

**Borough of Highlands  
Mayor and Council  
Combined Meeting  
October 6, 2010**

Mayor Little called the meeting to order at 7:13 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 Special Meeting of the Mayor and Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

**ROLL CALL:**

**Present: Mr. Nolan, Mr. O'Neil, Mr. Francy, Ms. Kane**

**Absent: None**

**Late Arrival: Mayor Anna Little**

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

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**Executive Session Resolution:**

Mrs. Cummins read the following Resolution for approval:

Mr. Nolan 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:**
- 2.Contract: Medical Contract Presentation, Workforce Reduction, Medical Insurance Contract & Broker Contracts, Shared Service Agreement for Mun. Court, Police, Mechanic & Blding Dept.**
- 3.Real Estate: Sale of Sewer Plant**
- 4. Personnel Matters: Recycling Yard Attendant**

**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.
- 9. Related to investigation of violations or possible violations of the law.**
- 10. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.**
- 11. Falls within the attorney-client privilege and confidentiality is required.**
12. Deals with personnel matters of public employees and employee has not requested that the matter be made public.
13. 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 Ms. Kane and approved on the following roll call vote:

**ROLL CALL:**

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

The Governing Body then entered into Executive Session.

Mayor Little called the Combined Meeting back to order at 8:24 p.m.

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

**Present:** Mr. Nolan, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little  
**Absent:** None  
**Also Present:** Carolyn Cummins, Borough Clerk  
Bruce Hilling, Borough Administrator  
Stephen Pfeffer, CFO  
Scott Arnette, Esq., Borough Attorney

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**Police Present Award to Hawley Foundation:**

Chief Joseph Blewett made presentation of award to the Hawley Foundation for their support of the Police K-9 unit. Their Foundation purchased a vest for the K-9 dog.

**Presentation of JGSC Group, LLC-Community Insight:**

Mark Lohbauer with JGSC Group thanked the Council for inviting him to give presentation about their program. He then went on to give his PowerPoint presentation. He explained what their group does. They do market analysis and help locations understand the right kind of business that are most sustainable in your community. He explained that he can also help with finding grant funds at the State level for the downtown area. He continued to explain how they have helped communities. They work with developers to make the redevelopment work best for us. They would speak with the current retailers; get feedback as to what their problems are. He we also help plan for the type of business that you would like to see in town. He continued to explain the different issues that they would address, and how to bring shoppers in to the area.

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**Public Portion on Agenda Items:**

Ed O'Neil of 286 Bay Avenue spoke about the possible removal of the sanitation department. Commented on the amount work they do. Spoke against outsourcing.

Carol Bucco of 330 Shore Drive, questioned the change order for paving of Waterwitch.

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Rick O'Neil explained that there was an unforeseen condition.

Chris Francy stated that there is a tank from the 1930's that was not documented and had to be taken out.

Roberta McEntee of 55 Fifth Street wants to know who will be laid off. She doesn't want good workers let go.

Donna Conrad of 13 Washington, commented that she works hard each day for the Borough of Highlands.

Carol Custer of 38 Central Avenue will ask her question later regarding the lay-offs.

Christian Lee of 2 Navesink Avenue – passed.

Dawn Horniacek of 287 Bay Avenue – will ask her question later regarding the lay-offs.

Dee Filipone – passed, will ask in public portion.

There were no further questions from the public.

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**Consent Agenda:**

Mayor Little asked if anyone had questions on Consent Agenda items.

Frank Nolan requested the Resolution R-10-197 Appt. P/T Deputy Court Administrator to be carried to the November 3<sup>rd</sup> meeting for further discussion.

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

**R-10-195  
RESOLUTION APPOINTING  
TEMPORARY FILL-IN RECREATION AIDE**

**WHEREAS**, the Governing Body adopted Resolution R-10-185 approving a leave of absence for Amanda Campbell, P/T Recreation Aide for the period of September 2010 through December 31, 2010; and

**WHEREAS**, the Recreation Department is now in need of a fill-in p/t Recreation Aide and it is the recommendation of the Director of Recreation that Ashley Hassler, 33 Fifth Street, Highlands, NJ be appointed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that Ashley Hassler is hereby appointed as a temporary fill-in Recreation Aide effective immediately.

**BE IT FURTHER RESOLVED** that Ashley Hassler be compensated at an hourly rate of \$7.50 per hour not to exceed the weekly worked hours of Amanda Campbell.

