

**Borough of Highlands
Mayor & Council
Work Shop/Regular Meeting
January 18, 2012**

Mayor Nolan called the meeting to order at 8:27 p.m.

Mrs. Cummins read thru 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. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan

Absent: Mr. Redmond

Late Arrival

Also Present: Carolyn Cummins, Borough Clerk

Debby Dailey, Deputy Clerk

Tim Hill, Borough Administrator

Stephen Pfeffer, Chief Financial Officer

Rob Keady, Engineers Office

Dale Leubner, Engineers Office

Michael Halfacre, Esq., Borough Attorney

Bruce Padula, Labor Attorney

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: Captains Cove Marina vs Borough
Hilltop at Highlands, Hillside Village Condo & Ferry
Landings vs. Borough**
- 2.Contract: CWA & UFCW Union Contract Negotiations
Animal Control Service
Branin Contracting Contract
Prof. Auditing Services for AHHRSA
Exxon Mobile Agreement for Bayside Drive**
- 3.Real Estate:**
- 4. Personnel Matters: Police Staffing & Vehicle Needs
Reg Robertson Stipend - 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

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

1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Rendered confidential by State Statute or Court Rule.
3. Would constitute an unwarranted invasion of individual privacy.
4. **Deals with collective bargaining, including negotiation positions.**
5. Deals with purchase, lease or acquisition of real property with public funds.
6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
7. Related to tactics and techniques utilized in protecting the safety and property of the public disclosure may adversely affect the public interest.
8. Related to investigation of violations or possible violations of the law.
9. **Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.**
10. **Falls within the attorney-client privilege and confidentiality is required.**
11. **Deals with personnel matters of public employees and employee has not requested that the matter be made public.**
12. Quasi-judicial deliberation after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

BE IT FURTHER RESOLVED that action may be taken after the executive session.

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

ROLL CALL:

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

NAYES: None

ABSENT: Mr. Redmond

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:27 p.m.

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

ROLL CALL:

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

Absent: None

Also Present: Carolyn Cummins, Borough Clerk

Tim Hill, Borough Administrator

Stephen Pfeffer, Chief Financial Officer

Michael Halfacre, Esq., Borough Attorney

Dale Leubner, Engineers Office

Committee Reports:

Mr. Hill read thru his report.

Borough Administrator's Report January 18, 2012

1. **DPW- See Attached Report**

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A few highlighted items:

Brush Pick for all four zones done throughout December

Debris Removal from Shore Drive (storm related)

Christmas tree removal and chipping continued into January

Responded to 3 sewer clogs –

Catch Basins and lids tended to before and after rain events

Plow / Sanders ready for use

Continued bulk pick up as requested w/ permits

Sewer pump at Waterwitch Lift station repaired

2. Building and Housing-

Code Enforcement / HPD – 81 items listed for review / action

Continue efforts / warnings issued to various property owners

Construction Office – storm related renovations / repairs are being completed, office has been actively assisting residents with questions and guidance.

3. Parks and Recreation

Condos 6, Girl Scouts 5, FOB 3, Tae Kwon Do 4, SET 4-H Club 1, (No 4-H Variety Club, Garden Club, Neighborhood Watch, or Historical Society this month).

Senior Citizens: Holiday Party 12/1/11 at Bahrs Restaurant, Business Mtg. 12/8/11, Exec. Mtg. & Bingo / Lunch 12/15/11.

Special Events: Tree Lighting 12/2/11, Holiday Helpers 12/3/11 - 8 participants, Breakfast with Santa 12/10/11 - 155 served, Teen Night 12/22/11 - 16 participants.

Other: Adult Open Gym Programs began - Basketball, Indoor Soccer, & Volleyball. Kids on the Move Program began 12/5/11 - 20 participants registered. Holiday Party for Kids on the Move participants 12/21/11 - 14 participants (Had pizza, juice, popcorn, & candy canes, watched Holiday Movie, and every participant went home with a new toy!) Serviced 2 families (+ our 14 KOTM participants) with toys for Christmas from the Twin Lights Terrace Condo Toy Drive. Seniors Upcoming Schedule: Exec. Mtg. - 1/5/12, Business Mtg. - 1/12/12, Bingo / Lunch - 1/19/12, Social (Games & More) - 1/26/12.

