

**Mayor and Council
Workshop Meeting
February 4, 2009**

Mayor Little called the meeting to order at 7:11P.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 with Special Action of the Mayor and Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press and The Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little

Absent: None

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

Executive Session Resolution:

Mrs. Flannery read the following Resolution for approval:

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

**RESOLUTION
EXECUTIVE SESSION**

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

- 1.Litigation: AHHRSA & TOMSA Litigation**
- 2.Contract Negotiations: UFCWU & CWA Contracts**
- 3.Real Estate: Aqua Life & Depuration Plant**
- 4. Personnel Matters:**
- 5.**

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.

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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. Urbanski and all were in favor.

The Governing Body then entered into Executive Session.

Mayor Little called the Workshop Meeting to order 8:13 P.M.

Mayor Little asked all to stand for the Pledge of Allegiance.

ROLL CALL:

Present: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little

Absent: None

Also Present: Nina Light Flannery, Borough Clerk
Bruce Hilling, Borough Administrator
Stephen Pfeffer, CFO
Scott Arnette, Esq., Borough Attorney

Presentation to Osborn Sickles – Fire Police:

Mr. Caizza offered a motion to table the Presentation to Osborn Sickles, seconded by Ms. Kane and all were in favor.

Mayor Little stated that we are tabling this to the March Workshop Meeting.

Consent Agenda Resolutions:

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

**RECAP OF PAYMENT OF BILLS
02/04/09**

CURRENT:		\$ 979,405.49
Payroll	(01/30/09)	\$ 121,530.56
Manual Checks		\$ 108,707.12
Voided Checks		\$
SEWER ACCOUNT:		\$ 3,625.73
Payroll	(01/30/09)	\$ 10,404.53
Manual Checks		\$ 3,638.92
Voided Checks		\$
CAPITAL/GENERAL		\$ 25,683.67
CAPITAL-MANUAL CHECKS		\$
WATER CAPITAL ACCOUNT		\$

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TRUST FUND		\$	3,693.64
Payroll	(01/30/09)	\$	944.04
Manual Checks		\$	125.25
Voided Checks		\$	-125.25
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	266.40
GRANT FUND		\$	
Payroll	(01/30/09)	\$	
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	139.48
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 Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

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

**R-09-39
RESOLUTION APPOINTING TEMPORARY
A PART TIME POLICE COMMUNICATION
OPERATOR
AND
A SPECIAL OFFICER CLASS II**

WHEREAS, Jacqueline Kane, Police Communications Operator (full-time/permanent) will be going on Maternity leave on or near February 28, 2009; and

WHEREAS, it will be necessary to replace Mrs. Kane on a temporary basis; and

WHEREAS, it is recommended by Chief Blewett and Councilman William Caizza (chairman of the Public Safety Committee) that a Special Officer Class II be hired;

NOW, THEREFORE, BE IT RESOLVED that Troy David Hartsgrove, 505 Ramapo Valley Road, Mahwah, NJ be and here is appointed Police Communications Operator part-time temporary for a 6 month period, the commencement date to be determined by Chief Joseph Blewett and that compensation be set at \$9.50/hour;

BE IT FURTHER RESOLVED that Ryan Clark, 282 Bay Avenue, Highlands, NJ be and hereby is appointed Special Officer Class II at the rate of \$15.00/hour.

Seconded by Ms. Kane and adopted on the following roll call vote:

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ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Litte
NAYES: None
ABSENT: None
ABSTAIN: None

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

**R-09-41
RESOLUTION AUTHORIZING AN EXTENSION OF TIME
FOR PAYMENT OF MUNICIPAL TAXES WITHOUT
INTEREST TO MARCH 6, 2009**

WHEREAS, the Borough of Highlands mailed Municipal tax bills in January, 2009 to all property owners; and

WHEREAS, the delay of the mailing of the Municipal tax bills will result in the imposition of interest payments if a further extension of time for the payment of the bills is not granted to the residents of the Borough of Highlands.

