

**MAYOR AND COUNCIL
COMBINED MEETING
JULY 16, 2008**

Mayor Little called the meeting to order at 7:08 P.M.

Mrs. Flannery read the Open Public Meeting Statement.

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
Joseph Oxley, Esq., Borough Attorney
Stephen Pfeffer, Chief Financial Officer

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. **PBA Contract Negotiations Update**
2. **Shore GrafX Website Contract – Request for Increase in Monthly Fee**
3. **Professional Labor Attorney**
4. **Sanitation Outsource**
5. **Tax Clerk Position**
6. **Storm Drain Maintenance**
7. **Potential Retirement of Employee**
8. **Engineering Resumes**

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.
8. Related to investigation of violations or possible violations of the law.

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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 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
ABSENT: None
ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Little called the Combined Meeting back to order at 8:29PM.

Mayor Little advised the public that there are two public portions the first is for agenda items and the second public portion that you can sign up for and that public portion is at the end of the meeting. She explained that she does request that everyone who wishes to speak must sign in.

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
Stephen Pfeffer, Chief Financial Officer
Joseph Oxley, Esq., Borough Attorney

Clam Plant Distribution Presentation

Aqua Life Presentation

Present: Lars Narup of Aqua Life

Mr. Narup introduced himself to the public. He stated that they have been working on the plans for setting up a distribution terminal for shell fish in Highlands and they want to explain the plans more specifically.

Mayor Little thank Mr. Narup for being present this evening.

Mayor Little stated that there is a screen for the presentation for the public to view this evening.

Mr. Narup gave his presentation and explained that the company that he represents is a partnering company with Merce _____ which is the world's largest container shipping company. They have worked over the past four years worked on the development of properties that have to deal with live seaport transportation more specifically live shell fish. The reason that they are

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here today is because they have worked with some of the progressive business people that you have in Highlands but also because we think it would be very interesting to establish the central terminal for this new distribution system in this area. He then went through the presentation which goes through the markets, the reason for doing this, the technologies that they have developed and some of the things that this adds to the market. More specifically what are they looking at in Highlands, the status and outlook, who does what. Basically the reason that they have done this, you have a very prosperous planning industry in the Highlands but over the last ten or fifteen years we have seen a dramatic increase in the production _____ from low income areas in the world that is increasingly threatening our more established industries in the west. Right now in Europe and in the U.S. they represent 8.5 % of production within this _____ and that 8.5% represents _____ percent in value. So that means that we are forced to get more than twice the price of our products then what are competition from the far east are getting which he further explained. He explained that the system that they have developed is a transportation system that will expand the market reach for a _____ producer. He explained that the clamming industry in the Highlands have a bit of limitation in terms of the distribution reach of about three days to two days. So what they do is market these products in the proximity of New York. They wanted to create a system for the market that would expand that distribution rate of for _____ fresh products and that is what we have developed and with our system with the new infrastructure that they want to put in place the industry in Highlands can look forward to having a global market reach rather than just a local market reach. The system here has been patented in 125 countries. It is all about expanding the reach, the system they have is 40 foot containers it consists of 20 tanks and its all based on newest more secure technologies and _____ technologies in order to support the means of high quality products. They have tested this system over the last four years on everything from snow crab from Greenland and muscles and lobsters from Canada and France and most recently they have started transporting clams from Highlands to Spain, yesterday. A container left here yesterday to go to Spain another container left here to go to the West Coast. So what it takes, what it all involves is building the terminal for this transportation formula here so that they can takes crabs from all over the region and transport them from here. He explained the distribution points and the proposed plan to the public. He explained that they want to establish Highlands as a shell fish distribution hub for the north east United States and basically make the whole thing come together here. They wish to establish a Highlands Shell Fish branch to support this which he further explained during his presentation. He explained that they will have to build a state of the art storage and distribution handling terminal. He explained what they would provide to this project. He continued with his presentation of the project to the public. He explained that there won't be a lot of trucking going in and out for the proposed.

Kathy Armstrong of the Clam Plant stated that their first shipment went last year on December 10th to Spain. The shipment that they just sent over to the west coast part of that is on its way to Hong Kong.

Jim Parla of Portland Road questioned if the shipment would be known as being from Highlands. He also questioned the comments about the facility being opened to the public. He asked if there was any challenges that could stop this project from moving forward.

Mr. Narup explained that this could be used to support the tourist industry here and perhaps tours could be a way to help with supporting the tourist industry. He stated that obviously there are some challenges but it is doable.

Don Manrodt of 268 Bayside Drive explained that we have a problem down there now with trailer trucks coming in and out with the narrow streets.

Mayor Little explained that JT Whites operation is not going to be expanded by this, this is going to be a separate facility as a distribution center. The only traffic difference would be that JT White would be taking their clams to the distribution center across town. The size of the trucks that travel shouldn't change and the container trucks that Lars was describing would be coming from Highway to the distribution center which is why we have contemplated putting it closer to the highway.

Don Manrodt questioned the cost.

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Mayor Little explained that Lars's business will not be a cost we have a decision to make as to whether we want to own the facility or not.

Don Manrodt explained if most of the employment for this would be from people from Highlands.

Mayor Little there are discussions about this and she is in favor of that.

Michelle Pezzullo of 115 Highland Avenue questioned the shell fish stock.

Mr. Narup explained that he referred to the local operation in his presentation and being JT White.

Michelle Pezzullo questioned the projection of this project.

Mr. Narup – by next year there should be four containers a week to southern Europe.

Michelle Pezzullo questioned dollars for Highlands from this project.

Mr. Narup explained the difference being known as a fresh market or a frozen market. He also stated that he could not give her a figure.

Michelle Pezzullo asked who would be responsible if the clams become unhealthy.

Kathy Armstrong explained that the clams are not released until the State approves them.

Michelle Pezzullo asked when the decision for the proposed has to be made.

Mr. Narup – we would like it quickly

Carla Cefalo Braswell, HBP spoke about educational tours being done.

Unidentified Woman questioned the amount of clams.

Kathy Armstrong of JT White explained that they can only take 240 baskets, this won't increase the production at JT White Clam Plant.

