

**Mayor & Council
Workshop Meeting With Special Action
October 1, 2008**

Mayor Little called the meeting to order at 7:17 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 Work Shop with Special Action Meeting of the Mayor and Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Courier, The Asbury Park Press and The Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Caizza, Mr. Urbanski, Mayor Little

Absent: Mrs. Burton, Mr. Nolan

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

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.Contract Negotiations: PBA Local 48, Linda Greco Finalization RCA Program.**
- 2.Real Estate: Depuration Plant Lease**
- 3. Personnel Matters: Update on Retirements**

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

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: Mrs. Burton, Mr. Nolan

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Little called the Meeting back to order at 8:___ P.M.

Note: The Meeting tape does not turn back on until 8:24 P.M.

Proclamation from Mayor RE: Rev. Martin McGrail

Mayor Little read a Proclamation pertaining to Rev. Martin McGrail and all of his hard work he does for people and community service that he provides. This Proclamation proclaims that Wednesday, October 1, 2008 be Rev. Pastor Martin D. McGrail, Jr. Public Service Appreciation Day in the Borough of Highlands.

Rev. McGrail thanked the Mayor.

Resolutions & Payment of Bills:

Mr. Urbanski offered a motion and moved on it approval for payment:

**RECAP OF PAYMENT OF BILLS
10/01/08**

CURRENT:		\$ 542,367.52
Payroll (10/01/08)		\$
Manual Checks		\$ 111,179.18
Voided Checks		\$
SEWER ACCOUNT:		\$ 79,914.68
Payroll (10/01/08)		\$
Manual Checks		\$ 3,515.72
Voided Checks		\$
CAPITAL/GENERAL		\$ 10,876.16
CAPITAL-MANUAL CHECKS		\$
WATER CAPITAL ACCOUNT		\$
TRUST FUND		\$ 51,162.98
Payroll (10/01/08)		\$
Manual Checks		\$
Voided Checks		\$

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UNEMPLOYMENT ACCT-MANUALS	\$	
DOG FUND	\$	
GRANT FUND	\$	
Payroll (10/01/08)	\$	
Manual Checks	\$	
Voided Checks	\$	
DEVELOPER'S TRUST	\$	843.63
Manual Checks	\$	
Voided Checks	\$	

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

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

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: Mrs. Burton, Mr. Nolan

ABSTAIN: None

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

Mayor Little offered the following resolution and moved its adoption:

**R-08-180
RESOLUTION APPOINTING MEMBER OF HOUSING
AUTHORITY**

WHEREAS, due to the resignation of Bart Hawley there is a position available on the Housing Authority; and

WHEREAS, the Governing Body desires to fill that position for the unexpired term of Mr. Hawley;

NOW, THEREFORE, BE IT RESOLVED that the following appointment be and hereby is made:

Pastor Martin D. McGrail, Jr. for the unexpired term of Bart Hawley
to expire November 30, 2008

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

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: Mrs. Burton, Mr. Nolan

ABSTAIN: None

Committee Reports:

Finance

Mr. Pfeffer stated the following:

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1. Proposed Bond Sale – a while back the MCIA had a meeting to see if there was any interest in having a pooled loan program. We had a meeting and in that process the county asked for input from the municipalities of what they would want to bond and useful life of the projects. He prepared a list of our projects that we had Bond Anticipation Notes out on and that were substantially complete and they included acquisition of a garbage truck, construction of the fire house, various drainage improvements, improvements to the Community Center, improvements to the Valley Street Pump Station, road improvements, and improvements to the playground. The Amount of that came to \$3,179,000. He further explained the bonding process and the fact that we will have to go out for bond notes right after bond ordinance because of economy. He then read an article from a newspaper entitled “Wall Street Woes Effect the County Finances” that was in the Asbury Park Press on 9/26/08. He explained that because of the situation of the economy this year it’s imperative that we go along with the County financing and we get in that program and issue these bonds which further explained. So assuming that Council wants to go with the County then on the November 12th meeting, the County will supply resolutions for the Council to adopt. It is his recommendation that the Borough go into this program.

2. Budget – we are basically almost 99% there. We are within both CAPS now and we have been tweaking the budget for some time and we are reducing it. As of right now the budget would increase the next tax bill by 4.67 cents, that’s a tentative number which he further explained. He will hold on the budget introduction until November to see if money can be saved. We need to look into shared services where possible and we need to increase revenues and outside contracting where possible.

Mayor Little directed the Borough Administrator to find out where the County is with co-op bids for utilities.

