

**Mayor and Council
Regular Meeting
March 4, 2009**

Mayor Little called the Meeting to order at 7: 00 p.m.

Mrs. Flannery made the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Workshop Meeting of the Mayor and Council of the Borough of Highlands and all Requirements have been met. Notice has been transmitted to the 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
Stephen Pfeffer, CFO
Bruce Hilling, Borough Administrator
Scott C. Arnette, Esq., Borough Attorney**

Executive Session Resolution:

Mrs. Flannery read the following Resolution for approval:

Ms. Kane 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: Guinta v. Borough Litigation**
- 2.Real Estate: Aqua Life, Depuration Plant, Dan-Rob Lease**
- 3. Personnel Matters: E. Wheeler, W. Little, B. Hilling – Riced
J. Strehl – Extended Leave**
- 4. Negotiations: Union Contracts**

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. Francy and approved 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

The Governing Body then entered into Executive Session.

Mayor Little called the meeting back to order at 8:28 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
Stephen Pfeffer, CFO
Bruce Hilling, Borough Administrator
Scott C. Arnette, Esq., Borough Attorney**

Presentation to Osborn Sickles – Fire Police

Ms. Kane presented a plaque to Osborn Sickles for his 50 years of work on the Fire Department.

Mayor Little then read the inscription that was on the plaque.

ARC Proclamation

Mayor Little read the following Proclamation:

IN RECOGNITION

WHEREAS intellectual and developmental disabilities are conditions which affect more than 7 million Americans and their families; and

WHEREAS public awareness and education enhance a community's understanding of the issues affecting people with intellectual and developmental disabilities; and

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WHEREAS people with intellectual and developmental disabilities can be vital and vibrant members of our communities, improving the quality of life for all of us; and

WHEREAS the month of March has been designated Arc Awareness Month by the state of New Jersey with 20 chapters of The Arc undertaking public awareness, educational and fundraising initiatives; and

WHEREAS The Arc of Monmouth serves over 1200 individuals with intellectual disabilities throughout Monmouth County and advocates for and with people with intellectual and developmental disabilities and their families; and

WHEREAS The Arc of Monmouth is celebrating 60 years of service to families and individuals throughout Monmouth County;

NOW

THEREFORE the Honorable Anna Little, Mayor of the Highlands does hereby Proclaim March, 2009 as

ARC AWARENESS MONTH

In the borough of the Highlands, New Jersey and urges that the citizens of the Highlands, New Jersey give full support to efforts towards enabling people with intellectual and developmental disabilities to live full and productive lives of inclusion in our communities.

Anna C. Little
Mayor

Nina Light Flannery
Municipal Clerk

HBP 2009 Budget – Introduce & Set a Public Hearing Date

Mr. Arnette advised the public that tonight the Governing Body will introduce the HBP budget and the public will be given a chance to comment at the public hearing on March 18th.

Mrs. Flannery – stated that the budget has been posted on the public bulletin board and copies are available at the Clerk’s Office.

Mr. Francy offered a motion and moved that the following 2009 HBP Budget be introduced and that a public hearing date be set for March 18, 2009 at 8:00 P.M. and authorized its publication according to law:

**Highlands Business Improvement District
District Management Corporation
Highlands Business Partnership, Inc.
January 1, 2009–December 31, 2009
(12 Months)**

2009 District Program Budget

Visual Improvement.....\$13,000
➤ Street Banner Project

2009 Special Events Calendar.....\$15,000
(Approved by Governing Body 12/ /08)

Marketing & Communications.....\$25,000
➤ Ad campaigns/Sponsorship Sales

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- Public Relations/Image Building
- Create and Publish Visitor Guide
- Maintain /Expand Website
- Videos/Commercials

Economic Development.....\$5,000
 ➤ Smart Growth - Business Recruitment/Retention
 (Supporting Monmouth County Bayshore Strategic Plan)

Administration
 ➤ **DMC Administration\$30,000**
 ➤ **Legal, Certified Audit, Insurance
 Phone/Fax.....\$15,000**
 ➤ **Outstanding Payable.....\$9,112**

Total 2009 Program Budget.....	\$112,112.
Total 2009 Anticipated Cash Income.....	\$ 55,000.
(Vendor Fees, Sponsorship Income)	
Total 2009 Anticipated Barter Goods & Services.....	\$ 12,000.
Total 2009 Assessment Income Required to Operate.....	\$ 57,000.