4. Administrator's report

Ongoing information to FEMA for reimbursement – rec'd initial funding for emergency preparation 75% of adjusted claim = \$23,382.73. Constant contact with FEMA – re: Debris Removal costs / calculations of which 75% will also be reimbursed (approx.. 20-23K) Also met with FEMA rep's regarding Washington Avenue – potential funding of borough portion of project discussed.

December attendance at Clam Depuration, FEMA, Police Dept, Code Enforcement meeting & Senior Citizen event

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Bayside Drive – (See Exxon Mobil Letter)

Working with Monmouth County on striping and other areas along Bay Ave.

MC Mosquito Control Commission – did site visit at slope area –

Verizon – working on pole issue at slope area

Advanced Recovery Systems – electronics recycling program – info.

Also working on upcoming contract negotiations, pre-construction meeting (generators), Shared Services initiatives, & MEL/JIF compliance (Insurance related), and personnel matters.

Mayor Nolan asked Mr. Hill to explain the misinformation with garbage collection on Martin Luther King Day.

Mr. Hill said he contacted Future Sanitation, was told there would be collection. No garbage was picked up. He contacted Future. They are on notice for these deficiencies. They provided him with a 2012 schedule.

Finance:

Mr. Pfeffer spoke of bond note sales. He gave the results of the sale, \$1,315,375.00. The winner bidder was Amboy Bank with 1.13%. He said he received a request today from DLGS to move the Borough back to a calendar year. The paperwork must be submitted. We have to do a six month budget from July to December.

Mayor Nolan asked for further explanation of the benefits of doing this.

He feels the taxpayers would have a better understanding of their tax bills.

Mayor Nolan asked about lining up the union contracts with the unions

Mr. Pfeffer we could have contracts go with the calendar year.

Council discussed.

Mr. Pfeffer asked council for approval to move ahead with this.

Mr. Francy made a motion authorizing Mr. Pfeffer to move forward on creating an ordinance to change the Borough to a calendar year, and seconded by Ms. Kane and approved on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Public Safety:

Chief Blewett read thru his report.

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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
January 2012**

* The Governing Body should be aware of continuing problems with Future Sanitation concerning safety violations and motor vehicle crashes. This department has investigated approximately five (5) motor vehicle crashes, four of which were minor in nature, and one in which the garbage truck rolled over due to mechanical failure.

* In response to our meeting on December 6, 2011, the Highlands Police Department canvassed the

Borough focusing on Property Maintenance violations. As a result, this department forwarded

eighty-one (81) violations to Dave Mercado, Code Enforcement Officer, for further action.

The following is an account of a portion of ancillary activity conducted by the Highlands Police Department throughout 2011:

* **Firearms**

During the 2011 calendar year the Highlands Police Department conducted background investigations on firearms applicants which resulted in:

* **Firearms Identification Cards**

- (8) Change of Addresses
- (1) Replacement Card being issued
- (12) New Applicants – Firearms Identification Cards issued

* **Handgun Permits**

- (32) Handgun Permits being issued (3 applications still pending)
- (1) Handgun Carry Permit being issued
- (4) Applications were denied for criminal backgrounds, domestics violence or public safety issues

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* **Detective Division/Investigations**

During 2011 the detective division investigated the following cases, which is in addition to

investigations that were handled by other officers and does not include routine calls handled on a

daily basis:

* Cases	(134)
* Arrests (resulting from investigation)	(28)
* Closed (no suspect/referred to Court)	(97)
* Pending (Active investigations)	(8)

* **Explorer Program:**

* Program currently has ten (13) active participants

* In 2011 advisory officers trained participants in the following areas:

* Basic First Aid	(2.5 hours)
* CPR	(4 hours)
* Firearms	(12 hours)
* Laws (Criminal/Motor Vehicle)	(8hours)
* K-9 Demonstration	(3 hours)

* Participants also assisted at the following events:

* Easter Egg Hunt/Beach Clean Up (2 hours)

* Parades (Marching) (3 hours)

* Bike NY (Traffic)	(3.5 hours)
* 9/11 Memorial Dedications	(2.5 hours)
* PBA Charity Luau	(10 hours)
* Clam Festival (4 days)	(30 hours)
* Atlantic Highlands Film Festival	(5 hours)

* Participants were also taken on the following trips:

* Delaware River Rafting	(8 hours)
* Paintball	(5 hours)

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- * Participated in Ride-A-Long Program with officers
- * Participated in Program Fund Raising Events

NOTE: Officers donated the majority of hours to the program on their personal time.

