier on Waterwitch, even if it's just a natural barrier

Mayor Little natural barrier would be too difficult,

Mrs. Burton, the garden club will be installing irrigation in Huddy around the gazebo very soon, add another bed along Shore Drive and eventually move the Joshua P. Huddy memorial that's on Waterwitch to the Shore Drive, new planting.

Mayor Little Discussing that more in detail before we take action.

Mrs. Burton, my hope this year with the DPW working on the weeds, with just roundup this spring.

Environmental Commission report, since September or October of last year, to get a commission up and running in town. The town is doing a disservice by not having this commission.

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Mr. Nolan, Also should be on the Borough board also that we are taking applications for the Environmental Commission and this way we are as open as possible and everybody knows about it.

Mr. Caizza, how many on board.

Mrs. Burton, Eight seats, an additional non voting six members, one member on the planning board, meetings recorded and minutes provided.

Mr. Nolan, public notice, etc.,

Mr. Caizza, who records meeting?

Mrs. Burton, We would have to appoint someone to --

Mr. Nolan, can we get some kind of report by next meeting, what they do in other municipalities.

Mrs. Burton, we have all received twice the summary from the Association for New Jersey Environmental Commissions.

Mr. Urbanski, I'm just against an Environmental Commission, I'm comfortable making any decisions necessary. I mean how much advice -- we are not getting anywhere I feel know, we've got to make decisions here.

Mrs. Burton addresses Mr. Urbanski's comments, Commission will help looking for grants, helping, things where I am having trouble having enough time to do, to the fullest extent. Making recommendations to the Borough with recycling, how we can better use different things in town.

Mr. Nolan, I share a lot of Councilman Urbanski's concerns and I think a lot of it has to do with people think it's going to stop, -- a lot of people do and a lot of municipalities that it will somehow stop some sort of progress of things you want to do. Having read the paper that Councilwoman Burton talked about, it's strictly an advisory thing. Council is not binding, it's recommendation, members will hopefully have some sort of background in knowing on certain issues.

Mayor Little personal and professional feelings in support of an Environmental Commission at this time. I believe what we should do, in order to take action on this is put it on the agenda for the next meeting. Councilwoman Burton the names of residents that she has to date, and resumes that she's received so far. Have the public made aware. Ask the administrator and clerk to put out on the front board that there is going to be action taken at the next council meeting and that if you are interested the clerk should be contacted and the resume should be provided. Also like a notice on the web-site.

Mrs. Burton purchase of hybrid vehicles for borough employees. Westfield and Woodbridge are starting to switch over to hybrid, not high speed pursuit or towing. The county has adopted flex fuel. Mixture of ethanol and gas. Recommendation hybrid vehicles for non towing, non high pursuit uses.

Mayor Little We should think of flex fuel and also the hybrid as an option.

HIGHLANDS BUSINESS PARTNERSHIP

Carla Braswell, Ms. Carol Bucco our HBP admin out due to illness. Linda ____ is filling on a part time basis.

Exhibitor at NY Times Travel show on Friday February 29th, March 1st, and March 2nd, very exciting. Travel consultants, planners, raffle Seascape Manor get a way weekend. 2,000 email addresses registered. We are purchasing a Wii systems for the Rec department \$249 using that

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for seniors. March 2nd radio interview with Stephanie Abrams on Business Talk Radio.
Promote the town, etc.,

St. Patrick's Day Parade is shaping up to be a big parade. New floats, Request Councilman Caizza, Mr. Hilling and Mr. Oxley to judge our floats that will be lining up at Doris and Ed's. Two full color page ads in the Monmouth County visitor guide which was also distributed at the NY Times travel show at the State Tourism booth.

Visual Improvement Committee, \$20,000 is a barter so it's not actual dollars that we are laying out, because 80 % of VIC budget for this year is going to the new highway sign. New sign installed by April 30th weather permitting. Public works will remove old sign. Sample of sign is displayed for council.

Tourism video was displayed during the NY Times travel show. Will present video at April 2nd, meeting.

Mr. Nolan, food drive in town, putting around receptacles around town, for 10 days leading up to Parade,

Mayor Little girl scouts are also involved in food drive, good opportunity for young people.