Lawrence Colby of 44 S. Bay Avenue stated that this is a great opportunity.

Roberta McEntee of Fifth Street asked if the existing plant is large enough.

Mayor Little – that plant is not going to change this it is going to be a new facility. JT White has to continue to operate as it does this would be a distribution facility completely separate.

Ken Braswell of Gravelly Pt Rd asked if the facility has to be on the water or inland.

Mr. Narup explained the pros and cons for the location.

_____ of Bayside Drive questioned where the location would be.

Mayor Little explained that we don't have a definite location in mind we have some possible locations.

Mayor Little thanked Mr. Narup for his presentation.

Our Lady of Perpetual Help Proclamation

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Mayor Little – on June 29th, 2008 there was a celebration at OLPH which is one of the oldest parishes so I did have the opportunity to prepare a Proclamation recognizing OLPH and Mrs. McGarry was very kind to share with me a book that was prepared for the 115th OLPH Anniversary.

Marry McGarry spoke briefly about OLPH and she spoke very highly about OLPH.

Mayor Little spoke about the contents of the book and its history in it.

Mayor Little then read the following Proclamation proclaiming June 29th, 2008 be OLPH Appreciation Day.

Proclamation Our Lady of Perpetual Help Church

WHEREAS, Our lady of Perpetual Help Church was established in the Borough of Highlands in 1883; and

WHEREAS, Our Lady of Perpetual Help Church has been referred to as a cornerstone of the Highlands Community; and

WHEREAS, Our Lady of Perpetual Help Parish is one of the oldest parishes in the Dioceses of Trenton serving about 650 families from Highlands and the surrounding communities; and

WHEREAS, to serve the community, Our Lady of Perpetual Help provides St. Jude's Thrift Shop, the food Pantry, and provides a home for the Knights of Columbus, Society of St. Vincent de Paul and St. Raphael Ministries as well as the music ministry; and

WHEREAS, over the years, O.L.P.H. has served not only their parishioners but all the residents of the Borough of Highlands; and

WHEREAS, this was evident not only after and during the devastating storm of December 1992 but also during and after the community suffered the effects of the disaster of September 11, 2001; and

WHEREAS, I am saddened to think there will be many times ahead when the residents of the Borough of Highlands will once again look to Our lady of Perpetual Help for guidance and comfort I am pleased to know and believe that O.L.P.H. will be there for us one...more...time; and

NOW, THEREFORE, IT IS WITH GREAT PLEASURE THAT I ANNA C. LITTLE, MAYOR of the Borough of Highlands do hereby Proclaim that Sunday June 29, 2008 be Our Lady of Perpetual Help Appreciation Day in the Borough of Highlands;

CONGRATULATIONS on your 125th Anniversary.

Attest: Nina L. Flannery
Date:

Anna C. Little, Mayor
Borough of Highlands, New Jersey

Public Portion on Agenda Items:

Joseph Hawley of 25 Ocean Blvd, Atl. Highlands spoke about Havanna Tropical Café and asked that the Council approve the renewal of the liquor license and spoke favorably about the owners of the restaurant.

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Ralph Amado of 43 Linden Ave, Elizabeth, NJ explained that the times that he is not at his restaurant is because he works for his trucking company.

Kathy Eisner of 290 Bayside Drive, Highlands stated that she wants to speak at the regular public portion of the meeting.

Len Zagrzecki of 290 Bayside Drive, Highlands – will speak at the regular public portion.

Al Emery of 284 Bayside Drive – will speak at the regular public portion.

Peg Emery of 284 Bayside Drive – will speak at regular public portion.

_____ of 280 Bayside Drive asked to be added to the list for the regular public portion.

Lawrence Colby of 44 S. Bay Avenue – stated that he already spoke.

Donald Manrodt of 268 Bayside Drive stated that he supports resolution R-08-132.

Michele Pezzullo of 115 Highland Avenue questioned R-08-132.

Mayor Little explained that this is a resolution supporting activity by both school boards and the money is grant money that they are applying for.

Michele Pezzullo questioned R-08-135.

Stephen Pfeffer, CFO – this is a Resolution that canceled certain balances and puts them back in certain surplus and the money always earns interest.

Michele Pezzullo questioned R-08-137.

Mayor Little – basically this would be creating a dedicated trust and the purpose of this trust is to allow the Borough of Highlands to receive private contributions toward funding a library. We are trying to create an Association Library that is not fully funded by the Borough.

Chris Franczy of 36 Fifth questioned why item 15 was removed from the agenda.

Mayor Little – it was a request for you to use the public park. You have done the proper application and it gets approved by the Administrator and she believes that he has approved the permit.

Carla Cefalo-Braswell of 62 Gravelly Point Rd encouraged support of the Havanna Tropical Café.

Art Gallagher of 158 Bay Avenue questioned the R-08-134 the Temporary Budget Resolution and asked if the rate was going to change.

Mr. Pfeffer - the temporary budget has no effect on the tax rate all it does it put funding in place for 25% of the year.

Richard O’Neil of 224 Navesink Avenue questioned the library.

Mayor Little – some public funds - an Association Library is a combination of private funding and public funding.

Richard O’Neil stated that he does not think that we should get into this with public funds. He stated that the HHR Library was supposed to be used for public.

Carol Henke of 280 Bayside Drive – she will speak at the regular public portion.

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Consent Agenda – Resolutions

Mr. Pfeffer stated that there is a typo on Resolution R-08-135 it should states SFY 08.

Mrs. Flannery read the titles of the following Resolutions:

Mr. Caizza questioned if the Chief had any objections to these liquor licenses being renewed.

Chief Blewett had no objections.

Mrs. Flannery stated that there were a few items on Wyndansea and the Inlet for parking in the fire lanes and overcrowding at the Claddagh other than that all of them are cleared.