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

1. That the Mayor and Council hereby authorize the extension of time for payment of the Municipal tax bills to March 6, 2009.
2. In the event that the tax bills are not paid by a resident on March 6, 2009 interest shall be retroactive to the February 1, 2009 due date.
3. That the Borough Clerk shall forward certified copies of this resolution to the following:
 - A. Director, Division of Local Government Services
Department of Community Affairs
 - B. Tax Collector

Seconded by Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

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

**R-09-42
RESOLUTION APPROVING NOTIFICATION TO AND
DISCUSSIONS WITH BARGAINING UNIT REPRESENTATIVES
CONSERNING A REDUCTION IN FORCE**

WHEREAS, the Highlands Borough Council passed an Ordinance on December 17, 2008 that eliminated garbage pickup for all commercial establishments within the Borough effective May 1, 2009; and

WHEREAS, as a result of the elimination of commercial garbage pickup workload of the Borough's Department of Public Works ("DPW") section, currently made up of 11 full time employees, will be reduced, thus warranting the elimination of two full time positions; and

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WHEREAS, prior to effectuating any layoffs caused by the elimination of these two full-time positions the Borough seeks to discuss the matter with the appropriate bargaining unit to determine how such elimination can be effectuated with minimum impact on current employees;

NOW, THEREFORE, BE IT RESOLVED that the Highlands Borough Council directs Borough Administrator Bruce Hilling to notify the CWA Local 1032 concerning the proposed elimination of two full time positions in the DPW and to meet with union representatives to discuss the elimination of the two positions and how to effectuate the reduction in force with the least amount of impact on current employees.

Seconded by Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

Other Resolutions:

Mr. Hilling read the following Resolution for approval:

The Governing Body briefly discussed the emergent need for the garage doors.

Mr. Caizza offered a motion and moved on the adoption of the following Resolution:

R-09-43

**DECLARING AN EMERGENT CONDITION AND AUTHORIZING TO
OBTAIN CONTRACT WITHOUT PUBLIC BIDDING PURSUANT TO THE
PROVISIONS OF N.J.S.A. 40A:11-6
GARAGE DOORS AT HIGHLANDS FIRE HOUSE**

WHEREAS, per the February 3, 2009 letter prepared by Rebecca Kane, Fire Chief of the Highlands Fire Department there is an emergent condition with respect to garage doors the Highlands Fire Department; and

WHEREAS, provisions of N.J.S.A. 40A:11-6 permit the Borough to award contracts without public bidding or quotes when an emergency affecting the health, welfare and safety of the public requires the immediate performance of services; with

WHEREAS, Rebecca Kane, Fire Chief of the Highlands Fire Department, has declared this situation an emergency condition affecting the health and safety of the public;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that authorization be and is hereby given to the Borough Administrator, to proceed with obtaining contractors to make the emergency repairs without public bidding pursuant to the provisions of N.J.S.A. 40A:11-6 and in compliance with N.J.S.A.19:44A-20.12.

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

ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

Committee Reports:

Finance

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Mr. Pfeffer stated that the Finance Committee has met two times and is meeting every two weeks. They have been discussing the budget and he has been informing all departments to get their SFY 2010 budgets back to him by March.

Mayor Little advised the public that if anyone is interested in being on the Finance Committee they should contact the Borough Clerk.

Mr. Francy suggested that the Members be notified and to send them material.

Mayor Little – Mr. Pfeffer has stated that the material is coming in in March.

Mrs. Flannery – we did get a response from Mr. O’Callaghan and she sent an email to Ms. Welch and called Mr. Kovic but she has not spoken with Ms. Harper yet.

DPW

Mr. Urbanski – stated that he will give his report under item 9 in Other Business later this evening.

Public Safety

Mr. Caizza spoke about how the Police Department was able to get all of the cars off of Bay Avenue during the heavy snow.

Chief Blewett then described his January 2009 Police Department Report which identified the number of search warrants, arrests, traffic violations and Police training that occurred.

Building & Housing

Mr. Caizza explained that the Borough now has the program on Substandard Housing. He also described a recent Substandard Housing meeting with a property owner and there is now one lot that has been cleaned up. There is another meeting scheduled for Monday with the Attorney to work on the next eleven properties.

Parks & Recreation

Ms. Kane read through the January 2009 Recreation Report that was prepared by T. Hill, Recreation Director as follows:

Highlands Recreation Department Monthly Report: January 2009

Program:

The following are in session for Winter: Adult Basketball through March 2009 at HHRS, Adult Indoor Soccer in session through March 2009 at HHRS, AH/H Youth Basketball League Saturdays @ AHES through April, Kids on the Move (M,T,W) at Community Center through June, Grades 2,3 Basketball Clinic at HES through Feb. 2009, Grades 4,5,6 Basketball League at HES through March 2009, Y’ Arts and Mad Science – planned, not offered at this time due to response, Hobby Quest – Model Air plane building – set for Feb / March, Jr NBA / Jr WNBA Skills Challenge set for Jan. 30 @ HES, Senior Citizen Activities – reg. meeting canceled due to weather other events went on as planned (see attached schedule for the year). In addition Girls Scouts and 4-H remain active.