Girl Scout representative, last day will be the day of parade. Methodist church using their food pantry

Mayor Little add to committee reports, that we are having weekly bridge subject meetings here at the Borough. Mayor's Bridge Committee which consists primarily of Borough officials and employees. Some members of the public who have dedicated themselves to attending these meetings and they very helpful. Nine o'clock on Fridays, here in this room. Immediately after DOT and Borough meeting on Thursday, information is pertinent and timely. The minutes of these meetings are in summary fashion and they are posted on web site.

Library Project. Meeting between myself and Ms. Ryan establishment of a 501C3 for the purpose of fundraising for the library .

Mayor Little moves to close committee reports.

RESOLUTIONS:

Mrs. Flannery stated that the Payment of Bills area available for anyone wishing to review them.

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

**RECAP OF PAYMENT OF BILLS
03/05/08**

CURRENT:		\$ 570,940.91
Payroll	(02/29/08)	\$ 121,410.05
Manual Checks		\$ 109,639.38
Voided Checks		\$
SEWER ACCOUNT:		\$ 4,504.32
Payroll	(02/29/08)	\$ 5,191.97
Manual Checks		\$ 4,432.09
Voided Checks		\$
CAPITAL/GENERAL		\$ 8,562.50
CAPITAL-MANUAL CHECKS		\$
WATER CAPITAL ACCOUNT		\$
Manual Checks		\$ 87,461.29
TRUST FUND		\$ 11,357.48

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Payroll (02/29/08)	\$	1,080.00
Manual Checks	\$	1,620.24
Voided Checks	\$	
UNEMPLOYMENT ACCT-MANUALS	\$	
DOG FUND	\$	
Voided Checks	\$	
GRANT FUND	\$	
Payroll (02/29/08)	\$	
Manual Checks	\$	
Voided Checks	\$	
DEVELOPER'S TRUST	\$	1,461.10
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 March 5, 2008

EDC Electric	Valley Street Pump Station	\$ 11,031.50
A. Montone Construction	Washington, Recreation and Miller Roadway Improvements	\$ 24,258.48
Total Supplemental Bill List		<u>\$ 35,289.98</u>

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

ROLL CALL:

AYES: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little
NAYES: None
ABSTAIN: None

Mrs. Flannery read the title of Resolution R-08-59 for approval:

Mayor Little offered the following and moved its adoption:

**R-08-59
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL LEGAL SERVICES
JOSEPH W. OXLEY of
THE FIRM SCARINCI & HOLLENBECK, LLC**

WHEREAS, the Borough of Highlands has a need for professional legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and Joseph W. Oxley, Esq. of the firm of Scarinci & Hollenbeck, LLC, whose address is 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, NJ 07071-0790 is so recognized; and

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WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$71,548.65 plus reimbursable expenses for professional legal services and other special counsel services provided to the Borough of Highlands for the period February 6, 2008 through December 31, 2008, and

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

WHEREAS, the firm of Scarinci & Hollenbeck, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands as follows :

I hereby certify funds are available as follows contingent upon the necessary funds being appropriated by the governing body the SFY 2008 Municipal Budget:

Current Fund: Legal \$35,000.00
Sewer Account: Legal \$3,000.00
Certification of funds for the period July 1, 2008 through
December 31, 2008 shall be provided separately by the Chief
Financial Officer upon adoption of SFY 2009 Budget

Stephen Pfeffer, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. The Joseph W. Oxley of the firm of Scarinci & Hollenbeck, LLC is hereby retained to provide professional legal services as described above for an amount not to exceed \$71,548.65 plus reimbursable expenses.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

ROLL CALL:

AYES: Mrs. Burton, Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

Mrs. Flannery read the title of the following Resolution for approval:

**MAYOR AND COUNCIL
REGULAR MEETING
MARCH 5, 2008**

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**R-08-60
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES
SURVEY, DESIGN AND INSPECTION
FOR THE REHABILITATION OF SANITARY SEWERS IN BASIN 2
T & M ASSOCIATES**

Mr. Nolan, motion to table for next meeting, seconded by Mr. Caizza and tabled on the following roll call vote:

ROLL CALL:

AYES: Mrs. Burton, Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

Mrs. Flannery read the title of the following Resolution for approval:

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

**R-08-61
RESOLUTION OF DISCIPLINARY ACTION
BOROUGH EMPLOYEE
WILLIAM A. LITTLE**

WHEREAS, Borough Employee William A. Little has been charged with “Conduct Unbecoming” a Borough employee; and

WHEREAS, Mr. Little has spoken with the Governing Body and made them aware of the situation surrounding the charge; and

WHEREAS, the Governing Body has considered, at length, Mr. Little’s statement and the police report; and

NOW, THEREFORE, BE IT RESOLVED that after long deliberation on the issues the Governing Body has resolved the following:

Mr. Little is to be suspended without pay for an indefinite period.