Seconded by Mayor Little and introduced 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

Payment of Bills:

Mr. Caizza offered a motion and moved on the approval of the following payment of bills:

**RECAP OF PAYMENT OF BILLS
03/04/09**

CURRENT:	\$ 588,563.01
Payroll (02/28/09)	\$ 121,813.83
Manual Checks	\$ 26,171.72
Voided Checks	\$
 SEWER ACCOUNT:	 \$ 885.92
Payroll (02/28/09)	\$ 6,147.18
Manual Checks	\$ 830.25
Voided Checks	\$
 CAPITAL/GENERAL	 \$ 11,221.31
CAPITAL-MANUAL CHECKS	\$
WATER CAPITAL ACCOUNT	\$
 TRUST FUND	 \$ 1,584.56
Payroll (02/28/09)	\$ 800.00
Manual Checks	\$
Voided Checks	\$
 UNEMPLOYMENT ACCT-MANUALS	 \$

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DOG FUND	\$	
GRANT FUND	\$	
Payroll (02/28/09)	\$	
Manual Checks	\$	
Voided Checks	\$	
DEVELOPER'S TRUST	\$	
Manual Checks	\$	1,309.50
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. Francy and approved 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

Resolutions:

Mrs. Flannery stated that there is one additional resolution that was not on the table this evening. She then read the following Resolution for approval:

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

**Borough of Highlands
County of Monmouth**

**R-09-58
RESOLUTION ACCEPTING THE
RESIGNATION OF WILLIAM LITTLE**

WHEREAS, William Little has been an employee for the Borough of Highlands for over twenty-two years; and

WHEREAS, Mr. Little has now submitted his letter of resignation with an effective date of March 20, 2009; and

WHEREAS, the Mayor and Borough Council are willing to accept Mr. Little's resignation with the proposed effective date;

IT IS HEREBY RESOLVED this 4th day of March 2009 that the Borough accepts the resignation of Mr. Little effective March 20, 2009 and the continuation of his unpaid leave of absence until that date.

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

Committee Reports:

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Finance

Mr. Pfeffer stated the following:

1. He was asked to get some information from the County with regard to the Open Space County Grant for 2 Private Road. The question was what happens if we delay doing the Professional Service Agreement which is for the preliminary assessment report. He spoke with Steve Taylor of the Monmouth County Open Space and he indicated that the PSA must be completed before the County will sign the grant agreement and to keep in mind that if Highlands cannot keep the June 22nd deadline they can request an extension. He then spoke further about this matter. He then recapped where we are with regard to 2 Private Road with regard to grants and impacts. Once the Open Space Ordinance is adopted and sent to Freehold the open space tax of a half of cent will kick in, so that will generate a little over \$27,000 which he assumes that this tax can be used to offset 2 Private Road should the Borough purchase it. He stated that in order to lock into the County money we need to do the preliminary assessment. He also feels strongly that the borough should do a title search. We should have more information by March 11th or 12th to see if we are on the list for Green Acres funding and he does not see a problem of waiting until then to move forward.

Mayor Little wanted to know if the Council supports the purchase of 2 Private Road so we can move forward with the PSA and a title search. We need to have a consensus by the March 18th Meeting.

The Council had a discussion about the purchase of 2 Private Road.

Mr. Urbanski does not support the purchase of 2 Private Road.

Mr. Caizza wants to wait to make his decision until we get the information on the Green Acres funding.

Ms. Kane and Mr. Francy also want to wait to obtain the Green Acres funding information.

Mayor Little – on March 18th we should have the information as to if we have the Green Acres funding or not and then if we have the green acres money on the 18th then this Council needs to make a final decision on that day and based on that information we would be subject to a title search and to the environmental assessment.

2. Finance Report - Mr. Pfeffer stated that we still need to watch the revenues they appear to be below where they should be by about 9 or 10%. On the expenditure side there is one budget that is in trouble and that is snow removal. At this point other than what he said at the last meeting about engineering he is going to be correct on that.

DPW Committee Report

Mr. Urbanski stated that there is a five page end of the year report that has been presented to the Council to read. He has information about our recycling and its about 100 tons a year of material. Last year 33 tons of metal was recycled last year, 157 tons of trees and tree parts and 50 tons of leaves. Street sweeping it has costs of \$1,200.31 to empty the street sweeper for January and February of 2009.

Mr. Urbanski then briefly discussed the following DPW report:

Report for February 2009

Called out to sand and plow.

Mr. Robertson and Mr. O'Neil removed rear window at the back of Boro Hall. Window was blocked up and cemented at request of Police. Police was afraid access could be gained through this window into the evidence room. Also Mr. Robertson took one Police Officer to Freehold to pick up locked evidence.

Did trash pickups in parks throughout town. Dumped trash cans not accessible to Sanitation men. (Inside parks)

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Picked up brush and leaves around town.
Cleaned up after 3 or 4 extremely windy days.

Took sweeper out for three days. We then had trouble with the sweeper. Sweeper was repaired and will get back out when weather permits.

Picked up approximately 22 tons of street sweepings (see attached bills from County dump).
NOTE: In the future sand and salt should be done away with and go to straight salt for snow and ice removal.

All dirt hauled to County by me in our big dump truck.

Cost to dump street sweepings: \$1,200.31

Trimmed branches along roadways that were hanging or causing trouble for sweeper operator (me).
NOTE: Need to train Mr. Wayne O'Neil and Mr. Chigger to operate sweeper.

Included is two reports sent to us from Reliable Wood Products and Red Bank Recycling.
NOTE: Tonnage metal and of brush and leaves.

