

**Borough of Highlands
Mayor & Council
Regular Meeting
May 18, 2011**

Mayor Nolan called the meeting to order at 7:00 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 & 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. Connelly, Ms. Kane, Mayor Nolan

Absent: Mr. O'Neil, Mr. Francy

**Also Present: Carolyn Cummins, Borough Clerk
Tim Hill, Acting Administrator
Mike Halfacre, Esq., Borough Attorney**

Executive Session Resolution:

Mrs. Cummins read the following Resolution for approval:

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

**RESOLUTION
EXECUTIVE SESSION**

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

- 1.Litigation: Hilling vs. Borough of Highlands, Tree 226 Navesink Ave**
- 2.Contract: Realty Appraisal Contract Final Pymt, Clam Plant Lease**
- 3.Real Estate:**
- 4. Personnel Matters: Recreation Staffing, Wayne O'Neil - 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.
7. Related to tactics and techniques utilized in protecting the safety and property of the public disclosure may adversely affect the public interest.
8. Related to investigation of violations or possible violations of the law.

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9. **Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.**
10. **Falls within the attorney-client privilege and confidentiality is required.**
11. **Deals with personnel matters of public employees and employee has not requested that the matter be made public.**
12. Quasi-judicial deliberation after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

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

ROLL CALL:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. O'Neil, Mr. Francy

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:00 P.M.

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

ROLL CALL:

Present: Mr. Connelly, Ms. Kane, Mayor Nolan

Absent: Mr. O'Neil, Mr. Francy

**Also Present: Carolyn Cummins, Borough Clerk
Tim Hill, Acting Administrator
Mike Halfacre, Esq., Borough Attorney**

Highlands Elementary School Defeated School Budget

Mr. Connelly explained that he and another Councilperson met with the School Board about their budget and they were very cooperative. They were able to make a reduction in the budget in the amount of \$11,200 and able to fund other programs.

Mayor Nolan asked if there were any public comments on the Highlands Elementary School Budget.

Tara Ryan of the Highlands Board of Education stated that they originally had a zero tax increase but that was defeated by the voters. So when they met with the Council they were able to squeeze savings in due to a retirement.

Don Manrodt of 268 Bayside Drive stated that the budget was defeated by voters because they were mad about the tax revaluation.

Resolution R-11-128

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

**R-11-128
RESOLUTION OF THE BOROUGH OF HIGHLANDS CONCERNING SETTING
THE TAX LEVY FOR HIGHLANDS ELEMENTARY SCHOOL**

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WHEREAS, on April 27, 2011, the annual school budget for the 2011-2012 academic year, as prepared by the Highlands Elementary School Board of Education (hereinafter referred to as "BOARD") was defeated by the voters; and

WHEREAS, pursuant to the provisions of N.J.S.A. 18a:22-37, The General Fund Budget for the year 2011-2012 has been presented to the Finance Committee (hereinafter referred to as "the Committee") of the Governing Body of the Borough of Highlands for its determination of the amount necessary to be appropriated for each item appearing in the General Fund Budget; and

WHEREAS, New Jersey State Statute requires the Governing Body to certify the amount of local tax revenue to support a thorough and efficient system of education where a tax levy referendum of the BOARD was defeated by the voters of a municipality; and

WHEREAS, in the course of reviewing the defeated school budget, the Committee conducted a meeting; and

WHEREAS, in fulfilling its obligations, the Committee and the Governing Body have discussed, in detail, the budget and it's supporting documents; and

WHEREAS, the Governing Body finds that (1) the provision of a thorough and efficient system of quality education to the children of Highlands is of the highest priority and utmost importance to the Governing Body, the BOARD, the parents, children and all citizens of the Borough of Highlands and that (2) the provision of such an educational system is essential to the continued development of the community and the future of our children; and

WHEREAS, the Governing Body further finds that (1) the provision of educational services to our children, as the provision of all governmental services, should be rendered in a cost effective manner; that all reasonable and necessary administrative efforts should be made to realize economies in the provision of education services so as to avoid unnecessary expenditure of public funds which do not relate directly to the quality of education provided to our children; and (2) the BOARD is mindful of the fact that the ever increasing tax burden upon our taxpayers must not be unnecessarily increased; and

WHEREAS, the Governing Body has determined that certain line items in the annual school budget for the 2011-2012 school year may be reduced without any adverse effect upon the quality of education provided; and

WHEREAS, the reasons for each such reduction in the annual school budget has been considered and addressed by the Governing Body and is set forth in detail below; and

WHEREAS, the Governing Body has been both reasonable and conservative in its review of the recommended reductions in the line item specified;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands as follows:

- The Committee, after due consideration and consultation with the full Governing Body, hereby finds and determines that the following line item contained in the annual school budget for Highlands Elementary School for the academic year 2011-2012 can be reduced without negative effect upon the thorough and efficient provision of public education in the Borough of Highlands:

<u>LINE ITEM</u>	<u>DESCRIPTION</u>	<u>REDUCTION</u>
11-100-240-100	Administrative Line	-\$11,200
	Total Reduction	\$11,200

