

**Borough of Highlands
Mayor & Council
Regular Meeting
November 3, 2010**

Mr. Nolan called the meeting to order at 7:02 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 Regular 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. Francy, Ms. Kane

Late Arrival: Mr. O'Neil arrived at 7:06 P.M.

Absent: Mayor Little

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

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: Jennings vs. Borough**
- 2.Contract: CWA, PBA, UFCW Union Contracts – B. Merryman, Esq.
Shared Service Contracts for Municipal Court, Sanitation, Bldg Dept.**
- 3.Real Estate:**
- 4. Personnel Matters: Blanche Reed, Court Admin – Riced
Deputy Court Administrator Position
Building Dept. P. Vitale, C. Costa, A. Hopping - Riced**
- 5. Attorney-Client Privilege:**

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. Nolan, Mr. Francy, Ms. Kane

NAYES: None

ABSENT: Mr. O'Neil, Mayor Little

ABSTAIN: None

The Governing Body then entered into Executive Session at 7:03 P.M.

Mr. Nolan called the Regular Meeting back to order at 8:10 P.M.

Mr. Nolan asked all to stand for the Pledge of Allegiance.

ROLL CALL:

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

Absent: Mayor Little

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

Public Portion on Agenda Items:

There were no questions or comments from the public.

Consent Agenda:

Mr. Nolan requested that Resolution R-10-197 be removed from the Consent Agenda.

Mr. O'Neil requested that Resolution R-10-214 also be removed from the Consent Agenda.

Ms. Kane offered the following Resolution and moved on its adoption:

**R-10-211
RESOLUTION AUTHORIZING DISPOSAL OF
BOROUGH VEHICLES & EQUIPMENT**

WHEREAS, the Borough Administrator has determined that the Borough of Highlands has vehicles and equipment that have a value of \$1,000 or less and are no longer of any use to the Borough; and

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WHEREAS, the Borough Administrator desires to conduct a public auction to dispose of certain borough vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following vehicles and or equipment may be sold at a public auction to be conducted by the Borough Administrator:

1. **1998 Ford Crown Victoria
VIN #2FAFP71WX129256**
2. **3KW Generator – Diesel
Serial # T-88-314-ASK-0137**
3. **1997 Chevy Lumina
VIN #2GKWL52M1V9198043**
4. **Outboard Motor with Controls
Serial Number - Unknown**

Seconded by Mr. Nolan and adopted 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

HB-0077-0510

Ms. Kane offered the following Resolution and moved on its adoption:

State of New of New Jersey – Department of the Treasury
Division of Pensions & Benefits
STATE HEALTH BENEFITS PROGRAM
SCHOOL EMPLOYEES’ HEALTH BENEFITS PROGRAM
PO Box 299 Trenton, New Jersey 08625-0299
RESOLUTION
R-10-212

A Resolution to authorize participation in the State Health Benefits Program and/or School Employees’ Health Benefits Program of the State of New Jersey.

BE IT RESOLVED:

1. The Borough of Highlands 21-6000-720
Corporate Name of Employer State Social Security I.D. Number

Hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees’ Health Benefits Commission.

2. A We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees’ Health Benefits Commission.

B. We will be maintaining _____ as our prescription drug plan.

C. We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided based on the medical plan chosen by the subscriber.

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3. A. ___ We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.

B. X We will be maintaining Horizon as our dental plan.

C. ___ We will not have a dental plan.

4. We elect 35 hours per week (average) as the minimum required for full time status in accordance with N.J.A.X.17:9-4.6.

5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.

6. We hereby appoint Debby Dailey, Deputy Borough Clerk to act as Certifying Officer in the administration of this program.

7. This resolution shall take effect immediately and coverage shall be effective as of January 1, 2011 or soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days or as soon thereafter as it may be effectuated pursuant to the provisions of N.J.S.A. 17:9-1.4).

Note: An Individual is Permitted Coverage as an Employee, Retiree, or Dependent, Multiple Coverage Under the SHBP or SEHBP is Prohibited.