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

**ROLL CALL:**

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

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

**R-10-196**

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**RESOLUTION OF THE BOROUGH OF HIGHLANDS, IN  
THE COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY (THE “LOCAL UNIT”) AUTHORIZING THE  
LOCAL UNIT’S PARTICIPATION IN THE BOND  
FINANCING PROGRAM OF THE MONMOUTH COUNTY  
IMPROVEMENT AUTHORITY AND AUTHORIZING  
APPLICATION TO LOCAL FINANCE BOARD FOR ITS  
CONSENT TO ISSUE BONDS**

**WHEREAS**, the Borough of Highlands, in the County of Monmouth, State of New Jersey (the “Local Unit”), has previously authored the issuance of bonds or notes to finance the costs of various capital improvements (the “Local Unit Projects”); and

**WHEREAS**, the Local Unit desires to issue bonds to refund the bonds that were issued to permanently finance the Local Unit Projects; and

**WHEREAS**, the Local Unit has reviewed the Bond Financing Program proposed by The Monmouth County Improvement Authority (the “MCIA”), whereby the Local Unit would issue Bonds (collectively, the “Local Unit Bonds”) through the Bond Financing Program of the MCIA; and

**WHEREAS**, the Local Unit believes that participation in the MCIA’s Bond Financing Program will benefit the Local Unit due to reduced interest costs as a result of a guaranty by the County of Monmouth, State of New Jersey (the “County Guaranty”) on the debt service of the MCIA Bond Financing Program; and

**WHEREAS**, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of economic crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Bonds through the Bond Financing Program of the MCIA; and

**WHEREAS**, such Local Unit Bonds shall be issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-51 et seq.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF HIGHLANDS THAT:**

**Section 1.** The Local Unit hereby authorizes the Local Unit’s participation in the MCIA Bond Financing Program.

**Section 2.** The Local Unit consents to the MCIA’s application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the “Local Finance Board”) in connection with the Bond Financing Program.

**Section 3.** The Local Unit authorizes the filing of an application to the Local Finance Board for its consent to issue its Local Unit Bonds.

**Section 4.** The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the MCIA and is further authorized to execute one or more bond purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with counsel to the Local Unit.

**Section 4.** This resolution shall take effect immediately.

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

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**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

R-10-198

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

**TO T & M ASSOCIATES**

**WHEREAS**, the Borough of Highlands has a need for professional planning services for the preparation of conceptual mapping, participation in discussions, advise on locations of kiosks, signage, bike racks and evaluation of jump off routes for an Intra-Borough Bike Path 2010 Smart Growth Planning Grant Application as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional planning services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 is so recognized; and

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

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$3,500 as Council agreed to at the March 17, 2010 Council Meeting for Professional Engineering Services as described above for the Intra-Borough Bike Path 2010 Smart Growth Planning Grant Application for the period of one year; and

**WHEREAS**, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will prohibit T&M Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, T & M Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

**WHEREAS**, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands as follows:

I hereby certify funds are available subject to the adoption of the SFY 2011 municipal budget:

ANJAC Grant/General Engineering Account	\$3,500
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**Stephen Pfeffer, Chief Financial Officer**

**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;

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

1. T & M Associates are hereby retained to provide professional engineering services as described above for an amount not to exceed \$3,500 which includes reimbursable expenses.
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. The Mayor and Borough Clerk are hereby authorized to sign the contract.
3. A copy of the Resolution as well as the contract shall be placed 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 Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

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

R-10-200

**RESOLUTION – CHANGE ORDER #1  
FIORE PAVING COMPANY, INC.  
INCREASE OF \$33,625.00  
RESURFACING OF WATERWITCH AVENUE**

**WHEREAS**, a contract was awarded for Fiore Paving Company, Inc. as follows:

R-10-164 August 9, 2010 \$163,637.50

**WHEREAS**, change order # 1 dated September 24, 2010 prepared by T & M Associates, professional engineers, sets forth reasons for said change order (Excavation, Unclassified, 2-1/2" Clean Stone, 24" Thick, Recycled Concrete Aggregate, Additional Subsurface Investigation) ,

Certification of funds of is hereby provided by the Chief Financial Officer:

Ordinance O-09-27 \$33,625.00

\_\_\_\_\_  
Stephen Pfeffer, Chief Financial Officer

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that change order #1 increasing the original contract amount by \$33,625.00 is hereby authorized for the Resurfacing of Waterwitch Avenue Project. The contract is hereby amended to \$197,262.50.

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

**ROLL CALL:**

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

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

**R-10-201  
RESOLUTION  
APPROVAL OF DOT  
BENCH PLAN**

**WHEREAS**, NJDOT has presented a proposed bench layout plan for South Bay Avenue Promenade to the Council; and

**WHEREAS**, the number of benches for South Bay Ave have been reduced from 18 to 8 and the ten remaining benches will be installed in other borough parks.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the attached plan showing a reduced amount of benches from 18 to 8 for South Bay Avenue is hereby approved by the Council. The ten remaining benches will be installed in other borough parks.

