

**Borough of Highlands
Mayor & Council
Combined Meeting
April 7, 2010**

Mayor Little called the Combined Meeting to order at 7:11 p.m.

Mrs. Cummins read the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Combined 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 and the Asbury Park Press.

ROLL CALL:

Present: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

Absent: Mr. Nolan

Also Present: Carolyn Cummins, Borough Clerk
Bruce Hilling, Borough Administrator
Scott Arnette, Esq., Borough Attorney
Stephen Pfeffer, CFO

Executive Session Resolution:

Mrs. Cummins read the following Resolution for approval:

Mr. O'Neil 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 – R. O'Neil
Slope Slide – A.L.
- 2.Contract:** CMX Engineering Contract
J.T. White Clam Plant Lease-Update from Attorney
Dan Rob Parking Lot Lease 2010
- 3.Real Estate:**
- 4. Personnel Matters:** Paul Murphy, Code Enforcement Officer (Riced)
- 5. Investigation:** Reorganization of Court Office – R. O'Neil

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.

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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.
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. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

NAYES: None

ABSENT: Mr. Nolan

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Little called the Combined Meeting back to order at 8:13 p.m.

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

ROLL CALL:

Present: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

Absent: Mr. Nolan

**Also Present: Carolyn Cummins, Borough Clerk
Bruce Hilling, Borough Administrator
Stephen Pfeffer, CFO
Scott Arnette, Esq., Borough Attorney**

PRESENTATIONS:

T & M Associates – Presentation on Solar Energy:

Not present.

Garden State Roofing – Presentation on Solar Energy:

John Blair, President and owner of Garden State Roofing, started in 1971. They started the solar system on their building in Middletown. He feels that going green is the way to go. He described how you get free energy. He described a program called Solar Energy Reusable Credits and how they are earned. He described his product and how long it last. They guarantee that your roof won't leak. He introduced Michael Johnstone, who will explain how we could lease system.

Michael Johnstone of Garden State Roofing spoke about their lease program. They are more geared toward municipalities and commercial properties. He explained PVWATTS, a state mandated projection of what the system will produce. This is a minimum. Every system that they have seen put up; they have seen more production come out than what they projected. They are offering a 15 year lease at a cost of \$2,000.00. They would own and maintain this system for the entire lease term. He described that the value of annual savings will increase every year and that

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the cost of electricity increases every year. He would like to see these positive effects in the county.

Mayor Little questioned who would be responsible for maintenance after they install it.

Mr. Johnstone said they would be but they would ask the town to put an insurance policy on it, same as property.

Council questioned lease option for multiple buildings.

Mr. Johnstone said they could do a multiple property lease and the installation is free.

Mayor Little stated that she thought of the Community Center.

John Blair said that if we gave him one full month electric bills for that property, they could come back and tell everything you need to know. Could tell you how much you would make in every year, how much you would save. Tell you exactly how much that system would produce. He also gave out two cd movies, gives a better insight on solar, made by Nova.

John Blair said he can come by and pick up the electric bills.

Chris Francy asked if they would study all three buildings; Borough Hall, Community Center and the Fire House.

Mayor Little commented that the study of all three buildings would be valuable.

Scott Arnette said that we are only receiving information and these gentlemen have volunteered their services, to look at it to see what we need.

Public Participation on Consent Agenda Items:

Jay Bottini of 12-3 Beach Blvd. - Shade tree issues. It will be discussed later.

Kate Kibler of 1 Portland Road - Bridge Sign Resolution, feels that the DOT has met them 80% to their side. She thanked Mayor and Council for all of the work they did. She did request that the MPS sign had a curfew, lights out by a certain time.

Bruce Hilling will take care of her request regarding the curfew.

James Kibler, of 1 Portland Road – agreed with Kate Kible. He is strongly in favor approving the motion that is on the floor. Feels that it takes into account what people asked for.

Tara Ryan of 12 Ocean St. – She feels that it was wonderful how neighbors came together with the people who are elected, and work toward something that is so good. She thanked the Kiblers for their efforts. She supports the resolution. She agreed with Kate Kibler about the MPS signage, to turn off the light when the park closes.

Mayor Little closed public portion.

Consent Agenda:

Chief Blewett spoke about Resolution R-10-76 Resolution Approving NJDOT Plan Cantilever Signs. Part of that plan was for gores (islands), coming north over the bridge from Sandy Hook. He opposes this. He believes there is a letter to DOT opposing this, that it is a hazard. It will not benefit us at all. He wants to keep this fight up.

Mayor Little said she did raise this issue. It was not agreed upon at the signage discussions because it is a different issue.

Chris Francy stated that we have email from Mr. Hammer of the DOT dealing with the traffic gore. They recognize that as being open and while our resolution is approving the signage plan

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as it is being presented, there is an ongoing effort to change it and we won't let it stop. Nobody thinks that it is a good idea.

Mayor Little asked to have item #2 removed from the consent agenda, R-10-75 Resolution-Award Contract for Demo of Imhoff tank. She will allow for the attorney to present that one. Mr. Francy offered and was seconded by Ms. Kane.

