

**Mayor and Council  
Regular Meeting  
May 20, 2009**

Mayor Little called the meeting to order at 7:14 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 Regular Meeting of the Mayor and Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Two River Times, The Asbury Park Press. 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  
Scott Arnette, Esq., Borough Attorney  
Stephen Pfeffer, CFO

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**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, Goleman Property**
- 2.Contract: Dan-Rob, Non-Union Agreement, CWA Agreement**
- 3.Real Estate: 2 Private Road & Adjacent Property title, 124 Bay Avenue, Car Wash**
- 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.
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. 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.

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Mayor Little called the Regular Meeting back to order at 8:33 P.M.

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

**ROLL CALL:**

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

Absent: None

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

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**Public Participation of Agenda Items:**

Loretta J. Dibble of 32 Paradise Park questioned the location of the stop signs for Ordinance O-09-12.

Mr. Caizza explained that the existing sign located at Locust and Willow (leaving the marina) will be removed. Then the Borough will put a stop sign at Shore and Locust going out and Willow and Locust going out. There is a stop sign on Willow and Shore Drive and that will stay in.

Loretta Dibble agreed that we need a stop sign at Shore and Willow but the problem is the traffic that is coming out of the marina when Seastreak disembarks.

Discussions continued between Ms. Dibble and Mr. Caizza about the location of the stop signs.

Lori Dibble asked if the Police could monitor the stop signs at this location during the morning and afternoon rush.

Mr. Caizza – I will have the Chief of Police make more police presence during the ferry time.

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**Consent Agenda Resolution:**

Mr. Francy requested that Resolution R-09-97 be removed from the Consent Agenda.

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

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**R-09-91  
RESOLUTION GRANTING TAX EXEMPTION  
TO DISABLED VETERAN  
FOR BLOCK 106.01 LOT 1111**

**WHEREAS, Thomas J. Fox** is a 100% disabled veteran and is the owner and resident of 1 Scenic Drive Unit 1111, Highlands (Block 106.01 Lot 1111) the 100% service connected disability having been awarded to Thomas J. Fox by the Veterans Administration for medical conditions arising from his military service; and

**WHEREAS,** the petitioner Thomas J. Fox has applied for exemption of the taxes assessed for his property located at 1 Scenic Drive, Unit 1111, Highlands, NJ 07732 as a 100% disabled veteran pursuant to N.J.S.A. 54:4-3:30(A), and the Fox residence is tax exempt for its tax assessment commencing on 05/01/2009 as the residence of a 100% disabled veteran; and

**WHEREAS,** the Governing Body of the Borough of Highlands, upon recommendation of the Tax Assessor, has determined that Thomas J. Fox is entitled to a tax exemption as a 100% disabled veteran for conditions received in the honorable service of his Country and his fellow citizens, and that effectuating the policy of tax exemption as of the appropriate date is proper;

**NOW, THEREFORE, BE IT RESOLVED** that, pursuant to the authority of N.J.S.A.54:4-3.30(A), the Tax Collector is hereby authorized to exempt Block 106.01 Lot 111, 1 Scenic Drive Unit 1111, Highlands, NJ 07732 (the residence of Thomas Fox) a 100% disabled veteran effective May 1, 2009. The Governing Body thanks Mr. Fox for his dedicated service in the military.

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

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-09-92**

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO  
AMEND THE EQUIPMENT LIST FOR THE PURCHASE AGREEMENT WITH  
THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

**WHEREAS,** the Mayor and Council have determined that it is in the best interest of the Borough of Highlands to amend the 2007 lease purchase agreement with the Monmouth County Improvement Authority in order to add an SUV for the Borough of Highlands Fire Department including all accessories and equipment necessary as follows; and

Backhoe	(\$37,000)
SUV for Fire Department	\$37,000

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Borough of Highlands that the Chief Financial Officer, Stephen Pfeffer, is hereby authorized and directed to amend the Equipment List for the 2007 Lease Purchase Agreement with the Monmouth County Improvement Authority as noted above and to execute all documents necessary to make such amendments.

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

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**ROLL CALL:**

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

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

**R-09-93**

**RESOLUTION SUPPORTING THE MAYOR'S WELLNESS CAMPAIGN**

**WHEREAS**, across New Jersey, communities are facing a rise in health care costs; and

**WHEREAS**, physical activity levels have been decreasing and obesity rates increasing; and

**WHEREAS**, local leaders are looking for ways to promote active living, healthy eating, and overall wellness in their communities; and

**WHEREAS**, the Mayors Wellness Campaign works with Mayors and key leaders to shape healthier lifestyles for the men, women and children in their communities; and

**WHEREAS**, communities can work towards the goal of healthier citizens and lower health care costs by championing practices and programs that promote active living; and

**WHEREAS**, the Mayors Wellness Campaign will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity issues for *Highlands*.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of *Highlands*, New Jersey, ask that all residents of this community join us in supporting the Mayors Wellness Campaign; and

**BE IT FURTHER RESOLVED** that we encourage the residents of *Highlands* to participate in Mayors Wellness Campaign activities to promote exercise, eating properly and living healthier and better lives.

