

**Borough of Highlands
Mayor & Council
Regular/Workshop Meeting
October 5, 2011**

Mr. O'Neil called the meeting to order at 7:09 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/Workshop 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

Absent: None

Late: Mayor Nolan – arrived at 7:39 P.M.

Also Present: Carolyn Cummins, Borough Clerk
Tim Hill, Interim Borough Administrator
Mike Halfacre, Esq., Borough Attorney
Steve Pfeffer, Borough CFO
Dale Leubner, T&M Engineers

Executive Session Resolution:

Mrs. Cummins read the following Resolution for approval:

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

**RESOLUTION
EXECUTIVE SESSION**

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

- 1. Litigation: Captains Cove Marina (Possible Litigation)
Slope Failure on Shore Dr (Possible Litigation)
Baymens Protective Assoc (Possible Litigation)
AHHRSA (Possible Litigation)**
- 2. Contracts: Dan-Rob Lease**
- 3. Real Estate:**
- 4. Personnel Matters: Tim Hill – Riced
DPW Staffing/Snow Removal W. Occhipinti-Riced
Police Department Staffing**
- 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 Mr. Connelly and approved on the following roll call vote:

ROLL CALL:

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

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:33 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, Interim Administrator
Mike Halfacre, Esq., Borough Attorney
Steve Pfeffer, Borough CFO
Dale Leubner, T&M Engineers

Public Hearing Open Space Grant Application:

Mrs. Cummins stated that this was noticed in the September 25th, 2011 edition of the Asbury Park Press.

Mr. Hill spoke about the annual Monmouth County Municipal Open Space Grant program. The Borough has proposed handicap accessible walkways on the Snug Harbor Beach. He explained the type of walkway.

There were no questions from the public.

Mr. Hill stated that a resolution is needed for the October 19th, 2011 meeting.

Committee Reports:

Finance:

Mr. Pfeffer explained that he has done extensive work on the Sewer Budget. He has received notice from the AHHRSA that the budget amendment cost to Highlands will be approximately

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\$93,000. We will need to increase rates. This expense came out of nowhere. We do not know what our 2012 rates will be from the Authority yet. He recommends a \$20 increase per quarter. He will ask the attorney to draft ordinance to increase the sewer rate effective January 2012.

Council further discussed the budget.

Mayor Nolan authorized attorney to draft an ordinance and will discuss further

Mr. Pfeffer stated that a decision will have to be made at some point to move on the budget.

Mayor Nolan said that the committee has been working on it.

Mr. Pfeffer explained that the initial spreadsheet did not include the storm. He is projecting that the cost will be at least \$100,000.

Public Safety:

Chief Blewett read thru his report.

POLICE DEPARTMENT
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT
CHIEF



171 BAY AVENUE HIGHLANDS, N.J. 07732



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

**Report to Council
October 2011**

- * The Highlands Police Department recently has been using the Highlands Borough website in order to inform residents of certain issues or concerns within the Borough. I would like to take this opportunity to publicly inform residents to check the press section under the police page of the website.
- * As many of you might already be aware from a recent press article, the Highlands Police Department would like to warn the residents, especially parents, of an ongoing investigation into four separate overdoses occurring within the last two weeks. In each of the cases the overdose occurred after the individuals smoked a substance which was purchased legally. The substance is sold as potpourri or incense and then is being smoked by juveniles and young adults. Although, none of these incidents resulted in a fatality it is our hope that together we can avoid the ultimate tragedy of a fatality due to an overdose. As always, the members of the Highlands Police Department encourage anyone with information to contact the department. All calls are kept confidential and everyone has the right to remain anonymous.
- The police department has been experiencing an increase in juvenile complaints in and around the basketball court and the Huddy park area. Complaints include disorderly conduct maintaining a nuisance and minor borough ordinance infractions. The seriousness of these complaints are increasing and effecting the quality of life for persons frequenting these areas, as such the police department is taking these complaints seriously and will be increasing enforcement of related offenses and crimes. I urge you to speak to your children and find out who they are hanging out with and if your child is involved with this very large group of people. If anyone wishes to speak to myself/officers
- in regard to these issues or any juvenile issue please contact me at (732) 872-1158.

