

**Borough of Highlands  
Mayor & Council  
Regular Meeting  
June 15, 2011**

Mayor Nolan called the meeting to order at 7:05 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, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan

**Absent:** None

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

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**Executive Session Resolution:**

Mrs. Cummins read the following Resolution for approval:

Mayor 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: 226 Navesink Ave Dead Tree**
- 2.Contract: Realty Appraisal Contract Final Pymt, SeaStreak**
- 3.Real Estate:**
- 4. Personnel Matters: Reg Robertson-Riced  
DPW Staffing  
Seasonal Staffing  
Dispatcher Staffing-Todd Gardiner-Riced  
Depuration Commission Staffing-A. Worthington-Riced  
Borough Administrator Position-Tim Hill-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.

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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.

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

**ROLL CALL:**

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

The Governing Body then entered into Executive Session.

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Mayor Nolan called the Regular Meeting back to order at 8:04 P.M.

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

**ROLL CALL:**

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

**Absent: None**

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

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**\*\*Mayor's Proclamation to Mr. Elliot, Music Teacher from Henry Hudson –**

Mayor Nolan presented the following proclamation to Mr. Elliot:

**Office of the Mayor  
Borough of Highlands, New Jersey**

**PROCLAMATION**

**Whereas**, Thomas Elliott has served as an educator in the field of music since 1971, of which 33 years were spent at Henry Hudson Regional School, and

**Whereas**, the foundation and longtime success of the Henry Hudson Regional School music department has been led by an extraordinary leader in Mr. Elliott, whose service actually spanned over a period of 5 decades, and

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**Whereas**, Mr. Elliott successfully recruited, encouraged, trained and inspired thousands of students while enhancing instrumental and artistic choral experiences for both the students and the audiences at hundreds of performances, and

**Whereas**, Mr. Elliott's experience, dedication and passion for music and choral instruction has been recognized and enjoyed by many residents through performances including the marching band, theatrical productions, school concerts and other public performances over the years, and

**Now, Therefore Let It Be Known** that the Mayor and Council along with the residents of the Borough of Highlands, NJ, offer our sincerest gratitude and appreciation to Mr. Thomas Elliott as we wish him the best of health, prosperity and continued success in the future.

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Mayor Frank Nolan  
June 15, 2011

Mr. Elliot thanked everyone. He stated that it has been a pleasure to be associated with Henry Hudson Regional School.

**\*\*Police Presentation to Krisida Burton, Dispatcher – Retirement:**

Captain Clagett presented a plaque to Krisida Burton for her approximately 23 years plus of service with the Police Department. He went on to express what a great person she has been to work with. He wished her a happy and healthy retirement on behalf of the Police Department and the community.

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**Consent Agenda:**

Mrs. Cummins asked for motion to change R-11-142 to state from permanent to temporary and to remove R-11-146 which is a transfer of the Driftwood liquor license. It is pending Police clearance.

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

**R-11-136  
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

**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>
43	8	2011	\$4,063.79	Timothy C & Mara Neske 34 Shrewsbury Avenue Highlands, NJ 07732
22	1	2011	1,694.62	Title Trust LLC

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901 West Park Avenue

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-11-137**

**RESOLUTION - CANCELING GRANT FUND RECEIVABLES**

**WHEREAS**, various receivable balances remain on the balance sheet of the grant fund; and

**WHEREAS**, the Chief Financial Officer has investigated the receivable balances and has determined that these receivables should be canceled;

**OW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highlands that the following grant receivable balances in the amount of \$1,965.17 be and the same are hereby canceled:

Bayshore Saturation Grant	\$1,223.92
Bulletproof Vest Partnership	\$ 741.25

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-11-138**

**RESOLUTION - CANCELING VARIOUS GRANT FUND RESERVES**

**WHEREAS**, various reserve balances remain on the balance sheet of the grant fund; and

**WHEREAS**, the Chief Financial Officer has investigated the reserve balances and has determined that these reserves should be canceled;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highlands that the following reserves in the amount of \$2,822.96 be and the same are hereby canceled:

Summer Food – 2010	\$ 116.54
Bulletproof Vest Partnership	\$ 1,482.50
Bayshore Saturation Grant	\$ 1,223.92

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

**ROLL CALL:**

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

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-11-139  
RESOLUTION CANCELING UNEXPENDED BALANCES OF THE  
SEWER UTILITY CAPITAL FUND**