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**

**Note: No Names were provided for the Open Space Appointments**

**R-09-94**

**RESOLUTION APPOINTING MEMBERS  
OF THE BOROUGH OF HIGHLANDS  
OPEN SPACE COMMITTEE**

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

**R-09-95**

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

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**RESOLUTION - SPECIAL ITEM OF REVENUE  
STATE OF NEW JERSEY  
CLEAN COMMUNITIES PROGRAM**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands hereby requests the Director of the Division of Local Government Services to approve the insertion of a special item of revenue in the budget for the state fiscal year 2009 in the amount of \$9,489.28 which is now available from the State of New Jersey Department of Environmental Protection.

**BE IT FURTHER RESOLVED** that a like sum of \$9,489.28 is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:	
Clean Communities Program	\$9,489.28

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two (2) certified copies of the resolution to said Director for his review and approval.

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

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

**R-09-96  
RESOLUTION AUTHORIZING  
REFUND OF VARIOUS BUILDING DEPARTMENT  
ESCROW FEES**

**WHEREAS**, the Building Department Secretary has been notified that the customer is finished with engineering review for flood plain review

**WHEREAS**, no further review is needed for this and the applicant has requested that his remaining funds be refunded to him.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the Chief Financial Officer is hereby authorized and directed to refund monies as specified,

9700-8-07-1	Tom Reed	\$333.50	flood
9700-8-07-4	Susan Stark	\$ 43.00	flood
9700-8-07-11	Scott Beim	\$403.75	pool
9700-8-07-14	Wyndmoor	\$ 13.25	retaining wall
9700-8-07-19	Harry Campbell	\$210.50	flood
9700-8-07-26	Mac J Keyport	\$ 6.75	grading
9700-8-07-28	Carmine Nesti	\$ 6.75	driveway
9700-8-07-31	Walter Katz	\$ 89.25	driveway

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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

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-09-98**

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highlands that transfers between **SFY 2009** Budget Appropriations be made as follows:

<b>CURRENT FUND</b>	<b>FROM</b>	<b>TO</b>
Snow Removal:		
Salaries & Wages	\$ 7,000.00	
Utilities:		
Gasoline and Diesel Fuel	20,000.00	
Monmouth County Reclamation	36,847.16	
Legal:		
Other Expenses		\$15,000.00
Engineering:		
Other Expenses		24,000.00
Community School Substance Abuse		251.00
Utilities:		
Electricity		10,000.00
First Aid		12,000.00
Monmouth County Regional Health Commission		46.16
<b>OUTSIDE "CAPS"</b>		
Length of Service Awards Program		2,550.00
	\$ 63,847.16	\$ 63,847.16

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

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

**R-09-99**

**RESOLUTION AUTHORIZING  
REQUEST FOR INFORMATION**

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**BE IT RESOLVED** by the Governing Body of the Borough of Highlands that Councilwoman Rebecca Kane be and hereby is authorized to issue a Request for Information from various Cell Tower Companies for the construction of a Cellular Tower at Kavookjian Field.

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

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

BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

**R-09-100  
RESOLUTION AMENDING RESOLUTION 09-31  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR  
PROFESSIONAL LABOR RELATIONS COUNSEL  
APRUZZESE, McDERMOTT, MASTRO & MURPHY**

**WHEREAS**, the Borough of Highlands adopted Resolution R-09-31 at a meeting held on January 21, 2009 awarding the above contract to Apruzzese, McDermott, Mastro & Murphy , 25 Independence Boulevard, P.O. Box 112, Liberty Corner, New Jersey 07938 for an amount not to exceed \$20,000 plus reimbursable expenses for professional labor relations counsel ; and

**WHEREAS**, ongoing labor negotiations and litigation necessitate that this contract be amended for an amount not to exceed an additional \$12,000 for professional labor relations counsel for a total contract not to exceed \$32,000 plus reimbursable expenses; and

I hereby certify funds are available as follows:

Current Fund: Legal

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Stephen Pfeffer, Chief Financial Officer

**WHEREAS**, the Borough's Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

**WHEREAS**, the firm of Apruzzese, McDermott, Mastro & Murphy has completed and submitted a Business Entity Disclosure Certification which certifies that Apruzzese, McDermott, Mastro & Murphy has not made any reportable contributions to a political candidate, local party committee or candidate committee in the Borough of Highlands in the previous year and that the contract will prohibit Apruzzese, McDermott, Mastro & Murphy from making any reportable contributions through the term of the contract; and

**WHEREAS**, the firm of Apruzzese, McDermott, Mastro & Murphy has completed and submitted  
A Political Contribution Disclosure form in accordance with P.L. 2005, c.271; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highlands as follows:

1. Apruzzese, McDermott, Mastro & Murphy are hereby retained to provide professional labor relations counsel at an increased amount of \$12,000.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of the Resolution shall be placed on file with the Borough Clerk of the Borough of Highlands. The contract is on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

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

**R-09-101  
BOROUGH OF HIGHLANDS  
RESOLUTION FOR THE BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
REQUESTING THE RE-EXAMINATION OF THE MASTER PLAN OF THE  
BOROUGH OF HIGHLANDS BY THE PLANNING BOARD.**

**WHEREAS,** The Governing Body of the Borough of Highlands has received requests from the Planning and Zoning Boards to make certain changes, modifications and additions to its Land Use and Development Regulations; and

**WHEREAS,** These requested changes, modifications and additions should be reviewed and looked at by the Planning Board in the context of an overall review of the Land Use and Development Regulations of the Borough as part of a Master Plan review; and

**WHEREAS,** The Planning Board is required to periodically review and re-examine the Master Plan of the Borough of Highlands;

**NOW THEREFORE BE IT RESOLVED,** that the Governing Body of the Borough of Highlands hereby requests that the Planning Board of the Borough of Highland conduct a periodic review and re-examination of the Master Plan, and that they incorporate into the review and re-examination the requested changes, modifications and additions that have been provided by the Boards of the Borough of Highlands.