- The Governing Body hereby certifies to the Monmouth County Board of Taxation and to the Monmouth County Superintendent of Schools, the following amount
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- relating to the General Fund to be raised by local taxation for the Highlands Elementary School District in the 2011-2012 school year is as follows:

The original tax levy for General Fund contained on the ballot pertaining to the 2011-2012 annual school budget for Highlands Elementary School Board of Education was: **\$2,860,588**

The total amount of the net reduction in the General Fund found by the Governing Body to be appropriated is: **\$ 11,200**

The amount of the tax levy hereby certified by the Governing Body of the Borough of Highlands to the Monmouth County Board of Taxation and to the Monmouth County Superintendent of Schools For the 2011-2012 General Fund is **\$2,849,388**

The Governing Body hereby certifies that the revised school budget for the Highlands Elementary School for the year 2011-2012 containing the line item reductions as noted above, in accordance with the reasons for such reductions as expresses here, is sufficient to provide a thorough and efficient system of education in the Highlands Elementary School for the 2011-2012 school year; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Highlands, as follows:

1. The Municipal Clerk be and hereby is authorized and directed to file a certified copy of this Resolution with the Board of Education of the Highlands Elementary School no later **than May 19, 2011.**
2. The Municipal Clerk be and hereby is further authorized and directed to file two (2) certified copies of this Resolution with the Monmouth County Superintendent of Schools and with the Monmouth County Board of Taxation no later than **May 19, 2011.**

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

ROLL CALL:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. O'Neil, Mr. Francy

ABSTAIN: None

Environmental Commission Bike Path Grant Public Input Session

Steve Szulecki of the Highlands Environmental Commission was present and gave a power point presentation on the ANJEG Bike Path Grant Application Plan dated May 2011. He went over the goals and objectives of the bike path plan, location of equipment, route for the path. He explained to the public that we received a grant a year ago for this bike path and they have worked on this plan that he gave presentation on. He also stated that he would make this report/plan available on the borough website.

Mr. Szulecki then spoke about a proposed project for the Borough owned property located on block 40 lot 11.01 on Navesink Avenue. He recommended that this parcel be used as an overlook park which would provide vistas of the Borough, Sandy Hook, Atlantic Ocean and NYC skyline, which he further described.

Council requested that this project be further discussed at the June 1st meeting.

Mary Moore of 5 Gravelly Point questioned how the bike path was picked.

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Mr. Szulecki explained how they want to point out points of interests along the water, which he further explained.

Don Manrodt of 268 Bayside Drive stated that he thinks that block 40 lot 11.01 would be a good place for the Memoria Project.

Kerry Miller of ANJEC stated that Mr. Szulecki did a great job and that the Environmental Commission was an excellent grantee.

Christian Lee of Navesink Ave stated it's not a good idea to direct people up to this park on block 40 lot 11.01 safety concerns.

Mr. Szulecki will look to make it safer.

Ms. Miller suggested that the pike path plan be presented to the Planning Board and that they be asked to add it to the Master Plan.

There were no further questions or comments.

Consent Agenda:

Mayor Nolan requested that Resolutions R-11-125 and R-11-127 be removed from the consent agenda and also that the \$42,000 Payment to Realty Appraisal be removed from the Supplemental Payment of Bills.

Mayor Nolan offered the following resolution and moved for its adoption:

R-11-117

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

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

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

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands hereby requests the Director of the Division of Local Government Services to approve the insertion of a special item of revenue in the budget for the state fiscal year 2011 in the amount of \$10,036.40 which is now available from the State of New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a like sum of \$10,036.40 is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program	\$10,036.40
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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:

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ROLL CALL:

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

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-11-118
RESOLUTION APPOINTING
JOHN MCKAYAS AUTHORIZED SIGNATOR
FOR FIREFIGHTER CERTIFICATION PROGRAM**

WHEREAS, the State has created a voluntary program to certify firefighters; and

WHEREAS, the Borough of Highlands Governing Body has reviewed, discussed and voted to participate in the program; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highlands appoints John McKay, Training Officer as the Authorized Signator to sign any documents necessary to implement the Firefighter Certification Program in the Borough of Highlands.

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

ROLL CALL:

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

Mayor Nolan offered the following Resolution and moved its adoption:

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

**R-11-119
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES
2011 ROAD IMPROVEMENT PROGRAM
T & M ASSOCIATES**

WHEREAS, the Borough of Highlands has a need for professional engineering services for the 2011 Road Improvement Program as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional engineering 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 \$61,873 plus reimbursable expenses per T & M Associates proposal dated February 15, 2011 for Professional Engineering Services for the 2011 Road Improvement Program provided to the Borough of Highlands 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

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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 from Bond Ordinance 11-12 contingent upon expiration of 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced:

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 \$61,873 plus 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 execute the contract documents.
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. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-11-120

**RESOLUTION CANCELING UNEXPENDED BALANCES OF THE
GENERAL CAPITAL FUND**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations or grant awards may be canceled;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

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**AMOUNTS TO BE
CANCELED**

ORDINANCE NUMBER	PROJECT DESCRIPTION	FUNDED CAPITAL SURPLUS	UNFUNDED	DOT GRANT
O-09-05	Demolition of the Wastewater Treatment Plant	\$ 7,956.21	\$18,950.00	