**WHEREAS,** certain Sewer Utility 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 Sewer Utility Capital Appropriations be canceled:

<b>ORDINANCE NUMBER</b>	<b>PROJECT DESCRIPTION</b>	<b>AMOUNTS TO BE CANCELED</b>	
		<b>FUNDED CAPITAL SURPLUS</b>	<b>UNFUNDED</b>
O-06-06	Rehabilitation of Sanitary Sewer System	\$ 2,062.83	\$140,000.00

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

**ROLL CALL:**

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

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-11-141  
RESOLUTION – COMPENSATED ABSENCE-RETIREMENT**

**WHEREAS,** Steven Chiger has been employed by the Borough of Highlands as a Supervisor of Water/Supervisor of Sewer since May 16, 1984; and

**WHEREAS,** on June 30, 2011, Steven Chiger will retire; and

**WHEREAS,** Steven Chiger is entitled to compensated absence benefits for his accrued vacation time of 232 hours and sick time of 341 hours equating to \$17,769 (amount subject to minor changes including rounding); said benefits are in accordance with Borough Ordinance 95-29, Personnel Policy Manual and the collective bargaining agreement between the Borough of Highlands and the Communications Workers of America Local 1032 effective July 1, 2008-June 30, 2011 as authorized by Resolution 09-111; and

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**WHEREAS**, in accordance with N.J.S.A. 40A:9-165, the governing body must authorize all benefits, and;

**WHEREAS**, before any payment is made, the Chief Financial Officer must certify that sufficient documentation exists as to the amount of the accumulated absence, and that funds are available to pay the amount due.

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Borough of Highlands that subject to the certification of funds availability by the Chief Financial Officer, that Steven Chiger receive the aforementioned compensated absence benefits.

Certification of Funds: Trust Fund – Reserve for Accumulated Leave

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

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

**ROLL CALL:**

**AYES:** Mr. Connelly, Mr. O’Neil, Mr. Francy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

**R-11-142  
RESOLUTION APPOINTING TEMPORARY FULL-TIME  
POLICE COMMUNICATIONS OPERATOR**

**WHEREAS**, the Borough of Highlands Police Department has the need for a temporary full time Police Communications Operator due to the recent retirement of a F/T Police Communications Operator; and

**WHEREAS**, the Chief of Police has recommended that Todd Gardiner be reappointed to the position full time temporary Communications Dispatcher; and

**WHEREAS**, the Governing Body concurs with the Chief of Police recommendation;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that Todd Gardiner be rehired and hereby is appointed as a temporary full time Police Communications Operator;

**BE IT FURTHER RESOLVED** that said appointment be effective immediately and the salary be set at \$12.72 per hour and that Todd Gardiner will be entitled to all Health Benefits.

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

**ROLL CALL:**

**AYES:** Mr. Connelly, Mr. O’Neil, Mr. Francy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Mayor Nolan offered the following Resolution and moved its adoption:

**R-11-143  
RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL RECREATION  
EMPLOYEES**

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**WHEREAS**, the Recreation Department has the need for temporary summer employees to work with the Summer Recreation Program; and

**WHEREAS**, Timothy Hill made the following recommendations for appointments to the Governing Body;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the following temporary appointments be and hereby are approved:

2011 Summer Seasonal		Rec. Dept.		
Program	Position	Name	Years Experience	Hourly Rate
Summer 6/28/11 - 8/24/11	Supervisor	Kim Karaman	23	\$18.00
	Supervisor	Stephanie Paroumakian	14	\$16.50
	Programmer	Mike Gannon	10	\$15.00
	Programmer	Lisa Ucci	7	\$12.50
	Rec Aide	Amanda Basich	10	\$10.00
	Rec Aide	Amy Cullen	6	\$ 9.00
	Rec Aide	Julie Dellapietro	5	\$ 8.50
	Rec Aide	Thomas Bell	3	\$ 7.75
	Rec Aide	Katherine Sanders	1+	\$ 8.00
	Rec Aide	Ashley Knochel		\$ 7.50
Lifeguards 6/27/11 – 9/5/11	LG Supervisor	Kristie Gannon	11	\$17.00
	LG	Esteban Cabrera	4	\$ 8.50
	LG	Andrew Mueller	2	\$ 8.00
	LG	Jacob Bremekamp	1	\$ 7.50
	LG	Sean Mulkeen	1	\$ 7.50
	LG	Eliyah Fontanez*		\$ 7.50