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

Mr. Caizza offered the following Payment of Bills and moved on their approval for payment:

**RECAP OF PAYMENT OF BILLS  
05/20/09**

<b>CURRENT:</b>		\$	40,566.22
Payroll	(05/15/09)	\$	162,639.93



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<b>Manual Checks</b>	<b>\$ 27,072.16</b>
<b>Voided Checks</b>	<b>\$</b>
<b>SEWER ACCOUNT:</b>	<b>\$ 88,408.42</b>
Payroll (05/15/09)	\$ 6,147.18
Manual Checks	\$ 9.00
Voided Checks	\$
<b>CAPITAL/GENERAL</b>	<b>\$ 1,359.50</b>
<b>CAPITAL-MANUAL CHECKS</b>	<b>\$</b>
<b>WATER CAPITAL ACCOUNT</b>	<b>\$</b>
<b>TRUST FUND</b>	<b>\$ 23,717.48</b>
Payroll (05/15/09)	\$
Manual Checks	\$
Voided Checks	\$
<b>UNEMPLOYMENT ACCT-MANUALS</b>	<b>\$</b>
<b>DOG FUND</b>	<b>\$</b>
<b>GRANT FUND</b>	<b>\$ 4,127.00</b>
Payroll (05/15/09)	\$
Manual Checks	\$
Voided Checks	\$
<b>DEVELOPER'S TRUST</b>	<b>\$</b>
Manual Checks	\$ 337.71
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. Urbanski and approved for payment 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

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**Other Resolutions:**

**Resolution R-09-97 Renew Ferry License for Seastreak America**

Mr. Francy questioned the Ferry License Rates and stated that rate hasn't been increased and it needs to be reviewed. Secondly the Borough is in some dispute with the Seastreak at this point in terms of Resolution compliance of the Planning Board Resolution, which he further explained. He stated that the Planning Board is trying to get them to come to the table to talk about status and questioned if we can link their ferry license to their Planning Board Resolution compliance.

Mr. Caizza – why don't we give them a sixty day license until they come before the Planning Board.

Mayor Little asked if the Borough Clerk would feel comfortable attaching Planning Board conditions to the license.

Mrs. Flannery stated that she had no objection to attaching requirements to the license.

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Mayor Little – the conditions of the Planning Board should give the Borough Clerk a copy of the conditions of approval.

Mayor Little questioned Mr. Francy about a proposed ferry license increased fee.

Mayor Little agreed that the Planning Board conditions of approval need to be met.

Mr. Caizza - Mr. Francy why don't we call a meeting with Seastreak and have them come in.

Mr. Francy – that works for me.

Mr. Caizza – we will have the Borough Clerk send them a memo about setting up a meeting.

Mr. Francy offered a motion to authorize the Borough Clerk to send a memo to Seastreak stating that their ferry license is in jeopardy and that they need to set up a meeting with Mr. Francy and Mr. Caizza and that the rates may be increased, seconded by Mr. Caizza and all were in favor.

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**Ordinances: 2<sup>nd</sup> Reading, Public Hearing and Adoption**

**Ordinance O-09-09**

Mrs. Flannery read the title of Ordinance O-09-09 for the second reading and public hearing. She stated that this ordinance has been advertised in the April 25<sup>th</sup> edition of the Asbury Park Press.

Mayor Little opened up the public hearing on Ordinance O-09-09 and asked if there were any questions or comments from the public.

There were no comments from the public; therefore Mayor Little closed the public hearing on Ordinance O-09-09.

Mrs. Flannery read the title of Ordinance O-09-09 for the third and final reading and adoption.

Mr. Caizza offered the following ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**O-09-09  
AN ORDINANCE AMENDING THE ORDINANCES  
OF THE BOROUGH OF HIGHLANDS  
PROPERTY MAINTENANCE**

**WHEREAS**, the Mayor and Council of the Borough of Highlands find it desirable to amend certain provisions of the municipal ordinance of the Borough pertaining to property maintenance; and

**WHEREAS**, the Mayor and Council wish to explicitly provide provision for the Borough to be able to recoup costs that it incurs in order to address the need to clean up certain properties that have not been maintained and are in such a condition as to present a potential fire hazard or other hazard to the public health, safety and general welfare of the residents of the Borough.

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

**10-9.3 Removal of Brush, Weeds, Trash and Debris.**

Notwithstanding the provisions of the International Property Maintenance Code, and without superseding its incorporation into Borough Ordinance, every owner or tenant of lands in the Borough shall keep the lands free of fire hazards, brush, weeds, including ragweed, dead and

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dying trees, stumps, roots, obnoxious growths, filth and garbage (Trash and debris in cans bags and/or in bulk, and shall maintain the land in a clean and sanitary condition.

**10-9.4 Inspection.**

The Borough Code Enforcement Officer is hereby authorized to inspect lands in the Borough for the presence of fire hazards, brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, grass and weeds which exceed of height of nine (9) inches, filth, garbage, trash and debris, and if same are deemed to be detrimental to the public health, shall give ten (10) days' notice, certified mail, return receipt requested, to the persons who, according to the tax duplicate of the Borough, appear as owner or tenant, to remove and eliminate such fire hazards, brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris.