1. If not electing prescription drug coverage and/or dental plan participation through the State Health Benefits Program or School Employees' Health Benefits Program, attach copies of the current prescription drug and dental plan contracts.

2. As of 6/1/2010, may not be less than 25 hours per week for employees, or 35 hours per week for elected or appointed officials.

I hereby certify that the foregoing is a true and correct
Copy of a resolution duly adopted by the :

44
Number of Employees

Borough of Highlands, 171 Bay Avenue, Highlands, NJ 07732

Ms. Kane offered the following Resolution and moved on its adoption:

**R-10-213
RESOLUTION APPOINTING TED WARDELLOF GRINSPEC
AS BROKER OF RECORD FOR THE HORIZON HEALTHCARE ACCOUNT
FOR THE BOROUGH OF HIGHLANDS**

WHEREAS, the Mayor and Council of the Borough of Highlands is desirous of having Ted Wardell of Grinspec located at 219 South Street, New Providence, NJ 07974 act as Broker of Record for the Borough's Horizon Healthcare account, and recognizing that Ted Wardell is not an employee of Horizon Healthcare; and

WHEREAS, the Mayor and Council of the Borough of Highlands also is desirous of having Ted Wardell act as the Master Broker for the Borough's Horizon Healthcare account; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands as follow:

1. Ted Wardell of Grinspec, is hereby appointed as Broker of Record for the Borough's Horizon Healthcare account effective November 4, 2010 and Ted Wardell as the Master Broker. It is understood that Ted Wardell is not an employee of Horizon Healthcare.

2. Commissions will be paid to the new Broker of Record as of the effective date of November 4, 2010. The designation of the Broker of Record is in effect until notice to the contrary is given in writing.

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3. This appointment hereby replaces any previously appointed Broker of Record including terminating that designation previously held by AXA, Advisor, LLC and Erol Kecci and Emerson Reed, who are no longer the Broker of Record for the Borough of Highlands.

4. As of November 4, 2010, the new Broker of Record will receive commission payment for the Borough's account and the previous Broker of Record will cease to receive commission payment on the Borough's account.

5. Any such notice shall apply prospectively to future contract renewals.

Seconded by Mr. Nolan and adopted 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

Ms. Kane offered the following Resolution and moved on its adoption:

**R-10-215
RESOLUTION
APPROVING RAFFLE LICENSE
APPLICATION NUMBER
RA#1317-10-16
HIGHLANDS FIRE DEPARTMENT**

WHEREAS, the Highlands Fire Department has submitted a Raffle License Application No. RA1317-10-16 for Raffles to be held on January 1, 2011 and August 7, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Raffle License RA#1317-10-16 for the Highlands Fire Department is hereby approved and the Borough Clerk is authorized to sign off on license.

Seconded by Mr. Nolan and adopted 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

Ms. Kane offered the following Resolution and moved on its adoption:

**R-10-216
RESOLUTION
RENEWING 2010-2011 LIQUOR LICENSE**

WHEREAS, Liquor License Renewal Application was filed for the year 2010-2011 for L & P Tavern, Inc t/a Ye Ole Cork & Bottle License Number 1317-33-017-002; and

WHEREAS, no objections were filed against the renewals of licenses and Tax Clearance Certificates has been received for said license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following liquor license be renewed for the period of July 1, 2010 to June 30, 2011:

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**1317-33-017-002 L & P Tavern Bayside Plaza
 t/a Ye Ole Cork & Bottle**

Seconded by Mr. Nolan and adopted on the following Roll Call Vote:

ROLL CALL:

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

Ms. Kane offered the following Resolution and moved on its adoption:

**R-10-217
RESOLUTION
APPROVING SOCIAL AFFAIR PERMIT FOR
THE AMERICAN LEGION TWINLIGHT POST #143**

WHEREAS, the American Legion has submitted a Social Affairs Permit Application to have event on December 3, 2010 which is a rain date of December 10, 2010; and

WHEREAS, the Chief of Police has approved the application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the American Legions application for a Social Affair Permit for December 3, 2010 with a rain date of December 10, 2010 is hereby approved and the Borough Clerk is authorized to execute said application.