<u>December 2011</u>		<u>Total 2011</u>	
* Total Calls for Service:	421	* Total Calls for Service:	6732
- Incoming Phone Calls	20,000		
- Outgoing Phone Calls	5,000		
- Walk-Ins	3,800		
* Arrests:	Adults: 21 (1 for poss of CDS)	* Arrests:	Adults: 291
CDS:	44		
JV:	0	JV:	13
CDS:	2		
* Summons: Total:	50	* Summons: Total:	1054
Moving Violations:	27	DWI:	67
Non-Moving:	6		
DWI:	2		
Boro Ordinance:	15		

Library:

Mrs. Ryan had no report at this time.

HBP:

Mrs. Braswell said that we are preparing for spring clean up. They have their St. Patrick's Day Fundraiser on January 29th at Off the Hook. They welcome all volunteers.

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HBP 2012 Budget – Public Hearing:

Mrs. Cummins said this public hearing is for the 2012 Budget, notice was published in the December 16th edition of the Two Rivers Times

Mayor Nolan opened the public hearing. He asked if there were any questions, there were none.

Public Hearing portion was closed

Resolution R-12-29 – Resolution Adopting HBP 2012 Budget:

Mayor Nolan offered the following Resolution and moved on the adoption of budget:

**R-12-29
RESOLUTION APPROVING
HIGHLANDS BUSINESS IMPROVEMENT DISTRICT BUDGET
District Management Corporation
Highlands Business Partnership
January 1, 2012– December 31, 2012**

COMMERCIAL DISTRICT

2012

PROGRAM BUDGET

EXPENSE

Visual Improvement.....15,000.00

- Beautification
- Maintenance
- Holiday & Seasonal
- Street Banners

**Special Events Calendar.....
\$45,000.00**

- Creation of events

**Marketing &
Communications.....\$20,000.00**

- Ad campaigns
- Tourism
- Public Relations
- Image Building
- Publish and print 25,000 copies of a 2012 -2013 Visitor Guide

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- Maintain and expand website
- Audio & Video Media

Economic

Development.....\$5000.00

- Business Recruitment/Retention & Redevelopment

Administrative Budget

**Personnel.....
15,000.00**

**Miscellaneous.....
10,000.00**

- Legal
- Audit
- Insurance
- Office Supplies
- Utilities – Telephone, fax & electric
- License & fees

**TOTAL
Expenses.....\$110,000.00**

**HIGHLANDS BUSINESS IMPROVEMENT DISTRICT
District Management Corporation
Highlands Business Partnership
January 1, 2012 – December 31, 2012**

COMMERCIAL DISTRICT
PROGRAM BUDGET

2012

Income

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Special Income.....70,000.00 Events

- Vendor Fees Income
- Event Income (Social Affairs & Raffle Permit income)

**Marketing &
Communications.....5,000.00**

- Sponsorship Income
- Barter Goods & Services (approx. \$12k)

TOTAL Income
.....**\$75,000.00**

**TOTAL ASSESSMENT INCOME REQUIRED TO OPERATE -
\$35,000.00**

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

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Consent Agenda:

Mrs. Cummins asked if there were resolutions they wished to remove.

Mr. Leubner wished to add Fiore Paving on to the supplemental bill list for \$135,500.42 for a final payment. The work was completed.

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

R-12-26

**RESOLUTION
APPROVING SOCIAL AFFAIR PERMITS & RAFFLE LICENSE
APPLICATIONS**

WHEREAS, the Borough of Highlands has received the following Social
Affair Permits Application and Raffle Applications:

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Raffle License Applications

Highlands Business Partnership RA#1317-12-1	March 24, 2012 Event
Henry Hudson Regional PTO RA#1317-12-2	April 21, 2012 Event
Henry Hudson Regional PTO RA#1317-12-3	April 21, 2012 Event
Henry Hudson Regional PTO RA#1317-12-4	March 31, 2012 Event
Henry Hudson Regional PTO RA#1317-12-5	March 30, 31, 2011
Event	
Highlands Fire Dept. RA#1317-12-6	March 24, 2012 Event
Highlands Fire Dept RA#1317-12-7	March 1, Aug 5,
Events	
Highlands Fire Dept. RA#1317-12-8	April 14, 2012 Even

Social Affair Permit Application

Highlands Fire Dept. April 14, 2012 Event
Highlands Fire Dept. March 24, 2012 Event

WHEREAS, the Chief of Police has reviewed and approved of the applications.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that all of the above referenced application for Raffle Licenses and Social Affairs Permits are hereby approved and the Borough Clerk is authorized to execute said licenses.