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* Total Calls for Service: 639

* Arrests: Adults: 24 (3 for possession of CDS)
 JV: 1

* Summons: Total: 56

 Moving Violations: 30
 Non-Moving: 15
 DWI: 5
 Boro Ordinance: 6

JRB/dla

Department of Public Works:

Mr. Hill read thru his report.

Calls are still being handled regarding storm / flood damaged contents and brush pick up.
Bulk pick-up schedule for September was completed 1st through 4th Fridays.
Grass cutting put back on schedule.
Temporary laborers enabled us to continue clean up efforts after the storm.
Provided equipment as requested for Fishing Derby, Bike NY, & Octoberfest events
Cleaned Jones Creek (prior to storm) – is being scheduled again

Building and Housing-

Mr. O'Neil said there was no report.

Mr. Francy asked about the tree line on East Manor Square that was discussed with Dave Mercado. Mr. Mercado has referred it to Mr. Halfacre.

Mr. Hill said that a letter was presented Mr. Halfacre from Mr. Mercado this evening.

Mr. Halfacre will review and report back before the next meeting.

Mr. Hill reported that we continue to work with residents and business owners to address concerns -
Will have a report for next month on permit activity related to storm damage repairs

Parks and Recreation

Mr. Hill read thru his report.

They are setting up fall and winter programs for Kids on the Move program (after school), teen night schedule, activities for seniors and adult recreation programs. Movie night events and other program activities are being planned

Facility request are being made to schools for use – indoor soccer, basketball, volleyball, youth basketball league and basketball Dribble, Dish and Swish event.

Fishing Derby held on Sept. 18th – Great weather turnout was light

AH/H Fall Youth Soccer is underway 210 are participating. Tae Kwon Do, 4-H programs and Girl Scout programs are also up and running. In addition 15 other groups / activities were held throughout the month.

Flu Shot Clinic Thursday, Oct 13th from 11:00 a.m. to 12 noon – call the community center to register

Annual Fall Beach Sweep being held, Oct. 22nd at Snug Harbor Beach

Halloween Parade set for Oct 31 – begins at municipal building at 3:45 ends at Community Center

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Public Relations:

Ms. Kane is working on the newsletter. If anyone is interested, please submit an article.

Environmental Shade Tree:

Mr. Francy spoke of trees that have come down from the storm between properties. He has received requests for letters saying the tree is diseased. He does not have the expertise to say if trees are diseased. He advises residents to get their own experts to satisfy insurance company requirements.

Mr. Francy stated that the Environmental Commission has work ongoing at the seep on Bayside Drive and at the Dawg House.

Administrator's report:

Mr. Hill read thru his report.

We continue to assess, review and respond to storm related inquiries from residents. He is working with D. Parker, Chief Blewett, and S. Pfeffer in preparation of FEMA related items. All departments continue to provide info. as required.

Meeting held today for further preparation and FEMA Kick Off Meeting is scheduled for Thursday, Oct 6th

Attended Community Development, FEMA, Census Data & FEMA Utilities Meeting held throughout September

Contact made to County, FEMA, MEL/JIF with regards to information needed for residents, businesses and borough property.

Mr. Parker continues to forward updates relative to timelines for disaster assistance

Report on Washington Ave -

- Continue to work with attorney, engineer and property owner
- Washington Ave. opened for one-way traffic circulation from Marine Place to Recreation Place
- DPW providing garbage pick up along closed sections of street

Contact made with consultant for possible assistance with FEMA related follow-up.

Bayside Drive – spoke with rep from Exxon-Mobil, chemicals for clean-up on Rt. 36 property are not being discharged to Bayside Dr. System being implemented is designed for containment and treatment on site not to flow into surrounding property.

Web site – Provider reported equipment malfunction led to issue and will be repaired soon. Once equipment is operational, all links to borough information and departmental log-ins will require data input from provider.

Library:

Mrs. Ryan said no report at this time.

Highlands Business Partnership:

No report at this time.

AHHRSA:

Mr. O'Neil said we are still moving forward with the lawsuit.