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

ROLL CALL:

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

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-11-121
RESOLUTION REMOVING PROPERTY FROM BID ASSESSMENT ROLLS**

Whereas the Borough Council has created a Business Improvement District with the goal in mind of creating a welcoming business environment, and

Whereas the BID encompasses many different properties, some of which may not be appropriate for inclusion in the BID, and

Whereas there is a process for the owner of property that is located within the BID but which property is not a commercial or business property to be removed from the financial obligations of the BID, and

Whereas the property located at Block 43, Lot 1 has applied for removal from the BID and the Tax Assessor has advised that the property was at one time classified as Class 4A, but the property has since been sold, and the new owner uses the property strictly for residential purposes, thus confirming the owner's believe that the property should be removed from the BID, and

Whereas should the use of the property change in the future, the Tax Assessor will notify the Mayor and Council accordingly,

Now, Therefore, be it resolved that the property located at Block 43, Lot 1 is hereby removed from the financial obligations of being located within the Business Improvement District, and shall not be subject to the special or added assessment levied upon properties located in the Business Improvement District.

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

ROLL CALL:

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

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-11-122
AUTHORIZING REFUND OF TAX OVERPAYMENT**

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes, and

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WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
28	14.03	2011	\$963.55	Semmel, Albert & Pamela 16 Mountain Street Highlands, NJ 07732
130	50	2011	\$660.00	Borough of Highlands

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

ROLL CALL:

AYES: Mr. Connelly, Mr. Francy, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mayor O'Neil

ABSTAIN: None

Mayor Nolan offered the following resolution and moved for its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-11-123

**RESOLUTION – AMENDING RESOLUTION R -10 –203
CANCELING CAPITAL FUND RECEIVABLE**

WHEREAS, R-10 –203 adopted October 20, 2010 cancelled the CDBG Grant balance of \$146,764.14 for emergency generators on the balance sheet of the capital fund and bond ordinance 08-02; and

WHEREAS, the Chief Financial Officer has been advised by the Superintendent of Recreation that \$40,000 of the CDBG Grant has been restored by the County of Monmouth Community Development office;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that the following grant receivable balance and bond ordinance 08-02 in the amount of \$40,000.00 be reestablished:

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

ROLL CALL:

AYES: Mr. Connelly, Mr. Francy, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

Mayor Nolan offered the following Resolution and moved on its adoption:

R-11-124

**RESOLUTION APPROVING LIST OF VOLUNTEER FIRST AIDE MEMBERS WHO
QUALIFY FOR THE BOROUGH OF HIGHLANDS LENGTH OF SERVICE AWARD
PROGRAM (LOSAP) FOR THE YEAR 2010**

WHEREAS, the Borough of Highlands (Sponsoring Agency) has a Length of Service Award Program which provides tax-deferred income benefits to active members of the Borough's volunteer fire company and first aid squad; and

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WHEREAS, the Highlands First Aid Squad is required, pursuant to N.J.S.A. 40A:14-191, to annually certify to the Sponsoring Agency a list of all volunteer members who have qualified for credit under the LOSAP for the previous year; and

WHEREAS, the Highlands First Aide have submitted certified lists of qualified volunteers for the year 2010; and

WHEREAS, the First Aide Department list has been posted on the public bulletin board for 30-days and the Chief Financial Officer has reviewed the list and found it to be accurate;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the certified lists provided by the Highlands First Aide Department of qualified volunteers for the year 2010 are hereby approved and payment is subject to final review and approval of the Chief Financial Officer.

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

ROLL CALL:

AYES: Mr. Connelly, Mr. Francy, Mayor Nolan
NAYES: None
ABSENT: Mr. Francy, Mr. O'Neil
ABSTAIN: None

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-11-126
RESOLUTION APPROVING SOCIAL AFFAIRS PERMIT
FOR AMERICAN LEGION
1317-31-027-001**

WHEREAS, an application has been filed an application for a Social Affairs Permit for June 4, 2011 with a Rain Date of June 5, 2011; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed by the Chief of Police and he has not objections to the issuance of said permit.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the American Legion Post 143 for June 4, 2011 with a rain date of June 5, 2011.

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

ROLL CALL:

AYES: Mr. Connelly, Mr. Francy, Mayor Nolan
NAYES: None
ABSENT: Mr. Francy, Mr. O'Neil
ABSTAIN: None

Mayor Nolan offered the following Payment of Bills and moved on authorization for payment:

**RECAP OF PAYMENT OF BILLS
05/18/11**

CURRENT:		\$ 17,190.27
Payroll	(05/15/11)	\$ 169,399.35
Manual Checks		\$ 23,802.77
Voided Checks		\$

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SEWER ACCOUNT:		\$	93,192.60
Payroll	(05/15/11)	\$	9,884.44
Manual Checks		\$	590.58
Voided Checks		\$	
CAPITAL/GENERAL		\$	
CAPITAL-MANUAL CHECKS		\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	2,192.50
Payroll	(05/15/11)	\$	8,400.00
Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	47.40
GRANT FUND		\$	400.00
Payroll	(05/15/11)	\$	
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.**