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little
NAYES: None
ABSENT: Frank Nolan
ABSTAIN: None

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

R-10-74

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**RESOLUTION - SPECIAL ITEM OF REVENUE
N.J. DEPARTMENT OF LAW AND PUBLIC SAFETY
BAYSHORE DWI SATURATION PATROL GRANT**

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 2010 in the amount of \$6,400.00 which is now available from State of New Jersey Department of Law and Public Safety.

BE IT FURTHER RESOLVED that a like sum of \$6,400.00 is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Bayshore DWI Saturation Patrol Grant	\$6,400.00
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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 Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little
NAYES: None
ABSENT: Mr. Nolan
ABSTAIN: None

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

R-10-76

**RESOLUTION APPROVING A NEW STATE NJDOT PLAN
REDUCING THE NUMBER OF CANTILEVER SIGNS ON THE NEW HIGHLANDS
ROUTE 36 BRIDGE**

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WHEREAS, the Governing Body of the Borough of Highlands adopted Resolution R-10-25 on January 20, 2010 requesting the State of New Jersey, Department of Transportation to eliminate cantilever green road signs on the new Route 36, Highlands Bridge; and

WHEREAS, as a result of that request the Borough of Highlands received a new set of plans from the NJDOT on April 6, 2010 which specifies that only one cantilever green road sign will be installed on the Sea Bright side of the new Bridge for motorists going northbound.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Borough Governing Body endorses this new NJDOT change concerning the cantilever signs and sincerely thanks the NJDOT for its favorable consideration of the Borough's request.

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

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

NAYES: None

ABSENT: Mr. Nolan

ABSTAIN: None

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

**RECAP OF PAYMENT OF BILLS
04/07/2010**

CURRENT:		\$	41,328.01
Payroll	(03/30/10)	\$	132,173.22
Manual Checks		\$	108,096.22
Voided Checks		\$	
SEWER ACCOUNT:		\$	7,064.80
Payroll	(03/30/10)	\$	11,516.07
Manual Checks		\$	4,902.08
Voided Checks		\$	
CAPITAL/GENERAL		\$	
CAPITAL-MANUAL CHECKS		\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	14,973.15
Payroll	(03/30/10)	\$	
Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	66.00
GRANT FUND		\$	1,358.88
Payroll	(03/30/10)	\$	
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

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

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

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

NAYES: None

ABSENT: Mr. Nolan

ABSTAIN: None

Other Resolutions: R-10-75 Awarding Contract for Removal of Imhoff Tank Project

Scott Arnette spoke about the initial lowest bid that was rejected because of the number of irregularities. They were missing several documents. The recommendation from Fran Mullan is to award to J.H. Reid due to the flaws, making that bid not a competent bid in terms of the law. He recommends and he concurs that the competent low bidder is J.H. Reid. The base bid of \$154,500 be awarded.

Ms. Kane offered the motion to award the bid and it was seconded by Mr. O'Neil and approved on the following roll call:

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

NAYES: None

ABSENT: Mr. Nolan

ABSTAIN: None

Committee Reports:

Finance

Mr. Pfeffer stated that we had our state aid reduced. We were reduced by \$91,148. In the past, in the Levi cap calculation, when we lost state aid, we got an add-on to the cap for the amount we lost. That has changed. State Aid distribution is being modified to reduce aid payments to the municipalities that use aid reductions as an add on to the Levi cap. We're being penalized for the loss of State Aid. He also spoke about Best Practice Initiative, which is a means of encouraging and rewarding local adoption of basic best government practices to budget process purposes proposes that the final 5% payment will be withheld unless the municipality certifies that they meet a variety of pre-selected best practices standards including adoption of a budget with use of a Levi Cap adjustment for formula aid reductions. Calendar year municipalities will have until mid-November to certify compliance while State Fiscal year municipalities will have there payments deferred until June 2011, have until then to meet the standards. The program is currently under development by the division, so at this point, there are no guidelines. He also mentioned that after he posted the last payroll, and bills coming in, the sewer system is showing distress for salary wages, overtime. We are over \$5700 over budget for overtime for the sewer system. We will be okay unless things continued to deteriorate in that system and large expenses come in. This is the first time, that we have had this kind of situation in the sewer system.

Bruce Hilling said that we do have an insurance claim to cover it.

Mayor Little encouraged Bruce Hilling to get the claim in to the insurance company.

Mr. Hilling said that it was already in, and it is about \$30,000. He will call tomorrow for an update.

Council discussed insurance coverage, FEMA and the budget with Mr. Pfeffer.

Chris Francy stated that we have some limitations in our sewer system that were revealed by the storm. We may be forced to make some modifications to the pump stations to effectively deal with another storm of that magnitude.

Rick O'Neil explained that we had problems, but they were being addressed. He believes some of the problems came from the Sewerage Authority. When there is leaking in to the pipes, it puts

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more of a pressure on the system. It could double your normal usage. He explained how the sewer system processes thru the Authority.

Mayor Little stated that she would like a demonstration from the Sewerage Authority in writing.

Mayor and Council continued to discuss problems with the Sewerage Authority.

Chris Francy said that we have to recognize the efforts of Reggie Robertson during this storm.

Rick O'Neil explained that there was so much water in the system that we were overheating the pumps by running them so hard. To run them both, at the same time, would overcharge the system. We did the best that we could.

