

**Mayor and Council
Workshop Meeting
May 7, 2008**

This Meeting was held at the Highlands Elementary School located on Navesink Avenue.

Mayor Little called the meeting to order at 7:07 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 Workshop 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: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little

Absent: None

Also Present: Nina Light Flannery, Borough Clerk
Bruce Hilling, Borough Administrator
Bruce W. Padula, Esq., Attorney
Stephen Pfeffer, Chief Financial Officer

Executive Session Resolution:

Mrs. Flannery read the following Resolution for approval:

Mr. Urbanski 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. **Legal Action – Shadow Lawn; Depuration Plant**
- 2.
- 3.

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. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Rendered confidential by State Statute or Court Rule.
3. Would constitute an unwarranted invasion of individual privacy.
4. Deals with collective bargaining, including negotiation positions.
5. Deals with purchase, lease or acquisition of real property with public funds.
6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
7. Related to tactics and techniques utilized in protecting the safety and property of the public disclosure may adversely affect the public interest.

**Mayor and Council
Workshop Meeting
May 7, 2008**

8. Related to investigation of violations or possible violations of the law.
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.**
12. Quasi-judicial deliberation after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

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

ROLL CALL:

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

The Governing Body then entered into Executive Session.

Mayor Little called the Meeting back to order at 8:22 p.m.

Mayor Little asked all to stand for the 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
Bruce W. Padula, Esq., Attorney
Stephen Pfeffer, CFO

Mayor Little requested a moment of silence be observed for passing of Charles Luke and George Andrews.

Food Pantry – OLPH School Site
Father Bob Tinsky & Rosemary Ryan

Rosemary Ryan spoke about the combined efforts of the Methodist Church and OLPH in having food pantries for the Borough and surrounding towns. She stated that they are in need of food and personal items. She stated that donated items can be dropped off in the back of the church and the food pantry is open on Mondays and Sundays. OLPH is open on Sundays from 12:00 to 2:00 and on Mondays between 7:00 to 9:00 at the OLPH. The Methodist Church is open on Wednesdays and Saturdays at the Methodist Church. She spoke about the items needed and the increased number of people that come to the pantry.

Mayor Little thanked Ms. Ryan and the others for their efforts in helping our community.

Highland Ave. & Shore Drive Roadway Conditions:

Mrs. Flannery stated that the Borough received letters on this matter from Daniel Fleming and from Debra Thorner of Highland Avenue.

Mrs. Burton stated that the Borough also received a letter from the Secretary of the Fire Department with regard to Shore Drive.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mayor Little opened up to the public for discussion on this topic.

Maureen Gribbrook of 118 Highland Avenue – she spoke about the sidewalk passage concerns on Highland Avenue and how they are not passable and are in such disrepair.

Michael Gribbrook of 118 Highland Avenue – expressed his concerns with Highland Avenue being such a narrow two way street. So the issue he has is keeping Highland Ave a local street, he also expressed his safety concerns with the cars going fast around the corners. He suggested speed limit signs be put up and suggested that parking be restricted around the curve and perhaps bigger stop signs be installed.

Michelle Pezzulo of 115 Highland Avenue – wanted to know why the bridge project is proceeding when there is litigation on this project. She then spoke about Highland Avenue and the need for more speed traps on Highland Avenue.

Donald Manrodt of 268 Bayside Drive – spoke about Highland Avenue and asked if anything will be done at the base of Lighthouse Road on Highland Avenue. He also questioned the repaving of Shore Drive.

Mr. Bucco stated that he and the Borough Administrator have already submitted an application to the DOT for funding of Highland Avenue. On Shore Drive they are paving from Miller to Waterwitch Ave.

Patricia Robertson of 101 Shore Drive asked if the Council will consider all of the sewer problems before they pave Shore Drive.

Mr. Bucco – yes, which he further explained.

Patricia Robertson questioned the lined biking area on Shore Drive and requested that no parking be placed on one side of Shore Drive.

Mrs. Burton explained that she requested that this be looked into and she has requested that T & M look into this.

Patricia Robertson – stated that cars are not stopping on Shore Drive and Miller and perhaps a bigger stop sign could be installed.

Robert McMahon of 184 Navesink Avenue – wanted to speak about slopes and Mayor Little advised him that this public portion is for Highlands and Shore Drive and that perhaps later in the meeting he could speak about slopes.

Rosemary Ryan of 117 Highland Avenue spoke about the water damage that has occurred on Highland Avenue and stated that her driveway is cracked and she gets water in her garage. She then spoke about blind spots on Highland Avenue and until the road is complete she requested that a yellow line be installed on Highlands Ave from Portland Road to the driveway around the curb by Off the Hook.

Mayor Little stated that she has requested that sewer and drains be addressed for Highland Avenue.

Dan Fleming of 127 Highland Avenue – stated that he was taken back by a letter that he had read that said “on behalf of residents of Highland Ave” when nobody had ever spoken to him about this. The stop sign at S. Peak and Highland is not needed perhaps more police presents would help. He stated that the sidewalk by Off the Hook is an absolute disaster and their retaining wall is going to collapse. The water situation has been a problem for more than 20 years which he further explained. He continued to speak about Highland Avenue issues.

Paul Mazzella of 330 Shore Drive – he had no comments.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Larry Thorner of 88 Highland Avenue – questioned the short term goals of Highland Avenue and wanted feed back of the Council site inspection of Highland Avenue.

Mayor Little – stated that she took away from the visit a recognition of the basis of the residents concerns. Anything that can be addressed in terms of a maintenance issue can be addressed in the short term. With regard to repairing of sidewalks and retaining walls it will take time for identification of borough owned property. I believe that we will then need to assess the cost of the repair and go out to bid if needed and then evaluate if it would have to be redone when the road is repaved.

Mrs. Burton – as for short term goals she has already started to work on them by removing the brush and cleaning of drains. Code Enforcement will be monitoring the growth of shrubbery and will contact the property owners. Sidewalks, the law states that the Borough owns the sidewalks and the property owners are to maintain the sidewalks. They only counted three storm drains on Highland Avenue from Off the Hook to Grand Tour.