Seconded by Mr. Nolan and adopted 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**

Ms. Kane offered the following Payment of Bills and moved on its approval for payment:

**RECAP OF PAYMENT OF BILLS
11/03/10**

CURRENT:		\$ 1,126,670.95
Payroll	(10/30/10)	\$ 120,931.18
Manual Checks		\$ 109,563.14
Voided Checks		\$
SEWER ACCOUNT:		\$ 921.75
Payroll	(10/30/10)	\$ 4,464.96
Manual Checks		\$ 2,297.12
Voided Checks		\$
CAPITAL/GENERAL		\$ 14,372.05
CAPITAL-MANUAL CHECKS		\$
WATER CAPITAL ACCOUNT		\$
TRUST FUND		\$ 2,318.15
Payroll	(10/30/10)	\$ 1,400.00

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Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	11.40
GRANT FUND		\$	6,975.34
Payroll	(10/30/10)	\$	
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	500.00
Manual Checks		\$	
Voided Checks		\$	

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

**SUPPLEMENTAL BILL LIST
NOVEMBER 3, 2010**

CURRENT FUND

AIG Retirement	LOSAP - B. Burton 2009		1,150.00
Comcast	Internet - Police		115.94
Gibbons	Legal Services		450.00
Horizon Blue Cross Blue Shield	Dental Plan 11/10		2,950.46
J. Swanton Fuel Co.	Diesel Fuel 10/19/10		975.24
Principal Financial Group	Life Insurance 11/10		1,067.87
Riverfront in Highlands Condo Assoc.	Street Lighting Reimbursement		133.83
Verizon	Police Repeater Lines		226.64
VSP	Vision Plan		775.75
Total Current Fund			7,845.73

SEWER UTILITY

Horizon Blue Cross Blue Shield	Dental Plan 11/10		171.48
Principal Financial Group	Life Insurance 11/10		43.90
VSP	Vision Plan		28.00
Total Sewer Utility			243.38

Total Bill List

8,089.11

Jack Serpico, Professional Legal Services Provided to the PB	\$1,557.50
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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

NAYES: None

ABSENT: Mayor Little

ABSTAIN: None

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Other Resolutions:

Resolution R-10-197 Resolution Appointing Deputy Court Administrator

Mr. Nolan offered a motion to advertise for this position and to table this Resolution, 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

NAYES: None

ABSENT: Mayor Little

ABSTAIN: None

Resolution R-10-214 Resolution Appointing Housing Authority Member

Council briefly discussed the term expiration of R. Goddard and how the Council has not spoken with him about this reappointment.

Mr. Nolan offered a motion to carry this Resolution to the December Meeting, 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

NAYES: None

ABSENT: Mayor Little

ABSTAIN: None

Flood Project EIT Discussion with Borough Engineer

Robert Keady, P.E., Borough Engineer stated that this is a follow up. He explained how T & M modified the scope of the flood mitigation project. He wants to get Council comments on the scope. The EIT Trust Program deadline is March 1st for the scope and cost for modifications.

Mr. Francy – we should be moving forward with scope to make this a shovel ready project for the next round of grants. Can make decision later on how much we want to finance.

Mr. Pfeffer – we bonded for design in 2009.

Mr. Francy – we need to move ahead with the design.

Mr. Keady – we have been looking for other funding sources. Need consensus on the revised cope to meet the deadline.

Mr. Francy offered a motion to accept the revised scope, seconded by Mr. Nolan 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

Bayside Drive Problem

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Mr. Keady – Dale looked at Bayside Drive and there are concerns in the integrity in the road. He wants to chain off road, then decide what we want to do with this.

Mr. O'Neil spoke about how it needs to be sealed.

Mr. Francy wants pictures taken so that we can start a file of the deterioration. We need to look at leak that is undermining the road.

Mr. O'Neil stated that he will direct the DPW to clean debris and to seal up the crack.

Mr. O'Neil and Mr. Francy will both look at road together.

Committee Reports:

Finance

Mr. Pfeffer stated that we continue to renegotiate with the unions and until then we are in a holding pattern as far as the budget.