(\* Pending LG, FA, CPR Certifications completion/documentation)

Summer Food 7/5/11 - 8/19/11	Food Prep	Caitlin Hartsgrove	4	\$ 8.00 (25 hrs/wk)
	Food Prep	Dillon Vargas	3	\$ 7.75 (25 hrs/wk)
	Food Prep	Victoria Torres		\$ 7.75 (25 hrs/wk)
	Director	Tim Hill	32	\$15.50 (32 tot hrs)
	Record Keeper	Jen Strehl	11	\$11.00 (32 tot hrs)

**These positions are listed within the Community Center Budget, Beach Budget and the 2011 SFP Budget & the 2011 Summer Food Service Program Sponsor Management Plan Budget.**

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

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

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R-11-144**

**RESOLUTION APPROVING SOCIAL AFFAIRS PERMIT  
FOR HIGHLANDS BUSINESS PARTNERSHIP  
FOR CLAM FEST**

**WHEREAS**, an application has been filed an application for a Social Affairs Permit has been filed for the Highlands Business Partnership for the period of August 4, 2011 through August 7, 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 Highlands Business Partnership for the period of August 4, 2011 through August 7, 2011.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

**R-11-145  
RESOLUTION  
RENEWING 2011-2012 LIQUOR LICENSES**

**WHEREAS**, Liquor License Renewal Applications were filed for the year 2011-2012 for the following Liquor Licenses; and

**WHEREAS**, no objections were filed against the renewals of licenses and Tax Clearance Certificates have all been received for the licenses listed below:

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the following liquor licenses be renewed for the period of July 1, 2011 to June 30, 2012:

<b>1317-31-027-001</b>	<b>American Legion Twilight Post 143 t/a American Legion Twilight Post 143</b>	<b>85-87 Bay Avenue</b>
<b>1317-31-028-001</b>	<b>Highlands Post 6902 VFW of US t/a Highlands VFW 6902</b>	<b>331 Bay Avenue</b>
<b>1317-32-009-006</b>	<b>The Sugar Shack, LLC t/a Suguar Shack</b>	<b>23 Bay Avenue</b>
<b>1317-32-018-004</b>	<b>Wunderbar, Inc. t/a Driftwood Liquors</b>	<b>300 Bay Avenue</b>
<b>1317-32-021-003</b>	<b>Andy's Shore Bar, Inc. t/a Andy's Shore Bar</b>	<b>150-52 Bay Ave</b>
<b>1317-33-001-003</b>	<b>Bahrs Restaurant Inc. t/a Bahrs Landing Moby's</b>	<b>2 Bay Avenue</b>
<b>1317-33-003-007</b>	<b>Claddagh of Highlands t/a Claddagh</b>	<b>297-299 Bay Ave</b>



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1317-33-004-011	Bay Avenue Restaurant Co, LLC t/a Grimaldi's	123 Bay Avenue
1317-33-005-002	Sandy Hook Holdings, LLC t/a Original Oyster	1 Willow Street
1317-33-006-004	Tomaini, John J.	Pocket
1317-33-007-003	Inlet Café, Inc. t/a Inlet Café Inc.	3 Cornwall St
1317-33-008-004	Seastrealk, LLC	325 Shore Drive
1317-33-012-004	Dan-Rob Restaurant Assoc. t/a Windansea Restaurant	56 Shrewsbury Ave
1317-33-015-007	Chilangos Restaurant, Inc t/a Chilango's Restaurant	272 Bay Ave
1317-33-016-003	Filip Enterprises, Inc. t/a Doris & Ed's Restaurant	348 Shore Drive
1317-33-019-010	Triple Beta, LLC t/a Clam Hut	1 Atlantic Street
1317-33-022-010	M & D, Inc. t/a Off The Hook Restaurant & Bar	1 Navesink Avenue
1317-33-030-008	Waterwitch Highlands, LLC t/a None	None
1317-44-011-003	Monir Inc. t/a Bay Spirits	116 Bay Avenue

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

**ROLL CALL:**

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

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

**R-11-147  
RESOLUTION APPOINTING MEMBERS OF THE  
OPEN SPACE COMMITTEE**

**BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the following appointment be and is hereby confirmed to the Open Space Committee:

- |                               |                                                                 |
|-------------------------------|-----------------------------------------------------------------|
| 1. Russell Card               | Regular Member for a 3 year term to<br>expire December 31, 2013 |
| 2. Rebecca Kane, Councilwoman | One year term                                                   |

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

**ROLL CALL:**

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

Mayor Nolan offered the following Resolution and moved its adoption:

BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

**R-11-148  
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
FOR THE VALLEY STREET PIPE STATION OUTFALL TIDELAND LICENSE  
APPLICATION  
T & M ASSOCIATES**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services for the preparation and submittal of the Tideland License Application for the Valley Street Pipe Station Outfall 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 \$6,500 plus reimbursable expenses per T & M Associates proposal dated May 26, 2011 (email) for Professional Engineering Services for the preparation and submittal of the Tideland License Application for the Valley Street Pipe Station Outfall 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 from the SFY 2011 General Engineering Account.

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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:

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1. T & M Associates are hereby retained to provide professional engineering services as described above for an amount not to exceed \$6,500 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 Mr. Connelly and adopted on the following roll call vote:

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: Mr. O'Neil**

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

**RECAP OF PAYMENT OF BILLS  
06/15/11**

<b>CURRENT:</b>		\$	31,189.75
Payroll	(06/15/11)	\$	
Manual Checks		\$	77,849.72
Voided Checks		\$	
<b>SEWER ACCOUNT:</b>		\$	3,215.66
Payroll	(06/15/11)	\$	
Manual Checks		\$	3,173.58
Voided Checks		\$	
<b>CAPITAL/GENERAL</b>		\$	
<b>CAPITAL-MANUAL CHECKS</b>		\$	129,294.43
Voided Checks		\$	
<b>WATER CAPITAL ACCOUNT</b>			
<b>TRUST FUND</b>		\$	3,511.66
Payroll	(06/15/11)	\$	
Manual Checks		\$	
Voided Checks		\$	
<b>UNEMPLOYMENT ACCT-MANUALS</b>		\$	
<b>DOG FUND</b>		\$	1,028.80
<b>GRANT FUND</b>		\$	
Payroll	(06/15/11)	\$	6,000.00
Manual Checks		\$	
Voided Checks		\$	
<b>DEVELOPER'S TRUST</b>		\$	
Manual Checks		\$	16.81
Voided Checks		\$	

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

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**SUPPLEMENTAL  
BILL LIST  
June 15, 2011**

**CURRENT FUND**

Arnette Law Firm	Tax Appeals & Marrero	264.50	
Century Office Products	RICOH Staple Type K	92.00	
Future Sanitation	Garbage & Recycling Collection	8,366.67	
Future Sanitation	Tipping Fees 6/1/11-6/13/11	8,073.17	
J.C.P.&L.	Electric Service		
J.C.P.&L.	Various Locations	2,400.82	
	Traffic Lights	1,726.52	
	Imhoff Tank		
N.J. Department of Treasury	Annual Assessment Fee	2,300.00	
	Hazardous Waste Generator Annual Fee	30.00	
N.J. Department of Treasury	Natural Gas		
N.J.N.G.	Charges	451.21	
<b>Realty Appraisal Company</b>	<b>Final Payment - Revaluation</b>	<b>42,000.00</b>	<b>*****</b>
Scarinci Hollenbeck	Sustandard Housing Issues	67.50	
Swanton Fuel	Diesel & Unleaded 6/2/11	2,767.24	
<b>Total Current Fund</b>		<u>68,539.63</u>	

**CAPITAL FUND**

<b>Total Capital Fund</b>	<u>0.00</u>
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**SEWER UTILITY FUND**

J.C.P.&L.	Sewer Pump Stations	332.95
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<b>Total Sewer Utility Fund</b>	<u>332.95</u>
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**TRUST FUND**

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**Total Supplemental Bill List**

68,872.58

Seconded by Mr. Connelly and approved for payment on the following roll call vote:

**ROLL CALL:**

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

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

**Ordinance O-11-13**

Mrs. Cummins read the title of Ordinance O-11-13 for the second reading and public hearing and stated that this ordinance was published in its entirety in the May 27<sup>th</sup> edition of the Two River Times.

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

Mayor Nolan closed the public hearing on Ordinance O-11-13.