BE IT FURTHER RESOLVED said suspension shall be effective immediately.

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

ROLL CALL:

AYES: Mrs. Burton, Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

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Mayor Little thanks Mr. Oxley for his cooperation in negotiation of a contract that reflects exactly the same amount of money that was paid to the attorney prior to him and the attorney prior to that attorney.

PUBLIC PORTION:

Donald Manrodt, 268 Bayside Drive. VFW meeting, removing WWI statute, put it behind the VFW on corner of Central and (inaudible) so it doesn't get damaged. Willing to take it down there so it doesn't get damaged.

Mayor Little good idea.

Mr. Urbanski, good idea.

Mrs. Burton, discussed the possibility of Kavookjian field came up is because of the water table issue.

Mr. Manrodt, memorial up there that's on the side of the hill, that's might be part of Monmouth Hills.

Mrs. Burton, right of the parking entrance.

Mr. Hilling, we'll call the DOT and let them know that we are rethinking the location.

Mayor Little, thank you Mr. Hilling. We are going to discuss this and consider whether it's a better alternative. Soil borings would be necessary in any account.

Mr. Manrodt, project to Environmental Committee, side of the hill where that oil is coming out. Yesterday the smell was very bad.

Mayor Little, well DEP has identified a party to whom they have attributed responsibility and have communicated with that corporate entity. They are attributing it to a gasoline station.

Mr. Manrodt, spending money tonight, the problem July 6 or 7 cent tax increase just from the State alone.

Bernadine Hartford, 168 Highland Ave., Kavookjian field for the statute, a couple of years back, restrictions in deed of gift. Good idea to investigate deed. Sanitation and finding alternative methods of collecting and paying for it. Cost of collection is included in the quarterly tax bill, it's a tax deduction on the federal return, however if it's paid directly to a contractor it's not a deduction. For business it's a deduction either way, because it's a cost of doing business. Application for Block Grant by Memorial Committee, going back a couple of years, total cost, raised through public contributions fundraising, Promise that no public money is going to be used.

Roberta McEntee, Fifth Street. New pumping station, beautiful job, lost the old stones going up, so much money was spent, get it sanded down, we'll paint it gray to match the rest of the thing. It's about three months that nobody has done anything.

Councilman, steps going up to the door, get them cleaned up, sanded down and painted.

Mr. Hilling, we've got some (inaudible) coming up.

Ms. McEntee, last meeting, asked if Council had seen pictures taken of the grease traps in town.

Mayor Little I have seen them, yes.

Ms. McEntee, Sewerage Authority was going to send them over.

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Mayor Little forward them to email address. Scheduled to take action by way of ordinance, relative to the grease traps. A priority we need to address.

Ms. McEntee, start a plan to work with NJAWC to do billing based on usage.

UNIDENTIFIED: sewer authority grants have run out, for the repairs, correct.

Mayor Little Billing less?

UNIDENTIFIED: billing for use which is fine, (inaudible) bond and pay for it.

Mayor Little We are in that situation now because of the way that the Authority is handling the surplus, they are holding it.

UNIDENTIFIED: All these rehabs that may or may not move forward.

Mayor Little, will have report by the Engineer next meeting with regard to sewer and storm drains and roadways.

Ms. McEntee, one suggestion, planning board, zoning board, don't get a dime for working on those boards. The Sewerage Authority their bill runs close to \$100,000 just for the Board members, the lawyer, the accountant, engineer. Don't raise their pay. I would do it for nothing.

Maureen Kramer, irresponsible for entire council voted to approve a business owner in town to open up their business prior to getting the results of their fingerprinting. Mayor Little you were going to try to change things, good old boys and cronyism that goes on is alive and well in Highlands. Ask Mr. Oxley what does happen is the Borough responsible, why are some people held to the law and other people not because of who they know. I happen to know who is connected to that business, because that person's brother has been shooting his mouth off all over town.