Public Safety

Chief Blewett gave the following report:

Report to Council
April 2010

- * In preparation of upcoming special events the Highlands Police Department has reviewed the signage mandates as outlined in the Manual on Uniform Traffic Control Devices and has made the Borough administrator aware of the minimum signage needed. As the Borough prepares the budget I recommend that the appropriate measures are taken to ensure that the additional signage and barricades are purchased.
- * The Highlands Police Department was recently notified by the New Jersey State Police that all fingerprinting for local ordinances (i.e. mercantile licenses and ABC ID cards) must be submitted through Morphotracks. Applicants will have to obtain the required forms from the Police Department then schedule the fingerprinting appointment through Morphotracks.
- * On March 25, 2010 officers responded to an Oceanview Street residence in regard to a verbal dispute. During their investigation the officers detected an odor of marijuana. Officers then applied for a search warrant and once the search warrant was granted officers re-entered the residence specifically a second floor apartment. While officers searched the home and they discovered a growing facility in a bedroom closet and over 50 grams of marijuana was seized, as well as, scales, packaging material, and other paraphernalia used to grow, harvest and manufacture marijuana. Patrick Stiles, 42 yoa, was subsequently arrested and charged with possession of marijuana over 50 grams, possession with the intent to distribute, possession with the intent to distribute within 1000 feet of a school zone, possession with the intent to distribute, dispense and manufacture marijuana, possession of paraphernalia and tampering with evidence.
- * On March 22, 2010, the Highlands Police Department initiated an investigation following a report from a female resident that she had received several alarming phone calls. The calls were received during the early morning hours from a female trying to solicit the victim's assistance to get rid of a body, telling the victim that she promised to help, that the job was done and he was in the trunk. The Highlands Police Department worked in cooperation with investigators from the Monmouth County Prosecutor's Office and the Eatontown Police Department. As a result of the joint investigation Tiffany Green, 20 years of age, Neptune was charged by Sgt. Joseph Rogers with harassment and disorderly conduct for the calls made to the Highlands resident although, the investigation revealed that there were a total of thirty-three victims that Green had contacted.

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* An alert resident provided police with the description of a man attempting to gain entry into parked vehicles on Shore Drive which led to the arrest of Randy Wagner, 32, 4th Street, Highlands. Wagner was charged with burglary, theft and criminal trespass. Wagner was located with the assistance of Holmdel Police Officer Van Pelt and his K-9 Diogi and Highlands Police K-9 Officer Chesek, who tracked the suspect to a nearby Shore Drive residence. As a result of the investigation officer found Wagner in possession of a garage door opener which was reported stolen from an Atlantic Street resident the night before. Bail was set at \$37,500.00 and Wagner was subsequently transported to the Monmouth County Correctional Institution.

* As part of last year's budget the Highlands Police Department requested 2 front line patrol vehicles 1703 and 1704 to be replaced. They were not replaced and are now 5 years old and have over 100,000 miles on them and need to be replaced. I understand that we are still facing budgetary constraints but maintenance costs on these vehicles are quickly rising. As I explained to past administrations if we do not replace vehicles on a regular schedule we will be forced to purchase multiple vehicles at once.

* Total Calls for Service: 675

* Arrests: Adults: 31 (5 for possession of CDS)
JV: 6

* Summons: Total: 183

Moving Violations: 93
Non-Moving: 48
DWI: 10
Boro Ordinance: 32

(Statistical Information is from March 1 – 31, 2010)

JRB/dla

DPW

Mr. Hilling read through the following report:

March 2010 Monthly Report

During the month of March we had to deal with two major storms. During the first storm we lost power to Waterwitch lift station which causer the whole Sanitary Sewer System to back up for 4 days.

Below is a list of equipment and private contractors that we used to get the system back on line.

- (1) Pumping Services, we had to rent 1 6" pump to try to bring the flow down.**
- (2) We needed to have two valves replaced in order to unclog the discharge ports on both pumps.**
- (3) One pump burned out and had to be replaced**
- (4) we needed to have the wet and dry wells pumped out by Central Jersey Septic Before we could do any repairs**

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- (5) After the plant was pumped out American pipe line cleaners had to vacuume out the wet well before we went back on line do to the high amount of flow from street flooding and rain
- (6) The second storm in March wasn't as bad but we still had to work both pumps manually because of the high flows.
- (7) Without generators at the lift stations the next time we lose power we will see a repeat of the problems listed above.
- (8) Sanitation is still working on a one day a week pickup
- (9) Street dept filled potholes Picked up Brush-Filled in on the garbage trucks-cleaned the beaches
- (10) Setup and took down all barricades –Tents-Chairs=and so on for the Saint Pats day parade
- (11) Cleaned all the basin lids after the 2 storms
- (12) Blocked off all of the down town streets due to flooding
- (13) Started to have the Sewer main on Bay ave jetted and vacuumed of all Grit and Grease and sand.
- (14) Started to sweep the streets and clean the roads of all storm related debris
- (15) Due to the weather the Deck behind Boro hall had to be put on hold.

Reg Robertson

Mr. Hilling stated that we are having an auction this Friday at 10 a.m. In early May, we will be going to twice a week garbage pick up. Bay Avenue sewer system was cleaned out by Oswald. We are working on the Waterwitch storm drains and sewer lines in preparation for the repaving of that roadway from Hwy. #36 to S. Linden.