Mr. Bucco stated that the number of storm drains will be evaluated.

Arnie Fuog of 50 Valley Avenue – passed on his opportunity to comment.

Chris Francy of 36 Fifth Street had no comments at this time

Connor Jennings of 27 Ralph Street – questioned if a one-way has system has been considered for Shore Drive and Bay Avenue. Has there been any consideration of making Miller & Shore a four way stop rather than a two way stop?

Mayor Little – stated that she has heard of a one-way suggestion and its worth looking into.

Chief Blewett responded to the four way stop at Miller and Shore and he did speak to the State about that and he does not think that it was allowed but he will confirm that.

Mayor Little – that concludes the list of people for Highland Ave and Shore Drive therefore the public portion on this topic was closed. She then asked if the Borough Engineer had any comments on this topic.

Mr. Bucco stated that as the public spoke tonight he did take notes to make sure that those items are addressed when the design is authorized. We have basically looked at the same items as the public spoke about. He stated that all underground utilities will be looked at and there is an emphasis on drainage which he further explained.

Chief Blewett – with regard to public safety he spoke about a three way stop on Highland Avenue and S. Peak Street and they are still debating a recommendation. He also looked into prohibited parking on the westbound side of the “S” turn on Highland Ave. He has also spoke about the yellow curb on Highland Avenue. He also spoke about speed limit signs. For Shore Drive he spoke about speed _____ devices at certain intersections. He also spoke about recommending placing a stop sign at Shore and Willow.

Mr. Hilling stated that he will put the emphasis on Code Enforcement immediately and DPW can go up tomorrow to make sure it’s clean.

Public Portion on Agenda Items

Robert McMahon of 184 Navesink Avenue – spoke about slopes and concerns of stabilization of slopes specifically Valley Avenue. He spoke about a report that was issued for the stabilization of the slope.

Mayor Little – requested that the Borough Engineer get a copy of the report and have a course of action ready for the next Workshop Meeting.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mr. Bucco – yes, we were looking at the cost of the design and he believes that the Council wanted him to solicit other Geo Technical Engineers and that is what he has done and he is waiting for a response. Once we get the response then we would bring that back to the Council

Mayor Little asked the Borough Engineer to get something accomplished between now and the next meeting so that we can get an idea as to when we are going to be addressing the problem quickly.

Lori Dibble of 32 Paradise Park questioned the Zoning Updates that are listed on tonight's agenda.

Mayor Little – those are just changes that would be required so that our Zoning Ordinance match the Master Plan and nothing beyond that to her knowledge.

Mr. Bucco – we are just clarifying and defining certain terms in the Zoning Ordinance.

Lori Dibble – would that be for defining lot area and tract.

Mr. Bucco – and open bodies of water.

Lori Dibble – I think that's a pretty significant change.

Mr. Padula, Acting Borough Attorney explained the procedures and stated that it's just on for discussion tonight.

Lori Dibble questioned the trailer camp ordinance and recommended that it be removed because it's outdated and not applicable now.

Mayor Little – that concludes the public portion on agenda items.

Kavookjian Field – T. Kavookjian Presenting

Mr. Kavookjian spoke about the May 7th, 2008 update letter that he prepared. He stated that now that we are at this point we have to figure out how we are going to set this Committee up. His intent is to raise funds privately and he needs to know how that money would be deposited.

Mayor Little – we can be guided by the CFO with regard to the funds. We would have to be guided by an Attorney for the liability aspects. An Insurance Broker would have to discuss policy clauses. The land itself is deed restricted only by the Borough of Highlands. Its deed restricted by the family that made it available to the Borough of Highlands but it is owned by the Borough of Highlands and she believes that this Committee has been established by the family toward better and improved maintenance of the field and then revenue generation for that purpose and funds to be used for recreational advances for the Borough of Highlands. The deed restriction was that the family be satisfied with the maintenance and improvements of the field.

Mayor Little directed Mr. Kavookjian to take this to the sub-committee with the two Professionals that she has identified. She believes that he has the authority from this Council to move forward, so our Professionals should be available to you.

Mr. Kavookjian – stated that he has preliminary drawings and he would like to reveal them in the next couple of months.

Zoning Updates to Conform with Master Plan

Mayor Little stated that the Council has a draft report with some suggestions on this matter and she would ask that members of the Council indicate if they have anything that they want to discuss on this matter. It would be an item depending on the feeling of the Council to move to the next meeting for action.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mr. Nolan – can we take this under advisement and maybe not put this on for the next meeting only because there is a lot of impact on this.

There was no objection from the Council for Mr. Nolan's request.

Mayor Little – so what we will do is take this under advisement at Workshop and discuss it again at the June Workshop Meeting. She explained that what was produced by the Borough Engineer is a draft recommendation as to what he believes what action is necessary to conform those Zoning Ordinances to the Master Plan.

Mr. Nolan – there is also a packet that was handed out that both Mr. Urbanski and he have been working on for the past few months and attached are recommendations and he request that this also be placed on the workshop meeting. He stated that they are available to the public.

Mr. Bucco stated that he did review that.

Mayor Little – I am going to request that this be reviewed and placed on next month's workshop agenda.

Noise Ordinance

Mrs. Flannery stated that she has provided the current Noise Ordinance to the Governing Body and Chief Blewett to review.

Chief Blewett – the fact is in 2004 our Noise Ordinance was found to be invalid by the Monmouth County Prosecutors Office specifically because the way it was written and the specific mention of decibals. He stated that in 2007 he wrote a letter about this and he is recommending that we take out the decibal portion of the ordinance other than that it was pretty specific which he further explained. He stated that a decibal meter is also not practical therefore he recommends that decibal readings be removed from the ordinance.

Mrs. Burton stated that we need to address this because of complaints. She then asked if we remove the decibal reading from the ordinance then the ordinance would be if you can hear noise from 100-feet from property line of a business then what happens.