Consent Agenda:

Mrs. Cummins asked the council if there were any items they wished to remove.

Mr. Connelly asked to remove R-11-193.

Mayor Nolan offered the following Resolution and moved on its approval for payment:

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**R-11-191
RESOLUTION GRANTING TAX EXEMPTION
TO DISABLED VETERAN
FOR BLOCK 100.9 LOT 86**

WHEREAS, Joseph Romanelli is a 100% disabled veteran and is the owner and resident of 330 Shore Drive, Unit C-22, Highlands (Block 100.9 Lot 86) the 100% service connected disability having been awarded to Joseph Romanelli by the Veteran Administration for medical conditions arising from his military service; and

WHEREAS, the petitioner Joseph Romanelli has applied for exemption of the taxes assessed for his property located at 330 Shore Drive, Unit C-22, Highlands, as a 100% disabled veteran pursuant to N.J.S.A. 54:4-3.30(A), and the Romanelli residence is exempt for its tax assessment commencing on October 1, 2011 as the residence of a 100% disabled veteran; and

WHEREAS, the Governing Body of the Borough of Highlands, upon recommendation of the Tax Assessor, has determined that Joseph Romanelli is entitled to a tax exemption as a 100% disabled veteran for conditions received in the honorable service of his county and his fellow citizens, and the effectuating the policy of tax exemption as of the appropriate date is proper.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that pursuant to the authority of N.J.S.A. 54:4-3(A) the Tax Assessor is hereby authorized to exempt Block 100.9 Lot 86, 330 Shore Drive, Unit C-22, Highlands, the residence of Joseph Romanelli, a 100% disabled veteran, from the prorated assessment of property effective October 1, 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-11-192
RESOLUTION APPROVING FIRE DEPARTMENT MEMBERSHIP APPLICATION**

WHEREAS, Martin Hawley, Jr. has submitted a Fire Department Membership Application to the Borough of Highlands Fire Department; and

WHEREAS, the Fire Chief has reviewed said application and finds that Mr. Halwey meets all requirements and recommends the approval of membership application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Fire Department Membership Application of Martin Hawley, Jr. is hereby approved.

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

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NAYES: None
ABSENT: None
ABSTAIN: None

Mayor Nolan offered the following payment of bills and moved on its authorization for payment:

**RECAP OF PAYMENT OF BILLS
10/05/11**

CURRENT:			\$ 626,200.74	
Payroll	(09/30/11)		\$	
	Manual Checks		\$	1,819.97
	Voided Checks		\$	
SEWER ACCOUNT:			\$ 97,489.71	
Payroll	(09/30/11)		\$	
Manual Checks			\$ 43.90	
Voided Checks			\$	
CAPITAL/GENERAL			\$ 3,007.20	
CAPITAL-MANUAL CHECKS			\$	
Voided Checks			\$	
WATER CAPITAL ACCOUNT			\$	
TRUST FUND			\$ 343.80	
Payroll	(09/30/11)		\$	
Manual Checks			\$	
Voided Checks			\$	
UNEMPLOYMENT ACCT-MANUALS			\$	
DOG FUND			\$	
GRANT FUND			\$ 1,365.37	
Payroll	(09/30/11)		\$	
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
October 5, 2011**

Tipping Fees 917/11-9/30/11	6,490.55
Street Lighting Reimbursement	164.91
Cell Phones - Police	308.08
Valley Street Drainage Outfall Pipe Application Fee	350.00
Valley Street Drainage Outfall Pipe Annual Assessment	1,250.00
October Health Insurance	65,139.84
Cell Phones	479.84

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Vision Plan 10/2011

761.54

74,944.76

0.00

October Health Insurance	3,339.32
Vision Plan 10/2011	38.53

3,377.85

Refund Off Duty Escrow	80.00
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80.00

78,402.61

Seconded by Mr. Connelly 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

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion for the approval of the September 21, 2011 Regular & Executive Minutes, and seconded by Mr. Connelly 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

R-11-193

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Mr. Connelly spoke about the attorney's advice to not do this. He does not think this a good precedent to set. He further explained his personal experience. He does not think this is the right way to do it.

Mr. O'Neil agrees with Mr. Connelly. It might not be the right thing to do in this situation.