Mrs. Cummins read the title of Ordinance O-11-13 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:

**ORDINANCE NO. O-11-13  
AN ORDINANCE AMENDING SCHEDULE I OF CHAPTER 7-3.4 "PARKING  
PROHIBITED AT ALL TIMES ON CERTAIN STREETS" OF THE REVISED  
GENERAL ORDINANCE OF THE BOROUGH OF HIGHLANDS**

**SCHEDULE I**

**New**

*No Parking- Con.*

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Waterwitch Avenue	Both Sides Waterwitch	Along entire frontage (35 feet, 6 inches) of Avenue Pump Station (Lot 6, Block 94)

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

**ROLL CALL:**

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

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**NAYES:       None**  
**ABSENT:      None**  
**ABSTAIN:    None**

**Ordinance O-11-15**

Mrs. Cummins read the title of Ordinance O-11-15 for the second reading and public hearing and stated that this ordinance was published in its entirety in the May 27<sup>th</sup> edition of the Two River Times.

Mayor Nolan explained the ordinance and opened up the public hearing to the public.

Carol Bucco of 330 Shore Drive questioned the cost for annual condo meetings.

Mr. Hill stated that it a \$35.00 annual registration fee.

Mayor Nolan said the fees will start July 1, 2011.

There were no further questions or comments.

Mayor Nolan closed the public hearing on Ordinance O-11-15.

Mrs. Cummins read the title of Ordinance O-11-15 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:

**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.

**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)**

	<b>Annual Permit Fee</b>
<b>Community Center - Main Room or Small Meeting Room- Library</b>	
<b>General meeting space for specified activity as listed on the permit</b>	
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

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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

		<b>Fee</b>	<b>Clean-Up</b>	<b>Damage Deposit</b>	<b>Kitchen (Cooking)</b>
<b>Community Center - (Building) Private Rental</b>					
8	Resident - 1 to 4 hours (includes set-up and clean-up time)	\$125.00	\$50.00	\$100.00	\$25.00
9	Non-Resident	\$175.00	\$50.00	\$100.00	\$25.00
10	Resident - 4 to 6 hours (includes set-up and clean-up time)	\$225.00	\$50.00	\$100.00	\$25.00
11	Non-Resident	\$275.00	\$50.00	\$100.00	\$25.00

		<b>Fee</b>	<b>Damage Deposit</b>
<b>Other: Facility / Park / Group Use Requests</b>			
12	Park Use - For Private Event	<b>Fee</b>	<b>Damage Deposit</b>
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

		<b>Fee</b>	<b>Damage Deposit</b>
<b>Athletic Field (Kavookjian Scheduled Use)</b>			
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)**

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

**ROLL CALL:**

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

**Ordinance O-11-16**

Mrs. Cummins read the title of Ordinance O-11-16 for the second reading and public hearing and stated that this ordinance was published in its entirety in the May 27<sup>th</sup> edition of the Two River Times.

Mayor Nolan opened up the public hearing to the public.

Carol Bucco of 330 Shore Drive commented on the dollar amounts and questioned who the code enforcement officer is and why list an employee title you know longer have.

Steve Pfeffer explained that it’s a title from SFY 2011.

There were no further questions or comments from the public. Mayor Nolan closed the public hearing on Ordinance O-11-16.

Mrs. Cummins read the title of Ordinance O-11-16 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:

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**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.

Section 6. IMPLEMENTATION

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

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

Roll Call:

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

NAYES: None

ABSENT: None

ABSTAIN: None



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

**1. POSITIONS OUTSIDE COLLECTIVE BARGAINING UNITS**

<b>DEPARTMENT OF ADMINISTRATION</b>		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	
 <b>DEPARTMENT OF FINANCE</b>			
Chief Financial Officer	Part Time	\$64,581	
Tax Searcher		\$3,000	
Purchasing Agent	Part Time	\$7,000	
Cashier, Typist	Hourly	\$12.00	\$12.00
 <b>MUNICIPAL COURT</b>			
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	
 <b>POLICE</b>			
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
 <b>BUILDING AND HOUSING</b>			
Fire Official	Part Time	\$23,400	
Fire Inspector	Hourly	\$10.00	\$15.00
Clerical Office Help	Hourly	Minimum Wage	\$12.00
 <b>DEPARTMENT OF PUBLIC WORKS</b>			
Acting Supervisor		\$2,500	
Sewer Operator License		\$3,500	
Recycling Coordinator	Part Time	\$2,000	
Laborer		\$10.00	\$12.00
Snow Removal Driver	Hourly	\$20.00	
 <b>DEPARTMENT OF RECREATION</b>			
Recreation Assistant		\$8.00	\$8.00