Rick O'Neil said that the cleaning of the sewer main adds capacity.

Bruce Hilling stated that we had a clean up of the Henry Hudson Trail.

Rick O'Neil said that we sent a sweeper to the Elementary School to sweep up the sand from the snow. They are trying to keep control of the potholes on the street, doing what we can.

Building & Housing

No Report

Parks & Recreation

Ms. Kane spoke about the following:

PROGRAMS:

Senior Citizen Programs for March – Past Presidents Luncheon held at the Center on 3/4(event re-scheduled from 2/25); 3/11 Meeting presentation from Census Bureau.; Bingo / Pizza Lunch held on 3/18 w/ presentation from Health South. Creative Notions Art Program held on March 19th. Wii Senior Bowling League 4 sessions in March. For April: Presentations from Highlands/ Atlantic Highlands

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Municipal Alliance (4/8), Monmouth County Office on Aging – Overview of Services and Wellness Discount Program (4/15), Highlands Elem. School Chorus (4/15), and Social events 4/16 – “Flower Power Themed Dance” hosted by HES, and additional programs scheduled on 4/22 and 4/29.

Kids on the Move program held Limbo contest, Spelling Bee, Pictionary, Wii Games, Arts and Crafts, Participation Fitness Dance, Volleyball, Kickball games. Other indoor and outdoor activities were offered throughout the month of March. 32 Children now enrolled.

Rec. Dept. 4th, 5th, & 6th Grade Basketball League, 2nd and 3rd Grade Basketball, Adult Basketball, Adult Volleyball / Basketball, & Adult Indoor Soccer programs continued into March.

Adult Art program started with only 2 people registered.

Other Group Use: Girl Scout Troop Meetings (6), Girl Scout Leaders (2), Highlands 4H activities (2), Garden Club, Census Testing / Other (7), Neighborhood Watch, Garden Club, Historical Society & 4 condominium / homeowner / other group meetings.

Bike Helmet Distribution for 2010 is being offered now. Contact the Community Center.

Read Across America held on March 2nd at Community Center – Special thanks to Debby Dailey!

Volunteer Coaches Safety Clinic and Fall Soccer Registration held on March 13, 2010.

Egg Hunt and Candy Bingo is scheduled for Sat. 3/27/10 at Snug Harbor Beach.

Program plans underway for Summer Kidfest staffing needs, activities and program content, (July 1–Aug. 13) Ponyshare Program, Spring Tennis (in cooperation with AH Rec. Committee) and potential late Spring concert series being reviewed. Also preparing for April programs / events – Earth Day, Project Porch Light, School Board Elections and possible Sea Scout pancake breakfast.

Program inquiries made with regards to “Zumba” exercise program, details of activity and scheduling to be further discussed.

PARKS & FACILITY:

Skate Park: Repair to sign (vandalized) is needed. Obtaining quotes for transition plates for replacement as needed. Littering and trash in park is ongoing issue.

Community Center: No-update or report.

Veterans Park, Miller Street – information has been forwarded with regards to installation of irrigation systems at floral bed area (VP) and tiers at (MS). Will require follow-up and borough approval if moving forward. Garden Club and HBP have expressed an interest with funding. Electrical work needs to be performed at both locations (or possible battery operated system at Miller St.) NJ American Water has been contacted to review water supply need at Miller Street. Veterans Park also required debris removal from storms / tidal flow.

Huddy Park: Storm related issues, DPW and help from Dave Parker when flooded prior to parade.

Kavookjian Field: needs general clean-up of areas – leaves removed, infield mix installed, grading of infield, minor fence repair, etc. Still awaiting information with regards to survey.

Snug Harbor Beach – DPW removed storm/ tidal related debris in preparation for Egg Hunt activity.

Miller Street Beach – Removal of debris from storm / tidal debris being scheduled

Ederle Park – Report made to Mr. Hilling that flag pole fell. DPW following up.

Cornwall Square – Report made regarding tree in park may becoming uprooted. Shade Tree Commission contacted for follow up.

OTHER:

Mr. Hill attended the annual New Jersey Recreation and Park Association conference in Atlantic City Feb 28 to Mar. 3. Programs attended included Smart Parks, Recreation Programming on Limited resources, Marketing Strategies, Stress Management and Park/ Facility Safety Audits.

Community Development Block Grant: Generator Project has been submitted to CDBG, awaiting Environmental Clearance to be performed by CDBG. This may impact application for FY '11. Although clearance given to go out to bid, the timeframe may not be conducive to being awarded if EC is not complete.

Library Committee: members met to discuss potential setting using small room at Community Center as a short-term, temporary location. Details are being discussed and will be further reviewed along with recommendations and approval of governing body.

Special Event meeting held and assistance provided for St. Patrick's Parade.

Request was made regarding private rental of community center. Will require direct input, review / change of current ordinance by governing body if implemented.

Contact was made by Highlands Environmental Commission for Grant Application Assistance. Will follow up as requested. Grant deadline is March 31, 2010.