Chief Blewett stated that warnings are given but the problem with the decibal meter is any violation has to include the decibal. The old ordinance was a certain amount of feet from the property line during certain hours of the day and that was successful.

Mr. Urbanski stated that this is a good idea because it getting loud but it would have to be enforced.

Mayor Little – we need to put this on an agenda for action and introduce it at the next meeting.

Slopes & Stabilization

Mr. Bucco – this item is on because you had requested the Borough Attorney to gather different town ordinances as it relates to slopes and stabilization and that was going to be a discussion amongst the Council as to what ordinance best fit the Borough of Highlands.

Mayor Little – I do remember Mr. Oxley recommending that we review Middletown's and Atlantic Highlands. Perhaps we can carry this matter to the June Meeting to give the Borough Attorney a chance to update us with regard to Atlantic Highlands and any other municipalities that he has been investigating. She spoke about getting input from the Shade Tree Commission and Environmental Commission. So we are going to also be looking for recommendations from the Borough Engineer.

Trailer Camp Ordinance – Remove or Amend

**Mayor and Council
Workshop Meeting
May 7, 2008**

offer, CFO

Issuance of Special Emergency & Bond Anticipation Notes **\$474,778**

Details:

Water 24,000

Notes 02-08 48,128

Equipment 98-10 194,750

For Park & Playground 07-04 177,500

Phase II 07-21 30,400

474,778

April 30, 2008
January 29, 2009

Days
Outstanding
269

Bidder	Interest Rate	Gross Proceeds	Less: Premium	Net Interest
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Mrs. Flannery the current ordinance was in the Council Meeting Packet so they could review it to determine if it should be amended or removed.

Mayor Little asked the Governing Body for any discussion or movement on this matter.

Mr. Nolan – I think that we should remove this ordinance. Ms. Dibble is correct this ordinance is very old and outdated and if we could put this on the next agenda that would be great.

There was no objection from the Council.

Mayor Little directed the Borough Clerk to place this on the next agenda to be removed.

Mrs. Burton requested that the Borough Attorney make recommendations so that removing this ordinance is not a legal issue.

Mayor Little – I think that when we introduce this we can ask the Borough Attorney for his comment.

Committee Reports:

Finance

Mr. Pfeiffer – the first part of his report is that he recently issued a Special Emergency Note for \$24,000 in bond anticipation notes for \$454,778 for various ongoing projects in the Borough. We had three bidders on those notes and the winning bid came in from Two River Community Bank at 2.4% and the interest for the note which is going to run for 269 days from April 30 to January 29th

Community Bank	2.4000%	8,514.35	8,514.3
	3.5000%	12,416.76	12,416.7
Bank	2.5000%	8,869.11	8,869.1

**Mayor and Council
Workshop Meeting
May 7, 2008**

River Community Bank

Mr. Pfeffer stated that the other item that he wanted to report is on around this time of the year he gives a report on the budget situation and unlike the last few years the revenues have been up beat but this year there are problems on the revenue side of the budget and some of them are nationally economy driven problems. The biggest one that we face is interest on investments which he explained. In looking at our anticipated revenues and unanticipated revenues in that everything but taxes and state aide, we are off about \$40,000 from last year. That's not such a major problem but in the way that budgets prepared and the process that we have to follow there are problems within those numbers. We anticipated \$153,000 in this year's budget and through April we are at \$101,860 and his guess is that we aren't going to collect more than \$10,000 maximum \$15,000 in the last two months of the fiscal year, so we are looking at a potential short fall on that line item of \$30,000 and that's compounded which he further explained. When we build the budget and put a revenue number in most of the time that number cannot exceed what we collected in the prior year. We are short in the Court and Uniform Construction Code which he further explained. As far as taxes go it's a little too early to read that at this time. In the past five years we have had good collection rates. On the expenditure side we are really being pressured in gasoline which he further explained. The other account that has experienced a problem is electric because the rates went up and we added a new building (the fire house). So these are some of the line items that I monitor. We have a little pressure in the engineer account because of the amount of engineering that we ask him to do. He stated that he wants to be cautious for next year.

Mayor Little stated that she requested to see reduced amounts and she asked him to identify any employees who are in for 25 years or close to that. This is something that we are looking into and her goal is not to pass on the increase that she sees coming. She is going to work to minimize increases.

Mr. Nolan – the Mayor has put a _____ out to try to lower the cost by 15%, 20% for every department in the Borough. We are also looking to save ways on purchasing. He then spoke about a recent meeting attended on this matter. He then spoke about the new FEMA map and meetings that other towns are having.

Public Safety

Chief Blewett spoke about an upcoming Neighborhood Watch meeting regarding the Police Departments goals and objectives at the Community Center on May 15. The Police Department has moved into their new dispatch facilities. He then spoke about some recent arrests that the Police Department made, the amount of calls for service, number of arrest made for last month. He then stated as a result of the study they did for Highland Avenue with regard to the speed sign, they did a five day study and the average vehicle count per day was 444 cars and 62% of the time the vehicles were traveling 11 and 20 m.p.h. and 33% of the time they were traveling between 21 and 30 m.p.h.. They also did a study on Shore Drive between Miller and Waterwitch for a five day period and the average vehicle count for that area is 756 cars per day and 69% were traveling 21 to 30 m.p.h., ___% of the time they were traveling between 11 and 20 m.p.h.. They also placed a speed sign down on Shore Drive by Marie Street and 75% the cars were doing 21 to 30 m.p.h. and 14% of the time they were doing 31 and 40 m.p.h and the average cars per day for that area was 2,173 vehicles per day.

Mr. Hilling thanked Chief Blewett for the work on the new dispatch area and thanked the Board of Ed to put a repeater in the building. He then asked for formal action to install Motorola.

Mayor Little directed the Borough Clerk to put that on the next meeting.

Mr. Nolan spoke about the blank cell phone spots in Highlands and the need to cover these areas.

Department of Public Works

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mr. Urbanski – short of paving the recycling yard we have a new compacter in place for cardboard and paper. They will be paving as soon as they can find the funds other than that we have a great recycling yard.

