

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Mayor Nolan called the meeting to order at 7:18 p.m.

Mrs. Cummins read through the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Work Shop/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. Redmond, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan

Late Arrival: Mr.O'Neil at 7:23 p.m.

**Also Present: Carolyn Cummins, Borough Clerk
Steve Pfeffer, Chief Financial Officer
Bruce Padula, Labor Attorney
Dale Leubner, Borough Engineer**

Executive Session Resolution

Mrs. Cummins read the following Resolution for approval:

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

**R-12-128
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: Capt's Cove Marina, Hillside Village Condo Assoc.**
- 2.Contract: Shared Service Agreement for Dispatchers, HES Shared Service**
- 3.Real Estate:**
- 4. Personnel Matters:**
- 5. Attorney-Client Privilege:**

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

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

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

1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Rendered confidential by State Statute or Court Rule.
3. Would constitute an unwarranted invasion of individual privacy.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

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 Mayor Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. O'Neil arrived late

ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:30 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

Steve Pfeffer, Chief Financial Officer

Bruce Padula, Labor Attorney

Dale Leubner, Borough Engineer

Committee Reports:

Finance:

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Mr. Pfeffer contacted DLGS about the transition budget. They approved and made one small change one state aid dollar amount. We will move forward with this. We are finishing the budget year. He is watching deposits every day. He further spoke about the budget and having the new one done seven days after the close of the end of year.

Public Safety:

Mr. Hill spoke of the Chief's absence and there is no report at this time.

Mayor Nolan stated that we applied for a FEMA grant for Washington Avenue. The first payment to us is \$24,746.00. Mr. Hill is still negotiating for road repair money.

Administration:

Mr. Hill read thru his report.

BOROUGH ADMINISTRATOR'S REPORT - JUNE 6, 2012

1DPW:

19 items on report from DPW – schedule park / beach cutting weekly, brush pick up throughout May in all 4 zones, scheduled Waterwitch & South Bay Lift station cleaning, serviced pumps at Waterwitch Ave, repairs at Vet's Park, picnic tables repaired, painted and set out, existing benches at Vet's park repaired and painted, flag replacement done at parks.

2BUILDING & HOUSING:

Code Enforcement: 58 Inspections done in May - 23 failed, notices sent and follow up to be scheduled.

Update on Police Dept / Property Maint Reports – 80 Generated, 22 PD related items, 16 sites – re-inspection o.k., violation further reviewed for accuracy.

19 reports are currently in the system and 23 reports are open as of June 1. There were also duplications or items that were already reported and action taken.

Construction:

41 Permit fees generated for various applications. High level of activity.

Zoning:

Reviewed 19 Zoning Permit Applications. Reviewing additional items regarding site plan and steep slope issues. Mr. Mullin is also requesting that we review Ordinance "21-65.27 Yards, Courts and Exposures" to clarify section 3, deck set backs. He also is requesting that we review 21-55 regarding site-plan requirements for change of use. He noted that if the use is permitted, he would like to be able to review and make recommendations based on the intensity of such use – not automatically require full site-plan approval.

Short-term rental ----- information being gathered, no update.

3PARKS & RECREATION:

May Usage 24 Groups: Condos / Homeowners Assoc. 4, Girl Scouts 4, FOB 3, AA / Women's Step Group 2, Tae Kwon Do 5, SET 4-H Club, 4-H Variety Club, Garden Club, Historical Society, Girl Scout Leader Mtg., & Boating Safety Class.

Senior Citizens: Exec. Mtg. & Business Mtg. 5/10/12 - MCPS Speaker, Bingo / Lunch 5/17/12, SC Social 5/24/12 - Memorial Program, SC Special Event 5/31/12 - Day at the Movies.

Recreation Special Events: Creative Notions 5/2/12 - 6 participants, Teen Night 5/4/12 - 19 participants, Aquafina Pitch, Hit, & Run Event 5/5/12 - 26 participants, Teen Night 5/25/12 - 24 participants, Project Graduation at HHRS 5/31/12 - Highlands Recreation Dept. Staff attended and helped supervise activities, Senior Salute to the HES 6th Grade Class 6/1/12 - 11 Senior Citizens, 25 Students & 3 Teachers, HHRS S.A.D.D. Walk 6/2/12 - postponed to later date in Fall.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Other: Kids on the Move Program - 42 participants registered. Seniors Upcoming Schedule: Exec. & Business Mtg. 6/14/12, Bingo / Lunch 6/21/12, Social (Calendar Party) 6/28/12, Special Event (Summer Picnic) 6/29/12. Other Upcoming Events: Summer Kidfest Registration ongoing - 35 registered to date, Teen Nights 6/15/12 & 6/22/12 from 7:00 pm to 9:30 pm, Movie on the Beach "The Goonies" 6/29/12- begins approx. 8:30 pm at Snug Harbor Beach, Summer Kidfest Program 7/2/12 - 8/17/12 Mon. - Fri. 8:30 am - 1:30 pm, Senior Farmer's Market Voucher Distribution - Date TBA (End of June or First week in July.)

Administration –

Rec'd Summer Food Service Grant Award Notice for 2012 - \$11,146.00

Monmouth County Open Space Grant – Deadline Sept. 19, 2012

Monmouth County CDBG Grant Application submitted for consideration
\$250K – total project estimate: \$423K

Applications being reviewed for seasonal employment –

Rec'd Notification from DOT regarding RT 36 repaving --- Union Beach to Highlands - Mid September

Fall Flu Shot Clinic set for Thursday, Oct 11th, 11:00 a.m. to 12 noon at Ptak Towers.