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

**R-08-132
APPLICATION FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS TO STUDY THE EFFICIENT SHARING OF RESOURCES**

WHEREAS, the Borough of Atlantic Highlands desires to apply for and obtain a grant, from the New Jersey Department of Community Affairs, for approximately \$20,000.00 to carry out a study on efficiently sharing one Superintendent of schools for the Atlantic Highlands, Highlands and Henry Hudson Regional, school districts; and,

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, does

1. Hereby authorize the application for such a grant.
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Atlantic Highlands and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to sign the application, and that they or their successors in said title are authorized to sign the agreement and any other documents necessary in connection therewith.

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

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

ROLL CALL:

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

**R-08-133
RESOLUTION
RENEWING 2008-2009 LIQUOR LICENSES**

WHEREAS, Liquor License Renewal Applications were filed for the year 2008-2009 for the following Liquor Licenses; and

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

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following liquor licenses be renewed for the period of July 1, 2008 to June 30, 2009:

1317-33-004-011	Bay Avenue Restaurant Co, LLC t/a Andrettas	123 Bay Avenue
1317-33-005-002	Sandy Hook Holdings, LLC t/a Beacon on the Bay	1 Willow Street
1317-33-010-008	J Walker Black, LLC t/a Havana Tropical Cafe	409 Bay Avenue
1317-33-012-004	Dan-Rob Restaurant Assoc, LLC t/a Windansea	56 Shrewsbury Ave
1317-33-015-007	Chilango's Restaurant, Inc. t/a Chilango's Restaurant	272 Bay Avenue
1317-33-017-002	L & P Tavern, Inc. t/a Ye Ole Cork & Bottle	Bayside Plaza
1317-33-024-012	Waz Two, LLC t/a 128 Bay Avenue	128 Bay Avenue
1317-33-030-007	Neil's Original Oyster t/a Neils Original Oyster – (Not Actively Used at Site as per Renewal Application)	1 Willow Street

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

Mr. Caizza questioned Chief Blewett about if he had any problems with these liquor licenses being renewed.

Chief Blewett – its okay.

Mrs. Flannery – there have been a few items on the Wyndansea and the Inlet for parking and one on the Claddagh for overcrowding.

ROLL CALL:

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

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INSERT R-08-135

HERE

HIGHLANDSNJ.COM

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-08-136

RESOLUTION – APPROPRIATION RESERVE TRANSFERS

WHEREAS, N.J.S.A. 40A:4-59 provides for appropriation reserve transfers during the first three months of the succeeding year;

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

CURRENT FUND	FROM	TO
Sanitation:		
Other Expenses	\$ 4,000	
Borough Administrator:		
Other Expenses	2,500	
Financial Administration:		
Other Expenses	1,000	
Insurance:		
Workers Compensation	1,000	
Streets:		
Salaries & Wages	5,500	
Construction Code:		
Other Expenses	1,500	
Code Enforcement:		
Other Expenses	1,500	
Dog Regulation:		
Other Expenses	3,000	
Monmouth County Reclamation	4,000	
Police:		
Other Expenses		\$ 9,000
Streets:		
Other Expenses		10,000
Engineering:		
Other Expenses		5,000
	\$ 24,000	\$ 24,000
	\$ 24,000	\$ 24,000

Seconded by Mrs. Burton 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

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**MAYOR AND COUNCIL
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R-08-137

**RESOLUTION – REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION
OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY
RIDER FOR THE
ACCEPTANCE OF BEQUESTS, LEGACIES AND GIFTS
FOR CONSTRUCTION AND MAINTENANCE OF A LIBRARY**

WHEREAS, N.J.S.A. 40A:5-29 authorizes and empowers municipalities to accept bequests, legacies and gifts made to it and empowers municipalities to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to place such bequests, legacies and gifts in a specific trust fund and such trust fund shall be considered a “Dedication by Rider” to the budget of the local unit per N.J.S.A. 40A:4-39 for the sole purpose stated above (Construction and Maintenance of a Library).
2. The Borough Clerk of the Borough of Highlands is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Seconded by Mrs. Burton 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

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

R-08-138

**RESOLUTION APPROVING THE PRELIMINARY MUNICIPAL TAX LEVY FOR
THE CALENDAR YEAR 2008**

WHEREAS, the New Jersey Division of Local Government Services has revised the method of calculating the Local Municipal Tax Rate for Municipalities operating on a fiscal year basis ending June 30th, and

WHEREAS, The revised procedures for the calculation of a preliminary Municipal Tax Levy on the basis of a calendar year requirement as per the attached form hereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, Monmouth County, New Jersey as follows: that the attached certificate of preliminary fiscal year levies is hereby approved reflecting a preliminary levy of \$5,279,011.54 for the calendar year 2008

BE IT FURTHER RESOLVED, that certified copies of this resolution be filed with the New Jersey Division of Local Government Services and with the Monmouth County Board of Taxation.

Seconded by Mrs. Burton 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

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

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R-08-139
RESOLUTION – CHANGE ORDER #2 FINAL
F & P CONTRACTORS INC.
DECREASE OF \$10,773.58
WASHINGTON AVENUE PHASE II PROJECT**

WHEREAS, Resolution R-07-194 awarded a contract to F & P Contractors Inc. on November 12, 2007 for \$45,790.72 for the Washington Avenue Phase II Project and;

WHEREAS, Resolution R-08-50 dated February 20, 2008 extended the contract completion date until April 30, 2008

WHEREAS, change order # 2 final dated May 22, 2008 and accompanying letter dated June 17, 2008 prepared by T & M Associates, professional engineers, sets forth reasons (final contract item quantities to as-built totals) for said change order,

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that change order #2 final decreasing the original contract amount by \$10,773.58 is hereby authorized for the Washington Avenue Phase II Project. The contract is hereby amended to \$35,017.14.

NOW, FURTHER BE IT RESOLVED that the Borough of Highlands does hereby accept the maintenance bond from Bondex Insurance Company (Bond Number 0455) in amount of \$35,017.14

for two years commencing on the date of substantial completion which is April 17, 2008. Said acceptance is contingent upon the Borough Attorney's approval of said maintenance bond.