Program Planning:

Setting up Summer Kidfest 2009, Met with Fran H. @ Highlands Housing Authority for joint senior citizen program planning – perhaps monthly activity / event starting in March, Working with AH Rec. Committee on joint Jr. Olympic Event in April, Working with AH Rec. Committee on Pitch, Hit & Run Event in May, Senior Citizen Past Presidents Lunch for February + activities, Looking into possible senior exercise program – need to work out specific program days / times / participation, Sea Scouts set for program start up in Feb., Setting up Fall Youth Soccer Registration Dates in March - expanding program to 13-18 year olds, hosting Rutgers Youth Sports Council SAFETY Clinic for volunteer coaches on March 14th, Helping promote Sandy Hook Little League for youth baseball / softball participation, Annual Egg Hunt Event set for April 4th, UK Elite Summer Soccer Camp set for June 29 to July 2., Ponyshare Equestrian Program for kids will be offered again in August.

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Parks / Facility:

Community Center – need to have recommendations for insulation of crawl space and pipes. Severe cold has caused pipe freezing issues. For early spring: Setting up monthly checklist for park facilities (DPW input & direct involvement), Veteran's Park Basketball Court – plan for re-surfacing court and new backboards (budgetary item for review and approval), Beach Blvd. fence along WWBIA property – discussion as per request from residents to replace with “seashore” type of fence for ease of maintenance and opening up or area. Schedule spring applications for Kavookjian Field treatments. Recommendations made for Huddy Park (by Garden Club) – need further review, approval and planning as per budgetary items.

Other:

- Mrs. Jennifer Strehl (Recreation Assistant) had a baby boy on January 15th !!
- Recreation Survey going out with tax bill mailing for future input (randomly inserted)
- Initial discussion of Open Space Committee as per Mr. Hilling
- Special event meetings to be set up for upcoming Spring events as needed
- Mr. Hill will be attending the New Jersey Recreation and Park Association Annual Conference Feb. 28 to March 4.
- Applications being accepted for seasonal employment (Summer recreation aides, program leaders, lifeguards).

Timothy G. Hill, Director of Parks and Recreation
January 29, 2009

Highlands Business Partnership

Linda Mikhail, HBP stated that there is nothing to report at this time.

Public Relations Committee

Ms. Kane explained that they are working on getting a newsletter out and there was a contest for the name of the new newsletter and Paul Murphy, Code Enforcement Officer won. The name of the newsletter will be the “Twin Lights Tribune”. She has requested information from all of the Department Heads to put together the first newsletter. She hopes to have the first newsletter out by April.

Environmental & Shade Tree Commission

Mr. Francy stated that the Environmental Commission will be meeting this Monday. He will make sure that the meeting is posted on the website. The topics will be an update of the oil seeping out of the hill on Bayside Drive and development application for Shadow Lawn. Shade Tree Commission issued one tree permit last month for three trees.

Administration

Mr. Hilling stated that he had various department reports.

Mayor Little requested that that the reports be supplied to the Clerk to be attached to the meeting minutes and requested that Mr. Hilling supply the Clerk with copies to be inserted into the Meeting packets.

Mr. Hilling reminded everyone that there is a bridge meeting this Friday morning at 9:00 am. There is a meeting tomorrow at 11:30 tomorrow morning with Donna O’Callaghan. He also stated that he has copies of the NJDEP Contamination Report for Bayside Drive and stated that he has copies for anyone wishing to have one.

Clerks Office

Mrs. Flannery read the following report:

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DEPARTMENT REPORT

TO: Mayor and Council

**Fr: Nina Flannery
Borough Clerk**

RE: Report for January 2009

January is one of the busiest months in the office of the Clerk and Deputy Clerk. This January proved to be the busiest month in the entire office. Not only were dog licenses and mercantile licenses due but the office worked very hard together to get tax and sewer bills out by the end of the month.