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

**ROLL CALL:**

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

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

**RECAP OF PAYMENT OF BILLS  
10/06/10**

<b>CURRENT:</b>		\$	56,721.09
Payroll	(09/30/10)	\$	255,668.27
<i>Manual Checks</i>		\$	<b>122,178.86</b>
<i>Voided Checks</i>		\$	
<b>SEWER ACCOUNT:</b>		\$	11,296.20
Payroll	(09/30/10)	\$	13,459.53
Manual Checks		\$	2,563.98
Voided Checks		\$	
<b>CAPITAL/GENERAL</b>		\$	15,412.99
<b>CAPITAL-MANUAL CHECKS</b>		\$	25.00
<b>WATER CAPITAL ACCOUNT</b>		\$	
<b>TRUST FUND</b>		\$	7,154.49

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Payroll	(09/30/10)	\$	5,575.00
Manual Checks		\$	
Voided Checks		\$	

**UNEMPLOYMENT ACCT-MANUALS**      \$

**DOG FUND**      \$      220.20

**GRANT FUND**      \$      9,621.84

Payroll	(09/30/10)	\$	4,293.64
Manual Checks		\$	
Voided Checks		\$	

**DEVELOPER'S TRUST**      \$

Manual Checks		\$	2,325.44
Voided Checks		\$	

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

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

**ROLL CALL:**

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

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**Other Resolutions:**

**R-10-197 Resolution Appt. P/T Deputy Court Administrator:**

Frank Nolan made a motion to have this resolution moved to the next meeting, November 3<sup>rd</sup> and seconded by Mr. O'Neil and approved on the following roll call vote:

**ROLL CALL:**

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

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

**Ordinance O-10-20**

Mrs. Cummins read the title of Ordinance O-10-20 for second reading and public hearing. She stated that this ordinance was published in its entirety in September 22<sup>nd</sup> edition of the Asbury Park Press.

Mayor Little opened up the public hearing on Ordinance O-10-20.

Carol Bucco of 330 Shore Drive asked about the funding for the Revaluation.



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Steve Pfeffer explained that the Ordinance is for \$180,000.00, which we pay back over five years. The plan is to have the Reval on the books for 2011.

Chris Francy stated that we are mandated to do this.

Steve Pfeffer said that this is an order by the Monmouth County Board of Taxation to do the revaluation.

Mayor Little closed the public hearing on Ordinance O-10-20,

Mrs. Cummins read the title of Ordinance O-10-20 for the third and final reading and adoption.

Mr. Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date for October 20, 2010 at 8:00 p.m. and authorized its publication according to law:

Mr. Nolan offered the following Ordinance and moved on its adoption and authorized its publication according to law:

**ORDINANCE O-10-20**

**AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR THE PREPARATION AND IMPLEMENTATION OF THE REVALUATION OF REAL PROPERTY.**

**BE IT ORDAINED** by the Governing Body of the Borough of Highlands, in the County of Monmouth, New Jersey that in accordance with N.J.S.A. 40A:4-53:

1. The sum of \$180,000 is hereby appropriated for the preparation and implementation of the revaluation of real property, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-53.

2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

3. This ordinance shall take effect as provided by law.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**Other Resolutions:**

**R-10-194 Resolution Auth. Sale on Notes for Emergency Approp. Revaluation:**

**AUTHORIZATION FOR SALE OF NOTES  
SPECIAL EMERGENCY APPROPRIATION  
PREPARATION AND IMPLEMENTATION OF THE REVALUATION OF REAL PROPERTY**

**DATE: October 6, 2010**

**WHEREAS**, an ordinance O-10-20 has been adopted creating a special emergency appropriation of \$180,000 to meet certain expenses to be incurred for the preparation and implementation of the revaluation of real property for the use by the Borough of Highlands and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned;

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**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, NEW JERSEY** (not less than two-thirds of all the members, thereof, affirmatively concurring) that in accordance with N.J.S.A. 40A:4-55:

1. The sum of \$180,000 is hereby appropriated for the preparation and implementation of the revaluation of real property, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A 4 -53.
2. That an emergency note or notes be authorized not in excess of \$180,000, the amount appropriated by the Ordinance stated above.
3. That said note or notes shall be issued in fiscal 2010 and may be renewed from time to time and at least 1/5 of all such notes and renewals, thereof, shall mature and be paid in each fiscal year thereafter until all are paid.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**Resolution R-10-199 Awarding Contract for Professional Property Revaluation:**

Mr. O'Neil offered the following Resolution and moved on its adoption:

**R-10-199  
RESOLUTION AWARDING CONTRACT  
FOR PROPERTY REVALUATION PROFESSIONAL SERVICES  
TO REALTY APPRAISAL COMPANY**