Monmouth County Park System “Green Table” Meeting was held **March 24, 2010**. MCPS reviewed programs and sought input from agencies present for program and facility suggestions.

Inquiry made by local volunteers to assist with Pompamora Park clean-up. Adam Hubeny (AH Boro Adm.) emailed that an effort will take place on April 3 at 8:00 a.m. starting at both the AH Harbor and in the Park.

Budget preparation for FY '11 in process.

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Summer Food Service Application Grant – application is being prepared for approx. \$10,749 for the 2010 program.

Timothy G. Hill, Director of Parks and Recreation

March 25, 2010

Ms. Kane also mentioned Pride in Highlands Earth Day, April 24th. It is also Clean Ocean Action, so there will be a beach sweep at Snug Harbor. The HBP will be running their Project Porch Light. On the Tennis Courts, there will be 12 different displays item from Shade Tree, Environmental Commission, National Fishery Service, and the Baykeeper. The PBA will be cooking hot dogs.

Chris Francy spoke about the town doing beach sweeps to areas below the high tide line which are not private but are not owned by the town.

Bruce Hilling stated that we do have a prison detail coming in from the County.

Chris Francy asked about storm debris, at various beaches.

Becky Kane feels that it is up to the municipality.

Mayor Little said we should clean up the public beaches that are going to be used. Then we will go from there.

Becky Kane also mentioned the Blood Drive and Bone Marrow Drive for Raymond Vargas, a member of the First Aid Squad and Fire Department. This will be at the Fire House on May 1st from 10am to 2pm.

Public Relations

Chris Francy said that the Website Assessment Committee has met twice. They are meeting every two weeks. They would like to make a presentation at the next workshop meeting in May. They are also sending a survey to various groups, to get their opinions on the websites. He will put together a report for June.

Environmental/Shade Tree Commissions

Mr. Francy said the commission has submitted a grant for enhancements to the bicycle path. We will have a presentation at Earth Day. Shade Tree needs to discuss the ordinance as to some of the issues that have come up since the storm. Need to make some decisions that the ordinance does not cover.

Mayor Little said it would be a good idea to revisit the ordinance in a workshop. Also, get the attorneys input on the interpretation of the ordinance.

Rick O'Neil expressed concerns about trees that are protected by the town thru the ordinance and trees damaged by the storm.

Administration:

Mr. Hilling read through the following report:

MEMORANDUM

DATE: April 5, 2010 1, 2010
TO: MAYOR LITTLE, BOROUGH OF HIGHLANDS; COUNCIL MEMBERS
FROM: BRUCE HILLING, BOROUGH OF ADMINSTRATOR
RE: SUMMARY OF ACTIVITIES •March 2010

DEPARTMENT OF PUBLIC WORKS (DPW)

1. Completed bulk pick up by zone last month. Brush pick up by zone scheduled for this month.
2. Twice a week garbage pick up will resume May3rd.
3. Public auction of DPW truck and three police vehicles is now scheduled for April 9th, 10am.

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4. Cleaning of Bay Ave sewer line completed By contractor Oswald..
5. MEL JIF continues to process our claim for flood damage causing shutdown of Waterwitch pump station, approximately 30k.

DEPARTMENT OF TRANSPORTATION (DOT)

1. Next scheduled "underwater explosive demolition" work for week of April 12th..
2. DOT processing our submitted Oswald bills for borough sewer clog work on and next to the bridge.
3. Still pending is word from DOT on Borough request for new sidewalks, curbing and curb cuts for Highlands Avenue and Portland Road.
4. At the request of the Borough, one cantilever sign now scheduled to be erected on the bridge as compared to three in the original plans.
5. Pavement of all monthly police vouchers from DOT is now up to date.

MISCELLANEOUS

1. Tax bills will be mailed out this week. Tax due date is May 1st.
2. Council continues to review and discuss new property maintenance position. Construction Official Paul Vitale continues to fill in.
3. Two year contract with members of UFCW Local 152 finalized and signed by the union.
4. Monmouth County has awarded paving contract for Shore Drive entrance to Popamora Park. Contract work, to include tree removal , is to be completed no later than May 1, 2010.
5. County community service workers scheduled to assist the Borough April 19-23.. Please see the Borough Administrator with any work requests.
6. Local theater group SOAR will soon be presenting a new proposal requesting the use of the Old Borough Firehouse for stage productions
7. Tax sale scheduled for May 17th.
8. Dale L. Tim Hill and myself scheduled to meet with CDBG reps on April 14th to finalize details of our generator project.
9. School Board Election scheduled for April 20.
10. Next Borough Hall upgrade is new paint job and carpet for the courtroom.

Rick O'Neil asked Tara Ryan if they had anyone running for the seats.

Tara Ryan said that there are many people running. They have one person, whose name is on the Ballot for Board of Education but there are two other seats that no one came up for. Have heard of several people running as write ins. She has not heard anything officially. She also mentioned that the Highlands Elementary budget is going down a ½%.

Clerk's Office

Mrs. Cummins stated the following:

1. The following licenses were issued in the month of March: (14) Mercantile; (18) Board of Health (1) Pool (1) Vending (1) Mobile (30) Dogs (5) Cats.
2. Six Certified Vital Records were issued in the month of March.
3. Meeting Agenda packets for (2) Board Meetings and (2) Council Meetings were all prepared and processed for the month of March.
4. All Resolutions and Ordinances were processed.
5. We also had late night voter registration in March.
6. Reminder notices were sent out for animal licensing.
7. We will begin to send out liquor license renewal applications.