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

ROLL CALL:

AYES: Mr. Redmond, 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-12-27
AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR ACCOUNTING AND AUDITING SERVICES
PERTAINING TO THE DISSOLUTION OF THE ATLANTIC
HIGHLANDS/HIGHLANDS REGIONAL SEWER AUTHORITY**

WHEREAS, the Borough of Highlands has a need to retain professional accounting and auditing services for the Dissolution of the Atlantic Highlands/Highlands Regional Sewer Authority [AH/HRSA], pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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WHEREAS, the anticipated term of this contract is one year(s) and may be extended one time as approved by this governing body; and

WHEREAS, Fallon & Larsen, LLP has submitted a proposal dated December 15, 2011 indicating they will provide the Borough of Highlands with a report of financial feasibility and the projected financial impact of the dissolution of the AH/HRSA for an amount not to exceed \$7,500.00 which represents 50% of the total estimated cost of \$15,000, to be shared between Atlantic Highlands and Highlands; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands in the SFY 2012 Municipal Budget.

Account #Sewer - Other \$7,500.00

Stephen Pfeffer, CFO

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Highlands authorize the Borough Administrator to enter into a contract with Fallon & Larsen, LLP as described in their proposal.

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

1. The firm of Fallon & Larsen is hereby retained to provide professional auditing services as described above for an amount not to exceed \$7,500.00 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 Borough Administrator and Borough Clerk are hereby authorized to sign contract.
3. A copy of this 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. Francy and adopted on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

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Mayor Nolan offered the following Resolution and moved its adoption:

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

R-12-30

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

WHEREAS, the Borough of Highlands has a need for professional engineering services 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 \$55,000 plus reimbursable expenses for Professional Engineering Services provided to the Borough of Highlands for the period January 1, 2012 through June 30, 2012; 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 as follows:

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Current Fund: General Engineering and Stormwater Management

Sewer Utility Fund: Other Expenses and

Grant Fund: Stormwater Management Grant

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 \$55,000 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 sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

ROLL CALL:

AYES: Mr. Redmond, 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-12-31
RESOLUTION APPROVING FIRE DEPARTMENT MEMBERSHIP
APPLICATION**

WHEREAS, John T. McKay has submitted a Fire Department Membership Application to the Borough of Highlands Fire Department; and

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WHEREAS, the Fire Chief has reviewed said application and finds that John T. McKay 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 John T. McKay is hereby approved.

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

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Mayor Nolan offered the following Payment of Bills and moved on its adoption and authorized payment:

**RECAP OF PAYMENT OF BILLS
01/18/2012**

CURRENT:		\$ 58,345.30
Payroll	(01/15/2012)	\$ 171,214.39
Manual Checks		\$ 693,343.33
Voided Checks		\$
SEWER ACCOUNT:		\$ 110,941.94
Payroll	(01/15/2012)	\$ 9,061.68
Manual Checks		\$ 24,212.18
Voided Checks		\$
CAPITAL/GENERAL		\$ 3,711.24
CAPITAL-MANUAL CHECKS		\$ 25.00
Voided Checks		\$
WATER CAPITAL ACCOUNT		\$
TRUST FUND		\$ 854.92
Payroll	(01/15/2012)	\$ 23,644.00
Manual Checks		\$
Voided Checks		\$

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UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	3.60
GRANT FUND		\$	1,700.00
Payroll	(01/15/2012)	\$	1,106.68
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

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CURRENT FUND

Bayview Condominium Association	Street Lighting Reimbursement	476.47
Ceridian	Cobra Fees 12/11	43.87
Comcast	Internet Fees #12-07	180.00
Monmouth County Regional Health Comm.	Health Service Fees 1st Qtr 2012	14,164.75
N.J. Natural Gas	Natural Gas - Boro Buildings #12-06	1,664.54
Scarinci Hollenbeck	150 Navesink Ave	256.50
Summit Risk Services	Legal Deductible - Hilling vs Borough	5,294.31
Swanton Fuel	Unleaded & Diesel 1/10/12	3,220.95