**WHEREAS**, the Tax Assessor of the Borough of Highlands solicited Request for Proposals for Property Revaluation Professional Services from the following three vendors:

Vital Computer Resources, Inc., 900 S. Broad Street, Trenton, NJ 08611  
Realty Appraisal Company, 4912 Bergenline Avenue, West New York, NJ 07093  
Cole-Layer-Trumble Co, 12 Goose Lane, Tolland, CT 06084  
and;

**WHEREAS**, a proposal was only received from Realty Appraisal Company in the amount of \$150,000; and

**WHEREAS**, it is the recommendation of the Tax Assessor that the Borough award a contract for said services to Realty Appraisal Company for \$150,000 which is within cost estimate of Borough.

Certification of funds is hereby provided by the Chief Financial Officer subject to the publication notice of the adoption Ordinance O-10-20.

\_\_\_\_\_  
Stephen Pfeffer, Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that a contract is hereby awarded upon publication of the adoption of Ordinance O-10-20 to Realty Appraisal Company for an amount not to exceed \$150,000.

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute attached contract with Realty Appraisal after the publication of the adoption of Ordinance O-10-20.

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

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**Committee Reports:**

**Finance:**

Steve Pfeffer stated that he recommends to the Council that we go forward and prepare a budget for introduction and come in below that statutory cap. The Council will be able to amend the budget once all issues are resolved. Target date of January 1<sup>st</sup> for adoption. We can introduce at the next meeting.

**DPW:**

Bruce Hilling stated that twice a week garbage collection will continue. The DPW started working winter hours: 7:00 to 3:30. He is working on a list for equipment auction, will have ready for council next month.

Chris Francy stated that he thought we were down to once a week pick up for the winter.

Bruce Hilling said that he left it at two for now.

Council agreed to go to once a week effective in two weeks.

**Public Safety:**

Chief Blewett reported on the Highlands Cares Breast Cancer Walk on October 24<sup>th</sup> with the cooperation of the Highlands Police Department.

Frank Nolan commented that 530 calls were serviced, 21 adults arrested, 1 juvenile. Two of the adults were in possession of CDS. A total of 85 summonses issued, 47 moving violations, 26 non-moving violations, 6 DWI's, 6 Borough Ordinances for the month of September.

**Building/Housing:**

Bruce Hilling said that they are continuing to work on two houses; 80 Miller Street: individual has been before Judge Locasio and they have a plan to resolve the issue, he will be fined if he does not comply with the plan. He has a 60 day deadline issued by the court two weeks ago. At 150 Navesink: have gotten approval to hire a contractor and the bank will cover the expenses. They will remove unstable porch.

**Parks/Recreation:**

Becky Kane read thru Parks & Recreation report:

**PROGRAM:**    **Senior Citizen Programs** – September Senior Group held meetings and events – “What’s Your Hobby” program and 38<sup>th</sup> Anniversary Celebration were well attended. Plans for October include: “Fire Prevention / Safety” on 10/14, Flu & Pneumonia Shot Clinic at Ptak Towers on 10/14, Free Financial Planning program on 10/21, Bingo /Lunch on 10/21 and a Halloween Party on 10/28.

**Highlands / AH Youth Soccer Program for Fall** – Season kicked off with 230 children participating on 19 teams in 4 age groups. Over 38 coaches are involved with this program. Games started on 9/11 and will continue through October 30<sup>th</sup>. Practices are held at Firemans Field, Center Avenue Park, Kavookjian Field and Highlands Elementary School throughout the week. Continue with all phases of program administration and oversight of program in cooperation with AH.

**Annual Fishing Derby** was held on Sunday, Sept. 19<sup>th</sup>. 50 registered and over 100 attended this event. Special Thanks to R. Burton &H/SB PBA, entire recreation staff, Bahr’s, Schupp’s,

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Twinlights Marina, Highlands DPW, Gateway National Park, Scott Williams, and all the volunteers who helped.

**Library** – Will be setting new hours for the Fall on Tues, Thurs & Saturday.

**Kids on the Move** afternoon program at Community Center started Sept. 27<sup>th</sup>. Will be offered Monday through Wednesday with special programs planned 2 Thursdays per month through June 2011.

**Other Community Center Group Use for August:** Garden Club (2), Historical Society, Neighborhood Watch, MC Greens, Girls Scout Leader (2), Girl Scout meetings, Kavookjian Committee, Boating Safety Class (1), 3 condominium / homeowner / other group meetings. (3 additional meetings / uses were canceled).