**SUPPLEMENTAL BILL LIST
May 18, 2011**

CURRENT FUND

Borough of Highlands	Move from One Acct to Another	\$660
Borough of Atlantic Highlands	April Mechanical Garage Services	2,450.00
Cleary Giacobbe Alfieri & Jacobs	Council Meeting Attendance & Labor Issues	971.50
Future Sanitation	Garbage & Recycling Collection	8,366.67
Future Sanitation	Tipping Fees & Brush/Stump Removal 4/15-4/30	7,615.02
Future Sanitation	Tipping Fees 5/1-5/10	5,646.24
Seely Equipment Co.	Various Signs & Posts	765.90
Seely Equipment Co.	Custom Sign	36.51

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Total Current Fund	26,511.84
CAPITAL FUND	
Total Capital Fund	0.00
SEWER UTILITY FUND	
Total Sewer Utility Fund	0.00
TRUST FUND	
State of N.J.	Unemployment Reimbursement 1/1/11-3/31/11
	45,149.04
Total Supplemental Bill List	71,660.88

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

ROLL CALL:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

Minutes Approved on Consent Agenda – the April 6, 2011 Executive Session Minutes, April 20, 2011 Regular Minutes & Executive Session Minutes and the March 16, 2011 Regular Meeting Minutes.

Other Resolutions:

Resolutions R-11-125 & R-11-127 & Realty Appraisal Payment of \$42,000

Mayor Nolan offered a motion to table the above resolutions and payment and carry them to the June 1, 2011 Meeting.

Resolution R-11-101 – Transfer of Liquor License

Present: Richard Naska, Esq. Attorney for Seastreak, LLC
Jack Bevins of Seastreak, LLC

Mr. Naska – we are here tonight for transfer of Liquor License and to add the beach area to the licensed premises. He explained how they are working to clean up the beach.

Ms. Kane stated that Chief Blewett is okay with this transfer.

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Mayor Nolan explained to the public that this is a person-to-person and place-to-place transfer of a liquor license.

There were no other questions or comments.

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-11-101
RESOLUTION APPROVING PERSON-TO-PERSON/
PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE
1317-33-008-005**

WHEREAS, an application has been filed for a Person-to-Person and Place-to-Place transfer of Liquor License Number 1317-33-008-005; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly reviewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve, effective April 20, 2011, the Person to Person and Place to Place transfer of the Liquor License Number 1317-33-008-005 from Highlands Landing Corp. to Seastreak, LLC and the Place to Place transfer from the Barge to Barge and Beach area.

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

ROLL CALL:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

Ordinances: Introduction & Set P.H. Date for June 15, 2011

Ordinance O-11-15

Mrs. Cummins read the title of Ordinance O-11-15 for introduction and setting of a public hearing date for June 15, 2011.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date for June 15, 2011 at 8:00 P.M. and authorized its publication according to law:

**ORDINANCE NO. O-11-15
AN ORDINANCE AMENDING CHAPTER 2-41 "USE OF BUILDINGS AND
FACILITIES OWNED BY OR UNDER THE SUPERVISION, CONTROL AND
MAINTENANCE OF THE BOROUGH OF HIGHLANDS" OF THE REVISED
GENERAL ORDINANCE OF THE BOROUGH OF HIGHLANDS**

NOTE: The section of Chapter 2-41.3 that is to be amended by this Ordinance includes only the Section specifically set forth below. All additions shown in **bold with underlines**. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections 2-41.3 that will remain unchanged are shown in normal type.

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Section 2-41.3

As a condition of any approval, the borough will impose and collect a fee **as set forth on Schedule A adopted herewith of thirty (\$30.00) dollars for resident organizations and forty (\$40.00) dollars for nonresident organizations** to defray additional building opening and maintenance costs incurred by the borough in connection with making the facility available and accessible to the applicant during non-business hours. In addition, for programs or activities that require staff assistance in addition to the opening of the center, a rate of thirty (\$30.00) dollars per hour per employee will be charged.

SCHEDULE A

- A **Recreation Department Activities Are Prioritized**
- B **Must have Insurance as required by MEL/JIF (T.U.L.I.P. program), or homeowners policy if adequate.**
- C **No Alcohol Permitted**
- D **Dates of Availability are Limited based on scheduling**
- E **Exemptions from Fee: HHRS, HES, SHLL or co-sponsored activities (HHRS and HES do not charge us for gym or field use)**