All recycling and garbage picked up for the month.

All bulk pickups requested and paid for from Boro Hall picked up.

EDWARD O'NEIL

Public Safety

Chief Blewett reviewed the following report:

Report to Council
March 2009

- * The department has been made aware of the availability of funding through the Office of Community Oriented Policing Services (COPS) for a Hiring Recovery Program Grant. Although, I informed Councilman Caizza, Police Committee Chairman, of the grant he informed me that it would be highly unlikely that the Borough would hire another officer. At this time, I'd like to make the Governing Body aware the grant would provide 100 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for newly-hired, full-time sworn officer positions. There is also no cap on the number of positions an agency may request. Although, at the conclusion of the federal funding, the Borough must retain all officer positions awarded under the grant. The application process is scheduled to begin at the end of March 2009 and Federal Grant Programs typically must be filed within a 60 day period. I would recommend that the Governing Body give serious consideration to the grant.
- * As some of you may recall, during 2005 the Highlands Police Department hosted community meetings to gather input from residents and business owners for our Strategic Plan. The meetings allowed everyone to convey their concerns and desires which were instrumental in establishing the department's mission and vision statements. As with anything else, things change over time, which is why this year, the Highlands Police Department will begin to revise our Strategic Plan. We would like to encourage not only the public but also the Governing Body to get involved.
- * On February 11, 2009, the Highlands Police Department and the Monmouth County Emergency Response Team (MOCERT) executed a narcotics search warrant at a Waterwitch Avenue residence. The Highlands Police Department Street Crimes Unit developed the information during an investigation over several months. The 27 year old male resident, who was identified as a member of the Street Blood Gang, was arrested and charged with possession of a controlled dangerous substance; over 50 grams of marijuana, possession with the intent to distribute, possession with the intent to distribute within 1000 feet of a school and possession with the intent to distribute within 500 feet of a park. The resident was also charged with unlawful possession of a weapon for having an imitation firearm. Bail was set at \$100,000.00 and he was transported to the Monmouth County Correctional Facility, Freehold, NJ.
- * Patrolman George Roxby was recently accepted to the Monmouth County Emergency Response Team (MOCERT). As part of a specialized team Ptl. Roxby will have the opportunity to receive

extensive training and schooling which will not only benefit the team but also the Highlands Police Department.

- * Over the years, the St. Patrick's Day Parade has been very successful and has grown not only with the amount of participants but also by the amount of spectators. The Highlands Police Department is dedicated to providing a safe environment for all and will be continuing its "zero tolerance" policy in regard to consuming alcoholic beverages in public along the parade route. Due to bridge construction the traffic pattern will change slightly as the vehicles will be directed behind Sasha's

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Boutique. There will be an area coned off for the Henry Hudson Band and their buses. Mr. Tom Elliot, Band Director, was notified and does not foresee any problems.

- * As mandated by the State of New Jersey Office of Homeland Security Safe Schools Initiative, the Highlands Police Department supervised 2 lockdown scenarios at the Highlands Elementary School on February 11, 2009. One scenario included an entire evacuation of the school to the Firehouse, Shore Drive.
- * Mike Hrbek, Purchasing Agent, will be putting out the bid specs for the police vehicle that will be leased through the Drunk Driving Enforcement Fund at no cost to the Borough.
- * As requested by the Chief Financial Officer, the Highlands Police Department budget was submitted today, Wednesday, March 4, 2009. Should the Governing Body wish to have a copy, please contact my office.

- * Total Calls for Service: 450
- * Arrests: Adults: 18 (4 for possession of CDS)
JV: 3
- * Summons: Total: 130

- Moving Violations: 68
- Non-Moving: 25
- DWI: 5
- Boro Ordinance: 32

(Statistical Information is from February 1 – 28, 2009)

Building & Housing

Mr. Caizza – with regard to the abandoned houses we had 12 on the list and we are having trouble with 3 of them. We added four more to the list to give to the Attorney which he briefly described. Eight of the houses are doing the work. There were two demolition permits so this program is working.

Ms. Kane reviewed the following report:

Borough of Highlands	Phone: 732 -872- 1224 Ext.215
171 Bay Avenue	Fax: 732-872-0670
Highlands, New Jersey 07732	

Code Enforcement Department

FEBRUARY 2009

31 CCO INSPECTIONS (31 X \$85.00 = \$ 2635.00 GENERATED LAST MONTH ON INSPECTIONS ALONE)

15 SUMMONSES ISSUED FOR PROPERTY MAINTENANCE

APPROXIMATELY 500 LANDLORD REGISTRATIONS HAVE BEEN MAILED BACK SO FAR.