**4H Program for children** is scheduled to start in October at the Community Center.

**Bus trip to Frightfest** at Great Adventure is set for Saturday, October 16<sup>th</sup>. This trip is being offered in conjunction with the Highlands /Atlantic Highlands Municipal Alliance and HHRS. Free Financial Planning session is being offered by Merrill Lynch on October 21 at the Community Center at 7:00 p.m.

Requests being sent to HHRS and HES Adult Indoor Soccer, Adult Basketball, Adult Volleyball & our Winter Youth Basketball League and Basketball instructional program.

**White Tiger Tae Kwon Do** has put in a request to use the Community Center for a weekly non-contact program for participants ages 7 to adult. (Info. forwarded to M/C for approval).

**Halloween Costume Contest set for Friday, October 29** at Community Center Parking Lot.

**PARKS & FACILITY: Park and Facility Use:** Farmers Market (Huddy Park) , OLPH Picnic (Community Center / Beach) Garden Club Plant Sale (Huddy Park) Fishing Derby (Marine Place), Henry Hudson Reg. Soccer (Kavookjian Field), AH/H Youth Soccer (Kavookjian), Bike NY /HBP (Huddy Park and area).

Skate Park: Repair to sign (vandalized) was done by DPW.

Community Center Park / Playground Replacement of small surface areas on basketball court repair was done with DPW.

Veterans Park – Handgrips for PG piece that were vandalized have been replaced by DPW. Additional vandalism was done to one panel. Minor repairs to deck on boardwalk were done, handrail needs replacement.

Miller Street / Rt. 36 – Back flow preventer for possible irrigation has been ordered for install (as per Bruce H.)

Huddy Park – Misc. electrical repairs done to vandalized outlets. Fence post with elec. outlets has been replaced.

Marine Place – bulkhead – long range maintenance to be discussed.

Kavookjian Field: Tim working with KF Committee to explore options for tree, fence, sign, and field items to be addressed. Survey has been completed as per requests made for future field plans.

Snug Harbor Beach – Tim has been contacted by General Recreation with regards to potential ADA accessible walkway product to be installed as a product demonstration. Info. will be forwarded and M/C approval will be required.

Miller Street Beach – (See Above)

South Bay Ave. Beach – Discussion held at monthly bridge meeting with regards to overall promenade, beach, etc. Meeting was held with residents and DOT personnel to discuss.

Cornwall Square, Frank Hall – no report, well maintained park.

Ederle Park – Garden Club drafting plans for walkway improvements. No updated report – borough review should be done when submitted prior to any construction.

**Parks & Facility – General** – Grass cutting for parks ongoing schedule by DPW. Crosswalk over Jones Creek to Community Center - slated to be replaced by mid-October by DPW.

**OTHER: Community Development Block Grant (FY'08):** Majority of electrical work completed at sites for generators. Awaiting delivery of generators. Follow up will be done for testing of generators, punch-list and other items prior to close out of project.

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**Community Development Block Grant FY '11** – Street / Road project submitted for this year's application was recommend for funding (\$183,000) . Meeting was held by CDBG Rep's and our project was included in the resolution forwarded to the Monmouth County Board of Chosen Freeholders for approval. Official notification will be made after Freeholders vote on resolution.

**Sustainable Jersey Grant** – Borough has been awarded \$1,000 grant by Sustainable Jersey Program. Funds are to be used to create information for residents on all phases of recycling and other "green measures that can be taken".

Memo forwarded to Mr. Hilling re: Amanda Campbell temporary replacement.

Meetings held with Special Event, Community Development, Kavookjian Field Committee, Bridge Committee, and H/AH Municipal Alliance, NJRPA, Bridge sub-committee (residents regarding promenade /park concerns).

HHRS PTO Walk-a-thon held on Sept. 26<sup>th</sup> at Sandy Hook. PTO is donating 10% of proceeds to Kavookjian Field fund.

Becky Kane thanked Bruce Hilling for getting maintenance issues resolved.

Bruce Hilling thanked Tim Hill for getting the Grant for CDBG, he did a great job.

**HBP:**

Carla Braswell thanked everyone for very successful events: the TwinLights Bike Ride and Octoberfest. She thanked Councilmen O'Neil and Nolan for their hard word at the Octoberfest and Public Works.

**Public Relations:**

Chris Francy will discuss in later in other business.

**Environmental/Shade Tree:**

Chris Francy spoke about the Bike Path Grant. They had their first implementation meeting on October 4<sup>th</sup>. There will be a public presentation of all the work they want to do in the near future. Also, October 23<sup>rd</sup>, Clean Ocean is having beach sweeps. They will put a notice on the website stating which beaches they will be doing.