DPW

Mr. Hilling – the garbage is back to once a week pick up. Auction this month for vehicles. He reviewed the following report:

Oct Monthly Report

Sanitation dept did all routes twice a week. We went back to a one day a week pick-up at the end of Oct.

Recycling was done twice a month in zones

Sewer dept Pumping services had to be called in to repair South Bay ave lift station both pumps were clogged with bricks

We had one sewer clog during Oct

Street dept were out doing their rounds and set up and cleaned up before and after Oct. Fest

Street dept was out doing leaves and brush pick-up through out town.

Street dept and sanitation cut grass when man power was available

Street dept cleaned out the ditch along Bayside drive

Public Safety

Chief Blewett read through the following report:

POLICE DEPARTMENT
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT
CHIEF



171 BAY AVENUE HIGHLANDS, N.J. 07732



TEL: 732-872-1158
FAX: 732-872-9240

Report to Council
November 2010

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- * The 6th Annual Highlands Cares Breast Cancer Walk hosted by the Lenny T. Abbott, III Memorial Foundation in cooperation with the Highlands Police Department was held on Sunday, October 24, 2010. The event was a success and had more participants than past years.

- * The American Legion Post has applied for a social affairs permit for a December 3, 2010 event. After some discussion with the post commander in reference to three recent violations I have agreed to approve the permit. During a lengthy discussion I outlined the specific violations for the commander who has agreed to address the issues with the members of his organization. I also advised Mr. Hill that if these violations continue I will request harsh penalties from both the Governing Body and the State Alcoholic Beverage Control, Mr. Hill assured me that he will take Harsh measures against his bartenders who violate the conditions of their license. For the Council's knowledge Dsgt. Rogers and myself met with the post commander, Mr. Donald Hill, on August 24, 2010 to address membership violations and issues. Since that meeting the Highlands Police Department has checked the American Legion for the specific violations on three separate occasions; September 29, October 8 and October 23, 2010. The organization was found to still be in violation on three visits.

* Total Calls for Service: 571

* Arrests: Adults: 25
 JV: 3

* Summons: Total: 44

 Moving Violations: 26
 Non-Moving: 7
 DWI: 1
 Boro Ordinance: 10

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

Building & Housing

Mr. Hilling stated that area by Doris & Eds has been cleaned up. Working on 5 Seadrift Avenue to demolish it. 150 Navesink Avenue is in foreclosure so stalling on demolition.

Mr. O'Neil wants it done by December 1st with regard to 5 Seadrift Ave.

Council directed Mr. Hilling to provide them with a list of houses.

Parks & Recreation

Ms. Kane reviewed the following report:

PROGRAM: Senior Citizen Programs – Oct. meetings / events – “Fire Prevention / Safety” on 10/14, Flu & Pneumonia Shot Clinic at Ptak Towers on 10/14, Financial Planning program on 10/21, Bingo/Lunch on 10/21 and the annual Halloween Party on 10/28. For November: Medication Awareness Program, Bingo/Lunch & annual pre-Thanksgiving luncheon (Friday, Nov. 19th) are set.

Local Flu and Pneumonia Shot clinic was held 10/14/10 at Ptak Towers – 25 received shots.

Highlands / AH Youth Soccer Program for Fall – Season kicked off with 230 children participating on 19 teams in 4 age groups. Games started on 9/11 and will end on Nov. 6th. To date over 68 games have been played and over 150 practice sessions held.

Library – New Hours - Monday 2 to 4 pm, Thursday 2 to 4 pm, Saturday 10 to 12 noon

Kids on the Move: October (14 program dates) – Arts and Crafts, wiffle ball, football, Frisbee, Wii games, team handball, pool tournament, bingo, Halloween games, bingo and basketball games.

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Other Community Center Group Use for August: Historical Society, Neighborhood Watch, Boating Safety Class, Library (14) Girl Scout Meetings (5) Kavookjian Committee, Cancer Awareness, Beach Clean-Up, Municipal Alliance site visit & 2 condominium / homeowner / other group meetings. (7 additional meetings / uses were canceled).

4H Program for children - Wednesday group (2x monthly) for K-8 and monthly Saturday Technology Group have been formed.