Councilman, he has nothing to do with that business.

Mr. Nolan, The person who's opening the business is a school teacher in New York and they had a criminal background check with fingerprints done, less than a year ago in New York. When I approached the Chief about it, I didn't know there were six others until I found out today. We are working on them for the next meeting. Circumstances where they have done background/fingerprint in the last 12 months, Joe looks at it as the Chief, doesn't have a problem signing off on it.

Maureen Kramer, I think the cronyism needs to stop.

Mr. Nolan, there's no cronyism. That's why Mr. Mullen is sitting here and there was a whole thing going on with that, where people tried to get him thrown off the Board, all because people want him on for certain reasons.

Carla, Big problem over the years with mercantile license turnaround and also I just want to point out to Maureen it wasn't until we worked with the Chief, no background check, Highlands Business Partnership went to the Chief, worked with the Chief to get that process in place. We chose to do the process because of past situation, fees incurred 25 to 100, board executive waited two years, since Frank's commitment to HBP, Chief and Nina, it's certainly expedited I would say about 80 percent.

Mayor Little No one would have approved the mercantile license except by the recommendations of the Chief of Police.

Chief, I know who you are referring to, the brother, we denied him a mercantile years go.

Maureen Kramer, what's fair is fair, I don't understand why it goes on and on and one

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Mayor Little I take exception to the comment but it is public portion and Ms. Kramer has the right to say what she thinks.

Mr. Nolan, I will try to get the other six for the next meeting.

Mayor Little accusations of cronyism for the record, I have stood up against those concepts both in theory and in operation. I've done so as a councilwoman, I've done so as Monmouth County Freeholder, and I will continue to do so as a Mayor and I would appreciate that you make your accusations with foundation from this day forward, because while I am tolerant of public portion, I will not stand for slandering -- I will not stand for slandering or personal attacks against anyone who is serving in an official capacity in the Borough of Highlands.

Ms. Kramer, foundation was there is a law in town and that you approved someone to be, start their business without the necessary items that are required by this law and there are other people in town who did not get the same benefit of that.

Mayor Little, and I believe those facts were not placed on the record in that manner. I believe you made assumptions about those facts and you jumped to conclusions. The record will prove otherwise.

Ms. Kramer, another business owner waited 2 and half three months to do the same thing that this person is doing, same type of business and they didn't get the same treatment that this person got.

Mayor Little, we are streamlining the procedure going forward for the betterment of all the people and all the business owners in the Borough of Highlands, not because anything is being done differently for this particularly applicant. And this issue now at rest.

Ms. Braswell, Mercantile process writing a letter to Ms. Flannery to ask there's another reason and I didn't know anything about this particular -- hoping to get a list from the Borough in January or February so that we don't exclude any business from the HBP guide. If we could help Ms. Flannery to get a valid list, we print the guides in time for St. Patricks Day.

Sign that we paid for Middletown asked us to remove is sitting at East Point Plaza, Mr. Hilling was going to look into relocating that sign.

Lori Dibble, 42 Paradise Park, earlier report, COs 487 --

Mr. Caizza 487 landlord registration --

Ms. Dibble, all landlords required to register.

Mr. Caizza, if you rent.

Ms. Dibble, serious deficiency there, there's 50 percent of the homes here are rental homes and there's only 488 registered landlords when 170 some of those units are comprised (inaudible)

Mayor Little, misconception here, work that was done in the last month, -- not complete, the processing is in progress.

Ms. Flannery, if you have 177 units it doesn't mean you have to file 177 papers, you file one.

Ms. Dibble, multiple units one landlord registration. Do fees go into the general fund or are they earmarked for code enforcement.

Mayor Little, you might want to bring that question up again, when the budget is discussed.

Arnie Fuog, 50 Valley Street. Garbage collection for resident at one day a week, would that save anything.

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Mr. Urbanski: teach an old dog new tricks, 20 something years I pick up garbage and that's all I do, --

Mr. Nolan offers motion to adjourn

Seconded by Mr. Caizza

ROLL CALL:

AYES: ALL
NAYES: None
ABSENT: None
ABSTAIN: None

The Meeting adjourned at 10:48

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