COUNCILMAN CIAZZA CAN UPDATE ON SUBSTANDARD HOUSING COMMITTEE AND PROGRESS AS HE ATTENDS ALL MEETINGS AND CONFERENCE CALLS

Parks and Recreation

Ms. Kane reviewed the following report:

Program:

Winter Programs – still in effect: Adult Basketball at HHRS, Adult Indoor Soccer at HHRS, AH/H Youth Basketball at AHES, Highlands Youth Basketball League at HES, Kids on the Move program at the Community Center (M,T,W afternoons). Hobby Quest program (model air plane building) has set dates March, April, May. Jr. NBA/wNBA Skills Challenge was held on January 30th at HES, results submitted. Shore Boating School and Voice Coaches program have set dates for programs at center. Senior Citizen Activities for Feb. included meeting – guest speaker from Valley National Bank, Monthly lunch / bingo, and Past Presidents annual luncheon set for Feb. 26th. In addition, HHRS has set up bus transportation for Seniors to attend the play at HHRS on Thursday, Feb. 26 & the Highlands Elementary School has re-scheduled the annual luncheon for seniors for March 10, 2009. Fall Youth Soccer Program (for 5 to 17 years of age) registration dates are set for March 14 and March 21. 4-H and Girl

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Scouts remain active. Recreation Survey was sent out with tax bills, some have been returned with information being compiled.

Program Planning:

Summer Kidfest 2009 ongoing. Bike Helmet distribution program being set for end of March. Tennis Clinics to be offered in cooperation with the AH Rec. Committee at the AH Harbor starting in April. Junior Olympic Skills Program also set cooperatively with AH Rec. Committee for April 24th at the AHES. Annual Egg Hunt and Candy Bingo set for Saturday, April 4th at the Snug Harbor Beach. Pitch Hit and Run event set for Saturday, May 9th at Firemans Field. Working with Monmouth Cancer Coalition for Skin Cancer Screening in July. Senior Programs for March include: Dance Program, Speaker from the Monmouth County Office on Aging "Coping with Depression", Bingo and Lunch, & a post St. Patty's social event. Working with the Neighborhood Watch on developing teen center specific survey. Method of distribution is being reviewed.

Parks / Facility:

Community Center – crawl space insulation – ongoing. Vandalism at Vet's Park (swing broken) reported and repaired. Vandalism (grafetti) reported at skate park. Veterans Park Basketball Court – new backboard / rims to be ordered, awaiting quotes for court re-surfacing. Beach Blvd. Fence and Huddy Park (as per Garden Club) needs further input and review. Meetings on Generator projects, South Bay park renovations (future DOT) and Kavookjian Field renovation have been held.

Other:

- Special event meeting to be re-scheduled for St. Patricks Parade event
- Community Development Block Grant Re-organizational Meeting held 2/25/09
- 52" RCA projection TV donated to Community Center from Jon & Kristin Heisey.
- Awaiting grant application for 2009 Summer Food Program Funding

Timothy G. Hill, Director of Parks and Recreation

February 26, 2009

Highlands Business Partnership

Mayor Little informed the public about mayorlittle.blogspot.com which she further spoke. She then stated that there is a lengthy statement relative to her position on the HBP and the HBP budget and requested that the following statement on the blog be placed in the minutes:

To BID or Not to BID: A very important question for Highlands

The Highlands Business Partnership (HBP) has been the economic development engine for the Borough of Highlands for a number of years. There has been benefit to not only the businesses but to the residents of Highlands as a result of the efforts of this organization. However, there is little understanding by the businesses and by the residents of Highlands as to how this organization came into existence, how it operates, and what its relationship is to the Governing Body of the Borough of Highlands. This lack of understanding exists despite extreme efforts on the part of the Highlands Business Partnership (HBP) to explain itself to all. My hope is that a blog entry of a more permanent nature may be helpful in this regard.

The Borough of Highlands was enabled by state statute to create a Special Improvement District (SID), and so did by Ordinance. The law requires all commercial property within the district must be assessed an additional tax to fund economic development efforts within the Special Improvement District (SID). The law also requires establishment of a nonprofit corporation to manage the district. Thus, the Highlands Business Partnership (HBP) was formed.

Every entity assessed by law is a member of the Highlands Business Partnership (HBP). The Board of Directors is established by annual election among the members of the nonprofit corporation. The purpose is that economic development be funded by the businesses and for the businesses, and that the managing corporation be governed by the businesses via democratically elected leadership. The Borough of Highlands participates in the management of the corporation by appointing two voting members of the Board of Directors.

The benefit to the Governing Body of Highlands is that there is no line item for economic development in the borough's municipal budget. Likewise, there is no staff in Borough Hall with duties toward economic development. In essence, the people of the Borough of Highlands have been saved this taxpayer funded expense because Highlands businesses pay for it themselves. In addition, Highlands residents benefit from a series of events funded by the Highlands Business Partnership (HBP), e.g. the St. Patrick's Day Parade, the Clamfest, the Oktoberfest, and others.

The current economic downturn, political agendas, and personal agendas have culminated in an effort by the Borough Council to reconsider the benefits of the Special Improvement District (SID) and the managing corporation, the Highlands Business Partnership (HBP). The context of discussions regarding this issue is submission and approval of the HBP 2009 Budget. The Borough Council has suggested that it may not approve the HBP Budget, but rather that events previously run by the HBP would be run by Highlands Borough instead.