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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	<del>\$20.00</del> <b><u>\$20.83</u></b>
Zoning Officer	Part Time	\$10,400	
Code Enforcement Officer	Part Time	\$34,760	
Including			
Landlord Reistration 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	
Secretary,Licensing Clerk	Hourly	Minimum Wage	\$12.00
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>	\$60,494	
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\$60,000**

Senior Road Repairer			
Road Repairer		\$55,853	
Sanitation Driver		\$55,858	
Sanitation Worker		\$43,911	
Mechanic		\$68,609	
Water Treatment Plant Operator		\$60,494	
	Part		
Recycling Yard Attendant	Time	\$16,900	
Recycling Yard Attendant	Hourly	\$12.00	\$13.00
<b>RECREATION</b>			
	Full		
Recreation Aide	Time	Hourly	\$16.26
<b>POLICE DEPARTMENT</b>			
Communications Operator	Hourly	\$10.46	\$18.64
Crossing Guards		\$9.62	\$14.97
Records Clerk		\$41,718	

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**Other Resolutions:**

**Resolution R-11-140 – Appt. Wayne O’Neil-Equipment Operator**

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

**R-11-140**

**Resolution appointing Wayne O’Neil to the position of Equipment Operator, and setting his salary for said position within the salary guide**

**Whereas**, Wayne O’Neil is currently employed by the Borough of Highlands as a Road Repairer; and

**Whereas**, Mr. O’Neil has also been occasionally performing the duties of Equipment Operator, and

**Whereas**, the Borough has confirmed that Mr. O’Neil’s duties more closely match those of Equipment Operator than Road Repairer;

**Now, therefore Be It Resolved** that the Highlands Mayor and Council approve the appointment of Wayne O’Neil to the vacant position of Equipment Operator at a current annual salary of \$58,353 retroactive to April 20, 2011.

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

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** Mr. O’Neil

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Mrs. Cummins read Resolution R-11-153, Re-Appointing interim Borough Administrator into the record:

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

**R-11-153  
RESOLUTION RE-APPOINTING INTERIM  
BOROUGH ADMINISTRATOR**

**Whereas** the Borough Council believes that there continues to be a need for an Interim Borough Administrator while they are engaged in a search for a permanent Borough Administrator; and

**Whereas** the Borough Council has determined that Tim Hill is qualified for the position of Interim Borough Administrator and will be able to perform the duties of Interim Borough Administrator while also continuing to supervise the duties of his current position; and

**Whereas** the search for a permanent replacement continues, as does the need for an Interim Borough Administrator, and the initial Interim Appointment is set to expire,

**Now, Therefore, be it resolved** that Tim Hill is hereby re-appointed Interim Borough Administrator and will serve in that capacity with additional pay in the amount of \$150.00 per week from June 15, 2011 until midnight on October 5, 2011, at which time this appointment will expire if not extended by the Borough Council.

Seconded by Mr. O'Neil and adopted on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Connelly, Mr. O'Neil, Mr. Franczy, Ms. Kane, Mayor Nolan**

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

Mr. Halfacre read the following resolution R-11-152 – Temporary Hires – Seasonal Employees, in to the record:

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

**R-11-152  
RESOLUTION AUTHORIZING  
SEASONAL TEMPORARY EMPLOYEES FOR SUMMER MONTHS**

**WHEREAS**, the Borough of Highlands has a need for seasonal temporary employees during the summer months; and

**WHEREAS**, the municipal budget makes provisions for such hires; and

**WHEREAS**, the Mayor and Council desires the hiring of seasonal temporary employees to take place as soon as possible.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize the Acting Borough Administrator to solicit applications, interview and hire up to three seasonal temporary employees which hires shall be ratified at a subsequent meeting of the Mayor & Council.