Library Committee

Tara Ryan did not have a formal report for tonight's meeting. She is anticipating that the new library resolution will pass on April 21st.

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Other Business:

T & M Presentation – Solar Engery: Paul Sweetwood of T&M Associates.

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Paul Sweetwood asked if there were any questions on renewable energy. He did a presentation several months ago, did we have any specific questions.

Mayor Little said that we are considering solar energy and doing an energy audits.

Paul Sweetwood said that the audit is a good idea on how to save on energy. He has assisted several clients with energy audits. You request a competitive quotation from the five licensed auditors. You will receive a refund for 75% of the cost of the audit from the office of Clean Energy. He spoke about different programs that are available and the different information needed for an audit. He could pass on any information that we needed. If we need any assistance he will be happy to help.

Mayor Little recommended that it would be best if he spoke thru the administrator. He will send information to Bruce Hilling

RAST Recycling – V.Montecalvo

Mayor Little table this, they are not present. Asked the Clerk to reach out to Mrs. Montecalvo of Bayshore Recycling.

Community Theatre Discussion: Re: Use of Community Center:

Bruce Hilling stated that they decided not to use the Community Center. They have decided to go out to Gateway National Park. They are still interested to come to this building for future productions. Bruce Hilling and Ms. Kane would still like references.

Mayor Little said there was a letter of recommendation in the packet from the Monmouth County Library, this person spoke favorably about the Soar Productions.

Ms. Kane mentioned that she wants recommendations from their past landlords. She feels that they are a great outfit.

Bruce Hilling will call them for more references.

Review Draft Zoning Ordinance Amendment:

Mrs. Cummins stated this was an ordinance amendment that was prepared by T & M. The Council had directed Marty Truscott to prepare this amendment based on a letter from the Zoning Officer due to some discrepancies in the ordinance. This would address this. She said we could set it up for introduction at the next meeting, April 21st.

Chris Francy wants both Zoning Ordinances on the Agenda to be done at the same time.

Mayor Little recommended that we put this on for introduction on April 21st meeting. Not as a combined amendment.

Discussion RE: Other Zoning Ordinance Amendments

Chris Francy spoke about the Bay Avenue rezoning Ordinance 0-09-33 that was done in December. This was a result of two years of effort going thru the planning board and was a specific rezoning that was approved. During the process, there were some edits to the ordinance that were suggested by Mr. Mullen, Chairman of the Planning Board. T & M's planner, Marty Truscott created a document that we are calling the "green line" which were edits to the ordinance that we chose to move past so as to enact the first part of the ordinance. We are now back to the edits to the ordinance.

Council discussed the changes.

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Scott Arnette said since you have already enacted Ordinance O-09-33 and they were going to revisit the modification, what we want to do is, have them drafted in ordinance form, introduce and then send to the Planning Board. This is a change in the zoning regulations for the Borough. They would have an opportunity to look at them at say whether or not they are consistent with the Master Plan. We must go thru the process.

Mr. Francy offered a motion to authorize a draft ordinance for introduction at the next council meeting and it was seconded by Mr. O'Neil and all were in favor.

Trailer Camp Ordinance Review

Mayor Little said that we did not hear back from our Land Use attorney on this.

Mrs. Cummins asked if we should table this and put on for the May Workshop meeting.

Mayor Little agreed if we hear back from the Attorney, we can talk about it at the next meeting.

Discussion on Creating BID Committee/Management

Mrs. Cummins stated that Frank Nolan asked for this to be put on even though he was going to be absent this evening. Wanted to see if the council was ready to move forward with the committee, or hiring a management company. We did receive two letters of interest from residents to serve on the committee.

All agreed to put on to the April 21st meeting when Mr. Nolan would be present.

HBP 2010 Calendar of Events/Sea Craft Show

Mayor Little read the letter received from Highlands Business Partnership, dated April 2nd, 2010 asking for approval to hold their event in Huddy Park on Sunday, May 30th.

Rick O'Neil what this is asking for? The whole calendar of events or just the Sea Craft Show?

Mrs. Cummins stated that the Council has not approved their entire calendar of events. They are just asking for their next upcoming event.

This was moved to approve and all were in favor.

Summer Food Service Program Discussion

Mrs. Cummins stated that Mr. Hill has submitted a copy of the 2010 program information, wanted council to review it. He is looking for a resolution to approve this for April 21st.

Discussion: RE: Larry Kelly Service Award for 20 years of service

Mrs. Cummins stated that this was a request by Kerry Gowan, of the Highlands First Aid Squad, that a plaque be presented to Mr. Kelly. She has purchased the plaque. She would like it presented to him at a meeting from the Mayor and Council. This was put on for the May 5th meeting.

Ms. Kane said that she wants Captain Al Marker informed.

Bruce Hilling said that he would call Al Marker tomorrow.

Shade Tree Ordinance O-08-06 Discussion

Rick O'Neil said there are some more things that have to be looked at in our ordinance.