**10-9.5 Noncompliance; Borough to Remove.**

In the event the owner or tenant aforesaid fails to comply with the order to cut overgrown grass and weeds, remove fire hazards, brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, then the Code Enforcement Officer shall have the work of cutting overgrown grass, weeds, removal or destruction of such fire hazards, brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris done.

**10-9.6 Costs.**

Upon completion of the work, costs shall be certified by the Code Enforcement Officer to the Mayor and Council, which shall examine the certificate, and if found to be correct, shall cause the cost as shown thereon to be charged against lands; the amount so charged shall become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied on such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes, in accordance with and pursuant to N.J.S.A. 40:48-2.13, et seq.

**10-9.7 Violations and Penalties.**

Any person, firm or corporation that shall violate the provisions of this section, or shall obstruct the Borough or its employees from cutting overgrown grass and weeds, removing fire hazards, brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, shall, upon conviction thereof in the Borough Municipal Court, be subject to the penalty of not more than \$500.00. Each and every day on which such violation continues shall constitute a separate and distinct offense.

**BE IT FURTHER ORDAINED** by the Mayor and Council that if any section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not effect the other sections or provisions of this ordinance, except so far as a section or provision deemed invalid shall be inseparable from the remainder of any portion thereof.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**BE IT FURTHER ORDAINED** that this ordinance shall take effect upon final passage and publication as provided for by the laws of the State of New Jersey.

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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

**Ordinance O-09-10**

Mrs. Flannery read the title of Ordinance O-09-10 for the second reading and public hearing. She stated that this ordinance was advertised on May 12th in the Asbury Park Press.

Mayor Little opened up the public hearing on Ordinance O-09-10 and asked if there were any questions or comments from the public on this ordinance.

There were no questions or comments from the public; therefore Mayor Little closed the Public Hearing on Ordinance O-09-10.

Mrs. Flannery read the title of Ordinance O-09-10 for the third and final reading and adoption.

Mr. Francy offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**O-09-10  
AN ORDINANCE AMENDING CHAPTER VII,  
TRAFFIC, OF THE REVISED GENERAL ORDINANCE  
OF THE BOROUGH OF HIGHLANDS**

**WHEREFORE**, there exists a need to amend Chapter VII, Traffic, Schedule 1 of the Revised General Ordinances of the Borough of Highlands;

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Highlands that Chapter VII, TRAFFIC, Schedule 1, No Parking is hereby amended as follows:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>
Miller Street	West	from the intersection of Southbound Route 36 and Miller Street 150' up the hill across the street from OLPH Catholic Church,

Seconded by Mr. Caizza 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

**Ordinance O-09-11**

Mrs. Flannery read the title of Ordinance O-09-11 for the second reading and public hearing.

Mayor Little opened up the public hearing on Ordinance O-09-11 and asked if there were any questions or comments from the public.

There were no questions or comments from the public; therefore Mayor Little closed the public hearing on Ordinance O-09-11.

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Mr. Caizza offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**O-09-11  
AN ORDINANCE AMENDING CHAPTER IV, SECTION 4-3  
SOLICITORS AND CANVASSERS OF THE GENERAL AND LICENSING  
ORDINANCES OF THE BOROUGH OF HIGHLANDS**

**WHEREAS**, the Mayor and Council of the Borough of Highlands have been asked by the Knights of Columbus that they be allowed to solicit donations on Route 36 within the Borough of Highlands between Memorial Day and Labor Day; and

**WHEREAS**, the Mayor and Council of the Borough of Highlands recognize the philanthropic help that the Knights of Columbus provide to the residents of the Borough of Highlands, and to the Borough of Highlands; and

**WHEREAS**, the Mayor and Council of the Borough of Highlands, because of the good works that the Knights of Columbus provide to the residents and the Borough of Highlands, hereby agree to allow such solicitation on Route 36 between Memorial Day and Labor Day as indicated in the amendment hereinafter set forth,

**NOW THEREFORE BE IT ORDAINED**, By the Governing Body of the Borough of Highlands that Chapter IV, Section 4-3.10, is hereby amended to insert the following paragraph into section 4-3.10 as follows:

**4-3.10 Solicitations by the Knights of Columbus on Route 36.**

The Knights of Columbus is hereby authorized to solicit contributions on State Highway 36 and in the vicinity of the bridge between Highlands and Sea Bright in the Borough of Highlands from Memorial Day through Labor Day of each year only at signalized intersections or when an existing traffic control device causes temporary interruption in the flow of normal traffic, such as at the opening of a variable bridge in a manner as set forth in N.J.A.C. 16:4-1.1 et seq.

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

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**Ordinances: Introduce, Set Public Hearing Date for June 17, 2009**

**Ordinance O-09-12**

Mrs. Flannery read the title of Ordinance O-09-12 for introduction and setting of a public hearing date.

Mr. Caizza offered the following Ordinance pass introduction and that a Public Hearing Date be set for Wednesday, June 17, 2009 at 8:00 p.m.