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

**ROLL CALL:**

**AYES: Mr. Connelly, Mr. O'Neil, Mr. Franczy, Ms. Kane, Mayor Nolan**

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

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**Approval of Minutes:**

Mayor Nolan offered a motion for the approval of the June 1, 2011 Regular and Executive Session Meeting Minutes, seconded by Ms. Kane and approved on the following roll call vote:

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: Mr. O'Neil**

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**Other Business:**

**Engineers Status Report**

Mr. Keady read the following engineers report:  
**HGHL-G1101 June 15, 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 is being prepared 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. Further, a Tidelands License application is being prepared to submit to the NJDEP to relocate the Valley Street Pumpstation outfall line to Borough right-of-way.
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.  
Bid Date: August 3, 2010

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Contractor: Fiore Paving Company, Inc., Oceanport, NJ  
Amount: \$163,637.50

The Contractor has substantially completed the project. A punchlist is currently being prepared to be submitted to the Contractor for his action.

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

The Borough recently authorized T&M Associates to design and provide contract administration services for the above project. Design is currently underway.

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. Plans are anticipated to be submitted to the NJDOT for review the week of June 20, 2011.

**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

Mr. Francy questioned the under drain at Huddy Park, what is included in that project and how successful will it be.

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Mr. Keady explained that there are a series of drains and how they are piped into an inlet within Bay Avenue. In reviewing the elevations, he feels it will be successful.

Mayor and Council discussed flooding in Huddy Park area with Mr. Keady. It could still be partially flooded.

Mr. Keady stated that four drains will be installed.

Mr. Luebner described the locations of the drains.

Mr. O'Neil asked if we can put a check valve in so they don't back up.

Mr. Keady stated that it is a possibility, explained the process.

Discussion continued.

Mr. O'Neil wants a moratorium of more than five years for Highland Avenue.

Council discussed.

Mr. Halfacre is reviewing the ordinance. There isn't a time moratorium in the ordinance.

Council continued to discuss.

Mayor Nolan asked Mr. Halfacre to do a resolution for seven year moratorium with ability to appeal to council.

Mr. O'Neil wants to contact Freehold Soil about the sand coming down from Monmouth Hills.

Mayor Nolan instructed Mr. Hill to contact Freehold Soil.

Mr. Keady commented on the moratorium. If there is an emergency, they can infrared it. Add that to the ordinance. He also commented on Monmouth Hills, they do make inlet filters that can be installed. It will catch a lot of the sediments and allow the water to pass through. He suggested that we ask DOT to do this.

Council discussed locations of inlets.

Mayor Nolan instructed Mr. Hill to contact DOT.

**HBP Zoning Recommendation Report**

Mayor Nolan stated that he and Ms. Kane attended a meeting with Highlands Business Partnership. He feels this is an exceptional report. We will send to the Planning Board for their comments.

Mr. Francy feels that this report is dealing with residential zoning issues. He thought we were getting a report on Bay Avenue, positive commercial impact.

Mayor Nolan feels that it gives them more costumers and an increase for more businesses.

Council continued discussion.

Mr. Francy feels that we need to fix zoning on Bay Avenue.

Mayor Nolan offered a motion to send to the Planning Board for their comments and recommendations, seconded by Mr. Connelly and approved on the following roll call vote:

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**ROLL CALL:**

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

**Lori Dibble - Request for Zoning Amendment**

Mrs. Cummins stated Ms. Dibble's attorney requested this zoning amendment. It was addressed to the Planning Board and the Planning Board Attorney requested it to be forwarded to the council.

Mayor Nolan felt that because this is still in litigation, we are not going to offer any changes, until ownership is resolved.

Mr. Halfacre said we do not have to do anything, no action is required.

**Memoria Project Discussion – and possible approval & adoption of R-11-150**

Don Mandroft of the VFW stated that the VFW and American Legion have not had a meeting yet.

Mr. Connelly said that the goal was to have it ready for the 10<sup>th</sup> Anniversary. Feels it's unfair to both sides to leave it the way it is now. He read a letter that he sent to both Veteran Groups. He is offering that we vote on the resolution, one way or the other, today.

Mrs. Cummins read resolution R-11-150 into the record:

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

**R-11-150  
RESOLUTION APPROVING  
911 MEMORIA PROJECT LOCATION PLAN**

**WHEREAS**, the 911 Memoria Project Committee has submitted a Project Site Plan for Veterans Park; and

**WHEREAS**, the site plan has been reviewed Council over a long period of time and has reached an agreement with the Committee on the site plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the attached site plan for the 911 Memoria project to be located at Veterans Park is hereby approved.