Chris Francy said all permits that he has done for the past 2 years are on record. Ten years ago our records were less secure, and there were trees that were denied permission to be taken down.

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He is asking Mr. Hilling to approach Mr. Emery, if he recalls a specific tree. Did it receive protection from him?

Rick O'Neil believes that it was. He does remember it. He then explained the way it was done.

Chris Francy asked Scott Arnette if we offer protection to a tree, does that put a burden on us.

Scott Arnette reviewed the ordinance and it requires permitting to cut trees down. To require permitting for cutting down trees does not raise any issues that concern him as long as you adhere to what the ordinance says. If we protected trees from being maintained, that may cause different issues.

Chris Francy stated that we will review this.

Mayor Little added that she found a clause section 22-1.9, that addresses emergency action.

Scott Arnette interpreted section. 22-1.9.

Tax Extension of 10 days Discussion

Rick O'Neil said that there was a discussion in the tax office. It was brought up that sometimes the bills are late and get an extension, or you have 10 days to pay taxes.

Steve Pfeffer explained the 10 day grace period. That is normal time frame, as long as the bills are sent out on time. The time frame is governed by statute. If bills are sent out late, we give the taxpayer's additional grace period. He does not know if the statute allows changing grace period to 30 days. Does the statute allow municipalities to pick 10 days or up to 30 days grace period, he could not answer, it could be.

Town Wide Yard Sale Discussion

Becky Kane spoke about a town-wide yard sale event. She has some volunteers from town to help, and the registrations will be taken at Borough Hall. They will make up a map for the day of the event. There will not be a special bulk pick up day; participants will know if they put it out, they have to take it back.

Mrs. Cummins spoke about the special ordinance that is on for tonight to allow the borough to charge the \$5.00 fee for this event only.

Ordinance O-10-9: Introduction & Set P.H. Date for April 21, 2010

Mrs. Cummins read the title of ordinance O-10-9 and setting of a public hearing date for April 21st.

Ms. Kane offered the following Ordinance pass introduction and set a public hearing date for April 21, 2010 at 8:00 p.m.:

**ORDINANCE O-10-9
AN ORDINANCE AMENDING THE REVISED GENERAL CODE OF THE BOROUGH
OF HIGHLANDS, SECTION 4-12
GARAGE SALES, RUMMAGE SALES, FLEA MARKET SALES**

WHEREAS, the Borough of Highlands is desirous of having a Borough wide garage sale event from time to time within the Borough, which it will advertise and publicize as a Borough wide garage sale; and

WHEREAS, presently there is no fee for the garage sale license that would assist in defraying the costs and expenses of administering and advertising such an event; and

WHEREAS, a nominal fee of \$5.00 for a Borough wide garage sale license will have little impact on the resident but will assist the Borough with the expenses:

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**NOW, THEREFORE, BE IT ORDAINED THAT SECTION 4-12.2 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS BE
DELETED AND THE FOLLOWING INSERTED IN ITS PLACE:**

4-12.2 License Required: Fee.

It shall be unlawful for any person to conduct a garage sale in the borough without first filing with the Borough Clerk the information hereinafter specified and obtaining from the Clerk a license to conduct such a sale, to be known as a "garage sale license".

a. There shall be no charge for a "garage sale license" when the individuals seek to have their garage sale, rummage sale or flea market sale on a date that the Borough of Highlands has not identified as a date on which a Borough wide garage sale will be held.

b. There shall be a five (5) dollar fee for the "garage sale license" when individuals have their garage sale, rummage sale or flea market sale on a date that the Borough of Highlands has identified as a date on which a Borough wide garage sale will be held.

Seconded by Mr. Francy and introduced on the following roll call vote:

ROLL CALL:

AYES: Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little
NAYES: None
ABSENT: Mr. Nolan
ABSTAIN: None

Mayor Little asked for motion. Offered by Ms Kane, seconded by Mr. Francy and all were in favor.

Public Portion:

Mayor Little asked if anyone had questions about the solar energy presentation by T&M, there were none. The T&M representative was excused.

Mayor Little asked if anyone had a question for the CFO, Steve Pfeffer before being excused.

Jim Parla of 16 Portland Road asked about twice a week garbage pick-up. Weren't we going to have an analysis of the money saved by going to once a week before going back to twice a week pick-up?

Steve Pfeffer explained that we were looking at what we were saving on the elimination of commercial garbage. He was tracking tipping fees on the residential side, which stays the same if we go from once a week to twice. The volume stayed the same. He was much more interested of what the difference was between picking up commercial and when we stopped. We are seeing significant savings. He then described the amount saved each month.

James Bottini of 12-3 Beach Blvd. deferred FEMA comments until his neighbor speaks.

George Gilbert of 12-4 Beach Blvd. spoke about Highlands on the Bay Condo Association; they have an area that is public access as required. The docks, during the storm, took severe damage. FEMA took pictures. The town put in place, the public access, the Association does not have insurance on the dock. Does the town have some responsibility or provide assistance with FEMA to get financial aid to get this repaired? They are asking for help for financial aid to get this repaired.

Bruce Hilling explained that Dave Parker has collected all the information; list was supplied to the County office of Emergency Management. He has not heard back as yet. He said that Mr. Parker was aware of this problem and it was included in his report.