**Administration:**

**MEMORANDUM**

DATE: Oct 4th, 2010  
TO: MAYOR LITTLE, BOROUGH OF HIGHLANDS; COUNCIL MEMBERS  
FROM: BRUCE HILLING, BOROUGH OF ADMINSTRATOR  
RE: SUMMARY OF ACTIVITIES •September 2010

**DEPARTMENT OF PUBLIC WORKS (DPW)**

1. Bulk and brush pick up by zone completed. No problems
2. Still awaiting FEMA claim money for flooding in Waterwitch Pumping Station, some 25 K.
3. Steve Chiger continues to work in Borough Hall as he recovers from shoulder surgery.
4. Oswald completed borough wide cleaning of all storm drains
5. Twice a week garbage pick up will remain in effect indefinitely
6. DPW employees have switched back to Fall/Winter hours of 7am to 3:30pm.
7. Will be forwarding a resolution to Council to conduct an equipment auction next month.

**DEPARTMENT OF TRANSPORTATION (DOT)**

1. JH Reid has submitted payment for outstanding Oswald bills for borough sewer clog work on and next to the bridge.
2. Still pending is word from DOT on Borough request for new sidewalks, curbing and curb cuts for Highlands Avenue and Portland Road.
3. Also pending from DOT are claim forms to be distributed to affected residents from damage caused by the new bridge.

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**MISCELLANEOUS**

1. Waterwitch Ave resurfacing job scheduled for completion this month.
2. CDBG has recommended an award of 180k to the borough for continuation of the Bay Ave resurfacing project past Central Ave.
3. New generators awarded from CDBG Funds should be in place at Borough Hall and the various lift stations by October 31<sup>st</sup>.
4. Reminder Oct 12<sup>th</sup> is the deadline to register to vote in the Nov 2<sup>nd</sup> General Election.
5. Blue Mass scheduled for 6:30 pm, October 20<sup>th</sup> at Saint Agnes in Atlantic Highlands.
6. Breast Cancer Walk scheduled for 1PM on October 24<sup>th</sup>.
7. Halloween costume contest set for Friday October 29<sup>th</sup> at the Community Center.
8. Many thanks to Tim Hill and Rick O'Neil for a great Snapper Fishing Derby.

Bruce Hilling stated that the DOT plans to resurface under the bridge tomorrow. There will be traffic disruptions through out the day. He spoke about the generators, they will be at the Borough Hall in the next couple of weeks. They will then get them to the various lift stations for emergency use. He mentioned the Breast Cancer Walk on October 24<sup>th</sup> at 1:00 pm.

**Clerk's Office:**

No report for this month.

**Library Committee:**

Tara Ryan read her report:

**HIGHLANDS BORO LIBRARY  
COMMITTEE REPORT  
OCTOBER 2010**

- The Library Committee held the quarterly meeting in Sept. at the Community Center.
- A new program, "StoryTime for Toddlers" will be starting next week, and will continue each month on the 2nd Tuesday.
- All students of Highlands Elementary School will be making a class trip to the Highlands Boro Library during the month of October. Library cards will be issued to all students who do not currently have a card.
- The Summer Reading Program in conjunction with HES was quite successful. Using donations, we purchased books on the Summer Reading List provided by HES Dir. Of Curriculum Anthony Scotto, using a significant Libarary/School discount. Many students were able to borrow the required reading books from our library, eliminating the need for the family to purchase the book, perhaps adding to financial strain.
- Students at Henry Hudson Regional School have been offered the opportunity to volunteer at the

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Highlands Boro Library as a way of completing graduation requirements.

- Sea Bright Library recently donated over 100 current hard-cover books to the Highlands Library.
  
- Fall Hours of operation are Monday and Thursday 2-4 and Saturday 10-12.

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**Other Business:**

**Personnel Matters: D. Conrad, D. Horniacek, Jen Strehl, J. Craig, D. Alvator**

Frank Nolan stated that he started discussions in March, with Councilman O'Neil and Councilman Francy. They met with Union Reps, with and without members. We are \$384,000 behind in the budget going into this fiscal year. We put a proposal out there for a different benefit package that would alleviate more than half of the lay off proposals.

Bob Merryman explained that the Borough is required to submit a plan for reorganization which involves lay offs to the State Civil Service. A Plan must be presented next week. With regard to the clerical positions, the Public Employment Relations Commission made it clear that the town can not reduce positions to part time with out agreement by the union. The other option would be to eliminate the position. The Departments effected now are: Police, Recreation, Buildings and Finance. There is still room for negotiations. We are hoping to get savings thru negotiations that we would scale back on the final layoffs that will take place in January. The layoff plan would be open to the public once it's filed by the State, it would become a public document.

Frank Nolan asked when the next meeting is scheduled with union reps.

Bob Merryman has a tentative meeting with one of the unions next Wednesday. The others were left open, they were asking for information. They wanted a copy of the plan.