In January Dawn Horniacek in the Building Dept helped us stuff and mail 344 reminder letters that dog licenses are due. With the reminder letter we add a copy of the state regulations on rabies vaccinations and we enclosed a letter on the fee increase. In January, so far, 132 licenses were issued for a total of \$2,484.00. Resolutions and meeting materials were prepared for the meetings of January 7th and January 21st, 2009. Minutes were done for 3 Regular Council Meetings and 1 Executive Session. In January, 40 Resolutions were done plus the Budget. Doing resolutions includes typing them, when they're adopted putting votes on them, distributing them to officials, departments, DCA, DLGS, and some to the papers.

Reminder letters were mailed to 101 businesses. At this time 22 businesses have renewed their licenses. (This does not include liquor licenses.) We will send out 2nd notice letters by mid-February. Board of Health licenses are also due at this time and letters went out to those establishments that require that license.

The Department of Vital Statistics issued only 2 marriage licenses in January, things will pick up around February 14th. We issued 6 certified copies of vital records.

We fulfilled 2 OPRA requests.

In the human resources area, two payroll cycles were completed including the first ever in the Borough of Highlands automatic deposit payroll. Everything went smooth because everyone involved worked very hard to see that every record was correct before the electronic transfer was made. Debby Dailey should be commended for that process as well as Steve Pfeffer. Because of the ratification of the PBA Contract, one retroactive pay process was completed. W2's were mailed to employees.

In the Clerk's office I am continuing to work with the Comp carrier following some past but still outstanding compensation cases and two current cases. I also am working with them gathering for a litigation case that has been ongoing for a few months. I continue to work with them if an employee is involved in an accident or is injured or if a borough vehicle is involved in a mishap.

As everyone knows, the tax bills went out of Wednesday and Thursday, January 28 and 29th. While we always stuff the bills into our envelopes, this time we really did stuff the envelopes. A two page letter regarding a library benefit went into the enveloped, some folded outside the office, some folded by us but all stuffed by us, we included a random survey for the Rec Department in some envelopes and a statement

about the payment date in all envelopes. The Recreation Department helped out with stuffing and in two days, 2830 tax bills, two page letters, bright pink slips and surveys were stuffed and seals, sorted and sent to the post office. Then it was the Sewer Departments turn because while three of us were working on the tax bills. Jorgi Craig was sending out 1950 sewer bills. Which she was able to accomplish in two days. All this was done without interruption of normal business operations.

I met with the Mercantile License Committee to help redevelop the Mercantile License Ordinance. We have a few kinks to work out but feel we have made progress and hope to have a draft ordinance available for the Governing Body before the next meeting.

I have noticed some very old ordinances in our General Code. They need to be rewritten or deleted I would like to try to work on them. There are some ordinances that are being ignored that should not be. I will discuss these with the appropriate Committee Chairmen.

I have been working with Ms. Kane to encourage employees to suggest names for a Borough Newsletter. I think she has chosen a great name and congratulate the winner.

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I am working with Mayor Little and Tim Hill on a project called Read Across America. My Mother-In-Law is a retired Librarian and my Sister-In-Law is the Director of the Cambridge MA public library system, so reading is a subject near and dear to the Flannery heart. I have hit up that entire family and all of my friends to donate at least one new book for a child ages 3 to 10. We will give them to children that attend Read Across America in the Council Chambers on March 3rd, 2009. I have personally donated 3 \$15.00 gift cards to Borders. I would like to ask residents or business owners of Highlands to do "at least" the same.

Thank you for your attention and for your cooperation with the Clerk's Office this year.

Respectfully submitted,
Nina Light Flannery, Municipal Clerk

Library Committee Report

Mayor Little – there will be a fundraiser. The date has been set and a letter has been sent out. They are looking for sponsor's and donor's for the event. There is an terrific excitement about putting a float together for the St. Patrick's Day Parade. She did receive from the HBP a registration form for the float and she wants to make sure that that is put in for the float for the library. The date for the fundraiser is April 26th from 1:00 – 4:00. She then spoke about the goal of the Committee which is to try to build the portion of a new borough hall that would pertain to the library from private funds.