Building & Housing

Mr. Caizza stated that the Code Enforcement Officer has been stepping up a little more and he been out done by Miller and Valley Street for the last couple of weeks to get that area straightened out. He will get up to Highland Avenue this week to clear the sidewalks.

Parks & Recreation

Tim Hill, Recreation Director – they are in the process of starting 17 programs for the summer and if anyone needs information on that they can contact the Community Center or obtain it on the website.

Mr. Nolan – this Saturday there will be a ceremony at the VFW because they are removing the Dough Boy from the bridge and putting it down in back of the VFW.

Mr. Manrodt – they will have a short ceremony at 12:00 noon on Saturday.

Highlands Business Partnership

Mayor Little – there is a HBP Representative here this evening so we will dispense with this Committee Report.

Ordinances: Introduce and Set P.H.D.

Ordinance O-08-06

Mrs. Flannery read the title of Ordinance O-08-06 for introduction and setting of a public hearing date for May 21, 2008.

Mrs. Burton stated that she and James Fox worked on this ordinance and they submitted it to the Borough Attorney to review. They then held a Shade Tree Commission Meeting and there are some they came up with.

Mr. Padula stated that since it hasn't been introduced yet so if you want to make a change now then you just need to make a motion to amend the ordinance as presented to the Council.

Mrs. Burton then described the following changes:

1. Definition of Slope add “any area within 15-feet of the top of any slope and any area within 15-feet of the toe of the slope.
2. Section 22-1.6 number 4a. add fee for Specimen & Significant Specimen Tree she wants to raise that fee for \$50.00 per tree.
3. Section 22-1.6 4b – change the color of the ribbon from yellow to Red or Blue
4. Section 22-1.6 c8 – add “ a temporary meaning for slope stabilization approved by Borough Engineer. She does not have the exact language for this with her.
5. Section 22-1-10 remove exemptions of Borough and State and County and other.

Mr. Nolan offered a the following ordinance on introduction and setting of a public hearing date for Wednesday, May 21, 2008 and that the amendments proposed by Mrs. Burton be included:

**O-08-06
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXII OF THE
REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED
“TREE REMOVAL [ORD. 0-88-20§1]” IN ITS ENTIRETY, AND ESTABLISHING A**

**Mayor and Council
Workshop Meeting
May 7, 2008**

**NEW CHAPTER XXII ENTITLED, "ENVIRONMENTAL PROTECTION", AND
MORE PARTICULARLY ESTABLISHING SECTION 22-1 ENTITLED, "TREE
PROTECTION".**

BE IT HEREBY ORDAINED, FOR THE PURPOSES HEREINBELOW EXPRESSED, THAT CHAPTER XXII OF THE REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED "TREE REMOVAL [ORD. 0-88-20§1" BE AND HEREBY IS REPEALED IN ITS ENTIRETY, AND REPLACED WITH A NEW CHAPTER XXII, ENTITLED, "ENVIRONMENTAL PROTECTION" AND MORE PARTICULARLY ESTABLISHING SECTION 22-1 ENTITLED, "TREE REMOVAL AND PROTECTION".

NOW, THEREFORE, BE IT ORDAINED THAT CHAPTER XXII, ENTITLED, "ENVIRONMENTAL PROTECTION", be and hereby is established to read as follows:

22-1.1 Title.

This section shall, be known as and may be cited as "Tree Removal and Protection Ordinance of the Borough of Highlands."

22-1.2 Purpose

The purpose of this chapter is to prevent uncontrolled and excessive destruction or removal of trees within the borough on level properties as well as on any slopes. Uncontrolled and excessive destruction or removal of trees within the borough has caused or contributed to potential hazards to persons or property including but not limited to soil erosion, changes in drainage patterns, increased dust and noise pollution. And to restrict the removal of other trees, thereby maintaining the beauty and character of the Borough of Highlands, preventing erosion, controlling action that

will substantially change drainage patterns, and restricting any action that could create a hazard to persons or property.

22-1.3 Definitions and Word Usage.

For the purposes of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. The word "shall" is always mandatory and not merely directory.

Applicant shall mean any person making application to the Tree Conservation Officer for a Tree Protection Permit.

Clear cutting shall mean the removal of all, or substantially all, of any size or type of trees within an area on a lot larger than five hundred (500) square feet, or within noncontiguous areas on a lot which have a total combined area greater than one thousand (1,000) square feet, or on any slope (see definition of slope).

Destruction or destroy shall mean the cutting, girdling, poisoning, bulldozing over or any other deliberate act which results in the death or destruction of the life or main stems and crown or root system of tree.

Dripline shall mean a line connecting the tips of the outermost branches of a tree projected vertically onto the ground.

Diameter at breast height (DBH) shall mean the diameter of a tree measured at breast height, which is approximately four and one-half (4.5') feet above the ground. The diameter of a multi-trunked tree shall be two-thirds (2/3) of the sum of the diameters of all trunks but not less than the diameter of the largest trunk.

Emergency shall mean any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger or hazard to person or property.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mitigation plan shall mean a plan prepared by a qualified person acceptable to the Tree Conservation Officer showing the planting of replacement trees on the property on which a restricted regulated activity is taking place or on other properties within the Borough. Said plan must depict, in a manner acceptable to the Tree Conservation Officer, a reasonable scheme for the ultimate full replacement of trees removed.

Ornamental tree. See *Tree, ornamental*.

Permittee shall mean any person who has been issued a permit pursuant to the terms and conditions of this section and who is obligated to fulfill all the terms of this section.

Person shall mean any person, firm, partnership, association, corporation, company, or public or private organization of any kind other than those exempted from the provisions of this section.

Protective barrier shall mean a barrier constructed to protect the root system or trunk of a tree from damage during construction or from equipment. Such a barrier may consist of a snow fence or similar structure approved by the shade tree commission.

Pruning shall mean the act of trimming or lopping off what is unnecessary. The act of cutting off branches to help strengthen those that will remain, or bringing a tree into a desired shape.