Ms. Kane agreed.

Mr. Francy feels we should not ignore Mr. Halfacre's advice.

Mayor Nolan offered a motion for the approval of R-11-193. The motion failed for the lack of second.

Other Resolutions:

R-11-194 – Resolution Appointing Member to AHHRSA for Unexpired Term

Mayor Nolan offered the following resolution and moved its adoption:

**R-11-194
RESOLUTION APPOINTING MEMBER OF THE ATLANTIC HIGHLANDS-
HIGHLANDS REGIONAL SEWERAGE AUTHORITY**

WHEREAS, John Urbanski has submitted his resignation to the Borough of highlands for his unexpired term as member of the AHHRSA;

NOW, THEREFORE, BE IT RESOLVED that the following appointment be and is hereby made:

Chris Francy - Unexpired 5 year term to expire 02/01/2015

Seconded by Mr.O'Neil 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

R-11-195 Resolution Appointing Member to Depuration Comm for Unexpired Term

Mayor Nolan offered to carry this to the November 2nd meeting.

R-11-196 Resolution Appointing Borough Administrator or Acting Administrator

Mrs. Cummins read Resolution R-11-196 in to the record.

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

**R-11-196
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

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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 October 5, 2011 until midnight on November 2, 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. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: None

ABSTAIN: None

Other Business:

Cat License Removal Discussion

Mr. Francy offered a motion to table this indefinitely, and seconded by Ms. Kane and all were in favor.

Original Oyster Change of Corp Structure Application

Mrs. Cummins stated that we received a letter of approval from Chief Blewett. She is looking for authorization to send a letter to ABC stating that we have no objection to this.

Mayor Nolan offered authorization to send a letter of approval, and seconded by Ms. Kane and all were in favor of 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

Funding for Finance Computer Program

Mr. Pfeffer spoke of the Edmunds Software. He has researched this. The quote for just the finance package came to about \$17,000. He looked at the cost if we extend to the sewer and taxes. The cost would be \$44,185 with a \$5,000 discount. He recommends that we move forward with this. His issue is how we are going to pay for it. There are two choices, go thru the budget or do a bond ordinance to finance it over five years.

Discussion continued about the programs.

Mr. Pfeffer feels that we should upgrade all at once.

Mr. Francy offered authorizing the preparation of the bond ordinance to purchase software, and seconded by Ms. Kane and all were in favor 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 would like to get a list of all of the upgrades offered to add on later.

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Mrs. Cummins asked if we want to incorporate the Police Department computers. Chief Blewett has proposals for upgrades for his hardware.

Chief Blewett said his quote was for approximately \$20,000.

Mayor Nolan stated that we will do the Police Department after they review the proposal

Memoria Project Update

Mr. Hill said they did have an event on September 10th, 2011. The project will encompass the installation of sod, the electric lighting and a sprinkler system.

Mr. O'Neil stated that when they are finished, they must repair the sidewalks that they broke.

North Street Pump

Mr. O'Neil stated that we need to look at the pump. We need T&M to look at it. It's not working. After the hurricane, the electrical part of it sunk in to the ground. It was fixed but needs further repair.

Mr. Hill said that this will be put included in the FEMA application.

Mr. Francy stated that we need to make that pump easily run on a generator.

Mr. Leubner will provide an assessment to Mr. Hill.

NJ Environmental Infrastructure Financing Program

Mr. Leubner stated that this is a document that all applicants must fill out for the funding process. It needs to be addressed by November. We need to execute an affidavit for professional services as well as an engineering agreement.

Mr. Francy asked if we want to do this before we go out to referendum.

Mr. Leubner stated that it would be up to the table. If we wait for referendum, it would be extended to the next funding cycle. This puts an agreement in place which satisfies the EIT's requirements.

Mr. Leubner we would do a bond ordinance for \$4 million dollars

Council continued discussion.

Mr. Leubner explained the funding process. He will email the table the cost breakdown tomorrow.

Discussion continued regarding financing.

Ms. Kane feels uncomfortable committing before the referendum.

Mayor Nolan said more information is needed, and we will talk about this at the November meeting.