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

**ROLL CALL:**

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

**NJDOT Memo RE: Final Inspection**

Mr. Hill stated that corrective action inspection has been scheduled for Monday, July 11, 2011 at 10:00 am. He wants to have a pre-inspection prior to the July 11<sup>th</sup> meeting. He encouraged council to attend NJDOT meeting.

Mr. Francy would like to pull the minutes from all the meetings to be sure everything has been done that was agreed on.



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Mayor Nolan stated that Mr. Connelly, Mr. Francy or Mr. O'Neil will do the pre-inspection with Mr. Hill.

Mr. O'Neil asked if a letter had been sent regarding the flag pole.

Mr. Hill will add this to the request with NJDOT, to get a taller flag pole.

Mr. Francy said that it needs to be lit.

**Discussion RE: Cat License Ordinance**

Mr. Francy had a meeting with ASPCA and animal control officer. They outlined a plan. A newsletter will go out with tax bills explaining the ordinance. He would like to eventually stop licensing cats. He would like Mr. Halfacre to modify our cat ordinance to register cats, not license.

Council discussed.

Mayor Nolan stated that we need more information, will discuss further at the July 20<sup>th</sup> council meeting.

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**Public Portion:**

Don Mandrodt of 268 Bayside Drive said the grass needs to be cut on Bayside Drive by the ditch. He also commented on R-11-144 for HBP liquor license approval, he would like for the VFW to have there liquor license approved for the front parking lot.

Council did not have any objection to approving the VFW serving in the front parking lot.

Mr. Mandrodt mentioned the Memoria Project. He is not happy with the approved plan. He feels we should remove veterans name from the park.

Mayor Nolan asked Mr. Francy and Mr. Connelly to make sure the project gets finished.

Mr. Mandrodt said that Jones Creek is filling up, flooding the street.

Mayor Nolan instructed Mr. Hill to speak with the Freeholder Clifton to get Jones Creek cleaned. He has helped us in the past.

Mr. Francy said that this is a large project dealing with Monmouth Hills. It may be too much for Mr. Hill. He will need help.

Mr. O'Neil will contact the Freehold Director and Clifton.

Eugene VanWagner of 8 Beach Blvd., asked about construction projects, if they are approved. Who enforces resolutions?

Mayor Nolan answered that the Zoning Officer, Code Enforcement Officer, Construction Official, depends on the issue.

Mrs. Cummins asked Mr. VanWagner to fill out a complaint form, and she will direct it to the appropriate department.

Mr. VanWagner stated that he has done this and was told they could not help him.

Mr. Hill will speak with Mr. VanWagner tomorrow and get specific issues and address them.

Mr. Halfacre stated that the resolutions can be enforced and explained the process of permits.

Don Tarpey of 365 Shore Drive thanked Mr. Hill for visiting the area on Bayside Drive. They do need more blacktop put down to help with the leakage from the springs.

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Don Ryan of 363 Shore Drive explained how this problem is causing erosion to his property.

Mr. O'Neil will look at the site.

Mr. Tarpey asked when the date for the bridge inspection is. He said the south bound pedestrian walkway is already cracking.

Mr. Francy stated that this is on the list to be addressed.

Barry Fisher of Locust Street read the HBP report. Wants to request a meeting to be held for residents to inform them on how the zoning changes would impact them.

Mayor Nolan stated that there will be at least two public meetings, one at the Planning Board and one at the Council table.

Carol Bucco of 330 Shore Drive feels that the vehicle ordinance is not working. OEM vehicle is never in town. It is up to the town to track the vehicles mileage and gas expense.

Ms. Kane stated that the OEM was in town all day. He fought a fire on Sunday.

Mr. Hill is working on enforcing the ordinance.

Mrs. Bucco said that her condo complex had submitted a letter requesting the number of licensed dogs in Bayview and she feels that no action has been taken.

Mrs. Cummins stated that notices were sent, and that she also went over the list with a resident of Bayview Condo's. She was also provided a list of addresses of dog owners not on the list.

Mrs. Bucco commented that the HBP did sell domestic beer and they were supposed to give it to the veterans.

There were no further questions or comments from the public.

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

The Meeting adjourned at 9:25 P.M.

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**Debby Dailey, Deputy Clerk**

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