OTHER BUSINESS:

AHHRSA Report – John Bentham

Mr. Bentham explained that he is here tonight to go over concerns of the sewerage authority. AHHRSA is in charge of the structure system for the sewer system for both Atlantic Highlands and Highlands. Mike Rybeck, Chairperson, Dave Palmara, Administrator, Joe _____, P.E. Authority Engineer and Ken Braswell and Richard O'Neil, Commissioner Members are also here this evening to speak with the Council. He then described the goals of the Sewerage Authority as being (1) to represent the rate payers of the system (2) to run the system as efficient as possible (3) to identify any problems. Items for discussion for tonight are (1) lateral problems (2) effects of grease (3) infiltration into the system (4) operating costs (5) grant program and completion and calculation of ___ credits (6) reimbursement for relocation of authority electrical service and the any questions.

Joe _____, Authority Engineer spoke about capacity issues and getting clean water out of the system and a need for a plan of action to remove the I & I from the sewer system.

Mike Rybeck, Chairperson of AHHRSA – spoke about the borough's improvements to basin 8 and basin 2 which were identified in their studies. He then referred to the maps showing the area of basin 8 and he then described the locations of some of the problem areas. He stated that the work done by both borough's has resulted in significant extraneous flows to the authority system which he further spoke about. He then described the slide photos of the specific problem areas that he spoke about in Highlands.

Dave Palmara, Administrator of AHHRSA further described that there is about a million gallons per year of infiltration from just one bad lateral. He explained that they prepared an analysis that shows where repairs would be cost effective.

Mr. Bentham described the excess costs that area incurred due to infiltration into the sewer system.

Dave Palmara explained that the Economic Stimulous Package may offer financing for repairs at a zero percent financing. He also stated that we would have to act quick to jump on any opportunities for federal funding for repairs.

Mr. Bentham explained that we have to act as a partnership with the borough's.

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Perhaps a committee could decide how to identify the laterals.

Mayor Little – funding is an issue and she believes that it would have to be governmental response to the problems. She then questioned funding for the repairs.

Mr. Rybeck stated that hopefully we can come up with a grant program and get funding available to defray costs to the municipalities to address the issues. He then spoke about the benefit to making the needed improvements. He then spoke about other problems such as downspouts that are illegally connected to sanitary systems and sum pumps that are also illegally connected.

Mayor Little – with regard to the grant program the Borough had completed a significant amount of work on basin eight and we are looking to move on basin two. We understand that we are to receive grant money for what we have done on basin eight and it's not clear to this Council exactly what requirements we failed to meet at this point. The \$140,000 due to the borough for that work needs to be received before we can expect this Council to make any further decisions with regard to any work. So that needs to be addressed which she further stated.

Joe ____, P.E. stated that he knows that T & M is reviewing data.

Mr. Palmara then spoke about the borough repairs and spoke about how well they were done and how it can earn the borough credits for connections for development. They need to the data to determine the credits for Highlands.

The Governing Body continued to discuss repairs and reimbursement issues with the representatives of the Atlantic Highlands/Highlands Regional Sewerage Authority.

Mayor Little suggested that the Authority Engineer copy both borough's with reports and information so that they are both aware of what's going on. With regard to the request for the Council to put a committee together, she is going to get back to the members of the Highlands Commission for the authority. She suggested that one of the Highlands Commission members meet with her and act as a liason to the Highlands Council and let's get formal about addressing the issues.

Roberta McEntee, former AHHRSA Member suggested that when the Mayor gets together with the Authority is to keep in mind that Atlantic Highlands resented the connection between Highlands and Atlantic Highlands which she further explained.

Potential Layoffs/Residential Sanitation Collection

Mr. Urbanski explained that he has been working on this garbage collection issue with Mr. Francy and what their recommendation will be is we want to single stream our recycleables increase the pick up to one pick up per week for everybody (residential & commercial), keep two day a week pick up for residents from mid May through mid September and after that we are going to go to one day a week residential garbage pick up and everyone in town gets the same amount of number of cans which is listed in the ordinance already.

The Governing Body had a discussion about reduced pick up.

Mr. Pfeffer discussed a savings of about \$50,000 on tipping fees on commercial garbage.

Mr. Francy – there are savings to for layoff's that Mr. Urbanski will talk about, there are savings on the reduction of the amount of trips to the land fill that amounts to about \$10,000 per year which he further explained.

Mr. Urbanski – the two winter pick ups will be on Tuesdays and Thursdays because we don't want to cut someone short on a holiday. We will work on a schedule if we move forward on it. The bulk pick up will still have quarterly pick up. He then stated that he recommends that two employees be layed off, which he further explained.

Mr. Pfeffer suggested that information about the benefits of recycling in the borough news letter.