Shade Tree Commission shall be defined in chapter 2-21 in Revised General ordinances of the Borough of Highlands. Shade tree commission members shall have the right to enforce this section and issue complaints if needed, as well as provide a list of acceptable replacement trees.

Significant specimen tree shall mean any tree or ornamental tree with a diameter at breast height (DBH) exceeding sixty (60%) percent of that of the largest similar tree listed in either of these references: Monmouth, County's Largest Trees, prepared and updated annually by the

Monmouth County Shade Tree Commission or New Jersey's Big Trees, prepared and updated biannually by the Division of Parks and Forestry of the New Jersey Department of Environmental Protection.

Specimen tree shall mean any tree or ornamental tree which is not a significant specimen 'tree and which has a diameter at breast height (DBH) of eighteen (18") inches or more.

Slope shall mean a rise equal to or greater than 1'(foot) vertical on 2'(feet) horizontal.

Thinning shall mean the removal of undesirable, competitive, diseased or damaged trees so as to improve the development of the remaining trees on a lot.

Tree shall mean any living deciduous or coniferous (evergreen) tree with a normally anticipated mature height of twenty (20') feet or greater with an existing DBH larger than 4", except on **slopes greater than 1' on 2' (meaning trees located on slopes with less than a DBH of 4" need to have approved permit for removal)**. Examples include but are not limited to: Norway, Red, Silver or Sugar Maple, Sweetgum, London Plane, American Sycamore, White, Red or Pin Oak, American Elm, Yellow or White Poplar, Copper Beech, Cedar, Spruce, Pine, Fir or Hemlock.

Tree Commissioner shall mean the person designated by resolution of the Borough Council to administer permitting and enforce this section. Shall be a member of the Shade Tree Commission. If no such person is designated, the Borough Clerk or the Clerk's designee shall act as Tree Commissioner.

Tree expert shall mean a specialist in trees or tree care whose qualifications are acceptable to the Tree Conservation Officer.

Tree removal plan shall mean a legible sketch, a tax map reproduction, a copy of an existing survey or similar drawing with field measurements and dimensions provided by, the property owner or the owner's agent.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Tree, ornamental shall mean any living deciduous or coniferous small decorative tree with a normally anticipated mature height of six (6') feet or greater. Examples include but are not limited to: Dogwood, American Holly, Native Laurel, and any other Birch, Japanese Maple, Cherry, Crabapple, Magnolia, Bradford Pear and Willow).

22-1.4 Prohibited Activity

The activities described in this subsection and any substantially similar activities are prohibited activities:

- a. Remove, destruction or clear cutting of any tree or trees upon any lands, including public right of ways, easements, privately and publicly owned lots and slopes within the Borough of Highlands.
- b. Undertaking, causing or permitting any activities including grading, demolition or construction on, or adjacent to, any lot which may damage; or otherwise causing or permitting any damage, injury or disfigurement to any tree, ornamental tree or dripline of a tree described in paragraphs a.

22-1.5 Permit Required.

No person shall engage in, nor allow, permit or direct any person to engage in, any prohibited activity as defined in subsection 22-1.4 above unless a tree removal/protection permit is first obtained from the Tree Commissioner.

22-1.6 Permit Application Procedure and Requirements.

- a. Application for a tree removal/protection permit shall consist of:
 1. A fully and accurately completed application form provided by the Borough.
 2. A Tree Removal Plan in sufficient detail to identify the location, species, diameter and estimated height of all trees wanting to remove or protect, and all existing and proposed accessory structures in relations to any removals. All trees described in subsection 22-1.4 shall be shown on a tree removal plan if construction or any grading activity is proposed within ten (10') feet of the dripline of such trees. For removals of five (5) or fewer trees on a lot where the principal use is an existing single-family dwelling, the Tree Removal Plan may be provided using a legible sketch, a tax map reproduction, a copy of an existing survey or similar drawing with field measurements and dimensions provided by, the property owner or the owner's agent. In the case of tenants and landlords, the Tree Removal Plan must be accompanied by a signature and contact information of property owner on file at borough hall.
 3. A narrative description of the property owner's reasons for removing the trees, including a description of any alternates considered.
 4. A tree removal/protection permit application fee, as set forth herein shall be paid:
 - (a) Twenty-five (\$25.00) dollars a tree.
 - (b) Fees may be waived or modified by the Borough Council for charitable, public or quasi-public, or educational agencies or in unusual and exceptional circumstances.
- b. The applicant will place or cause to be placed, in a highly visible manner, a one (1") inch wide yellow ribbon, which may be obtained from borough hall, around the trunk of each tree to be removed, to aid the Tree Commissioner in evaluating the proposed removals.
- c. After evaluation of an application, the Tree Commissioner will take one (1) of the following actions within the time set forth:

**Mayor and Council
Workshop Meeting
May 7, 2008**

5. If the Officer determines that the permit application is incomplete, unclear, inaccurate or otherwise deficient, the Commissioner shall so advise the applicant and return the permit application within ten (10) days of the date of application. The applicant may revise, supplement and/or resubmit the application, which will then be treated, as a new application except no additional fee is required. An applicant may elect not to resubmit a returned application and, in such case, may request refund of fifty (50%) percent of any fee paid.
6. If the Officer determines that the proposed regulated activity is permitted or prohibited by the standards set forth in subsection 22-1.7 herein below, a permit shall be, respectively, issued or denied within thirty (30) days of the date of application.
7. In issuing permits under this section, the Commissioner may impose reasonable permit conditions necessary to effectuate the purposes of this section.
8. In cases of slopes, permittee will be required for every tree or ornamental tree removed to plant a tree or shrub in accordance to a plant list provided by the Shade Tree Commission suitable for slope stabilization within thirty (30) days of removal or completion of construction project. No exceptions.
9. In cases of multi-family or single family homes, permittee will be required for every tree or ornamental tree removed to plant a tree or shrub in accordance to a plant list provided by the Shade Tree Commission suitable for our climate within sixty (60) days of removal or completion of construction project. In cases where the planting of replacement trees or ornamental trees is not feasible on property, twenty (\$20) dollars, to the borough for planting of a replacement tree in a location recommended by the Shade Tree Commission.