**O-09-12  
AN ORDINANCE AMENDING CHAPTER VII, SCHEDULE IV,  
TRAFFIC, OF THE REVISED GENERAL ORDINANCE  
OF THE BOROUGH OF HIGHLANDS**

**WHEREFORE**, there exists a need to amend Chapter VII, Traffic, Schedule IV and IVa of the Revised General Ordinances of the Borough of Highlands;

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**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Highlands that in accordance with the provisions of Chapter VII Section 6.1 and Chapter VII Section 6.2 of the Revised General Ordinances of the Borough of Highlands the following described intersections are amended as follows:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>
Willow Street	North West	<b>Willow Street at Shore Drive Delete from Schedule IVA</b>
Willow Street	North West	<b>Willow Street at Shore Drive A stop sign shall be installed Section IV</b>
Shore Drive	South West	<b>Shore Drive at Willow Street A stop sign shall be installed Section IV</b>

Seconded by Mr. Francy 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**

**Ordinance O-09-13**

Mrs. Flannery read the title of Ordinance O-09-13 for introduction and setting of a public hearing date.

Mr. Caizza offered this Ordinance pass introduction and that a Public Hearing Date be set for Wednesday, June 17, 2009 at 8:00 p.m.

**O-09-13  
AN ORDINANCE AMENDING CHAPTER VII,  
TRAFFIC, OF THE REVISED GENERAL ORDINANCE  
OF THE BOROUGH OF HIGHLANDS**

**WHEREFORE**, there exists a need to amend Chapter VII, Traffic, Schedule 1 of the Revised General Ordinances of the Borough of Highlands;

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Highlands that Chapter VII, TRAFFIC, Schedule 1A, Parking is hereby amended as follows:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>
Bay Avenue Bay	North  known	In front of Block 58 Lot 26 also known as 164  Avenue to the front of Block 58 Lot 24 also  as 170 Bay Avenue. <b>Between 6:00 a.m. and 3:00 p.m. One Hour Limit</b>

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

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**ROLL CALL:**

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

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**Other Business:**

**Engineer's Report**

Robert Keady, P.E., Borough Engineer of T& M Associates reviewed the following report:

**HGHL-G0901**

**May 13, 2009**

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

Mr. Bruce Hilling  
Borough Administrator  
Borough of Highlands  
171 Bay Avenue  
Highlands, New Jersey 07732-1405

**Re: Engineer's Status Report**

Dear Mr. Hilling:

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

**General**

1. **Community Center Playground/Sports Courts Improvements:** The Contractor has submitted all required documentation. The Borough Director of Parks and Recreation is proceeding with closing out the grant portion of the project with Monmouth County.
2. **Valley Avenue Drainage Repairs:** We have been authorized by the Governing Body to proceed with design of this project. The design is currently underway.
3. **Master Plan:** T&M Associates has met with the Planning Board to discuss Master Plan changes as recommended by members of Council. As authorized by Mayor and Council, T&M Associates has started preparing a Master Plan Reexamination Report. T&M Associates discussed the recommendations with the Planning Board on November 13, 2008 and provided copies of the draft report to the Board members. The Planning Board provided comments at the January 8, 2009 Board meeting. Additionally, they have formed a sub-committee for this issue. We submitted a letter to the Borough Administrator on February 27, 2009 identifying the additional scope and associated fee. A subcommittee meeting was held on March 24, 2009 to review the recommendations. The recommendations were presented to the Planning Board on April 9, 2009. It is our understanding that the sub-committee has met since then and developed a list of items for discussion which T&M Associates responded to on May 8, 2009.

**Capital Improvement Projects**

1. **Basin Eight Sanitary Sewer Rehabilitation Project:** The contract portions of the project for all three proposals have been completed and closed out. As a requirement of the AHHRSA grant for this project, T&M Associates has been authorized by the Governing Body to provide metering services within the project area in an effort to identify the overall reduction of I/I. The metering has depicted that the I/I portion of the flow has been significantly reduced. A report outlining the metering and I/I reductions was provided to the Governing Body at the February 18, 2009 Council Meeting. A revised report clarifying the calculations outlined in the report was also submitted to the Borough on March 12, 2009. A meeting was held on March 25, 2009 with Borough Officials and Sewer Authority Officials to further discuss the report and substantiate the flow reductions noted within the report. A follow up letter was sent to the Sewer Authority on April 2, 2009 reiterating the discussions from the meeting held on March 25, 2009 and to further substantiate the flow reductions noted within the report. It is our understanding that the Sewer Authority has agreed to provide the grant funding to the Borough.
2. **Basin Two Sanitary Sewer Rehabilitation Project:** T&M Associates has prepared a design to implement the recommended improvements outlined in the initial investigation report. The design of this project is complete and has been sent to the Borough for signature and authorization to bid. This project is on hold due to funding.