Seconded by Mrs. Burton 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

BOROUGH OF HIGHLANDS

COUNTY OF MONMOTH

R-08-140

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

RESOLUTION PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

WHEREAS, the Governing Body of the Borough of Highlands budgets funds for payment of such items as utilities, payroll, contractual agreements previously approved and authorized by the Governing Body, debt service, governmental fees and other statutory payments, insurance, employer paid employee benefits, and for the advertising, printing and mailing costs of the Borough; and

WHEREAS, the payment of these items frequently arrives out of time for placement on the next available bill list, and in several months of the year the Governing Body meets only once a month, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings; and

WHEREAS, the Governing Body wishes to designate one person who may approve claims between meetings of the Governing Body. The Governing Body of the Borough of Highlands wishes to provide for the pre-payment of certain items, so that they may be paid in a timely manner;

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NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the Chief Financial Officer be and is hereby authorized to make pre-payment of the following fixed items prior to the same appearing on the meeting bill list, such funds to be taken from the pre-budgeted amount for each such expense:

1. Utilities (electric, gas, water, sewer, telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.). The Chief Financial Officer is hereby authorized, if desirable, to establish an electronic payment plan (sometimes referred to as zip check) with the various utilities. This resolution would authorize said utilities to debit the appropriate Borough bank accounts as required.
2. Payroll and various payroll agencies.
3. Contractual agreements previously authorized and approved by the Governing Body.
4. Debt service.
5. Governmental fees and other statutory payments (school, county, special district taxes, regional sewage authority and County of Monmouth Reclamation fees).
6. Insurance.
7. Employer paid employee and retired employee benefits.
8. Bills pertaining to the advertising, printing and mailing costs of the Borough.
9. Bills where vendor discounts are granted for timely payments. Example: 2% discount for payments made within 10 days. Maximum dollar amount allowed is \$10,000.
10. Payment of any other item deemed necessary by the Chief Financial Officer that does not exceed \$10,000.
11. Third Party Tax Lien and Premium Redemptions.

Seconded by Mrs. Burton 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

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

**R-08-141
RESOLUTION
AUTHORIZING PURCHASE UNDER STATE CONTRACT**

WHEREAS, the Highlands Fire Department is in need of upgrading its radio communications system; and

WHEREAS, Quality Communications has valid state contracts for these purchases as listed below; and

WHEREAS, these purchases are permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

WHEREAS, David Parker, Emergency Management Coordinator recommends these purchases; and

NOW, THEREFORE BE IT HEREBY RESOLVED that the Governing Body authorizes purchasing under the following state contracts be awarded to Quality Communications:

CONTRACT	AMOUNT	NUMBER
Radio Equipment	\$ 21,144.00	A53804

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I hereby certify funds are available from the Assistance to Firefighters Grant \$20,635.84 and Fire Department Budget \$508.16

Stephen Pfeffer, Chief Financial Officer

Seconded by Mrs. Burton 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

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

**R-08-142
RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR:
AUTO PARTS**

WHEREAS, bids were received on July 9, 2008; and

WHEREAS, one (1) bid was picked up by a vendor and one (1)

Responsive Bid was received as follows:

VENDOR

**1. NAYLOR'S AUTO PARTS
137 FIRST AVENUE
ATLANTIC HIGHLANDS, N.J. 07716**

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

**NAYLOR'S AUTO PARTS, 137 FIRST AVENUE, ATLANTIC HIGHLANDS, N.J.
07716. shall Furnish, and Deliver the following as per Bid Proposal & Specifications &
Covenants thereof dated July 9, 2008. said bidder being the Lowest Responsible Bidder.**

DESCRIPTION

VENDOR

PROVIDE AUTO PARTS. FOR A TWENTY FOUR (24) MONTH PERIOD TO MAINTAIN THE BOROUGH FLEET	NAYLOR'S AUTO PARTS 137 FIRST AVENUE ATLANTIC HIGHLANDS, N.J. 07716
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**WHEREAS, bids have been reviewed by the Purchasing Agent and it is his
recommendation that the contract be awarded to NAYLOR'S AUTO PARTS, 137 FIRST
AVENUE, HIGHLANDS, N.J. 07716.**

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

**MAYOR AND COUNCIL
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1. It hereby awards the contract for "Auto Parts" to Naylor's Auto Parts, 137 First Avenue, Atlantic Highlands, N.J. 07716.
2. BE IT FURTHER RESOLVED, this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20-5 et seq.
3. BE IT FURTHER RESOLVED, this contract is open-ended pursuant to N.J.A.C. 5:30-11-10 with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase orders prior to each request for service.
4. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- C) All of the above bidders

Seconded by Mrs. Burton 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

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

**RECAP OF PAYMENT OF BILLS
07/16/08**

CURRENT:		\$ 1,007,841.03
Payroll	(06/30/08)	\$ 141,806.51
Manual Checks		\$ 749,096.73
Voided Checks		\$
SEWER ACCOUNT:		\$ 80,233.60
Payroll	(06/30/08)	\$ 6,147.18
Manual Checks		\$ 92,359.68
Voided Checks		\$
CAPITAL/GENERAL		\$ 875.00
CAPITAL-MANUAL CHECKS		\$ 175,307.58
Voided Checks		\$
TRUST FUND		\$ 1,021.29
Payroll	(06/30/08)	\$ 1,700.00
Manual Checks		\$ 11,127.79
Voided Checks		\$
UNEMPLOYMENT ACCT-MANUALS		\$
DOG FUND		\$
Manual Checks		\$ 15.60
GRANT FUND		\$ 6,500.00
Payroll	(06/30/08)	\$

**MAYOR AND COUNCIL
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Manual Checks	\$	18.25
DEVELOPER'S TRUST	\$	
Manual Checks	\$	1,126.47
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 July 16, 2008**

F & P Contractors	Washington Ave. Phase II	\$ 6,187.31
Naylors	AC Charging Unit	3,995.00
		<hr/>
Total Supplemental Bill List		<u>\$ 10,182.31</u>

Seconded by Mrs. Burton 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

Other Resolutions:

Mrs. Flannery read the title of Resolution R-08-134.

Mr. Pfeffer explained that the temporary budget is a statutory requirement of municipalities. The temporary budget is set at 26.25% of the last year's budget minus some exceptions. It must be done within the first month of the fiscal year.