A few difficulties exist with execution of the Borough Council's suggested plan. First, contracts for vendors and participants in 2009 events may have been signed in 2008 with the HBP. All or part payments may have been made to or from the vendors/participants at that time. Second, all advertising of the events was made at the expense of and in the name of the HBP. HBP has the right to advertise events as canceled. Highlands Borough would have to re-advertise events as not canceled. Third, Highlands Borough does not have staff or funding in place to support this year's events. Highlands Borough would have to establish staff and funding to do the work that the HBP now does. Fourth, equipment and utility upgrades paid for by the Highlands Business Partnership may belong to the Highlands Business Partnership and might have to be paid for or replaced. Highlands Borough could not use the assessments to pay for expenses, as there are no assessments unless a budget is approved. Fifth, Highlands Borough would not have the right to information collected by the HBP in running past events, as this information belongs to the HBP. In essence, Highlands Borough would be starting from scratch to run events that the HBP now successfully runs, and spending funds not allocated in the 2009 and 2010 Budgets at a time when services are being cut and layoffs are contemplated.

It is true that the Special Improvement District (SID) and the Highlands Business Partnership (HBP) have been politicized in the past. This tactic was unwise and inappropriate. Regardless, the benefits of the Special Improvement District (SID) and the HBP are undeniable.

The Borough Council has suggested that there might be more suitable projects for the HBP to champion, and that the Borough is capable of running Highlands' signature events. This may be so. However, transition of the events from HBP sponsorship to Highlands Borough sponsorship must be a collaborative and cooperative project. The Borough Council should send communication to the Board of Directors requesting the transition. Transition could take one to two years to complete. The HBP could then focus on these other projects with cooperation from the Borough Council without negative impact on the Borough's economy or loss of diversions for borough residents at a time when life at home may be an economic struggle.

The Borough Council has suggested that a chamber might be a more suitable organization funded by donations instead of by an assessment. This may be so. However, businesses who are assessed should be making this suggestion. Not hearing this from the HBP Board of Directors, and not hearing businesses lobby the HBP Board of Directors for relief, I cannot justify the Borough Council taking action upon this matter at this time.

Some members of the Borough Council state that businesses need a break during this difficult economic time, and therefore the HBP budget should not be approved. It is the responsibility and the prerogative of the businesses serving on the HBP Board of Directors to vote to disband the organization or cut their budget due to the economic downturn. I cannot justify Borough Council action that works against the spirit and purpose of state law and the borough ordinance that established the SID. Likewise, I cannot justify additional expense line items in the 2009 or the 2010 Municipal Budgets at a time when we are approaching breach of our statutory levy caps.

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Highlands Borough is undertaking a Master Plan re-examination to increase potential commercial uses on Bay Avenue, e.g. professional service/office type uses. Highlands is also examining the benefits of reinvigorating our active seafood industry downtown via potential improvements to the Clam Depuration Plant and potentially establishing a new seafood distribution center in cooperation with Aqualife. Highlands Borough has been the center of discussions regarding expansion and development of water based transportation in the Bayshore Region of Monmouth County. This transportation alternative is significant in light of the Route 36 Bridge Construction and summer traffic conditions. Now is a time to build on our successful endeavors. Now is not the time to destabilize our economic engine.

There are so many pressing issues before the Borough Council, e.g. downtown flooding, budget reductions to comply with statutory levy caps, the need for a new Borough Hall, fighting gang influence, guns and drugs, code enforcement matters involving unsafe vacant buildings and property maintenance issues. The HBP issues can be solved via the HBP meetings and subcommittee meetings where businesses, council members and the public can plug in making statements and suggestions. The Borough Council should not unilaterally shut down a functioning organization without trying to effect changes appropriately through its process. If the Borough Council has tried to effect changes and failed because businesses do not agree, then we must not overstep our boundaries.

I hope that this matter can be decided based upon rational analysis, and not on political or personal agendas. A small town is like a family. We do not always agree with one another. Living in close quarters, our quirks can get on each other's nerves. However, none of us intends to leave Highlands. Thus, we must find a way to work together. Residents, Businesses, Governing Body, HBP: All for one, one for all. Better said: United we stand, divided we fall.

Mayor Little stated that she is in favor of the Highlands Business Partnership and the continuation of their events in town.

Public Relations

Ms. Kane – we have been getting the articles back from different departments for the newsletter. We are still on track to get the newsletter out on April 1st.

Environmental & Shade Tree Commissions

Mr. Francy – the Environmental Commission met last month and the next meeting is the third Thursday. Environmental Commission is going to be heavily involved with the Earth Day Celebration which is April 25th at Veterans Park. We also started studying the Shadow Lawn Development Plans and that will be an ongoing process.