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The Governing Body continued to discuss the proposed reduction in garbage pickups and the savings that it would create. The Governing Body then authorized the Borough Attorney to examine the ordinances and to make amendments accordingly to tonight's discussion.

Mr. Francy explained that the commercial can put out the allowed number of cans for garbage pick up.

Mr. Hilling – stated that he will notify the union about the layoffs.

Mayor Little – directed Mr. Hilling to speak with Mr. Merryman, Labor Attorney before he contacts the union.

Mr. Francy believes that the Borough may want to lay off three employees versus two employees which he further explained.

Mr. Urbanski suggested two employees.

Mayor Little left the meeting.

Mr. Urbanski begins to chair the meeting.

Mercantile License Committee Report

Mr. Urbanski – the Committee had a meeting and the Borough Attorney has the information that he needs.

Mr. Arnette explained that this is a work in progress and he should have something for the Council between this meeting and the next meeting.

Draft Ordinance – Noise

Mrs. Flannery – the draft ordinance is on the table for the Council to review for introduction on February 18th.

Chief Blewett stated that he had a comment on Section A – outside a principal dwelling language.

Mayor Little returned to the meeting.

Mr. Arnette – we can talk about that after words which he further explained. He then explained that the ordinance is Section A means that you can't have amplification equipment outside of your house so that it can be heard 100 feet from the property line. Section 6 – we can maybe put a word or two in to address your concern.

Governing Body discussed noise ordinance with Chief Blewett.

Mr. Arnette – this ordinance will be finalized and ready for introduction at the next meeting.

Draft Ordinance – Establishing Open Space Trust Fund Ordinance

The Council had no comments on this ordinance so it can be introduced at the next meeting.

Draft Ordinance Establishing Open Space Committee

Mr. Hilling – Mr. Hill had a couple of comments for this item this evening

Mayor Little read the following memo from Tim Hill, Recreation Director:

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As per discussion, if the make up of the committee does not include PB, EC and HRD directly, then I would think the committee liaison for each should be mentioned or included i.e. "Shall consist of 6 resident members and a liaison from the governing body, planning board, environmental committee & recreation department. (The terms for resident members as stated should probably remain as set, but the GB, PB, EC and RD should be annual appointments)

Tim Hill

The Governing Body discussed Mr. Hill's comments.

Mr. Hilling – his concerns is that this be an advisory committee.

Mayor Little asked the Borough Attorney to report back to the Council at the next meeting as to if this can be made up of more than 6 people.

Review for Next Meeting: Resolution RE: 100% Disabled Vet Tax Deduction

The Governing Body reviewed this application and recommendation from the Tax Assessor to grant a 100% disabled and total tax exemption for block 21 lot 10. The Governing Body had no objection to placing this resolution on for adoption at the next meeting.

Intergovernmental Affairs Memo – Pension Deferral Outline

Mr. Pfeffer – he described the legislation that is being passed which will mandate what the Borough has to do. We will be given a couple of options and the ramifications which he stated will be further discussed with the Budget Committee.

Mayor Little further commented on the pension deferral mandate and the Governing Body had a discussion with Mr. Pfeffer on this topic.

Engineer: Cost Estimate Street & Roads (Spring St, W. North St, S. Second St Between W. North St and Spring Street) - T & M Assoc. Proposal dated 1/23/09

Mr. Caizza – this is the last area in that area that needs to be redeveloped which he further explained.

The Governing body had a discussion and it was established that the Borough needs to find out the status of the title ownership of the Spring Street area. The Borough Clerk and Borough Attorney were directed to research the title of the area which we need before we do any work.

Mayor Little also mentioned that we are looking into the demolition of the sewer plant in that area as well.

Mr. Caizza – this area needs to be cleaned up.

Mr. Pfeffer – stated that he hears a lot of discussion about a lot of things and he is seeing a lot of stuff come through from T & M Associates. We have about \$60,000 left in the capital improvement fund at this point and time.

Mayor Little – most of that money has been spent on down town drainage and we spoke about an alternative to pulling it out of the general engineering fund and we need to go forward with that and we need to get in on a meeting agenda. She also spoke about the purpose of having a dry down town so we need to get a cost on the repairs to the drainage system and to try to put it into a bond ordinance.

Discussions continued about funds for engineering and projects.

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Mayor Little – what do we need to get through the rest of SFY 2009 with the general engineering?

Mr. Pfeffer – I don't know that you can.