**MAYOR AND COUNCIL
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**INSERT
R-08-134
TEMP BUDGET RESOLUTION HERE**

HIGHLANDSNJ.COM



**MAYOR AND COUNCIL
COMBINED MEETING
JULY 16, 2008**

J. Walker Black – Change of Corporate Structure Application for Liquor License

Chief Blewett stated that he had no issues with this corporate structure change.

Mr. Nolan offered a motion to approve the Change of Corporate Structure for J. Walker Black liquor license, 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
ABSENT: None
ABSTAIN: None

Shore GrafX –Website Service Contract

Mrs. Flannery stated that the Borough has received a request for increase in the contract for website services for 24month period at \$650 per month.

Mr. Caizza offered a motion to approve the increase amount of \$650.00 per month for 24 months, seconded by Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

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

ORDINANCES: Introduction & Set P.H. Date

Mrs. Flannery read the titles of the following Ordinances for introduction and setting of a public hearing date :

Ordinance O-08-08

Mr. Nolan offered the following Ordinance for introduction and setting of a public hearing date for Wednesday, August 13, 2008 at 8:00 p.m.:

**O-08-08
ORDINANCE AMENDING CHAPTER III OF THE REVISED
GENERAL ORDINANCES OF THE
BOROUGH OF HIGHLANDS
AND MORE PARTICULARLY CHAPTER VI
ALCOHOLIC BEVERAGE CONTROL**

WHEREAS, the Borough sets the licensing fees for various liquor licenses; and

WHEREAS, the State allows these fees to be increased within the parameters set by the State as long as the increase does not exceed 20%; and

WHEREAS, the Borough needs to increase these license fees to help defray the salary and benefit costs in the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Highlands that Chapter VI Alcoholic Beverage Control of the revised general ordinances of the Borough of Highlands be amended and supplemented to read as follows:

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

SECTION ONE

**MAYOR AND COUNCIL
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Section 6-3.4 License Fees; Maximum Number shall be amended as follows:

The annual license fees and maximum number of licenses for the sale of distribution of Alcoholic Beverages in the borough shall be as follows:

Class of License	Amount of License	
Plenary Retail Consumption	\$720.00	<u>\$864.00</u>
Plenary Retail Distribution	\$540.00	<u>\$628.00</u>
Club License	\$100.00	

SECTION TWO

The following new section shall be added:

The fee for the issuance of an identification card as set forth in Section 6-6.1 shall be twenty (\$20.00) dollars for the Borough fee and the State fee, which is currently thirty (\$30.00) dollars, as it may be revised in the future.

SECTION THREE

Section 6-6.2 Fingerprinting and Photographing Requirements shall be amended to add the following new provision:

Persons under the age of 18 shall be fingerprinted to obtain an identification card but shall be exempt from Borough fees not State fees.

SECTION FOUR

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

SECTION FIVE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION SIX

This ordinance shall take effect upon final passage and publication as provided by law.

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
ABSENT: None
ABSTAIN: None

Ordinance O-08-09

Mr. Nolan offered the following Ordinance for introduction and setting of a public hearing date for Wednesday, August 13, 2008 at 8:00 p.m.:

O-08-09

**ORDINANCE AMENDING CHAPTER III OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHLANDS**

AND MORE PARTICULARLY CHAPTER IV

**MAYOR AND COUNCIL
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LICENSING-GENERAL**

WHEREAS, the Borough sets the mercantile licensing; and

WHEREAS, cost and paper work involved in processing these licenses has increased significantly requiring an increased license fee; and

BE IT ORDAINED, by the Borough Council of the Borough of Highlands that Chapter IV Licensing-General of the revised general ordinances of the Borough of Highlands be amended and supplemented to read as follows:

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

SECTION ONE

Section License Fees; Transfers shall be amended as follows:

The fee for a mercantile license shall be ~~twenty-five (\$25.00) dollars~~ fifty (\$50.00) dollars. On transfer of the location of the licensed business to a new location within the borough, or on sale of a business within the borough, a license may be transferred within its current term on amendment of the information contained in the application for license and payment of a transfer fee of ten (\$10.00) dollars.

SECTION TWO

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

SECTION THREE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR

This ordinance shall take effect upon final passage and publication as provided by law.

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

ABSENT: None

ABSTAIN: None

Mr. Nolan offered the following Ordinance for introduction and setting of a public hearing date for Wednesday, August 13, 2008 at 8:00 p.m.:

**O-08-10
ORDINANCE AMENDING CHAPTER III OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHLANDS
AND MORE PARTICULARLY CHAPTER V
LICENSING OF DOGS**

WHEREAS, the Borough sets the licensing fees for dogs and cats; and

WHEREAS, State allows these fees to be increased ; and

**MAYOR AND COUNCIL
COMBINED MEETING
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WHEREAS, the Borough needs to increase these license fees to help defray the costs of the rabies clinic and costs of supplies and salary and benefit costs in the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Highlands that Chapter V Licensing of Dogs of the revised general ordinances of the Borough of Highlands be amended and supplemented to read as follows:

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

SECTION ONE

Section 5-2.5 Fees; shall be amended as follows:

The person applying for a license shall pay a fee of ~~six dollars and eighty (\$6.80) cents~~ eighteen (\$18.00) for each dog that is neutered and twenty-one (\$21.00) for non-neutered dogs. Such person shall also pay any registration fee, population control fee, or other fee required by the State of New Jersey. The New Jersey population control fee shall only be charged for non-spayed/neutered animals. The owner of any dog may, if the license tag is mislaid, lost or stolen, procure a duplicate tag upon the payment of one (\$1.00) dollar.

SECTION TWO

Section 5-14.1 Licensing shall be amended to change the following license fees:

Every person, firm or corporation that owns, harbors or keeps a cat more than six months of age on January 1 of any year, or six months of age within the license year, shall annually or within 30 days from the date such cat becomes six months of age, obtain a license for each cat from the borough clerk. The license year shall commence on July 1 and end on the following June 30. Such cat license, if paid on or before September 1, shall be ~~eight (\$8.00) dollars~~ eighteen (\$18.00) dollars for each altered cat and ~~eleven (\$11.00) dollars~~ twenty-one (\$21.00) dollars. An increased fee of two (\$2.00) dollars per cat license shall be paid by all persons purchasing cat licenses after September 1 or more than three months after such cat becomes six months of age. Each applicant for a cat license shall present a valid Certificate of Vaccination fund of the borough.