Mayor Little – we've had a request to make an appointment for someone who resigned and the person named for that appointment is Rosemary Ryan and that appointment will take place on March 18th.

Mayor Little asked the Borough Attorney if the Environmental Commission has permission to record their meetings and if so she does not know who would transcribe minutes.

Mr. Arnette – the recording is not required but minutes are what is required and transcription of those minutes are generally handled by the Commission.

Mr. Francy – Shade Tree did one permit and there are no outstanding permits. There is a perception that getting tree permits is a lengthy process and it is his commitment that the process will not be over a week or a wee and a half.

Administration

Mr. Hilling stated that there is a bridge meeting this Friday at 9am and all are welcome. He then reviewed the following report:

Mayor Little,

What follows is my "Top Ten" of Borough Events and accomplishments for the month of February:

1. Progress continues on the Borough's efforts to reduce the number of substandard properties. Demolition permits have been requested for 24 Cornwall and 30 Shrewsbury Avenues.
2. Work for new generators under CDBG continues. In consolation with T&M, Chief Blewett and DOT location of the South Bay Pump station generator has been changed to adjacent pier 2 of the new Route 36 Highlands Bridge. This generator will also serve as a backup power source for a new communications repeater to be installed on the bridge.
3. Bids for new Firehouse concrete apron have been advertised. Contractor has been identified to replace all Firehouse vehicle which are in desperate need of repair.
4. No word yet from Green Acres concerning our funding request for purchase of 2 Private Road.
5. Brinkenhoff Environmental Services completed their work to test Borough Hall for Sick Building Syndrome[SBS]. Preliminary results indicate the air quality is good in the building but the presence of mole does exist in the ceiling of the main hallway.
6. Contract negotiations continue with unions CWA and UFCW. Progress continues to be made.
7. Coordinated with Al Vitelli of AIG VALIC to meet with all the Borough's First Aiders to compete necessary

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LOSAP paperwork.

8. In regards to the First Aid Department, one of their immediate goals is to purchase a new modern stretcher. CFO and myself will continue to work with First Aid at a purchase price of approximately 12K.

9. 2009 Road Program Bid advertised on Wednesday February 25TH.

Borough Roads identified as part of the bid package in Shore Drive, South Linden, Rodgers and Waddell Ave.

10. Demolition of the old sewer plant on Shore Drive now a topic of discussion. Plan is to draft out specs and bid the demolition out.

Clerk's Office

Mrs. Flannery spoke about The Read Across America and stated that the next Wednesday 5 to 7PM at the Fire House we will hold our Read Across America event which she further spoke about. She then read through the following report:

March 4, 2009

DEPARTMENT REPORT

TO: Mayor and Council

**Fr: Nina Flannery
Borough Clerk**

RE: Report for February 2009

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In the Clerk's Office as well as the general office, February was not quite so busy as January.

Tim Hill and I worked on preparing for the Read Across America event. The Fire Department was a great help in lending their facility and assistance setting up the room. The speakers not only included the Mayor, Officer George Ruth, Fire Chief Rebecca Kane, but Freeholder McMorrow, because Buster, the Lakewood Blue Claws Mascot, and the Devils Mascot do not talk, I read in their stead while they interacted with the Children. Free books were given to all children that attended and refreshments were served to children and parents. Free books were provided to the parents also. All books were provided through donations.

In February, the Deputy Clerk processed 48 dog licenses and 1 cat license for a total of \$912.00.

69 Mercantile and Board of Health Licenses were renewed for a total of \$4,965.00. There has been 1 application for a new mercantile license. The Mercantile License Committee met to develop a better ordinance regarding mercantile applications. The result is on the table for introduction this evening. If this ordinance is passed the Committee will meet quarterly to revisit the progress and success of the new system.

Agendas, resolutions and meeting materials were prepared for the meetings of February 4th and February 18, 2009 as well as 1 Planning Board and 1 Zoning Board Meeting (this includes review of application and proof of service for each hearing). Minutes were done for 2 Council Meetings and 2 PB/ZB meetings. In February, February 19 Resolutions were printed, certified, sent to the required state agencies and advertised where necessary.

The Department of Vital Statistics issued 2 marriage licenses, and 5 certified copies of vital records.

We fulfilled 3 OPRA requests.

In the human resources area, two payroll cycles were completed as well as issuance of 1099's.

In the Clerk's office I am continuing to work with the Comp carrier following 1 old and 1 new compensation case. I also am working with the carrier gathering information for a new litigation case.

As everyone knows, the tax bills went out of Wednesday and Thursday, January 28 and 29th. The Tax Clerk continues to accept payments on an accelerated basis.

The same is true for the Sewer Clerk who in addition processed over 400 invoices and 2 Payment of Bills in February. Jorgi also processed 2 street opening permits.

I am working with Councilwoman Rebecca Kane to develop the Twinlights Tribune Newsletter and will continue to assist her with this project.

I would like to thank the Governing Body for their continued support of the Clerk's Office.