Bus trip to Frightfest held on Saturday, October 16th in conjunction with the Highlands /Atlantic Highlands Municipal Alliance and HHRS. (30 participated).

Winter Programs: Adult Basketball and Indoor Soccer (pending approval at HHRS), **HRD Youth Basketball League, Games and More** and **Adult Volleyball / Basketball** at HES have been approved. **AH Youth Basketball is open to Highlands residents** (Saturday program at AHES).

White Tiger Tae Kwon Do – Free demonstration being set up for Friday, Dec. 10th. (Initial 10 week sessions to begin in January based on registration.)

Sandy Hook Little League has announced their Winter Registration Dates for 2011 season Nov 14 and Dec. 16 from 9 am to 11 am at the AH Firemans Field League Meeting room.

Red Bank Elks have invited local youth to participate in annual Elks Hoop Shoot, 12/5/10.

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

PARKS & FACILITY: Park and Facility Use: Farmers Market (Huddy Park) , Henry Hudson Reg. Soccer (Kavookjian Field), AH/H Youth Soccer (Kavookjian), HBP-Octoberfest – Veterans Park.

Skate Park: no report – continue to monitor issues (language, littering, etc)

Community Center Park / Playground - no report

Veterans Park – minor vandalism to swings with repairs made. Additional parts to be ordered.

Miller Street / Rt. 36 – Back flow preventer was installed. Bruce will follow up with HBP.

Huddy Park – minor vandalism to gazebo (railing) reported, DPW to follow up as per Steve C.

Marine Place – no update on bulkhead – long range maintenance to be discussed.

PARKS & FACILITY: (continued)

Kavookjian Field: Field Survey completed and tree trimming along left field and outfield areas done. Grass and infield areas need to be addressed by mid-late November. KFRC continues to meet and discuss needs of facility.

Snug Harbor Beach – Product demonstration of ADA accessible walkway has been delivered. General Recreation, Inc. will be setting up an installation date for late fall.

Miller Street Beach – (See Snug Harbor)

South Bay Ave. Beach – No update.

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

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 – DPW will schedule when work force is available.

OTHER:

T. Hill has received his Associate Park and Recreation Professional status renewal from the National Recreation and Park Association & his NJ DCA Recreation Administrator re-certification. This is done through ongoing educational CEU sessions attended & review and submission of documentation.

Community Development Block Grant (FY'08): Waiting 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 – Awaiting official notification for Street / Road project submitted for this year's application was recommend for funding (\$183,000) Project was included in resolution submitted by CDBG committee to the MC Freeholder Board for approval.

Sustainable Jersey Grant – Green Team meeting held to review grant and make suggestions for local brochure. Also need to review recycling and waste management tonnage for 2011 community challenge. SJ Certification is being reviewed for re-submission.

Meetings held / attended: Special Event, Kavookjian Field Committee, Bridge Committee, H/AH Municipal Alliance, NJRPA Public Affairs, Environmental (Bike Route), Monmouth County Office on Aging Municipal Coordinators, & Brookdale Community College Service Learning.

End

Highlands Business Partnership

Carla Cefalo-Braswell of the HBP spoke about holiday decorations and the need to have the lights repaired. She stated that the Tree Lighting will be held on December 3, 2010.

Public Relations

Ne Report

Environmental/Shade Tree

Mr. Francy stated that they are working on bike path.

Borough Administrator

Mr. Hilling read through the following report:

M E M O R A N D U M

DATE: NOV 2nd, 2010
TO: MAYOR LITTLE, BOROUGH OF HIGHLANDS; COUNCIL MEMBERS
FROM: BRUCE HILLING, BOROUGH OF ADMINSTRATOR
RE: SUMMARY OF ACTIVITIES •October 2010

DEPARTMENT OF PUBLIC WORKS (DPW)

1. Leaf and brush pick up continues by zone in Nov.
2. Still awaiting FEMA claim money for flooding in Waterwitch Pumping Station, some 25 K.
3. Steve Chiger has returned to full duties after a long rehab from shoulder surgery.
4. Reggie Robertson now working in Borough Hall on light duty recovering from surgery[Workers Comp]
5. Once a week garbage pickup began Oct 25. No problems to date.
6. 2 police cars and 2 generators scheduled to be auctioned this month.
7. Claim Plant parking lot has been resurfaced and landscaped.