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Total Current Fund		<u>24,781.05</u>
CAPITAL FUND		
Total Capital Fund		<u>0.00</u>
GRANT FUND		
Henry Hudson Regional School	Alliance Grant 4th QTR 2011	7,444.58
Total Grant Fund		<u>7,444.58</u>
SEWER UTILITY FUND		
Total Sewer Utility Fund		
TRUST FUND		
Total Trust Fund		<u>0.00</u>
Total Supplemental Bill List		<u>0.00</u>
		<u>32,225.63</u>

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Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion for the approval of the December 21st, Regular and Executive Session minutes and Reorganization Meeting minutes from January 1st, 2012, and seconded by Mr. Francy on the following roll call vote:

ROLL CALL:

AYES: Mr. Redmond, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan
NAYES: None
ABSENT: None
ABSTAIN: Mr. Francy – for December 21st, 2011 only

Mr. Pfeffer left the meeting at 8:45 p.m.

Other Resolutions:

R-12-01 – Resolution Appt. Boro Attorney & Awarding Prof. Legal Service

Mayor Nolan offered that Resolution R-12-01 to be tabled to the next meeting, and seconded by Mr. O'Neil and all were in favor on the following roll call vote:

.ROLL CALL:

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

R-12-28 – Resolution Appointing Shade Tree Member:

Mayor Nolan offered that Resolution R-12-28 to be tabled to the next meeting, and seconded by Ms. Kane and all were in favor on the following roll call vote:

ROLL CALL:

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

R-12-32 – Resolution Approving Stipend for Acting Supervisor:

Mrs. Cummins stated that this resolution was not on the agenda and she read it in its entirety.

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

R-12-32

**RESOLUTION APPROVING STIPEND FOR ACTING
DPW SUPERVISOR**

FOR THE PERIOD OF OCTOBER 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, Reggie Robertson of the DPW Department has been asked to perform additional

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supervisory duties for the period of October 1, 2011 through December 31, 2011; and

WHEREAS, the Borough of has a genuine need for Reg Robertson to continue duties of Acting DPW Supervisor for the period of October 1, 2011 through December 31, 2011; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that Reggie Robertson be paid a stipend in the amount of \$625.00 for his services as Acting DPW Supervisor for the period of October 1, 2011 through December 31, 2011.

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

ROLL CALL:

AYES: Mr. Redmond, Mr. O'Neil, Mr. Francy, Ms. Kane

NAYES: Mayor Nolan

ABSENT: None

ASTAIN: None

Ms. Kane stepped out at 8:46.

=====

Other Business:

Engineer's Status Report:

Mr. Keady read thru his report.

HGHL-G1201

January 13, 2012

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

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

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. A Tidelands License has been approved by the NJDEP to relocate the Valley Street Pumpstation outfall line to the Borough right-of-way. The permits for the project have been issued by the Army Corps of Engineers on July 7, 2011 and the NJDEP issued CAFRA and Waterfront Development Permits on July 27, 2011. As requested, we have prepared and submitted a cost impact analysis to relocate the proposed pumpstation in Jones Creek to the footbridge adjacent to the community center. A presentation was held on September 20, 2011 to present the anticipated improvements of the overall project. As discussed at the December 7, 2011 Council meeting, the Mayor and Council have elected to delay advertisement of the project and enter the 2013 EIT funding cycle due to the timing of potential FEMA funding amounts. We are currently discussing various items with the NJDEP with regards to the 2013 funding cycle.

2. **The Resurfacing of Waterwitch Avenue:** The Borough received funding for this project in the amount of \$192,000.00.

Bid Date: August 3, 2010

Contractor: Fiore Paving Company, Inc., Oceanport, NJ

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Amount: \$163,637.50

The project is completed. We have submitted final project closeout documents to the NJDOT for final reimbursement.

3. **2011 Roadway Improvements Project:** T&M Associates has been authorized to design and provide 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

Design is substantially complete. The NJDOT has authorized Woodland Street to be advertised for bidding. We are currently awaiting Borough direction regarding sanitary sewer on Bay View Street.

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.