		Annual Permit Fee		
Community Center - Main Room or Small Meeting Room- Library				
General meeting space for specified activity as listed on the permit				
1	Community Group (Highlands based)	\$35.00		
2	Community Group (Non-Resident)	\$50.00		
3	Non-Profit (must have proof of non-profit status)	\$35.00		
4	Human Services / Youth Activities	\$35.00		
5	Homeowner / Condominium Association	\$35.00		
6	Recreation Program – Independent Contractor	\$35.00		
7	Recreation /Education /Health/Leisure Program – (Company or Business)	\$50.00		
	Exemptions from Fee: Henry Hudson Reg., Highlands Elem., Sandy Hook LL or any directly affiliated Borough of Highlands Organizations.	n/a		
	Community Center - (Building) Private Rental	Fee	Clean-Up	Damage Deposit
				Kitchen (Cooking)
8	Resident - 1 to 4 hours (includes set-up and clean-up time)	\$125.00	\$50.00	\$100.00
9	Non-Resident	\$175.00	\$50.00	\$100.00
10	Resident - 4 to 6 hours (includes set-up and clean-up time)	\$225.00	\$50.00	\$100.00
11	Non-Resident	\$275.00	\$50.00	\$100.00
	Other: Facility / Park / Group Use Requests			Damage Deposit
12	Park Use - For Private Event	Fee		
13	Resident 1 to 4 hours (includes set-up and clean-up time)	\$125.00		\$200.00
14	Non Resident	\$175.00		\$200.00
15	Resident 4 to 6 hours (includes set-up and clean-up)	\$200.00		\$200.00
16	Non Resident	\$250.00		\$200.00
17	Public Event or Activity - hourly or daily rate as established	as set		as set
	Exemptions from Fee: HHRS, HES, SHLL			
	Athletic Field (Kavookjian Scheduled Use)			
18	Adult Sports League - 1 x per week during established season	\$300.00		\$250.00
19	Single Game Use (permit)	\$25.00		\$50.00
	Exemptions: Rec. Activities, HHRS, HES,SHLL, & Rec. Co-sponsored Events or directly affiliated Borough of Highlands Organizations.	N/A		N/A

(Staff assignments will be made for all private rentals)

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

ROLL CALL:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

Ordinance O-11-16

Mrs. Cummins read the title of Ordinance O-11-16 for introduction and setting of a public hearing date of June 15, 2011.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date for June 15, 2011 and authorized its publication according to law:

**O-11-16
AN ORDINANCE AMENDING ORDINANCE 0-11-4 ESTABLISHING SALARIES AND
FIXING THE COMPENSATION OF
CERTAIN BOROUGH EMPLOYEES OF THE BOROUGH OF HIGHLANDS FOR
SFY 2011**

All additions shown in **bold with underlines**. The deletions are shown as ~~*strikeovers in bold italics*~~.

BE IT ORDAINED by the Mayor and Council of the Borough of Highlands, a municipal Corporation of the State of New Jersey;

Section 1. The annual salaries and compensation exclusive of longevity benefits of the officers and employees holding the offices or positions hereinafter described shall be shown on Schedule A, annexed hereto, for Fiscal Year 2011 (July 1, 2010 – June 30, 2011), payable semi-monthly unless herein described.

Except as provided by labor contract, all salary ranges shall constitute minimum and maximum to be determined by subsequent Resolution of the Mayor and Council within those limits.

Section 2. OTHER POSITIONS AND DUTIES

A. All other persons employed by the Borough not otherwise mentioned herein shall be paid at a rate to be fixed by a Resolution of the Mayor and Council.

B. Additional duties associated with the administration of grants awarded to the Borough may be compensated out of the proceeds of said grants at a rate to be fixed and determined by Resolution of the Mayor and Council.

Section 3. LONGEVITY BENEFITS.

There shall be no longevity benefit other than where the benefit is specifically mandated by agreement or contract.

Section 4. EFFECTIVE DATE:

The salaries and compensation set forth herein shall be effective and payable as of and after July 1, 2010 through June 30, 2011.

Section 5. REPEALED

All ordinances or parts of ordinances inconsistent with this ordinance are hereby superseded.

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Section 6. IMPLEMENTATION

This ordinance shall take effect immediately upon its passage and publication in accordance with law.

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

Roll Call:

AYES: Mr. Connelly, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. Francy, Mr. O'Neil

ABSTAIN: None

All salaries listed below are rounded to within \$1.00 of actual amount.

1. POSITIONS OUTSIDE COLLECTIVE BARGAINING UNITS

DEPARTMENT OF ADMINISTRATION		Minimum	Maximum
Mayor		\$3,000	
Council Members		\$2,500	
Municipal Administrator		\$83,600	
Municipal Clerk		\$51,957	
Assessment Searcher		\$3,000	
Registrar of Vital Statistics		\$500	
Deputy Municipal Clerk	Part Time	\$4,000	
Secretary, Planning Board		\$5,500	
Secretary, Zoning Board		\$5,500	
Secretary to Borough Administrator		\$1,000	
Emergency Management Coordinator		\$3,650	
 DEPARTMENT OF FINANCE			
Chief Financial Officer	Part Time	\$64,581	
Tax Searcher		\$3,000	
Purchasing Agent	Part Time	\$7,000	
Cashier, Typist	Hourly	\$12.00	\$12.00
 MUNICIPAL COURT			
Judge of Municipal Court		\$16,302	
Municipal Prosecutor		\$15,246	
Public Defender		\$3,500	
Special Sessions (Per Session)			
Judge of Municipal Court		\$500	
Municipal Prosecutor		\$350	
Public Defender		\$350	
Court Administrator		\$300	
Deputy Court Administrator		\$200	
 POLICE			
Chief of Police		\$114,151	
Juvenile Officer		\$1,000	
Special Officer - Hourly			
Class I	Hourly	8.50	15.00
Class II	Hourly	\$15.00	\$22.50
 BUILDING AND HOUSING			