Mayor Little – lets discuss this further at the next Finance Committee Meeting.

Mr. Pfeffer – yes, and hopefully by the next council meeting we can get more numbers from T & M Associates.

Mayor Little – we are not going to take action on either of the engineering cost estimates. We will go to another Finance Committee Meeting which is to be scheduled and then by the next meeting or next workshop we will be ready to address the finance issues of Mr. Pfeffer and hopefully take action on something before the end of SFY 2009. She then requested that the Council to submit their priority issues to address at the next Council Meeting.

Mr. Pfeffer stated that he can have a bond ordinance prepared for the next meeting if that is the consensus of the Council.

Mayor Little – Valley Avenue Storm Sewer Rehabilitation (T & M Proposal dated 10/29/08 there is a consensus to move forward.

Engineer: Cost Estimate Bayside Drive – T & M Assoc. Proposal dated 1/29/09

Mayor Little explained that Bayside Drive has been submitted to the DOT. She hopes that this gets fully funded by NJDOT.

Schools: Exempt from Sanitation Ordinance

The Governing Body reviewed the letters received from Henry Hudson Regional School dated 2/21/09 and excerpt from the Highlands Elementary School minutes dated 1/26/09 both requesting garbage pickup.

The Governing Body was supportive to continue picking up the school garbage.

Mayor Little – the HES may need to amend their interlocal service agreement and the Borough Attorney may need to draft an agreement for Henry Hudson.

Mr. Caizza – can we get Atlantic Highlands to cover half of the cost for the High School garbage.

Mayor Little – maybe and perhaps it can be put into the interlocal agreement.

Scenic By-way

The Governing Body reviewed a memo from the Monmouth County Planning Board regarding the Expansion of the Scenic By-Ways and the need for a member of this Council to receive information on this.

Ms. Kane volunteered to be the Scenic By-Ways Representative for this Council.

Engineer: Cost Estimate for Abandoned Wastewater Treatment Plan (T & M Assoc proposal dated 9/6/07).

It was the consensus of the Governing Body to add this to the bond ordinance with the Valley Street Ordinance.

LGA – Proposal on the site assessment for 2 Private Road dated 1/30/09

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Mr. Pfeffer – he obtained this proposal and asked that the Council please review it and let him know if he should do a Professional Service Resolution.

Mayor Little directed Mr. Pfeffer to draft a Resolution for LGA for the next meeting agenda.

Public Portion:

Donna O’Callaghan of 29 South Bay Avenue passed on her opportunity to speak.

Carol Custer of 38 Central Avenue made some complaint about an incident that occurred on her street while snow plowing her street. She said that the DPW snow plowing was speeding while plowing the street and was going the wrong way on the street.

Mayor Little directed the Borough Administrator to draft a memo and distribute to all CDL DPW workers.

Mr. Caizza explained that sometimes you have to plow in the opposite direction of the traffic flow due to the way the snow is.

Ms. Custer stated that she wants the snow plowed in a straight direction. She stated that she spoke with the Chief of Police and he said that a snow plow is not an emergency vehicle that does not have to obey the traffic laws.

Mayor Little directed the Borough Administrator to confirm with the Chief as to what the state of the law is and what the definition is of an emergency vehicle and she wants him to share that information with Mr. Caizza and do the memo to the DPW with the direction of the Chief as to what the state of the law is. If after consultation with the Chief and Mr. Caizza and the DPW the circumstances change she wants to be advised of that. She also wants Ms. Custer to be advised of the outcome of the traffic rules.

Ms. Custer expressed her frustration with Mr. Caizza this evening.

Jim Parla of 16 Portland Road passed on his opportunity to speak.

Pauline Jennings of 27 Ralph Street questioned if the garage doors on the fire house were included in the warranty. She then questioned the new garbage ordinance. She mentioned a PB application for development for Shadow Lawn for 282 units and brought up the issue of sewer capacity.

Mr. Caizza – the warranty is off, the builder is paying for the job.

Mr. Urnanski – stated that the County separates the items in the garbage.

Conor Jennings of 27 Ralph Street spoke about a COHA compliance and wanted to know where we stand.

Mayor Little – we do comply and there is information in the Master Plan.

Conor Jennings then suggested that the Council start their meetings earlier.

There were no further questions or comments from the public.

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

The Meeting adjourned at 10:39 P.M.

CAROLYN CUMMINS, DEPUTY CLERK

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