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3. **Emergency Generators Project:** As authorized, we are currently under design of all four emergency generators partially funded by CDBG. The four locations are the South Bay Avenue and Waterwitch Avenue pumpstations, as well as the Community Center and Borough Hall. We held a meeting on February 5, 2009 with a Committee previously established by Mayor and Council to discuss potential locations and aesthetics. It should be noted that developing matters since the meeting may result in a potential alternate location for the generator at the South Bay Avenue Pumpstation. It is our understanding that the Borough is investigating possibly installing the generator beneath the Route 36 bridge and that the Borough Administrator has drafted a letter to the NJDOT requesting to occupy the State right-of-way. We have also submitted a letter to the Borough Administrator on February 24, 2009 requesting the material selection for stairs, landing and handrails at the Waterwitch Avenue Pumpstation. A follow up letter outlining the status of each generator has been sent to the Borough Administrator on April 13, 2009. An additional meeting of the Generator Committee was held on April 22, 2009. The main concern resulting from the meeting is whether to raise the generators out of the floodplain or provide floodproofing measures around them (ringwalls). We are currently awaiting direction regarding this matter. Additionally, we understand that the Borough is still awaiting a decision from the NJDOT with regards to installing the generator for the South Bay Avenue Pumpstation directly beneath the Route 36 Bridge on NJDOT property. Lastly, we have sent draft documents to the Monmouth County Community Development Office as required for their environmental review.
4. **Roadway Improvement Program (South Linden Avenue area):** As authorized, we have completed the design of the improvements of the roadways within this project. They include Waddell Street, Rodgers Street and South Linden Avenue. The sanitary sewer mains within the project area have been televised and appropriate repairs of the mains have been included on the plans. These roadways have been combined with the Shore Drive Improvements (FY 2008 NJDOT Municipal Aid). Bids for the project were received on March 13, 2009 and S. Brothers, South River, NJ were the low bidders with the amount of \$316,533.58. The Borough awarded the project to S. Brothers in this amount at the March 18, 2009 Council Meeting. Contracts are currently being processed and a pre-construction meeting was held on May 12, 2009. Contractor is anticipating starting on or about May 26, 2009.
5. **Highlands Firehouse Apron Replacement:** We have completed the Addendum for the replacement of the apparatus room apron at the firehouse and have advertised the project for bidding. Bids for this project were received on March 17, 2009 with the apparent low bidder being Jads Construction Company for the amount of \$47,450.00. Contracts have been executed and a pre-construction meeting was held on April 20, 2009. The Contractor has demolished and removed the entire apron area. He has forwarded the requested submittals to our office on May 12, 2009 for review. Once approved, the Contractor will commence with installing the apron.
6. **Portland Road Rehabilitation Project:** As requested, we have completed a FY 2009 NJDOT Discretionary Aid application for this project and submitted it to the NJDOT on behalf of the Borough for consideration.
7. **Bayside Drive Rehabilitation Project:** As requested, we have completed a FY 2009 NJDOT Discretionary Aid application for this project and submitted to the NJDOT for funding consideration.

**Grants and Loans**

1. **FY 2009 NJDOT Municipal Aid – Waterwitch Avenue:** The Borough was recently notified that they received funding for this project in the amount of \$192,000.00. On March 27, 2009, we notified the NJDOT in writing that the Borough is requesting to reduce the limits of this project to the area between N.J.S.H. Route 36 and Linden Avenue.
2. **NJDOT Discretionary Aid - Highland Avenue:** The Borough has received funding in the amount of \$1,184,000.00 from NJDOT for the reconstruction of Highland Avenue. This project also includes the reconstruction of portions of Valley Avenue and Miller Street, between Route 36 and Highland Avenue. As requested, we are currently preparing a cost proposal for the design and contract administration of this project.
3. **NJDOT Grant Applications:** The NJDOT recently advertised that they are accepting grant applications for the following types of projects: Municipal Aid, Bikeway, Centers of Place, Transit Village and Safe Streets to Transit. The applications are to be submitted electronically through SAGE by June 12, 2009. A resolution is required to be adopted prior to submission of the application.

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

Very truly yours,

T&M ASSOCIATES



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ROBERT R. KEADY, JR. P.E., C.M.E.  
HIGHLANDS BOROUGH ENGINEER

Mr. Keady stated that he is looking for some direction from the Council with regard to the Waterwitch Project because NJDOT has asked us to identify the new limits and the construction value, which he further explained. He stated that it would make more sense to add the sanitary sewer system in.

Mayor Little – it's been the policy of the Council to look under the roadway as we go for paving, so if there is a problem we would like to address it before we are paving or while we are paving so that we are not constantly cutting these roads up.

Dale Leubner of T & M Associates – the sanitary sewer of this portion was identified during the basin 2 study which he further explained.

The Council had no objection to adding the sewer to this project.

Mr. Keady stated that the Municipal Aide Grant Applications are due June 12<sup>th</sup>. He stated that a few items were discussed last month and he wanted feedback from the Council on if they wish to go forward with an application and if so for what streets. He stated that Woodland could be done with the next section of Shore Drive.

Mr. Caizza spoke about improving the area by Spring Street. He also stated that he wanted to put a Butler Building in to put things in.

Mayor Little – the street work that Mr. Caizza spoke about could be put in as Municipal Aid. She then questioned if there were façade programs available or rehabilitation programs for buildings.

Mr. Keady explained some of the grants.

Mayor Little – this may be something worth looking into and she will start by educating herself a little better on the intents of the grants.

Mr. Francy expressed his concerns with doing work by the Borough Garage.

Mayor Little – okay it's an issue. Are there any other roadways that we want to do work on. She asked if there was a majority of Council to do work on Spring Street.

Mr. Francy again explained why the Borough should hold off on this area.

Mr. Caizza – we can go with other street projects.

Mayor Little suggested attention be given to Valley and Fifth by the Clam Plant. She also stated that work needs to be done by the Borough Depuration Lot. She also questioned if the outfall pipe down there could be included with the grant application.

Mr. Keady explained that this project is a much larger project that what you could get funding for.

The Council continued to discuss improvements to Valley and Fifth and the Depuration Lot.

Mayor Little suggested New Street as a project.

Mr. Keady stated that the Council might want to consider is that DOT funded Shore Drive and it could be a good application to do the next phase of Shore Drive, it's likely to be funded again.

Mr. Urbanski suggested the area of Bay by Gravelly Point Road.