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Fire Official	Part Time	\$23,400	
Fire Inspector	Hourly	\$10.00	\$15.00
		Minimum	
Clerical Office Help	Hourly	Wage	\$12.00

DEPARTMENT OF PUBLIC WORKS

Acting Supervisor		\$2,500	
Sewer Operator License		\$3,500	
	Part Time		
Recycling Coordinator		\$2,000	
Laborer		\$10.00	\$12.00
Snow Removal Driver	Hourly	\$20.00	

DEPARTMENT OF RECREATION

Recreation Assistant		\$8.00	\$8.00
Recreation Aid		\$7.50	\$11.00
Recreation Leader		\$14.00	\$14.00
Summer Seasonal:			
Supervisor		\$16.50	\$18.00
Programmer		\$12.50	\$15.00
Recreation Aid		\$7.50	\$10.00
Summer Food:			
Food Preparation		\$7.25	\$8.00
Record Keeper		\$10.50	\$10.50
Director		\$15.25	\$15.25
Life Guards		\$7.50	\$17.00

DEPARTMENTS NOT ESTABLISHED

Clerical Office Help	Hourly	Minimum Wage	\$12.00
Seasonal Employees	Hourly	Minimum Wage	\$12.00

2. UNITED FOOD AND COMMERCIAL WORKERS UNION, LC

DEPARTMENT OF FINANCE

Tax Assessor	Part Time	\$22,640	
Tax Collector	Part Time	\$27,067	

BUILDING AND HOUSING

Construction Code Official	Part Time	\$26,000	
Including:			
Electrical Sub Code Official			
Flood Plain Review Officer			
Property Maintenance Officer	Part Time	\$15.00	\$20.00 \$20.83
Zoning Officer	Part Time	\$10,400	
Code Enforcement Officer		\$34,760	
Including			
Landlord Registration Official			
Building Housing Inspector			
Fire Inspector			

RECREATION

Recreation Director		\$70,579	
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3. COMMUNICATIONS WORKERS OF AMERICA (CWA) LOC

BUILDING AND HOUSING

Secretary,Licensing Clerk		\$31,039	
		Minimum	
Secretary,Licensing Clerk	Hourly	Wage	\$12.00

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Fie Sub Code Official	Part Time		\$10,314	
Plumbing Sub Code Official	Part Time		\$7,477	
DEPARTMENT OF FINANCE				
Tax Clerk			\$28,069	
Tax Clerk	Hourly	Minimum Wage		\$12.00
Cashier/Sewer Clerk			\$28,350	
Payroll Clerk			\$37,702	
MUNICIPAL COURT				
Court Administrator			\$51,732	
Deputy Court Administrator	Hourly		\$20.00	
DEPARTMENT OF PUBLIC WORKS				
<u>Equipment Operator</u>			<u>\$45,000-</u>	
			<u>\$60,000</u>	
Senior Road Repairer			\$60,494	
Road Repairer			\$55,853	
Sanitation Driver			\$55,858	
Sanitation Worker			\$43,911	
Mechanic			\$68,609	
Water Treatment Plant Operator			\$60,494	
Recycling Yard Attendant	Part Time		\$16,900	
Recycling Yard Attendant	Hourly		\$12.00	\$13.00
RECREATION				
Recreation Aide	Full Time	Hourly	\$16.26	
POLICE DEPARTMENT				
Communications Operator	Hourly		\$10.46	\$18.64
Crossing Guards			\$9.62	\$14.97
Records Clerk			\$41,718	

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Ordinances: 2nd Reading, P.H. & Adoption

Ordinance O-11-14

Mrs. Cummins read the title of Ordinance O-11-14 for the second reading and public hearing and stated that this ordinance was published in its entirety in the May 8, 2011 edition of the Asbury Park Press.

Mayor Nolan opened up the public hearing to the public but there were no comments or questions.

Mayor Nolan closed the public hearing on Ordinance O-11-14.

Mrs. Cummins read the title of Ordinance O-11-14 for the third and final reading and adoption.

Mayor Nolan offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

O-11-14

**AN ORDINANCE CREATING NEW SECTION 2-33
TO THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF HIGHLANDS
ENTITLED “ HIGHLANDS DEPURATION COMMISSION”**

NEW SECTION

2-33 HIGHLANDS DEPURATION COMMISSION.

2-33.1 Establishment/Membership.

a. There is hereby created a Highlands Depuration Commission. The commission shall consist of nine (9) members - three to be appointed by the mayor without advice and consent of council; two to be appointed by the mayor with advice and consent of council; and four to be appointed by council. Membership on the commission shall not be limited to residents of the Borough of Highlands, any language to the contrary notwithstanding;

b. Members shall serve for three years each. Thereafter the successor of each member shall be appointed for full three year terms until the appointment and qualification of his or her successor;

c. One of the members shall be a member of council;

d. The mayor shall appoint for the first year one of the members as the chairperson who shall preside at all meetings of the body. Thereafter the chairperson shall be elected by the commission from within its membership;

e. The mayor and borough administrator shall be ex officio members of the commission with full voting rights;

f. A vacancy occurring otherwise than by an expiration of a term shall be filled for the unexpired term only; and

g. The mayor or borough council may remove any member of the commission for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel.