Meeting with FEMA Update:

Mayor Nolan asked Mr. Hill to talk about his meeting today with Monmouth County FEMA.

Mr. Hill said that we are looking at hazard mitigation grant program. Municipalities are eligible to apply for funding. There are numerous projects that were impacted due to the storm. FEMA instructed to put everything in that we can. October 15th is the deadline for letters of intent, which are being worked on. He also said that the application deadline for residents to apply has been extended to October 31st, 2011.

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Public Portion:

Don Ryan of 363 Shore Drive stated that Willow Street to Fay is in disrepair. He is concerned with contractors working in the area. There is also a tight turn that contractors will not be able to make. He mentioned that a pond runs over and there is always ice on the road in the winter.

Mr. O'Neil will go down and look at tomorrow.

Don Mandrodt of 268 Bayside Drive asked when we they going to dig the ditch out. There is water in the ditch. The water needs to be stopped from running across the street.

Mr. Hill will take a look at it and make an assessment.

Kevin Redmond of 7 Ocean Street asked when the sidewalks on Bay Avenue would be repaired from the tree removal and what is the status of the street sweeper.

Mr. Hill said its being repaired. The parts have been ordered. We intend to get it up and running.

Kevin Redmond asked about the trailer park on top of the hill, has anyone checked if they have c/o's.

Mr. Hill said when we get a call in the office, we follow up.

Tara Ryan – passed.

Ida Koch of 215 Shore Drive wants to be reappointed to the Housing Authority for another five years.

Roger Clemente – passed.

John Bajor of 15 Huddy Avenue said his property borders Roger Avenue by Captain's Cove. It's been six weeks since the storm and nothing has been done. He spoke of safety concerns.

Mr. Halfacre said the marina property owner has presented an engineering plan for the Roger Street side to begin investigation in to the worst area and it has been approved. It is up to the property owner to follow his engineers plan. He explained the plan.

Mayor Nolan explained he has a meeting with residents last Monday regarding Captains Cove. The process for exploring to repair has been given approval.

John Badger asked about the FEMA deadline. He doesn't have damage but he could be affected by Captains Cove.

Mayor Nolan stated that we are applying for many sites as a town.

Mr. Hill told him to speak with FEMA.

Mr. Halfacre explained to Mr. Bajor that we have authorized the property owner to start the investigation of the Roger Street side.

Brian Wioncek of 317C Shore Drive is the president of the Hillside Village condo Association. He spoke of the letter sent to affected homes by the mudslide from Borough Attorney. He wanted to know if anyone had responded.

Mr. Halfacre stated that he received one phone call from an upslope resident and one attorney that may represent his association. He also asked for the residents to respond in two weeks with their plan.

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Brian Wioncek said that their Board also sent a letter to the residents uphill. He also wanted to know what would happen if no one responds.

Mr. Halfacre said the enforcement of eminent hazard would be up to this body to decide if they want to issue a summons. The fix is well into six figures and at some point it's our concern to get it fixed. Fines may not help. By the next meeting, the council will have to make a decision.

Brian Wioncek further expressed safety concerns of two upland structures. He also wanted to know when we will have engineers inspect to determine if the upland houses are safe.

Mr. Halfacre stated that the council could send code enforcement and engineer out to visit the upland structures.

Mayor Nolan instructed Mr. Hill to send out the Code Enforcement Officer and the engineer to both upland properties and report back to the council.

Brian Wioncek further questioned about removal of mud at the base of the hill.

Mr. Leubner will contact the GEO tech for further clarification of removal of mud. He will get it in writing.

Mr. Hill will send clarification to the condos.

Mr. Wioncek said that a couple of residents have complained about the threshold in the driveways. The asphalt has sunken slightly. Some of the cars are dragging on it.

Mr. Hill will look at this tomorrow.

Mr. O'Neil said that he would look at this also.

Fred Rosiak of 9 Marine Place spoke with two insurance agencies. There advice was that some homeowner policies have a hidden clause about debris removal. We would be well serviced to speak to FEMA about this.

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

The Meeting adjourned at 10:24 P.M.

Debby Dailey, Deputy Borough Clerk