SECTION THREE

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

SECTION FOUR

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FIVE

This ordinance shall take effect upon final passage and publication as provided by law.

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

ROLL CALL:

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

**MAYOR AND COUNCIL
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Ordinance O-08-07

Mrs. Burton offered the following Ordinance for introduction and setting of a public hearing date for Wednesday, August 13, 2008 at 8:00 p.m.:

**O-08-07
ORDINANCE AMENDING CHAPTER III OF
THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF HIGHLANDS AND MORE
PARTICULARLY SECTION 2-40
LOCAL REGISTRAR OF VITAL STATISTICS**

WHEREAS, the Borough sets the fees for obtaining various vital statistic records and for certified copies of these records the costs of producing same has increased and therefore the cost of these copies should increase;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Highlands that Chapter 2-40 of the revised general ordinances of the Borough of Highlands be amended and supplemented to read as follows:

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

SECTION ONE

Section 2-40-15 Fees shall be amended as follows:

c. Certified copy fees for birth, marriage and death certificates shall be ~~five (\$5.00) dollars~~ fifteen (\$15.00) dollars due upon application for it.

SECTION TWO

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder of any portion thereof.

SECTION THREE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR

This ordinance shall take effect upon final passage and publication as provided by law.

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

OTHER BUSINESS:

Borough Engineers Report

Joseph Venezia, P.E. of T & M Associates discussed the following Engineers Report:

HGHL-G0801 **June 10, 2008 (Correct Date: July 10, 2008)**

Via Facsimile (732) 872-0670 and First Class Mail

Mr. Bruce Hilling
Borough Administrator
Borough of Highlands
171 Bay Avenue

Highlands, New Jersey 07732-1405

**MAYOR AND COUNCIL
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Re: Engineer's Status Report

Dear Mr. Hilling:

The following is the status of various projects in which we are involved as Borough Engineer:

General

1. **FEMA Flood Zone Map Revisions:** The 90-day appeal period started June 11, 2008 and runs through September 9, 2008. We have contacted FEMA and tentatively scheduled a Public Hearing for July 30, 2008, subject to Council approval of the time, date and location.
2. **Stormwater System Cleaning:** We have met with DPW and the Administrator during the on-going cleaning of the stormwater system. We also reviewed the Draft Maintenance Schedule contained in the T&M Associates June 18, 2008 letter and agreed that this schedule will be utilized as a baseline for development of an on-going maintenance program. DPW has performed required repairs and cleaning at Jones Creek. Additionally, during the stormwater system cleaning, an obstruction was discovered in the North Street line requiring further television investigation. This line will likely require repair work to remove the obstruction and we will advise the Council on same.
3. **Community Center Playground/Sports Courts Improvements:** We are meeting with the contractor on Thursday, July 10, 2008 to address several remaining pavement repair areas prior to final project closeout.
4. **Valley Avenue Slope Repairs:** Two firms responded to the request for proposal for geotechnical services for repairs to the Valley Avenue slope. This office reviewed the proposals and recommended re-evaluation of the inspection services portion of the proposals due to cost. We are awaiting direction from the Mayor and Council regarding same.
5. **Bayside Drive Slope/Roadway Repairs:** We will have completed a preliminary cost estimate for discussion with Mayor and Council at the July 16, 2008 Council meeting. This estimate is based upon several assumptions that may be subject to change and is meant as a general guideline. This project is also dependant on the ability for the Borough to obtain easements for the retaining structure on the side of the hill which is located on private property. The Borough will also need to decide on the finish of the exposed surface, which will have an impact on the project cost.

Capital Improvement Projects

1. **Washington Avenue Phase II:** The contract was awarded to F&P Construction, South Amboy, NJ. The contractor has completed the work, including the punch list items. We are completing the closeout paperwork and will submit the closeout documentation to receive the remaining 25% of the NJDOT grant associated with this project.
2. **Basin Eight Sanitary Sewer Rehabilitation Project:** The contract portions of the project for all three proposals have been completed. We have started preparation of project closeout for Proposal "A" and have referred an outstanding claim to the Borough Attorney for his handling. We have requested the grant money from AHHRSA for these projects.
3. **Hillside Avenue Between Portland Road and South Bay Avenue:** Drainage installation has been completed. The contractor was directed to replace the existing sanitary sewer pipes based upon the conditions experienced during construction and this work should be completed by July 11, 2008. Curb installation and handicapped ramps are scheduled for the week of July 14, 2008 with final paving scheduled the following week.
4. **Basin Two Sanitary Sewer Rehabilitation Project:** We have prepared a design to implement the recommended improvements outlined in the initial investigation report. The design of

this project is complete and has been sent to the Borough for signature and authorization to bid. This project is on hold due to funding. We are coordinating with the Chief Financial Officer regarding evaluation of the sewer budget and rate study and anticipated future capital improvement costs.

**MAYOR AND COUNCIL
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Grants and Loans

1. **FY2008 Community Development Block Grant:** The grant request was submitted for the installation of emergency generators at the Waterwitch Avenue and South Bay Avenue pump stations and at the Robert D. Wilson Community Center. The Borough has been notified that they will receive \$185,200.00 in funding for this project. As requested, we have submitted a proposal for design and contract administration services for this project. The proposal includes providing an emergency generator for the Municipal Building as an alternate bid item.
2. **FY2008 NJDOT Municipal Aid – Shore Drive:** The Borough has received funding in the amount of \$210,000.00 for the rehabilitation of Shore Drive between Miller Street and Waterwitch Avenue. We have begun design of this project. We are also collecting information regarding traffic calming options and bikeway considerations for discussion with the Council. This office is preparing a revised proposal and updated construction cost estimate for consideration by Council to include Woodland Street (a.k.a. Upper Miller Street) from Prospect Street down to Highland Avenue. The project would be bid out as one contract to achieve an economy of scale.
3. **FY 2009 NJDOT Municipal Aid – Waterwitch Avenue:** As requested by Mayor and Council, this office prepared the grant application for Waterwitch Avenue, between Route 36 and Bay Avenue, and the application was submitted via the state's electronic grant system (SAGE). The requested grant amount was \$193,660.00.