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2-33.2 Duties.

The Highlands Depuration Commission shall:

- a. Meet with the professionals and representatives of the Departments of Health and Environmental Protection to see that the design and operational layout of any modifications or renovations to the plant, and that said modifications or renovations meet or exceed State mandates;
- b. Oversee the bidding and construction of any modifications, renovations or improvements to the depuration facility;
- c. Recommend to the governing body terms and conditions to be included in any renewal or extension of any leases as it feels are advantageous to the borough for the operation of the depuration facility and to enter into leases for the property;
- d. Act as a liaison between the governing body and the operator/tenant;
- e. Communicate with and act as a liaison with the Department of Health, Department of Environmental Protection, Department of Agriculture and any other agencies of the Federal, State, county or local level, the government having jurisdiction over or otherwise dealing with depuration and to advise council of same;
- f. Recommend to council and our legislative representatives at all levels of government, legislation it feels is appropriate to further the shellfish industry;
- g. Act as a clearinghouse for said information;
- h. Investigate comparable uses for the property and to assist in the coordination of same with the tenant/operator, State and other appropriate agencies; and
- i. Perform such other functions as it feels are relevant to the duties and purposes expressed in this section.
- j. The commission's responsibilities and duties as set forth herein are of a purely advisory nature to the mayor and council. The commission may offer whatever advice, consultation and/or assistance the governing body might require or request in continuing to develop the property as a marine terminal/clam depuration facility, however, the commission is not, nor shall it be authorized to acquire any interests in real property and otherwise make decisions or take action which would be binding upon the borough.

2-33.3 Compensation and Expenses.

The members of the Highlands Depuration Commission shall serve without pay.

2-33.4 Borough Facilities.

The borough administrator may make available to the Highlands Depuration Commission office space and clerical services.

2-33.5 Expending Funds.

No borough funds shall be spent by the Highlands Depuration Commission unless specifically authorized by the governing body.

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

ROLL CALL:

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

Ordinance O-11-13

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Mrs. Cummins read the title of Ordinance O-11-13 and stated that there was a notice deficiency and that we could not hold the public hearing this evening. She requested that it be tabled to the June 15, 2011 meeting.

Mayor Nolan offered a motion to table this to the June 15, 2011 meeting so that the notice deficiency could be corrected, seconded by Mr. Connelly and approved on the following roll call vote:

ROLL CALL:

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

Other Business:

Engineers Status Report

Mr. Keady read the following engineers report:

HGHL-G1101

May 13, 2011

Timothy Hill
Interim Borough Administrator
Borough of Highlands
171 Bay Avenue
Highlands, New Jersey 07732-1405

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

Re: Engineer's Status Report

Dear Mr. Hill:

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

General

1. **Sanitary Sewer Flow Metering – Monmouth Hills:** As requested by the Borough, we have solicited a quotation to monitor the sanitary sewer flow from Monmouth Hills that is collected within the Borough's sanitary sewer system. We have identified three (3) locations at which the meters will be installed. We have been authorized by the Borough to have the metering completed, interpret the data and prepare a summary report outlining the metering results. The meters have been removed and the data was received by T&M Associates. We have evaluated the data and have requested the water usage for each property. We have received the water data and have evaluated it to derive a flow comparison. A final letter report has been issued for the Borough's use.

Capital Improvement Projects

1. **Flood Reduction Program:** Permit applications were submitted to the various agencies on March 4, 2011 and the project plans and specifications submitted to the NJDEP under the EIT program on March 7, 2011. We have been receiving sporadic comments/questions from various areas of the NJDEP and have issued responses to each of them.
2. **The Resurfacing of Waterwitch Avenue:** The Borough received funding for this project in the amount of \$192,000.00. On March 27, 2009, we notified the NJDOT in writing that the Borough is requesting to reduce the limits of this project to the area between N.J.S.H. Route 36 and Linden Avenue and are currently preparing the NJDOT requested paperwork. At the May 20, 2009 meeting, Mayor and Council requested that the sanitary sewer improvements be added into the request. The paperwork was submitted to the NJDOT on June 19, 2009 for consideration. On July 16, 2009, the NJDOT sent a letter to our office stating that they approve the request to reduce the project limits. The Borough authorized T&M Associates to design and inspect the project on December 16, 2009. The Borough has adopted a Bond Ordinance to cover costs above the NJDOT award amount. The design of the project has been completed. The project was advertised for bidding on July 21, 2010 and bids were received on August 3, 2010.

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Bid Date: August 3, 2010
Contractor: Fiore Paving Company, Inc., Oceanport, NJ
Amount: \$163,637.50

The Contractor has substantially completed the project and will address the remaining minor items in the spring. We are currently discussing a return date from the Contractor.