22-1.7 Review of Applications.

- a. Application will be reviewed by the Tree Commissioner.
- b. When reviewing applications, the Tree Commissioner will, after inspecting the site, evaluating soil, location, grading, drainage and other conditions on the site and adjacent properties and consulting with such other officials, agencies, committees, boards and commissions as the Officer deems appropriate, determine if the regulated activity proposed is prohibited, permitted or restricted in accordance with this section.

1. Prohibited regulated activities include:

- (a) Clear cutting areas, outside of the limits of removal which collectively exceed forty (40%) percent of a lot.
- (b) Removal of any trees.
- (c) Any action that will substantially increase the potential of erosion.
- (d) Removal of any vegetation, including trees with a DBH less than 4" on a slope.
- (d) Any action that will substantially change drainage patterns.
- (e) Any action inconsistent with other land use approvals or regulations affecting the site.
- (f) Any action that would create a potential hazard to persons or property.

2. Restricted regulated activities include:

- (a) All regulated activities, which are neither prohibited nor permitted, are restricted. Applications may propose a combination of prohibited, permitted

**Mayor and Council
Workshop Meeting
May 7, 2008**

and restricted activities. In such cases, the Tree Conservation Officer may segregate the activities proposed and take the appropriate action on each type of activity.

(b) Applications for restricted activities shall be referred to the Planning Board for recommendation to the Tree Conservation Officer.

b. The Planning Board shall consider these factors in making a recommendation to the Tree Commissioner concerning a restricted regulated activity:

1. Whether the proposed cutting or removal would impair the growth and redevelopment of the remaining trees on the applicant's property or adjacent property.

2. Whether the proposed cutting or removal would change existing drainage patterns.

3. Whether the proposed removal would allow soil erosion or increase dust.

4. Whether the proposed removal would constitute a significant change in the screening between existing or proposed buildings on contiguous lots or the aspect of the lot as viewed from the adjacent public road.

5. The overall, effect of removal of such tree(s) on the physical and aesthetic value of the property and the neighborhood.

6. Whether proposed changes to the topography of the area where such tree(s) are located will have a land configuration which shall be deemed injurious to the trees or other trees located nearby so as to require welling, construction of an aerification system, or tree removal or replacement.

7. Whether reasonable application of the standards of this section create a substantial hardship for the applicant, prohibiting reasonable use of the property consistent with the Planning and Development Regulations, and whether, therefore, one (1) or more of the standards should be waived.

8. In appropriate circumstances, an applicant may be required to post performance and maintenance guarantees assuring compliance with the provisions of any tree protection permit and this section and assuring provision of replacement plantings damaged or removed contrary to the terms of any tree removal/protection permit or this section.

c. The Tree Commissioner shall give due deference to the recommendations of the Planning Board with regard to an application for a permit to allow a restricted regulated activity. The Officer may only act contrary to, or significantly modify, the recommendation of the Planning Board if the Officer finds that the recommendations are based on incomplete or inaccurate information, are unreasonable or impracticable or would produce results contrary to the intent of this section. The Tree Commissioner shall, provide the Planning Board with a copy of the Commissioner's final action on all permits for a restricted regulated activity.

22-1.8 Protection of Existing Trees.

In connection with any construction, subsequent to tree clearing but prior to the start of other construction, snow fencing or other protective barrier acceptable to the Construction Official and/or Tree Commissioner, shall be placed around trees that are not to be removed. The protective barrier shall be placed at the dripline of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction material shall be placed within any areas so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor.

22-1.9 Emergency Action.

**Mayor and Council
Workshop Meeting
May 7, 2008**

In the event of an emergency, any person, otherwise subject to this section, having responsibility, jurisdiction and/or authority to cure, remedy or mitigate dangerous, hazardous, inconvenient or unhealthy conditions resulting from the emergency may, without first applying for and obtaining a permit under this section, take any lawful action which is otherwise a regulated activity. However, such person, or the agent or designee of such person shall apply for a tree removal/protection permit not later than the end of the second succeeding business day after any regulated activity takes place and may not proceed with non-emergency work including restoration until a permit is obtained.

22-1-10 Persons Exempt.

This section shall not apply to regulated activities by:

- a. The Borough or those acting under the control and direction of the Borough including any person acting pursuant to a specific agreement or contract approved by the Borough Council.
- b. Federal, State or County agencies or those, acting under their control and direction.
- c. Entities, having by their charters and the Laws of the State, authority to engage in a regulated activity without the consent of the Borough but only insofar as the purpose to which such authority extends; in all other respects, such entities shall comply with this section.
- d. Commercial nurseries and similar established legally operating uses.
- e. Properties operating under forestry management plan approved by the State of New Jersey.
- f. Utility companies with public rights-of-way when such companies are operating under the jurisdiction of the public agency controlling the right-of-way.

22-1.11 Violations and Penalties.

- a. Pursuant to *N.J.S.A. 40:49-5*, any person, firm, association or corporation violating any section of this chapter, shall, upon conviction in the municipal court having jurisdiction, be subject to a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding ninety (90) days, or both, or community service and shall replace each tree destroyed or removed in violation of this section with a tree on accordance to a list provided by the Shade Tree Commission. Each tree destroyed or removed in violation of this section shall be considered a separate offense.
- b. Any member of the Shade Tree Commission can file complaints.

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

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

Resolutions:

Payment of Bills

Mrs. Flannery – the Payment of Bills and Supplemental Payment of Bills are available for anyone wishing to review them.