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Mayor Little then spoke about the Downtown Drainage Project and asked the Council to authorize the engineer to prepare plans so that they can ask for funding.

Mr. Keady – the last discussion we had about the downtown drainage was that we were going to talk about special meeting dates to have a presentation.

Mayor Little – then lets schedule the meeting, because this has to be done.

Mr. Pfeffer explained that he and Mr. Keady had a discussion a couple of weeks ago about the possibility of funding the entire drainage program through the E.I.T. The bottom line is the reason that you go E.I.T. is there is a waiver that you can apply to the Local Finance Board for a waiver of the 5% down payment. What we came up with was in order to do the plans, do a small bond ordinance to fund the plans so that when we get to the E.I.T. we do a bigger bond ordinance to incorporate the E.I.T. So if when Mr. Keady makes his proposal and the Council decides in favor then at that point he would prepare a small bond ordinance.

Mayor Little – sounds good what is the time frame. What date do we want to have the presentation?

Mr. Francy – we were talking about having a Special Meeting and advertising it to residents.

The Council discussed a Presentation Meeting date of Saturday, June 6<sup>th</sup> at 10AM at the Highlands Community Center Building.

Safe Streets – Mayor Little asked that Councilwoman Kane look into what has been accomplished on this and lets discuss this.

Mr. Francy – the Generator Project to him is in a state of limbo. At this point the end result after the meeting is that it becomes very unclear if we are going to move forward with any part of the Generator Project.

Mr. Keady – we sent documents and a letter to Sharon Rafter.

Mr. Francy – there are an awful lot of things that are being dealt with on this project which he further described. We really need a generator for town hall and after talking to Councilman Urbanski, reject the grant and buy a generator for town hall where we don't have to deal with flood plain issues.

Mr. Keady explained that one of the issues that Mr. Francy spoke about is putting the generators up on pedestals or an alternate means of flood proofing them.

Mayor Little – you need to make a decision and move forward.

Mr. Keady – that is what we are asking does the Council want pedestals or not.

Mr. Urbanski – it's in case of a power failure that we want to be able to pump the sewer out, it's not in case of a flood. So if we can resolve this by getting portable generators and hooking them up. If we have to do this flood proofing then that is like throwing \$600,000 at a good idea that wasn't meant to be because the requirements are out of hand.

Mr. Francy – and these flood details were not part of the original cost estimate so this is all extra costs. So what started out as a \$200,000 project is up to a bond ordinance of \$513,000 and will go higher.

Mayor Little – so we are not going to do a generator project and we are going to give Community Development Block Grant back their money.

Mr. Urbanski – no, see if we can change the parameter and make it portable.

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Mayor Little expressed her desire to resolve the issues or discuss the alternate proposal and as a Governing Body determine if we want to do the change.

Discussions continued about doing portable generators.

Mr. Leubner – you would have to apply for an amendment.

Mayor Little – do we want to get the cost to finish the project.

Ms. Kane agreed to obtain a cost estimate.

Mr. Urbanski – no for complying to flood plain.

Mr. Francy – no

Mr. Caizza wanted to know when we received notice that the generators had to be elevated and he questioned the engineers about why this was not known in the beginning.

Mayor Little – at this point we need to make CDBG aware of this situation and ask them if it's okay given these circumstances to amend them to portables and hope that they don't take their money back. If they amend it to portables then can we amend to portables?

Mr. Caizza – yes

Mr. Francy – yes

Mr. Leubner - a letter will be going out to CDBG by Friday morning.

**Release Ever Clear Construction from Performance Bond Requirements**

Mrs. Flannery explained that Everclear Development submitted a request for release of their Performance Bond in the amount of \$30,650.00 for the minor subdivision requirements. They are not going to go forward with the work and want to sell the lots.

The Governing Body was in support of approving this request and a Resolution will be prepared for the releasing the Performance Guarantees.

**Approval of Fire Department Memberships: Paronto & Vargas**

Mr. Caizza offered a motion to approve the membership application for Raymond Vargas and Howard Paronto, Jr., seconded by Ms. Kane and all were in favor.

**Request for New Fire Zone at the end of Cornwall and between the Windansea Rest & Inlet Café**

Mr. Caizza explained that he would like to request a new fire zone be put in at the end of Cornwall Street and Shrewsbury between the Windansea Restaurant and the Inlet Café. The Fire Official provided background information on this and it's a serious problem down there which he described.

Mr. Arnette – this needs to be done by either an Ordinance or a Resolution and he will work on it and have it ready for the next meeting.

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**Approval of Minutes:**

Mr. Caizza offered a motion to approve the April 1, 2009, April 15, 2009 and the May 6, 2009 Council Regular Meeting Minutes, seconded by Ms. Kane and all were in favor except Mr. Urbanski who absent at April 15<sup>th</sup> meeting.

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**Public Portion:**

Mayor Little announced that on Saturday, June 13<sup>th</sup> we are going to have a Mayor's Wellness Campaign from 10:00 to 1PM.

Connie Stober of 1 Scenic Drive #404, Highlands questioned what the town's plans was for meeting the Affordable Housing requirements with the anticipated loss of two mobile home parks.

Mayor Little explained that she believes that the Borough complies with the requirements and that its mentioned in the Master Plan. She also stated that one of the projects is before the Planning Board and it not yet approved so we are not at a point that we can evaluate it until it's been an approved project.