Respectfully submitted,
Nina Light Flannery, Municipal Clerk

Library Committee Report

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Mrs. Flannery read the following report:

**INSERT LIBRARY COMMITTEE REPORT
HERE**

Mayor Little stated that the law office of Widman, Cooney & Wilson is preparing the documents for non-profit status and they are doing this as a gift, they also donated gift certificates for the gift auction.

OTHER BUSINESS:

Draft Sewer Ordinance

The Governing Body reviewed a draft ordinance that was prepared at their request for the purpose of our Sewer Operators being called out during afterhours and finding out that the sewer problems are not the borough's problem and this provides for a fee to be paid.

Mr. Arnette advised the Council on how the fee was calculated.

The Council authorized this ordinance to be placed on the next meeting agenda for introduction and setting of a public hearing date.

T & M Letter RE: PTAK ADA Curb

The Council reviewed the T & M Letter on this matter dated February 12, 2009.

Mr. Hilling explained that the Housing Authority would like to go about doing some curb cuts for better access for the wheel chairs. So they were asking me how to go about doing this and he contacted T & M Associates involved and T & M came back and requested that an escrow be

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posted for them to review this, so that is where it stands right now. The Housing Authority has posted the \$400 escrow check and hopefully we can resolve this and they can meet the requirements of T & M Associates. No action is required by the Council this is just to inform the Council of this matter.

Draft Open Space Committee Ordinance

The Governing Body reviewed the draft Open Space Committee Ordinance.

Mr. Arnette wanted to draw the Council's attention to "C" on page 2 where it speaks to the Council approving property based on a list provided by Committee.

The Council requested that the language of the Council being limited to the list provided by Committee be removed so that the Council has more flexibility and that this ordinance be placed on the March 18th agenda for introduction and setting of a public hearing date.

Master Plan Draft Status Report & Funding

Mayor Little – there is a Master Plan Sub-Committee that has been created by the Planning Board and they have been meeting to talk about Zoning Changes that Mr. Nolan and Mr. Urbanski started last year. As a part of that they wanted to have Visioning Meetings.

Mr. Francy spoke about the Stakeholder Meetings. This simple Bay Avenue rezoning is turning into a \$60,000 expense.

Mayor Little – this Governing Body is responsible for authorizing payment to T & M so what we need to do is discuss where we want to go with funding because T & M wants \$5,000 to cover the Planners time at the additional Meetings of the Sub-Committee.

The Council spoke about the costs for the Planner for this matter.

Mr. Urbanski feels that at this point that a draft ordinance is what we should be working on and until you put together a draft ordinance this may just go on and on.

Mr. Caizza stated that something needs to be done with the business district area.

Ms. Kane stated that she was not aware that this was a Master Plan change and not an ordinance change.

The Governing Body continued to discuss this matter.

Mr. Urbanski – lets authorize money for one more Sub-Committee Meeting and see if we can't come back with a draft ordinance.

Mr. Pfeffer explained that that we did a Professional Service Contract for \$15,000 last year and suggested that they can authorize an amendment to the contract if necessary because there may be money to handle one more meeting and if I get a bill that exceeds the contract then he will come back with an amendment to the resolution. Because of the situation of the engineer budget and the funding it is his recommendation that we utilize the Councils budget to pay for the additional which he further explained. He suggested that we get an update for the next meeting.

Mr. Urbanski stated that he will attend the next sub-committee meeting and he will moderate it.

Mr. Pfeffer – lets authorize them for one more meeting.

Mr. Caizza suggested that we authorize \$500 for another meeting.

Mr. Urbanski – we started this and we need to finish it so he says yes for one more meeting.

Mr. Francy – yes for one more meeting.

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Mayor Little – so it's the consensus of the table to authorize \$500 for one more meeting. She then asked Mr. Pfeffer to contact Mr. Truscott, P.P. of T & M Associates about this.

Priority List of Engineering Projects/Engineering Funds Availability

Mayor Little – based on discussions at the last meeting she asked that this item be placed on tonight's agenda. She is hoping that we can come up with a working list for Mr. Pfeffer as to where we want to spend money over the next year.

Mr. Pfeffer – we want to get some feel as to what we are looking at in total projects so that we can get there. He spoke about 5% down payments for bond ordinances and that it has to be budgeted.

Mayor Little – we need to think about a priority list. She is proposing the next high priority item being the two year project that we scoped out for drainage for downtown. She then spoke about 2 Private Road and a new ceiling in the hallway at Borough Hall.

Mr. Pfeffer – 2 Private Road is effectively done that ordinance is done and in place. As far as a roof repair that's an operational expense.

Mayor Little – a new Borough Hall conceptual, there is a consensus here.

The Council discussed the costs for a new borough hall with Mr. Pfeffer.

Mr. Pfeffer – we need to come up with a ball park number and know when we are going to it.

Mayor Little spoke about the down town drainage project.

Mr. Francy stated that he is not sure that T & M Associates is the engineering company that should be doing some of these project because of their high costs. He spoke about going out for Request for Proposals for engineering for certain projects. He said that T & M could be part of that bidding process.