Mayor Little spoke to the public about the work that’s been done on the budget.

Mayor Little asked if there were any questions from the public for the Chief Financial Officer.

Chris Francy of 36 Fifth Street questioned interest rates and Mr. Pfeffer explained.

Connor Jennings of 27 Ralph Street questioned if the borough should be re-evaluating the projects to determine their necessity and Mr. Pfeffer explained that the projects that he included in the bond sale are projects that are almost complete so this is just refinancing which he further explained. Mr. Pfeffer also stated that with regard to future projects, there are two bond ordinances that are scheduled for the next meeting which he further explained.

Chris Francy of 36 Fifth Street questioned the budget and Mr. Pfeffer answered his questions and described the parts of the budget that are being cut.

Michelle Pezzullo of 115 Highland Avenue questioned State Aide and shared services and Mr. Pfeffer answered her question and explained the Budget Cap process.

Alyssa _____ from the Courier Newspaper questioned the tax rate and Mr. Pfeffer answered.

Mr. Pfeffer then left the meeting.

Mayor Little – we will dispense with the other Committee Reports this evening.

Building & Housing

Mr. Caizza – next week is National Fire Safety Week and the Fire Department will be having something on this next week at the Elementary School on October 9th. Housing- the Borough has started the Program up and there was another meeting today and today’s meeting looked very positive on the way the town wants to go with these houses. The lawyer has come up with many ways that the Borough can move forward with the problem houses. There were 12 houses on the list last year and we are down to 7 plus we just added about five more houses today. He continued to further explain this situation.

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Mayor Little – there is shelving available that we need to decide as a council to take from the eastern branch free of charge for use in the future library. We need to decide where to put this which she further explained. She is proposing that we store it in the old fire house. So I think that we can go ahead and accept that shelving.

Highlands Business Partnership Report

Mayor Little – St. Agnes’s Blue Mass that we participate is happening October 15th at 7:00 P.M. and at the OLPH Church this Saturday at noon we will have the blessing of the animals. The October Fest will be this Saturday and she encouraged all to attend. The Breast Cancer Walk will be held on October 26th.

Other Business:

Tom Kavookjian – Field Report & Draft Sanitation Ordinance

Mr. Caizza offered a motion to table the Tom Kavookjian Field Report and the Draft Sanitation Ordinance, seconded by Mr. Urbanski and all were in favor.

Plowing & Interlocal Services Agreement with Highlands Elementary School

Mr. Urbanski – stated that this is an agreement that we had years ago to help the Highlands Elementary School with some of their costs. This is a shared service where the Borough provides a service for the Elementary School. This saves the School a lot of money in term saving the tax payers money and he recommends that we do this again.

Mr. Caizza offered a motion to approve this, seconded by Mr. Urbanski.

Mrs. Flannery – we just need to prepare this in a form of a service agreement again and then a Resolution.

All were in favor to move forward and prepare a Resolution on this.

Claddagh – Hearing on License Conditions

Ara Jamgochian, owner of the Claddagh Restaurant residing at 50 Ocean Blvd, Atlantic Highlands, NJ. He explained that when he purchased the Claddagh he inherited some conditions on the liquor license which require the use of bouncers. He has requested every year to have this condition removed. If the condition were removed and they will continue to do business as they do and continue having bouncers. He feels that the condition itself is a liability.

Chief Joseph Blewett explained that he is against the removal of the existing condition on the liquor license that requires the use of bouncers. He explained that his officers have been very lax and have not charged this facility with not having the required bouncers. This stipulation has never been adhered to by the Claddagh which he further explained. He served the owners with a letter advising them that they are not complying and providing two bouncers. They responded that they said that the owners act as bouncers and that James Kennedy acts as a bouncer but he doesn’t work for the bar and was not listed as an employee. He explained the reason for this requirement of providing bouncers and asked that it be kept on. He described other bars in town that do provide bouncers. He requested that the condition be kept and that in addition that the condition require the bouncers to be identifiable when they are working. He continued to speak about the Claddagh and the past situations of the site. He requested that the bouncers be identifiable by wearing a shirt that says Staff on them.

The Governing Body continued to discuss this issue with the Chief of Police and Mr. Jamgochian.