Chris Francy said that as soon as we have the plan, and sent to the State, we should also send it to the Unions.

Becky Kane stated that we need to put plan forward. She is concerned with being taken over by other towns.

**Item #8 Budget Cut Discussions.** Becky Kane had put a packet together with proposals, and we have to decide which one we like better. The savings could be \$64,000.00 or higher in the first proposal and the second would be about \$98,000.00. She spoke about shared services with the court system. We could see revenue of about \$32,000.00 a year. They looked into the dispatch center, we have a letter from the County saying that right now, it is not an option. She spoke about a possibility of a merger with the Sea Bright Police Departments. This would be years down the road. There is an interest from other towns to work with us. She discussed privatizing the mechanics work. There is a resolution from Atlantic Highlands to take that over. She would like authorization from the council to pursue Municipal Court and Mechanic shared services.

Chris Francy spoke about budget cuts and caps. We won't see these saving to July 2011.

Frank Nolan said it will be worse next year, financially.

Mayor Little spoke about budget caps. We need to negotiate the health care plan with the unions. The savings will save some jobs. We do not want to have a forced merge with other towns. She also spoke about professional positions at the top that need to be adjusted. Not always fair to go to the lower paying positions.

Rick O'Neil said that a current family health care plan cost the town \$30,000.00 roughly. The proposed plan will cost, roughly, \$17,600.00 a month.

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Mayor continued with other business.

**Item #1 Possible Change of Oct. 20<sup>th</sup> Council Meeting Date**

Becky Kane said that last year, the meeting date was changed due to the Blue Mass scheduled for the same date. She can not be at meeting or she will be late.

Mayor and Council agreed not to change the date.

**Item #2 Request for Use of Community Center-Tiger Tae Kwon Do**

Tim Hill spoke to Council about the program. It is a fee based program. They are willing to work with the Borough on cost sharing. It is also a family based program. He did research on it. They don't have to enter a long term commitment, could try an eight week program. They are self-insured. He does support it.

Ms. Kane offered a motion to permit the use of the Community Center by Tiger Tae Kwon Do and was seconded by Mr. Nolan and all were in favor on the following roll call vote:

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

**Item #3 Review Received Website Request for Proposal**

Chris Francy received four proposals. There are some economic issues considering our budget situation. We will review them and make a recommendation in four weeks.

Scott Arnette will speak with Chris Francy before next meeting regarding bid process and proposals.

**Item #4 Discussion on Use of Open Space Funds for Park Maintenance**

Bruce Hilling explained that this would save \$6,000 - \$7,000 off the park maintenance budget by utilizing monies that were allocated to open space.

Council discussed.

Steve Pfeffer commented that we would need a resolution to authorize the use of funds.

Council not in favor.

**Item #5 Building Dept. Fee Schedule Amendment Discussion**

Carolyn Cummins stated that at the last meeting, the Council had reviewed a proposal from Paul Vitale to increase the building department fees. The Council requested that we obtain surrounding town fees.

Bruce Hilling commented that Mr. Vitale felt the various fees could be increased and comparable to surrounding towns.

Council agreed to table this for now.

**Item #6 J. White Letter RE: Borough Real Estate Transaction**

Carolyn Cummins stated that we received a letter from J. White with regards to a transaction of property that the Borough of Highlands was involved in.

Mayor Little said that this is being investigated by the Prosecutor's office already.

Council discussed.



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Scott Arnette spoke about the letter received by the Council. The Clerk can send a letter stating that she provided it to the Council.

**Item #7 Auth. Borough Eng. To Apply for Energy Efficiency Conservation Block Grant**

Bruce Hilling stated that this is authorizing payment of \$495.00 to the engineers to prepare all application documents for a grant of up to \$25,000.00. This is for Energy Efficiency Conservation Block Grant. All agreed to authorize.

**Item #9 Dismissal of Local Gov. Ethic Law Complaint**

Ms. Kane stated that an ethics charge was filed against her with Trenton. She read the letter from the State into the minutes. Following a preliminary investigation, the Board determined that the Governing Body of the Borough of Highlands has no control of the Highlands Fire Department. The position of Fire Chief is not subordinate to the Borough Council. Amendments to statutes in early 2010 clearly allow for members of volunteer fire companies, including officers, to serve as an elected official on the governing body wherein the services are provided. Therefore, the Board voted to dismiss the complaint as having no reasonable factual basis.

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**Public Portion:**

Dawn Horniacek of 287 Bay Avenue questioned which clerical positions were effected. She wants to know if it's her.

Mayor Little asked Bob Merryman to explain.

Bob Merryman explained what departments are effected:

- Building Department – One Clerical
- Finance Department – One Clerical
- Recreation – One Clerical
- Police Records Clerk – One Clerical

Chief Blewett questioned why records clerk is being touched when it was never discussed before. He was told this morning that it was procedural nothing to do with layoffs. Where did this come from?