Bid Date: July 19, 2011

Award Date: July 20, 2011

Contractor: Fiore Paving Company, Inc., Oceanport, NJ

Amount: \$1,186,325.00

- A preconstruction meeting was held on August 23, 2011.
- Contractor has mobilized and has begun drainage improvements. Gas main relocation by NJNG on Miller Street by Route 36 has been completed.
- Concrete work is underway.
- Paving operations will not commence until spring 2012 due to the onset of winter weather and seasonal closing of asphalt plants.
- Contractor has ceased construction operations for the season. The project will resume in the spring.

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 includes drainage improvements to the northern portion of Huddy Park. The plans have been approved by the NJDOT and the Monmouth County Community Development Office. The project was advertised and conditionally awarded as follows:

Bid Date: November 30, 2011

Conditional Award Date: December 7, 2011

Contractor: Mixalia Enterprises, L.L.C., Sayreville, NJ

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Amount: \$360,000.00

Concurrence of Award has been received from the Monmouth County Community Development office. We are still awaiting Concurrence of Award from the NJDOT.

Grants and Loans

1. **FEMA Hazardous Mitigation Assistance Grant Application:** The Letter of Intent was submitted to FEMA on April 8, 2011 as required. FEMA has reacted favorably to the Borough's flood reduction project as described in the Letter of Intent. T&M Associates has prepared and submitted the grant application on behalf of the Borough. The application was submitted on October 28, 2011.
2. **FEMA Hazardous Mitigation Assistance Grant Application - Federal Disaster Declaration:** As requested, Letters of Intent have been prepared and submitted to FEMA on October 14, 2011.
3. **NJDOT Local Aid Grant Application:** As requested by the Borough, we have submitted an application for the Reconstruction of Valley Street from Shore Drive to Fifth Street. The project will include replacement of the storm sewer system as well.
4. **NJDOT Bikeways Application:** As requested by the Borough, we have submitted an application to implement the bikeway improvements planned and approved under the ANJEC grant.

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

Ms. Kane returned at 8:51 p.m.

Review of Planning Board Recommendations RE: HBP Recommended Zone Changes:

Ms. Kane offered to table this until next workshop meeting, and seconded by Mr. Francy, and all were in favor on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Review of Planning Board Recommendations RE: Ord. Amend for O-07-07:

Mayor Nolan offered to table this to the next workshop meeting, and seconded by Mr. Francy, and all

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were in favor on the following roll call vote:

ROLL CALL:

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

Best Practices:

Mrs. Cummins stated that Mr. Pfeffer would speak on this, but he left the meeting.

Council discussed.

Mr. Halfacre will draw up an ordinance for education and meeting attendance for council

Building Dept. Fee Schedule Increase Request from Construction Official:

Mrs. Cummins stated that Mr. Vitale approached the council last year to increase the construction fees.

Mr. Halfacre will do the ordinance.

Mrs. Cummins will ask Mr. Vitale to email the fee schedule to the council and Mr. Halfacre.

Electronics Recycling:

Mr. Hill explained their proposal. They provide a locked container and they would pay us \$0.05 per pound.

Council discussed further.

Mr. O'Neil asked about the size of the container.

Mr. Hill will get the specifics on that and bring back to the table.

Request for General Ordinance Amendment from Chief Blewett:

Chief Blewett referred to the hand out given to the governing body tonight. They want to work with the Code Enforcement Officer and focus on property maintenance. He has 10 changes that to need to be made. He further discussed his recommendations.

Council discussed his recommendations.

Mr. Francy feels this is a good initiative.

Mr. Halfacre said he would have to address each one individually; there are State Laws that have to be followed. He will work on this with input from Chief Blewett and Mr. Hill. He will email the list to the Governing Body to get input and work down the list for the next meeting

Mayor Nolan instructed Mr. Hill to work on Ordinance 7-15 regarding street signs.

Chief Blewett will give Mr. Hill the list of traffic signs.

Council continued to discuss.

Mr. Francy spoke about people storing boats in their yards.

Mayor Nolan asked all to forward any ideas to Mr. Hill and Mr. Halfacre. He thanked Chief Blewett for his work on this.

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PTAK Towers Residents Petition to Governing Body:

Mrs. Cummins stated that the residents have submitted a petition to the council.

Mr. Halfacre said the residents are seeking relief from the bed bugs. They feel that the Board is not addressing their concerns. They want the Board Members to be replaced.