**Mayor and Council
Workshop Meeting
May 7, 2008**

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

**RECAP OF PAYMENT OF BILLS
05 /07/08**

CURRENT:		\$	53,235.62
Payroll	(04/30/08)	\$	236,137.65
Manual Checks		\$	115,463.38
Voided Checks		\$	
SEWER ACCOUNT:		\$	8,483.86
Payroll	(04/30/08)	\$	12,294.36
Manual Checks		\$	4,460.20
Voided Checks		\$	
CAPITAL/GENERAL		\$	13,695.00
CAPITAL-MANUAL CHECKS		\$	
WATER CAPITAL ACCOUNT		\$	5,343.25
TRUST FUND		\$	25,002.67
Payroll	(04/30/08)	\$	320.00
Manual Checks		\$	5,712.60
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	54.00
Voided Checks		\$	
GRANT FUND		\$	6,198.52
Payroll	(04/30/08)	\$	1,700.00
Manual Checks		\$	
DEVELOPER'S TRUST		\$	215.24
Manual Checks		\$	1,406.01
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 May 7, 2008**

F & P Contractors	Washington Avenue Phase II	\$ 28,829.83
Total Supplemental Bill List		<u>\$ 28,829.83</u>

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

ROLL CALL:

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

Resolution R-08-93

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mrs. Flannery read the title of Resolution R-08-93 for approval.

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-08-93

**RESOLUTION - AUTHORIZING TRANSFERS BETWEEN BUDGET
APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers as permitted between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that transfers between SFY 2008 Budget Appropriations be made as follows:

CURRENT FUND -----	FROM -----	TO -----
Snow Removal:		
Salaries & Wages	\$ 12,000.00	
Other Expenses	3,000.00	
Streets:		
Salaries & Wages	10,000.00	
Monmouth County Reclamation	17,000.00	
Workers Compensation Insurance	5,000.00	
Legal:		
Other Expenses		\$13,000.00
Sanitation:		
Salaries & Wages		4,000.00
Mechanical Garage:		
Other Expenses		15,000.00
Utilities:		
Electricity		12,000.00
Telecommunications		2,000.00
Uniform Fire Safety:		
Other Expenses		1,000.00
	-----	-----
	\$ 47,000.00	\$ 47,000.00

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

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Resolution R-08-95

Mrs. Flannery read the title of Resolution R-08-95 for approval.

Mr. Nolan gave an explanation of Resolution R-08-95.

Mayor Little spoke about the School Budget and the work that the Board of Education is looking into alternatives.

Mrs. Burton – if there isn't an urgency on this resolution being adopted tonight then she would rather carry this to the next meeting because she has some questions.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mr. Nolan stated that there is a deadline and it's before the next Council Meeting.

The Council had a discussion on the Board of Education Budget.

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

R-08-95

**RESOLUTION OF THE BOROUGH OF HIGHLANDS CONCERNING SETTING
THE TAX LEVY FOR HIGHLANDS ELEMENTARY SCHOOL**

WHEREAS, on April 15, 2008, the annual school budget for the 2008-2009 academic year, as prepared by the Highlands Elementary School Board of Education (hereinafter referred to as "BOARD") was defeated by the voters; and

WHEREAS, pursuant to the provisions of N.J.S.A. 18a:22-37, The General Fund Budget for the year 2008-2009 has been presented to the Finance Committee (hereinafter referred to as "the Committee") of the Governing Body of the Borough of Highlands for its determination of the amount necessary to be appropriated for each item appearing in the General Fund Budget; and

WHEREAS, New Jersey State Statute requires the Governing Body to certify the amount of local tax revenue to support a thorough and efficient system of education where a tax levy referendum of the BOARD was defeated by the voters of a municipality; and

WHEREAS, in the course of reviewing the defeated school budget, the Committee conducted a meeting; and

WHEREAS, in fulfilling its obligations, the Committee and the Governing Body have discussed, in detail, the budget and it's supporting documents; and

WHEREAS, the Governing Body finds that (1) the provision of a thorough and efficient system of quality education to the children of Highlands is of the highest priority and utmost importance to the Governing Body, the BOARD, the parents, children and all citizens of the Borough of Highlands and that (2) the provision of such an educational system is essential to the continued development of the community and the future of our children; and

WHEREAS, the Governing Body further finds that (1) the provision of educational services to our children, as the provision of all governmental services, should be rendered in a cost effective manner; that all reasonable and necessary administrative efforts should be made to

realize economies in the provision of education services so as to avoid unnecessary expenditure of public funds which do not relate directly to the quality of education provided to our children;

and (2) the BOARD is mindful of the fact that the ever increasing tax burden upon our taxpayers must not be unnecessarily increased; and

WHEREAS, the Governing Body has determined that certain line items in the annual school budget for the 2008-2009 school year may be reduced without any adverse effect upon the quality of education provided; and

WHEREAS, the reasons for each such reduction in the annual school budget has been considered and addressed by the Governing Body and is set forth in detail below; and

WHEREAS, the Governing Body has been both reasonable and conservative in its review of the recommended reductions in the line item specified;

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

Mayor and Council

Workshop Meeting

May 7, 2008

- The Committee, after due consideration and consultation with the full Governing Body, hereby finds and determines that the following line item contained in the annual school budget for Highlands Elementary School for the academic year 2008-2009 can be reduced without negative effect upon the thorough and efficient provision of public education in the Borough of Highlands:

<u>LINE ITEM</u>	<u>DESCRIPTION</u>	<u>REDUCTION</u>
11-000-222	Educational Media	-\$5,000.00

- The Governing Body strongly recommends that the reduction in this line item be replenished with proceeds from fund raising events.
- The Governing Body hereby certifies to the Monmouth County Board of Taxation and to the Monmouth County Superintendent of Schools, the following amount relating to the General Fund to be raised by local taxation for the Highlands Elementary School District in the 2008-2009 school year is as follows:

The original tax levy for General Fund contained on the ballot pertaining to the 2008-2009 annual school budget for Highlands Elementary School Board of Education was: \$2,974,548.00

The total amount of the net reduction in the General Fund found by the Governing Body to be appropriated is: -\$ 5,000.00

The amount of the tax levy hereby certified by the Governing Body Of the Borough of Highlands to the Monmouth County Board of Taxation and to the Monmouth County Superintendent of Schools For the 2008-2009 General Fund is \$2,969,548.00

The Governing Body hereby certifies that the revised school budget for the Highlands Elementary School for the year 2008-2009 containing the line item reductions as noted above, in accordance with the reasons for such reductions as expresses here, is sufficient to provide a thorough and efficient system of education in the Highlands Elementary School for the 2008-2009 school year; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Highlands, as follows:

1. The Municipal Clerk be and hereby is authorized and directed to file a certified copy of this Resolution with the Board of Education of the Highlands Elementary School no later than May 19, 2008.
2. The Municipal Clerk be and hereby is further authorized and directed to file two (2) certified copies of this Resolution with the Monmouth County Superintendent of Schools and with the Monmouth County Board of Taxation no later than May 19, 2008.