If you have any questions or require additional information, please do not hesitate to call.

Very truly yours,

T&M ASSOCIATES

ROBERT W. BUCCO, JR., P.E., C.M.E.
HIGHLANDS BOROUGH ENGINEER

RWB:JRV:lfm

c: Honorable Anna C. Little, Mayor
Borough Council (Individually)
Nina Light-Flannery, Borough Clerk
Carolyn Cummins, Deputy Borough Clerk
Joseph Oxley, Borough Attorney
Stephen Pfeffer, Borough CFO

H:\HGHL\G0801\Correspondence\Hilling_RWB_Engineering_Status_Report_2008_7.doc

FEMA Meeting: The Council did a voice vote of all in favor to hold a meeting on July 30th at 7:00 PM with FEMA at the High School if available if not then the Community Center.

Valley Ave Slope Repairs:

Mr. Urbanski – there is a potential hole in the drainage line which apparently may not be ours but Mr. Hilling is working with the DOT to try to get their help in repairing it. As far as that silt goes it's been there a little over a year and that is almost stabilized. If we do some work up on the top and we take care of Mrs. Armstrong's yard like we promised her then we will be out of the woods. Basically we are looking to line this pipe so there wouldn't be any disturbance to the silt. I think that we make this repair and take care of Mrs. Armstrong's yard, put the fence back up and take of a few issues on top and then we are out of the woods and we can save the Borough a ton of money by doing this. He is recommending that we don't reevaluate of the inspections.

Mayor Little – what I am hearing is that we don't need the engineer to work more on this , that we are going to handle this in house and the Council agreed.

Bayside Drive Slope/Roadway Repairs

**MAYOR AND COUNCIL
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Mr. Venezia explained that the road is still unsafe to travel and explained easements and reports are needed and these variables will impact the cost. Right now we are looking at a sheathing wall to hold the road in place and build an embankment out which he further explained that this is certainly a project that the Borough would want to go after funding from other sources because it's over a million dollars.

Mayor Little – I do intend to bring this up at a DOT meeting because one of the reasons that we are considering Bayside Drive a priority is to alleviate traffic for local residents only given the impact of the highway. With regard to the retaining wall it is in close proximity to private property so the appearance needs to be considered and she expects to have some consideration given to the private property owner.

Mr. Urbanski – we put this project out to bid and actually awarded the bid then we found out there were problems with Atlantic Highlands so we terminated the contract. So we actually have plans for this and Mr. Emery there were easement agreements to do that work.

Al Emery of Bayside Drive spoke about the existing trees and stated that he would be very upset if the engineering jeopardized those trees which he further explained. He explained that it's the Highlands side that is not properly stabilized and Atlantic Highlands is impacted by this.

Mayor Little – I think what we would likely do is go back to the old arrangement and we do need to take into consideration any changes in the area since the date the arrangement was put into place. As far as the Atlantic Highlands side she has made a request got and approval from them to review the needs on the Atlantic Highlands side as well. She did plan on looking for funding for both towns from the same source to try to get this roadway opened for local traffic.

Mr. Venezia – with Council approval he would like to meet with Mr. Emery with his structural engineer so they can understand his issues then he can present a better solution to the Council. He stated that he does have a copy of the old plans to review.

Shore Drive:

Mr. Venezia – the Council has asked us to look at Woodland Street to add this to this project to get this out as one project. He does have a preliminary estimate of approximately \$175,000 between construction cost and design and inspections.

Mr. Pfeffer – we may need to modify the bond ordinance that is in place for this if we are adding another road.

Mr. Urbanski – Woodland Street should be done as part of the Highland Avenue project. If you want to add a street to Shore Drive we should maybe add Waddell Street, Rogers Street there are quick overlays.

Mr. Venezia – there are some safety concerns with the sidewalks. I am hearing that we should hold off on this. I will forward the information to the Council before the next meeting.

Mayor Little advised the engineer to provide the information before the next meeting so that we can list this on the August Meeting Agenda to take action if needed. You must also share information with Mr. Pfeffer so if additional action is needed he is able to prepare it.

Zoning Plan & Amendments Update

Mr. Nolan explained briefly that the Planning Board needs at least two meetings to get through this and he does not recommend that this item be placed back on the agenda until he advises.

Steep Slope Ordinance PB Memo

**MAYOR AND COUNCIL
COMBINED MEETING
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Mr. Nolan explained that the Planning Board wants to first obtain feedback from both the Environmental & Shade Tree Commissions and the board is asking the Council to waive the 45 days and to increase it to about 90days to the October Meeting.

Mr. Nolan offered a motion to grant the Planning Board an extension on the 45 day review of Steep Slope Ordinance for 90 days, seconded by Mrs. Burton and all were in favor.

Street Vacation Road Request - Fred Rosiak

Mr. Rosiak was not present at the meeting.

Mr. Nolan offered a motion table this matter, seconded by Mayor Little and all were in favor.

Mayor Little directed the Clerk to inform Mr. Rosiak that this matter will be on the August 13th agenda.

Brief Budget Discussion

Mayor Little spoke about the budget and stated that she is hoping to have the budget finalized by sometime in September. She spoke about her efforts to reduce expenditures in the budget and stated that she welcomes recommendations from the Council. The loss of State Aide must be made up and there is the issue of increased fuel cost. She is trying to eliminate \$400,000 from this budget which she further explained. She is looking into the Sanitation Department and some alternatives. She spoke about revenues that she is looking into and shared services.

Mr. Nolan spoke about letters of agreements from other towns for bulk buying to save on costs.

Mayor Little stated that the Council approved additional services for the website.

HBP Raffles Applications (2) for Clam Fest

Mr. Caizza questioned the application for a 50/50 and stated that Fire Department is asking that they not have one this year.