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Mayor Little said she was unclear as to what the procedure is going to be and whether all issues will be addressed.

Rick O'Neil said he spoke with Mr. Parker, FEMA is only going to be considered after your insurance.

Scott Arnette said that the public access does not require maintenance. DEP will require public access to water front property that are putting in docks even in Riparian Grants. The public access requirement does not impose upon the State or the local municipality obligations of ownership which is maintenance. Research needs to be done.

Mr. Bottini of 12-3 Beach Blvd spoke about an agreement with town.

Mr. Francy explained that the documents were a Zoning Board Resolution. The requirements were set upon you by DEP for the water front access, by FEMA so you could not develop in the flood plan. The town of Highlands did not make that requirement on you. They were rules required by external agencies, the State, DEP, FEMA, etc.

Mr. Bottini stated that he is not sure if we have to repair it or we can just demo it.

Mayor Little said that we can make sure that Mr. Parker is aware of this. We need to hear back from the County about the funds. She directed Mr. Hilling to call the County.

Council continued discussion.

Mr. Hilling told George Gilbert to contact him if he had any questions.

Christian Lee of 2 Navesink Avenue asked what is being proposed with the Zoning Ordinance Amendments. Is this the goal of the council to allow the Planning Board to make changes to the amendment that is beyond those that are documented?

Mayor Little explained that these were recommendations of the Planning Board.

Chris Francy said he does not want to have the Planning Board expand beyond the green line document.

Christian Lee expressed his objection to Master Plan and Zone changes to his block with regard to set backs.

Donna O'Callaghan of 29 South Bay suggested shortening the message of reverse 911 calls. She asked Mr. Hilling if he could use the Correction Facility workers to clean up debris on the median on Hwy. #36.

Mr. Hilling said that Hwy. #36 is State property.

Mayor Little said that we are responsible for maintaining the litter. She recommends that is we can safely get them out to the median, she supports getting that cleaned up.

Donna O'Callaghan asked if anything can be done about the bright lights on the river. Can they reverse them to face the Sea Bright side. They are shining at houses.

Bruce Hilling said he will check on the lights at the bridge meeting tomorrow.

Kim Skorka of 315 Shore Drive spoke about the land slide behind condo complex. What are the plans for the next one. There have been two in three years. This last one was bigger and there was more damage.

Scott Arnette said that it is private property.

Kim Skorka said that the town needs to do something.

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Rick O'Neil said that we had engineers look at it, they do not believe it is going to be a problem.

Mayor Little stated that we are limited in where we can spend public dollars and this is private property. She spoke about looking into a site plan, if we can find one. We are limited by the law on what we can spend tax money on.

Kim Skorka asked if there were ordinances in place to require the owners to stabilize the hill?

Mayor Little said when private property owners have issues, there is a legal recourse through the courts. We will look into this to see if we can do anything.

Becky Kane said that this is something the Environmental Commission may be looking in to.

Mayor Little recommended that she contact the Environmental Commission. They are advisory, they are not enforcement. But they can make recommendations.

Roberta McEntee of 55B Fifth Street handed out letters asking for more participation with our citizens of this town. She explained about a beach clean up along the Bayshore Trail. Only ten adults and five children showed up.

Jim Parla of 16 Portland Road, agreed with Roberta McEntee that we need more residents to help. Spoke about Solar Energy, has some knowledge in that area. The energy audit that T&M spoke about is a must. There are companies that do other solar systems on ground mounts and also canopies that can go over parking areas. The key is sizing the system. If you know what your power use is, then you how many panels you need. Also spoke about usable life of a roof, something you will want to look at, if you are looking at a building and how they put the solar panels on.

Kate Kibler of 1 Portland Road, asked about how we communicate with the residents of Highlands. Can we have an email notification system within the new website design? Also, had a question about Popomora Trail, are we cutting down trees and why?

Bruce Hilling explained that the county will be removing some trees to install a roadway.

Tara Ryan left.

John Blair of 646 Palmer Ave., Middletown was the Solar Energy Representative.

Don Monradt of 268 Bayside Drive said that a tree that fell had been cleared but there are more trees that need to be taken down. The DEP cleared brush where the oil comes out, and we will be taking more. We are going to get a wash out. The DEP is going to take samples, will be there for the next year. He also called JCP&L about the pole on Mathew and Bayside Drive is falling over.

Bruce Hilling will contact JCP&L.

Dan Manrodt stated that the trees that Rick O'Neil referred to earlier, Al Emery made them historical landmarks 10 years ago. Now, you have to go to the State in order to cut them.

Chris Francy said that we are looking for those records that establish that.

Laurie Salka of 1 Portland Road was wondering why we are not charging for permits for yard sales?

Becky Kane stated that it always has been free.

Laurie Salka said that every dollar helps. We should charge for yard sale permits all the time. She also thanked Environmental Commission and Council for bike grant. Thanked Council and the Kiblers for working on the sign issue.

There were no further questions from the public.

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Mr. O'Neil offered a motion to adjourn the meeting, seconded by Ms. Kane and all were in favor.

The Meeting adjourned at 10:35p.m.

DEBBY DAILEY, DEPUTY BOROUGH CLERK

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