Connie Stober spoke about the proposed 282 condo unit project that is before the Planning Board. She stated that its her understanding that 20% needs to be added for affordable housing and she feels that this should be addressed.

Mayor Little further spoke about affordable housing alliance language in the Master Plan.

Connie Stober asked questions about the Highlander Development (shadow Lawn) project that is currently before the Planning Board.

Mayor Little advised her that these questions need to be addressed at a Planning Board Hearing.

Connie Stober then questioned the Council about a tax abatement for the Shadow Lawn site.

Mayor Little directed her to contact the Borough Tax Assessor to obtain tax abatement information.

Connie Stober questioned if the Highlander Development paid any Developers Fee.

Mayor Little explained that a Developers Fee was discussed and may be a part of the Master Plan Amendment.

Mr. Francy – the answer right now is that there is no Developers Fee as a process right now.

Robin Shaffer of 2 Private Road questioned the status of the 2 Private Road Open Space purchase.

Mr. Arnette stated that its moving forward, there still needs to be some additional planner work done on a small parcel associated with it and he is not sure where it is with regard to the funding situation.

Mayor Little – we have two funding source applications that have been approved.

Mr. Pfeffer further explained funding and that we are waiting for the Preliminary Assessment and the Title Work.

Mayor Little – there is a report due on a date in June with regard to one of the grants so the title work element of this needs to be completed so the study can be completed to go to the grant giver by the June date.

Mr. Francy questioned the cost of the purchase.

Mayor Little explained that it has to be negotiated.

Discussions continued about the funding and grants for the purchase of 2 Private Road.

Loretta Dibble of 32 Paradise Park stated that there are two homes that are to be removed at Paradise Park and she has been in contact with the Code Enforcement Officer to try to obtain the details of this and she has not been able to get really good information. Apparently a Demolition

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Permit is not required, there is a checklist of people that can okay a demolition. She stated that the owner Mr. Bollerman has to certify that he owns the home that he intends to demolish.

Mayor Little – I don't think that Mr. Bollerman is demolishing them. She thinks that it's the actions of the Sub-Standard Housing Committee.

Mr. Caizza – the ones that we are having him remove are the ones located at the entrance of the mobile park to the left, the two abandoned ones.

Loretta Dibble – I have a certification from Bollermans Office that one of those units is owned by someone else not Mr. Bollerman.

Mr. Caizza – we will have to do a title search on those homes but they will be removed.

Mayor Little – I can't imagine that the Attorney involved in this would have allowed this to happen without proper notice.

Mrs. Flannery – the request for this information was done an OPRA request and it was forwarded on to the Attorney Mr. McNamara.

Loretta Dibble stated that she wants the Borough to know that the owner of the property and the owner of the home are not necessarily the same person.

Mayor Little – we need to check with Mr. McNamara and let the OPRA request be complied with. We will get this information to Mr. McNamara and he can answer all of these questions.

Mrs. Flannery stated that she will check with Mr. McNamara.

Jim Parla of 16 Portland Road suggested that if we can't afford to do another Borough Hall has anybody ever thought of an additional Annex or additional space.

Mayor Little – a new borough hall would be offset by the sale of this building. We have also talked about combining a new borough hall with the Library as well. We are facing a proposed tax increase that we find unsatisfactory and we are working diligently on reducing what has been proposed. She further spoke about a Borough Hall project and that she would like to have a Borough Hall that is out of the flood zone.

Jim Parla stated that he walked the new bike trail and it was great but when he came back into Highlands off of the trail there are a lot of property's there that are in disrepair.

Mr. Caizza commented on those houses and explained that two of those homes are the units that were just discussed by Ms. Dibble.

Mayor Little stated that we will go back to the Attorney Mr. McNamara and make sure that proper procedures are followed.

Arnie Fuog of 50 Valley Street asked when the project will start on Valley Street between Shore and Bay Avenue.

Mr. Leubner explained that the project is for Shore drive and up the hill the unimproved portion, it's the hill area.

Arnie Fuog then spoke about coming toward the other way the drainage the sidewalks collapsed.

Mr. Leubner – yes that is something that has to be addressed.

Arnie Fuog questioned if the Shade Tree Commission is active.

Mr. Francy – it's a little bit active in the sense that we are handling tree permits but we have not had a scheduled meeting and yes is the Tree Commission.

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Arnie Fuog – stated that he is on the Shade Tree Commission and is looking for a meeting date.

Mr. Francy stated that he did not have the list of Shade Tree members.

Arnie Fuog questioned who you would contact to try to get a property added to the Sub-Standard Housing Committee list.

Mr. Caizza directed him to contact the Code Enforcement Officer.

Roberta McEntee of 55-B Fifth Street stated that on Miller Street in front of Shea's building by the Sewerage Authority Property there is a grate that is very dangerous and it's not repaired and the kids have been riding their bikes in that area and she is concerned that someone will get hurt.

Mr. Urbanski – will have the DPW do something there.

Roberta McEntee stated that the house on Fifth Street that is bad is getting worse which she explained that people are dumping garbage on this property.

Mr. Caizza – we are doing a title search on that property and probably in about two weeks when we meet again we should have the search back so that we can move forward with that property.

Mr. Francy – there is one more piece of property that was listed for auction two weeks ago and the upset price was \$359,000 and he wants the Sub-Standard Housing Committee to be informed of that.

There were no further questions or comments from the public.

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

The meeting adjourned at 10:16 P.M.

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**CAROLYN CUMMINS, DEPUTY CLERK**

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