DEPARTMENT OF TRANSPORTATION (DOT)

1. Still pending is word from DOT on Borough request for new sidewalk s and curbing on South Bay Ave.
2. DOT bridge claims have been received and processed through Borough Hall.
3. Hillside Drive and South Bay Ave will remain one way down in compliance with the current ordinance.
4. No word back from the County Park System on our request to move the former bridge monuments in front of Popamora Park.

NISCELLANEOUS

1. Waterwitch Ave resurfacing job now scheduled for completion the end of November.
2. Awaiting Freeholder approval for CDBG award of 180k to the borough for continuation of the Bay Ave resurfacing project past Central Ave.

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3. New generators awarded from CDBG Funds should be in place at Borough Hall and the various lift stations by Mid Nov.
4. Borough Offices will be closed on Thursday, Nov 11th for Veteran's Day. Thank a Vet for his/her service.
5. League of Municipalities Convention scheduled for Nov 16th- 19th.
6. Flow Meters have been installed for Monmouth Hills.
7. Clean Up of Matthews Street Beach completed.

Borough Clerk

Mrs. Cummins spoke about how the office has just finished giving through all of the records that were stored at the Middletown storage facility.

Library

No Report
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Approval of Minutes:

Mr. Nolan offered a motion to approve the September 1, 2010 Regular & Executive Session Minutes and the September 15, 2010 Regular & Executive Session Minutes, 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
NAYES: None
ABSENT: Mayor Little
ABSTAIN: Ms. Kane abstained on the September 15th minutes.
=====

Public Portion:

Don Manrodt of 268 Bayside Drive thanked Mr. Hilling for clean up on Bayside Drive. He then spoke about the road being in bad condition.

Carol Custer of Central Avenue stated that both the Skate Park and the Basketball Court need to be cleaned and they need to be locked. She stated that the bleachers are broken and in need of repair. She then questioned who will replace Councilman Nolan when he becomes Mayor. She also wanted to know if he would continue to donate his salary and suggested that he donate it to the church. She also mentioned the property tax revaluation.

Mr. Francy spoke about the revaluation process.

Mr. Nolan explained the process for a replacement Councilperson. He stated that he will continue to not take a salary.

Dave Tauro of 39 Miller Street questioned size of generator that is being auctioned off.

Mr. Hilling will contact him tomorrow about the generator.

Dave Tauro then commented on a contract item with the clam plant of one penny per clam.

Mr. Arnette stated that we are in contract negotiations and are talking with the association and that we can't negotiate here.

Robin Shaffer of 2 Private Road questioned the status of 2 Private Road.

Mr. Nolan – we have not decided to not move forward. A resolution be will done at the next meeting.

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Lori Nolan of 51 Waterwitch Ave - the Girl Scouts are having a Breakfast for the Veterans.

There were no further questions from the public.

Mr. Nolan closed the public portion.

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: Union Contract Negotiations – Robert Merryman
3. Real Estate:
4. Personnel Matters:
5. Attorney-Client Privilege:

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists; and

BE IT FURTHER RESOLVED that no portion of this meeting shall be electronically recorded unless otherwise stated; and

BE IT FURTHER RESOLVED that the private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Rendered confidential by State Statute or Court Rule.
3. Would constitute an unwarranted invasion of individual privacy.
4. **Deals with collective bargaining, including negotiation positions.**
5. Deals with purchase, lease or acquisition of real property with public funds.
6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
7. Related to tactics and techniques utilized in protecting the safety and property of the public disclosure may adversely affect the public interest.
8. Related to investigation of violations or possible violations of the law.
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.

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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 reentered into Executive Session at 8:52 P.M..

At 9:55 P.M. Mr. Nolan called the Regular Meeting back to order.

There were no public members present.

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

The meeting adjourned at 9:55 P.M.

Carolyn Cummins, Borough Clerk

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