Frank Nolan commented that in a previous meeting with Mr. Merryman, he made them aware that the Union Official said they would fight a move to take a full time to a part time.

Mayor Little stated that because of Union negotiations, we can't cut hours and keep you employed. So, we have to eliminate your positions in the layoff plan, which is not final, unless the union agrees to allow you to have a cut in hours.

Diane Alvator of 49 Cedar Street asked Mr. Merryman when it was posed to the union, that if clerical position agreed to go part-time, their jobs would not be eliminated. She stated that she was told by the Union; we take a pay freeze and switch our medical. Five people would be eliminated from DPW and might be able to save three clerical positions. When were we given the option for anything else?

Bob Merryman responded that he was not sure what the other options would be.

Mayor Little said that the Council has been talking about part-time, and we are being told that we can't do that, so we are eliminating positions. Her question is, when was she told that? That part time was on the table, if they were to agree to it.

Bob Merryman commented that the proposal for some of the positions, rather than eliminate, to go to part time.

Mayor Little stated that negotiations must continue, some of these positions can be saved. The layoff plan is not final. The State has to accept it, and then council has to take action.

Diane Alvator said that they have asked for specific information and as of today, the information was not supplied to the Union. But you want us to make a snap decision with only half the facts and

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hypothetical situations. She feels that mismanagement of the town is to blame for the shortfalls. If you raise that taxes in town, how many jobs would you be saved? What would the cost per household be?

Becky Kane wants to know if the meeting can be recorded, so that they all would know what is going on.

Bob Merryman spoke against recording negotiations.

Chris Francy will attend negotiations.

Dee Fillapone of 103 Shore Drive asked how it is going to be cost effective with the garbage? They all do so much more in this town. The Police officers, you are going to shortfall yourself which will create overtime. There has got to be other ways to look at this. She did research on contracting out, the lowest one is \$75.00 per quarter which is \$300 per year per household. Where is that money coming from, how is it cost effective?

Chris Francy said we are going out to bid. We won't know the number till then.

Tara Ryan – left.

Lori Dibble of 32 Paradise Park read a note about the Octoberfest that the HBP. This year HBP added some new things to the festivities. There was a table of anti-muslim merchandise. Does not feel it was appropriate for HBP to approve this vendor. She feels that Highlands needs to do a better job of regulating who uses our parks, what kind of vendors, and what fees are assessed.

Carol Bucco of 330 Shore Drive – No comment.

Roberta McEntee of 55 Fifth Street – made comment earlier.

Carol Custer of 38 Central Avenue spoke against layoffs. She questioned the deficit of \$300,000 +, said in the Asbury Park Press that its going to cover wages, equipment and maintenance. She asked Steve Pfeffer, how much of the \$300,000 is wages.

Steve Pfeffer answered, \$97,000 is based on a zero increase analysis. \$190,000 with health benefits change analysis. The article she is referring to is not equating to the layoff situation. That article has to do with the \$315,000 deficit. He continued to explain increases in different categories.

Carol Custer continued that when something this important involving layoffs, it should be on the Public Board. She spoke about the privatization of garbage, and snowplowing. There are a lot of ways to save money. The trucks that are auctioned off should be done sooner. She asked about the vehicles at the Fire House. What are they used for, and why are they always at the Fire House?

Becky Kane explained the uses of these vehicles.

Carol Custer suggested that, except for emergency vehicles, no vehicles should be driven out of town. She also questioned the gas pump, is there regulation of it.

Bruce Hilling stated that the gas pump is to be used for official business only by Borough Vehicles.

Carol Custer mentioned sidewalks and their upkeep. She wanted to know how much money the Mayor and Council are compensated.

Donna Conrad of 13 Washington Avenue feels that this is a horrible night.

Donna O'Callaghan of South Bay Avenue – left.

Joe Blewett asked about the positions for layoffs. He stated that up until today, the Police Records Clerk was not on the list. He said Mr. Merryman stated before that it had to do with an objection from the union. Why is Records Clerk on there at all? He objects to the way the Council have portrayed the situation with the health benefits plan on us. Having to make a decision now, is not on our backs, it's on yours. As a tax payer, not raising taxes is a cheap, political stunt. Also, until tonight, he had heard nothing about the Police Department employee. As the head of the Department, he feels that this is mismanagement at its worst.

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Harry Limeberg of 34 Fifth Street spoke against layoff of Borough employees. Something needs to be done. There has to be something else that can be done.

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

The Meeting adjourned at 10:34 p.m.

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**DEBBY DAILEY  
BOROUGH CLERK**

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