Carla Cefalo-Braswell responded to Mr. Caizza's comments. She does not think that it's fair for the Fire Department to ask them not to have a 50/50.

Council discussed the license with Mrs. Braswell and Mr. Caizza.

Mr. Nolan offered a motion to approve the Games of Chance Applications for the HBP, seconded by Mrs. Burton and all were in favor.

Mr. Nolan offered a motion to approve the HBP 50/50 Raffle Application, seconded Mrs. Burton and approved on the following roll call vote:

ROLL CALL:

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

NAYES: Mr. Caizza

ABSTAIN: None

ABSENT: None

Fix August Council Meeting Date from August 15th to August 13th

The Council was all in favor to correct the August Meeting date to August 13th.

Fire Department Membership Application – Charles LaRue

Mr. Nolan offered a motion to approve the Fire Dept. Membership Application for Charles LaRue, seconded by Mrs. Burton and all were in favor.

**MAYOR AND COUNCIL
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Minutes:

Mr. Nolan offered a motion to approve the June 18, 2008 Minutes, seconded by Mayor Little and all were in favor except Mr. Urbanski who abstained.

PUBLIC PORTION:

Donald Manrodt of 268 Bayside Drive spoke about the proposed sheathing on Bayside Drive and offered some comments on the installation of it. He commented on the Bayside Drive and how people remove the chain to drive through it. He recommends that the Borough block off Bayside Drive by the bottom and that something be placed by Mr. Emery's house so people from Atlantic Highlands don't come down. Storm drain cleaning, the pit is all filled up with sand and wondered how it would be cleaned. He stated that the DEP came by yesterday to take samples but they never made it all the way up he took them from the middle. There will be some law suits from people dying from cancer. He thinks that are Environmental Commission should get involved in this.

Mayor Little – advised Mrs. Burton to bring this up at the Environmental Commission.

Mrs. Burton – this is an agenda item for July 24th Meeting at 7:30 PM.

Bernadine Harford of 168 Highland Avenue spoke about her frustration with the traffic on Route 36 and she said that there was an ambulance that was stuck in traffic and she believes that this is a concern for emergency services. She asked the Council to request that the contractor for the bridge come up with a method to take consideration of safety. Perhaps FEMA might be interested and the Federal Highway Agency should be contacted about this situation.

Mayor Little – we will bring this up at the next bridge meeting.

Michelle Pezzullo of 115 Highland Avenue thanked Mr. Hilling for the painting of the curbs and installation of signage on Highland Avenue. She spoke about the increased bus traffic on Highland Avenue and wants to know what can be done about environmental and noise pollution associated with the bridge. She also questioned the impact of off shore drilling for Highlands.

Mayor Little – bridge environmental and noise pollution there is someone from the DOT that monitors this as they relate to the Piping Clovers who are a protected species. We can certainly address those concerns by getting the detail of the supervision to you. Perhaps Mr. Hilling can take responsibility for doing that. As for off shore drilling I think there is a State Mandate against it.

Mr. Hilling will bring up the noise and truck on Highland Avenue up at the bridge meeting. He stated that S. Bay Ave will continue to be closed this week as the demolition continues and he believes that's why the buses are using Highland Avenue temporarily.

Stephen Pfeffer, CFO left the meeting because there were no question from the public regarding finance.

Chris Francy of Fifth Street stated that he attended a Shared Services Meeting last night in Marlboro and J. Horneck is gun hoe on soliciting shared services opportunities and it ties in to what the council wants to set up. He spoke about truck washing shared services. He suggested that the Mayor reach out to Jonathan Horneck about further information.

Mayor Little stated that she is very aware of what Mr. Horeck is doing.

Chris Francy spoke about the ongoing litigation with Shadow Lawn and they are trying to get the data behind McKenna's decision and he wants to know why the town can't get that data.

Mayor Little – she stated that its court litigation and she can't address that.

**MAYOR AND COUNCIL
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Mr. Oxley – it should be discussed.

Maureen Kraemer of 200 Portland Road agreed with comments of B. Harford on the safety concerns with emergency vehicles and the bridge traffic.

Mayor Little – I spend two full days a week working on bridge matters.

Mr. Urbanski – he suggested to Mr. Hilling yesterday and he will bring it up that the closest lane on the highway should be extended up further for local traffic only which he further explained.

Maureen Kraemer stated that vehicles could not get access to the business district because the bridge and a sign should be placed on Linden Avenue to alert people that this is the only way to get downtown.

Mayor Little –we will bring that up.

Maureen Kraemer – with regard to the HBP Raffle last year the council had an understanding that it would be shared with different organization and she does not believe that Mrs. Burton should have voted on the raffle because she is a business owner.

Mr. Oxley – there is no conflict of interest.

Jim Parla of 16 Portland Road questioned the status of previous thoughts to make Valley Ave a one way.

Mayor Little – I think that has been scratched at this point.

Philip Hollebeak of 17 Seadrift Avenue was not present for his turn to speak.

Marko Jaamann of 15 Seadrift Avenue was not present for her turn to speak.

Ken Braswell of 62 Gravelly Point Road – spoke favorably about the live shell fish transportation ideas and said this should be done as soon as possible. With regard to the businesses and the bridge project the businesses within eye shot have mountains of people.

Carla Cefalo- Braswell of 62 Gravelly Point Road commented that the HBP has been a tremendous partner with local organization and fund raising. She thinks it's wrong for Mr. Caizza's objections to them obtaining a 50/50 license.

Richard O'Neil of Route 36 spoke negatively about the Governing Body arguing and not getting thing that need to be done accomplished.

Mayor Little responded to Mr. O'Neil's negative comments.

Mayor Little then left the meeting.

Mr. Nolan then took over the meeting.

Art Gallagher – comment inaudible.

Kathy Eisner of Bayside Drive was not present for comments.

Len Zagrzecki was not present for comments.

There were no more comments from the public.

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

**MAYOR AND COUNCIL
COMBINED MEETING
JULY 16, 2008**

The Meeting adjourned at 10:47 P.M.

CAROLYN CUMMINS, DEPUTY CLERK

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