3. **2011 Roadway Improvements Project:** T&M Associates has prepared and submitted a revised proposal for design and contract administration services for the following roadways:
- **Valley Avenue Resurfacing:** from Highland Ave. to the western terminus
 - **Woodland Street Reconstruction:** from Highland Avenue to Prospect Street
 - **Prospect Street Mill/Overlay:** from Osborne Street to the vicinity east of Woodland Street
 - **Bay View Street Rehabilitation:** The entire length

It is our understanding that a bond ordinance is being adopted to complete the entire program.

4. **The Reconstruction of Highland Avenue:** The NJDOT awarded the Borough \$1,184,000.00 in Discretionary Aid for Highland Avenue and the portions of Valley Avenue and Miller Street between Route 36 and Highland Avenue. At the August 18, 2010 Council meeting, the Borough authorized T&M Associates to design the project. T&M Associates and representatives from the Borough Council held a pre-design walkthrough with the residents on Highland Avenue on May 8, 2010. All comments have been reviewed and incorporated into the design as appropriate. Field survey has been completed and the project design is underway. A meeting was held with the Borough and various residents on February 12, 2011 to review the design and further discuss resident concerns. A traffic calming plan was prepared and submitted to the Borough as well as the description of the proposed measures and the pros/cons of each. The plan was presented to the Borough at the March 16, 2011 Council meeting. On March 21, 2011 we were requested to further research the guidelines to determine the maximum amount of speed humps that can be installed along the roadway. We determined a maximum of four speed humps can be installed per the guidelines. We received final direction from the Mayor and Council regarding the proposed traffic calming measures at the April 20, 2011 Council meeting and have revised the plans accordingly. The plans are currently under review by the NJDOT.
5. **The Reconstruction of Bay Avenue:** The NJDOT awarded the Borough \$250,000.00 for the reconstruction of Bay Avenue between Waterwitch Avenue and Central Avenue. The Monmouth County Community Development Block Committee awarded the Borough \$183,603.00 for the reconstruction of Bay Avenue between Central Avenue and Gravelly Point. This project will also include drainage improvements to the northern portion of Huddy Park. A construction contract must be awarded by August 16, 2011 to avoid jeopardizing the allotted NJDOT funding. We have authorized by the Mayor and Council to design and inspect the overall project. Topographic survey and project design has commenced.

Grants and Loans

1. **FEMA Hazardous Mitigation Assistance Grant Program Letter of Intent:** The letter was submitted to FEMA on April 8, 2011 as required. The grant application is due in August 2011.

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

Very truly yours,

T&M ASSOCIATES

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

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Zone Change Request from Mr. Bollerman dated April 26, 2011

Mayor Nolan stated that this is not permitted and that the Council has directed the Borough Attorney to send Mr. Bollerman a letter informing him that the Council will not be moving forward with his zone change request.

Memoria Project

Mayor Nolan informed the public that Councilman Francy & Connelly will be meeting with Memoria Committee and then it will be brought back to this table.

Zoning Ordinance Amendments

Mrs. Cummins stated that the Planning Board has formed a Subcommittee to discuss this.

Proposed Amendments to Rules Related to Waterfront Public Access

Mrs. Cummins read through a memo from the Monmouth County Planning Board dated May 6, 2011 regarding the NJDEP Waterfront Public Access rule proposal.

Mr. Hill – the comments can from this table. He spoke about the new rules. He will do a letter to on this.

Mrs. Cummins will forward this to the Planning Board.

NJDEP Proposed Amd Rules Related to Water Management Plan

No Action taken

Monmouth County Open Space Grant Program

Mr. Hill explained that annually this program is open and it's a dollar for dollar match grant. There will be a public hearing process.

Public Portion:

Don Manrodt of 268 Bayside Drive stated that we should only order 4 wreaths for the Memorial Day Parade. Bayside Drive, the Engineer wants to put a blanket on the side of the hill and he said it will take 15 to 20 years to clear up odor on Bayside Dive. We need to get the State involved in this.

Mr. Connelly will report back on this matter at the next meeting.

Tara Ryan thanked the Council for the approval of the school budget. She then requested that the "No Dogs" sign on S. Bay beach be removed.

Christian Lee asked what the zoning amendments were.

Mayor Nolan explained that one was a request from property owner and the Council is not taking action on that. The other is pertaining to Ordinance O-07-07 which was overturned so we are having the Planning Board Subcommittee meet to review and discuss this.

Jack Bevins – no longer at meeting.

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Dawn Horniacek of 287 Bay Avenue questioned why her job got dissolved to another girl and how Dave Mercado got a raise. Where did all of the money come from for this and the hiring of recreation employee?

Mr. Halfacre advised Ms. Horniacek that we could not speak about specific employees.

Mayor Nolan explained that the cashier is working additional hours for a three week period because it's a heavy collection period. He also responded to her questions about funds.

Dawn Horniacek asked why only one person is being reappointed.

She and Mayor Nolan briefly continued this discussion.

There were no further questions or comments from the public.

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

The Meeting adjourned at 8:53 P.M.

Carolyn Cummins, Borough Clerk