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

ROLL CALL:

AYES: Mrs. Burton, Mr. Nolan, Mayor Little

NAYES: Mr. Caizza, Mr. Urbanski

ABSENT: None

ABSTAIN: None

Approval of Minutes:

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mr. Nolan offered the approval of the following Meeting Minutes:

January 9, 2008
January 23, 2008
February 6, 2008
March 23, 2008
April 12, 2008

Seconded by Mrs. Burton 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

Public Portion:

Cynthia Fair of 73 Navesink Avenue was not present to speak during the public portion.

Jim Parla of 16 Portland Road asked for the availability of a discount on prepayment of property taxes.

Mr. Pfeffer – stated that he does not believe that it's permitted in New Jersey and that he would look into that.

Jim Parla then commented about his concerns with the Shadow Lawn Property development is environmental and safety and he hopes the Governing Body consider option of having an independent Environmental Authority do an investigation. He expressed his concerns about the removal of the existing tenants of the site and hopes there is assistance for them. His spoke about the budget and supports a developers 3% tax that is in the Master Plan but he cautions the town to not ignore the problems with density and long term problems.

Christian Lee of 2 Navesink Avenue spoke about the tree ordinance and he feels that this ordinance does not answer the problems that we have with slopes.

Roberta McEntee of Fifth Street – thanked the Mr. Hilling and Mr. Urbanski for cleaning up the Depuration Lot. She stated that Tim Hill, Recreation Director is to be commented to his devotion to the children of the community. She commented on the school budget and class sizes up at the Elementary School.

Karen Horner of 49 Oceanview explained that the State mandates I.E.P. (Individual Education Plans) and the number of children with IEP that can be in a class.

Maureen Kraemer of 200 Portland Road – thanked the Chief of Police about addressing her concerns on Highland Avenue recently which she explained. She stated that some precautions need to be done, someone should be out there with a flag on Highland Ave and for the bridge construction. She stated that there are several zoning violations going on in town at the Careless Navigator and the Moby property. She thinks that the use of the land is not what it was established to be. It is being used strictly for a parking area for heavy equipment. She then referenced the zoning ordinance. She recommends that the owners of these properties be fined starting with the first day it occurred.

Mayor Little stated that the Administrator has spoken with the Zoning Officer about this.

Mr. Hilling stated that he has spoken with the DOT about this.

Mayor Little – basically we gave them the courtesy of notification but action is forth coming.

Maureen Kraemer – there is a property on Portland Road has two earth movers sitting on their property and those two tractors have been sitting on the lawn and she wants that looked into.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mayor Little directed the Borough Administrator to have the appropriate official take a look at that.

Eric Reinhardt of 120 Highland Avenue – he lives across from S. Peak Street and he has a fire hydrant in the middle of his property and he requested that if work is to be done on Highland Ave then he would like the fire hydrant removed or capped so that he can park in front of his house.

Mayor Little requested that the Borough Engineer keep that in mind.

Mr. Caizza – the water company won't move it.

Mr. Bucco – stated that he will contact the water company to see if they can move it during construction.

Scott Keller of 8 Huddy waived his time to speak.

Jenn Roberts of 179 Route 36 spoke about Highland Avenue and stated that she lives on the corner of Valley Ave and Navesink Ave and stated that 11 times her fence was crashed in by drivers. She wants to know what is going to happen when the bridge construction starts and she is concerned with her safety.

Mayor Little – I have negotiated for you for some local traffic only signs for Valley, Miller and Highland Avenue and the DOT has agreed to post those. She has put them on notice that if there are violations of the local only traffic signs then we are going to require alternatives.

Jenn Roberts asked if the Council would consider making Valley Avenue a one-way street going from Highland out to the Highlands.

Mayor Little – I will have to ask the Chief to look into that.

Mayor Little then read the names of the people on the public speaking list that waived their time to speak as Arnie Fuog and Chris Francy.

Chris Francy of Fifth Street – asked the Council to commit that they have the Planning Board review the Zoning Amendments.

Mr. Bucco stated that any recommendations relating to zoning or master plan the borough has always sent it to the Planning Board.

Chris Francy commented on the school budget.

Patricia Robertson wanted to question the FEMA maps.

Arnie Fuog of 50 Valley Street stated that he is proposing that the people be allowed to have home businesses in their homes with proper guidance so that people can generate income.

Mr. Nolan – the ground for that is in the proposed zoning package. He then suggested to Mr. Francy to have the board review the document and send a comment letter on it to the Council.

Mayor Little requested that courtesy copies be given to the Planning Board and the Zoning Board so that they are aware of what we are doing.

Patricia Robertson questioned a potential meeting with FEMA.

Mr. Nolan explained the FEMA meeting process.

Mrs. Burton explained that we are in the comment period with FEMA.

**Mayor and Council
Workshop Meeting
May 7, 2008**

Mayor Little – with regard to the final public portion list those who spoke earlier and were passed over due to the late hour, statements can be submitted in writing for attachment to the minutes from this meeting.

Mr. Nolan offered a motion to adjourn. Seconded by Mr. Burton and all were in favor.

The Meeting adjourned at 10:50 P.M.

CAROLYN CUMMINS, DEPUTY CLERK

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