Mr. Jamgochian agreed to have the bouncers wear a shirt that says Staff he agrees with that. As far as bouncers he has been a bouncer at his site and was not aware that he and the other

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owner could not serve as bouncers. He said that Benny Harten the other owner is never the bouncer at the Restaurant. He then named a few of the bouncers that he uses. He continued to discuss his past practice with the use of bouncers. He then compared his operation with others in town and the number of police service calls. He stated that having this condition on his liquor license is a liability which he further explained.

Mayor Little – stated that she thinks that she has heard a very good presentation from Mr. Jamgochian and Chief Blewett.

Chief Blewett continued to speak about the Claddagh.

Mr. Urbanski reiterated Mr. Caizza’s comments about the owners being told that they cannot act as bouncers. He stated that we need to be accountable to the residents to make this safer to have this condition on the liquor license.

Mayor Little – congratulated Mr. Jamgochian for his strides to the business so far and as the Mayor of this town she is going to have to take the recommendation of the Chief of Police but she did want to say that Mr. Jamgochian did a lot of work into looking into the calls that are on record for the Police for other establishments in town. She thinks that he is making a strong effort to communicate with the Council. She then asked that there be better communication between the Police Department and the establishment of the Claddagh on a regular basis. She then asked the Chief to make it clear as to what he expects and thinks perhaps maybe in the future she can see the condition being removed.

Mr. Caizza offered a motion to keep the existing bouncer restriction on the Claddagh liquor license and make sure that the owners cannot be bouncers for this establishment and that they provide two bouncers when the bands are on and they must be identified with bright shirts (work with Chief regarding shirts), seconded by Mr. Urbansk.

Mr. Oxley – I don’t know that you need to change the restriction to make them where identifiable Staff Shirts but certainly we are going to be back here the same time next year having the same discussion.

Mr. Caizza – the police officers are asking that the bouncers be identified.

Mr. Jamgochian agreed to have the bouncers where shirts identifying them.

Mr. Urbanski doesn’t think that we need to change the existing restriction but advised him to have the shirts on.

Mrs. Flannery – the restriction is “ to provide two bouncers on the premises at all times when there is band playing for the evening”.

Mayor Little – we have a motion and a second with no change to the motion – roll call.

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski

NAYES: Mayor Little

ABSENT: Mrs. Burton, Mr. Nolan

ABSTAIN: None

Public Portion:

Jerry Feliciano of 14 North Peak Street questioned why there is a trailer that has been parked and has not been removed.

Mr. Caizza advised Mr. Feliciano that on Monday the Engineer went up there to see where the trailer was located and he will find out the status of this complaint.

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Chief Blewett –unless the trailer has moved it was not on the borough street and thats what we conveyed to them.

Mr. Caizza – if the engineer is in town on Friday I will try to get up there with him and knock on your door.

Jerry Feliciano continued to speak about the problem with a parked trailer in the street.

Maureen Kraemer of 200 Portland Road asked if the Council approves the Bid Events.

Mayor Little – yes

Maureen Kraemer expressed her safety concerns with the recent bicycle event.

Mayor Little explained that the event is hosted by the Highlands Business Partnership and they are funded by the businesses and if they sponsor an event it has to be held in Highlands. She also stated that the routes are submitted to the Police Department and suggested that she direct her question to the HBP to determine how the bike route is determined.

Chris Francy of 36 Fifth Street – no question

Conor Jennings of 27 Ralph Street – no question

Michelle Pezzullo of 115 Highland Avenue – asked what the benefit was for the town to do shared services.

Mayor Little explained the benefits of shared services.

Michelle Pezzullo questioned previous Council discussion about establishing a Rehabilitation Zone.

Mayor Little – we were trying to establish a rehabilitation zone that would allow for a tax abatement for residents that live in that zone for improvements that would reduce density.

Michelle Pezzullo questioned if with that would there be any advantage to perhaps building a large solar unit on top some of the rehabilitation homes and kind of work that green and solar power in.

Mayor Little thought it was a great idea and explained benefits of establishing a rehabilitation zone.

Michelle Pezzullo questioned Mr. Caizza about his previous comments with regard to the Substandard Housing Committee.

Mr. Caizza explained that the Borough is waiting for the Attorney to prepare the rules to move forward with the problem properties.

Roberta McEntee of 55-B Fifth Street questioned Mr. Caizza about the Substandard Housing Committees abilities.

Mr. Caizza explained that there will be a process and the Borough is working to move forward with this.

Roberta McEntee asked if the Council could request that one of the AHHRSA members give a Committee Report at the Council meetings.

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

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The meeting adjourned at 9:58 P.M.

CAROLYN CUMMINS, DEPUTY CLERK

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