Ms. Kane – who would prepare the RFP's.

Mayor Little – we need a priority list of engineering projects for the Mr. Pfeffer. We are talking about the drainage upgrades, about going out for RFP's. It seems that we have a consensus on drainage upgrades and for a conceptual for Borough Hall. We are not sure if we have the scope or the costs for the drainage. On the conceptual for Borough Hall we feel like we need a conceptual before we can get a cost. She thought that there were specifics for the drainage but Mr. Urbanski did not think that there was. Mayor Little stated that we will clear this up at the next meeting.

Mr. Francy asked the engineer to develop a cost for permits for a Snug Harbor pump station so that it can be part of the stimulus package. He wants the pump station to be part of the permit process.

Mayor Little – I will come back to the drainage after she proves to Mr. Urbanski that there is something and we will come back to the conceptual for Borough Hall, hopefully at the next meeting or so. We were talking about a retrofit of the old fire bay for office space and presentation for the library after the fire house apron was done. I think that we have an architect who has already done drawings for free, we have a contractor who is scoping out and may present to us as donated work. We need an engineer to donate time and supervision of the work and approval of the work. We need to decide who needs office space and need to get office space.

Mr. Francy suggested that we petition Atlantic Highlands to build a municipal building together. We may not need to do a retrofit if we are going to do a new Borough Hall.

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Mayor Little – Aqua Life acquisition she is going for grant money there and she does not know if it's a priority item. The Council is not sure if they want to spend borough money for this.

Mr. Francy – Basin 2, we need to tell them to stop spending money until we receive grants.

Mayor Little – we did tell them that.

Mr. Pfeffer spoke about the Basin 2 project and stated that he spoke with Joe May of CMX, Inc about his concerns about basin 2 in the overall big picture of the sewer utility itself and its rates. He stated that he expressed his concerns to T & M is that he feels that we need to look at the rate and adjust the rate for the price of these capital projects. He is trying to get T & M to do a rate increase study because they can generate a cost to bring the system in line. He is looking for a rate structure that can sustain these budgets. Basin 2, there is no money for that.

The Council discussed the basin eight report and basin 2 project.

Mr. Urbanski – I think that we are going to have to raise the rates.

Mayor Little – at the next meeting we need to listen to the Basin 8 Report and we need to make a decision at the next meeting with regard to Basin 2 and if so are we going to need to increase sewer rate and if so by how much.

Mr. Francy – Bayside Drive, we can stop doing work until we receive a grant.

Mayor Little agreed.

Mr. Francy – Highland Avenue , we've done enough work and don't need to spend anymore until we receive a grant.

Mayor Little agreed.

Mr. Francy – Shore Drive Resurfacing.

Mr. Pfeffer explained that the bond is in place.

Mr. Francy – Valley Street Storm Drain Route 36 to Shore Drive.

Mayor Little – that's already been done.

Mr. Francy – Aqua Life, don't spend any more money on that.

Mayor Little – we already said that.

Mr. Francy – Clam Plant, we don't spend any more money on that.

Mayor Little – I am going to the Port Authority, let me talk to the Port Authority before we make decisions on that.

Mr. Francy – we have to have them as a regular meeting attendance.

Mayor Little – she thinks that this is already in their contract.

Mr. Francy – Bay Ave Rezoning, that's ongoing at this point for \$500.00

Mr. Francy – Planning Board – on going meeting expenses.

Mr. Pfeffer – that is budgeted

Mr. Francy – Zoning Board they have their own meeting expenses.

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Mr. Pfeffer – so as it stands right now the only thing that impacts the 5% down payment right now is Borough Hall and the drainage projects.

PUBLIC PORTION:

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

Maureen Kramer of 200 Portland Road thanked the DPW for the job on the roads. She then requested that a street sign be put up identifying Portland Road.

Mr. Hilling – I got it.

Maureen Kramer spoke about the Stimulus Money that was available and she spoke about a website and wanted to know if we are applying for Stimulus funds.

Mayor Little explained that we are in the process of doing that.

Carol Custer of Central Avenue – where would a new Borough Hall be built?

Mr. Urbanski – we are looking to get it out of the flood plain possibly Shore Drive and it would be bonded.

Carol Custer – could a new borough hall be put out for public referendum? She also stated that she supports sharing a building with Borough Hall.

Mr. Arnette will look into that.

Arnie Fuog of 50 Valley Street questioned the criteria to get a property on the Substandard Housing List.

Mr. Caizza – empty and in bad shape.

Arnie Fuog – the Sea Scouts are getting ready for another season and are looking for any young volunteers of the age of 12 – 21. They can contact him for information.

Mayor Little suggested that he provide the Sea Scout information to the Community Center.

Richard O’Neil of 225 Navesink Avenue was not present.

There were no further questions or comments from the public.

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

The Meeting adjourned at 10:22 P.M.

CAROLYN CUMMINS, DEPUTY CLERK

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