Joe Hawley of 215 Shore Drive asked when the minutes are available to the public.

Mr. Halfacre explained when they can be released.

Joe Hawley said the petition was drafted by Ms. Wecker and Mrs. Walsh. He explained the bed bug problem and how it is affecting the residents. He spoke of problems with hoarding and a resident that left a pot on the stove. They would like the governing body to take more of an active role; they do not want to replace the commissioner. They want someone to address the problems.

Ms. Kane spoke about the Housing Authority. It's a hard process to evict. She is working on a new RFP for an exterminator now.

Myra Wecker of Ptak Towers said the petition was done because of the stress of the residents. The exterminator was not good. She explained the living conditions. They need more help.

Mr. Francy asked if they spoke with Jill Holmfield.

Joe Hawley said they have, she does help.

Ida Tkoch of Ptak Towers would like a council person to attend there meeting.

Mr. O'Neil said he has not problems with Jill Holmfield.

Discussion continued.

Mr. O'Neil said this is not a nursing home, it's a senior citizen building.

Mayor Nolan asked when the next housing meeting is.

Joe Hawley said it's Tuesday at 7 p.m.

Arnie Fuog of 50 Valley Street is a former housing commissioner. The people there are nervous. He suggested that another council member, along with Ms. Kane, come to the meetings. You could get ideas that you can bring to the board meetings. He also said a suggestion box that is not opened by the office for the residents. Many residents are afraid to say anything.

Nancy Burton of 22 Atlantic Street spoke about the stress on the people who have bed bugs.

Paradise Park Homeowners Assoc. Request for Waiver of Fee for Zone Change Application:

Mrs. Cummins said that our ordinance states that a \$2,000.00 escrow deposit required and a \$200.00 application fee.

Mayor Nolan asked if we have done this in the past.

Mrs. Cummins does not believe so.

Mr. O'Neil does not think we should do this.

Lori Dibble of Paradise Park said they need a zoning change so they can get funding to upgrade their homes.

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Lori Dibble said they are a non-profit community.

Council continued to discuss.

Mr. Francy asked if Mr. Bollerman was charged a fee.

Mrs. Cummins explained the fee process.

Mayor Nolan spoke against this.

Mr. Francy would like to know when they were changed to a MXD zone.

Council continued discussion.

Mr. O'Neil made an offer to deny the request to waive the fee, and was seconded by Mayor Nolan and all were in favor on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Public Portion:

Brian Weinsok of 317 Shore Drive spoke of the Verizon pole. Where does it stand?

Mr. Hill said Verizon was contacted by a homeowners association that notified them of the pole situation. He asked Verizon to keep him informed on the condition. Verizon was made aware of the construction officials opinion

Brian Weinsok asked when we would hear from FEMA.

Mr. Hill spoke with FEMA yesterday. It has not come up as a public project yet. He explained the funding process. Nothing in Monmouth County has been funded at this point. We are seeking other funds.

Brian Weinsok asked about the uphill properties.

Mr. Halfacre said the uphill property owner closest to the edge has supplied the Borough with their interpretation and position of what they are going to do. The Borough will confirm with them and we will make a decision if we accept their position. He could not speak on the condo's because it is in litigation.

Donald Manrodt of 268 Bayside Drive stated that the ditch needs to be cleaned out again. He asked for an explanation of his tax bill.

Kim Skorka – not present.

Arnie Fuog – passed.

Tara Ryan of 17 Ocean Street asked Chief Blewett about the number of hand guns issued last year.

Chief Blewett said there were 34.

Michelle Pezzulo of Highland Avenue said Best Buy has electronic exchange. Maybe we can partner with them.

Christian Lee – passed

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Ed O'Neil of 286 Bay Avenue would like to apply for the position in the recycling yard. He further explained his qualifications.

Mr. Hill said we will be formally posting the position and that he does have Mr. O'Neil's application.

Lori Dibble of Paradise Park had question on application fees.

Mrs. Cummins explained.

Lori Dibble said that they do not have a fire hydrant at the Mobile Park.

Ms. Kane explained the Fire truck can pump from the river.

Mr. O'Neil said there is a pipe down there to draw water from, also.

Carla Cefalo – passed.

There were no further questions 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 10:10 p.m.

Debby Dailey, Deputy Clerk

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