Mayor Nolan commented on the beach sifting. They did a great job.

Library:

Mrs. Ryan read thru her report.

LIBRARY COMMITTEE REPORT

JUNE 6, 2012

- The Library Committee met last week, and decided to change the hours of the library for the summer. The changes have been cleared with the Rec. Center staff. New Hours are: Thurs. 2-4, Fri. 2-4 and Sat 10-12.
- The magazine exchange is thriving. Residents can bring their own magazines that they are through with to the library and drop them off for others to read. You may take home other magazines to read. This is a simple exchange, no return dates for the materials, and you do not need a library card to participate. We request magazines 3 months old and newer, please!
- In an out-reach effort the committee is creating and sending a postcard w/hours and programs listed to all homes in Highlands. We cannot afford a huge mailing, this effort will take place over several months.
- A fund-raiser is being planned to take place in October, most likely, at a local venue.
- We are looking for a volunteer to come and play the piano for a young peoples' sing-along one per month, at the library. Please contact us if you are available, and interested in hearing young people sing!
- Books on the HES and HHRS Summer reading lists will be available the last week of June.

Mrs. Ryan asked Mrs. Cummins to post the changes in Library Hours on the electronic signboard. She would also like to have a sing-along program for kids on Saturdays thru out the summer.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Highlands Business Partnership:

Mrs. Braswell read thru her report.

Getting the walls power washed at the top of Miller Hill.

Continuing the Bay Avenue Maintenance Program.

Marketing and Events Committee are working on the Taste of Highlands and various events throught out the summer.

Ribbon cutting for Cranky Cycles and Gerts Snacks and Spices

LaPlia –SeaStreak wanted to enhance Highlands in the destination program at beach the property starting July 6th. She will forward the information to the Governing Body.

Mrs. Braswell read thru the list of the restaurants involved in the Taste of Highlands.

Shared Services:

Mayor Nolan spoke about possible shared service for dispatch with Atlantic Highlands. We are still sorting out the details. There is nothing new to report.

Sewer Authority:

Mr. Francy spoke about AHHRSA last repairs down Navesink Avenue area are being made. They would like to meet with Mr. Francy and Mayor Nolan. He will set that up.

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Other Business:

FEMA House Lifting Program Financing Discussion:

Mr. Pfeffer said the grant is a reimbursement grant. We would have to do a Bond Ordinance before we get reimbursement from FEMA. The question that came up was if the Borough had to come up with a 5% down payment which is not required because the grant is coming thru the office of Emergency Management. He further explained. We can't move forward until we have the actual grant agreement.

Mr. Leubner said he is meeting with the affected property owners in the next couple of weeks to see if they are agreeable.

Mayor Nolan will attend that meeting with Mr. Leubner.

Mr. Francy asked if the homeowners that sign on, can they back out.

Mr. Pfeffer needs to read the agreement first.

Mr. Padula will review the agreement.

Highlands Garden Club – Request for Annual Donation:

Mrs. Cummins stated that they are requesting \$3,500.00.

Mayor Nolan offered a motion to make the donation, seconded by Mr. Redmond and all were in favor on the following roll call vote:

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

ROLL CALL:

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

NAYES: None

ABSENT: Ms. Kane – left meeting

ABSTAIN: None

Review of Engineer's Proposal for 3rd Supplier of Electric:

Mr. Leubner spoke of the proposal and the saving of 25-30% annually. This must be bid and must award three hours after the bid. He explained the process. This would authorize T&M to get the bids and prepare the recommendations just for the electric.

Mayor Nolan proposed that we add electric and gas.

All were in agreement.

Mr. Leubner will keep the Governing Body updated.

HBP Request for Craft Beer Festival Event:

Mayor Nolan asked if the Chief of Police approved.

Mrs. Braswell is waiting for a response.

Mr. Francy asked what the benefit is to the town.

Mrs. Braswell said the proceeds will go to park improvements. She further explained the event.

Mayor Nolan offered a motion to carry this to the next meeting subject to Chief Blewett's approval, seconded by Mr. Redmond 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

Open Space Grant Program:

Mr. Hill explained the grant. It is very competitive. There is a max of \$250,000.00 that can be applied for and it is a dollar for dollar match. We will set up a public hearing in July. The application deadline is September 19th. We need to decide what project what we want to apply for by the deadline. He will get more information and will bring to the council for discussion.

Peddlers License Review:

Mr. O'Neil wants to review licenses to be sure they are all being used. If not, we can issue licenses to new people.

Mrs. Cummins asked how we will monitor it.

Mr. Francy said we need the license holder to show us a usage report. He suggests that we do a lottery every year.

Mr. O'Neil will look in to this further.

Short Term Rental Discussion:

Mr. Hill stated that there isn't an update. We are still looking in to other town ordinances.

Consent Agenda:

Mayor Nolan asked if there were any questions or concerns and there were none.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Mrs. Cummins stated that the minutes on for approval were for May 16th not May 23rd.

Mayor Nolan offered a motion to move on the adoption of the following Resolution:

**R-12-129
RESOLUTION
AUTHORIZING REFUND
OF UNUSED ESCROW FUNDS**

WHEREAS, the Borough Clerk of the Borough of Highlands has reviewed the escrow records and has determined that certain monies are due and payable by the Borough of Highlands to certain applicants; and

WHEREAS, the Borough Clerk recommends the immediate reimbursement of the remaining funds collected by the Borough of Highlands in the amounts listed below: and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Chief Financial Officer is authorized to immediately refund and pay the remaining escrow funds listed below to the applicants listed below.

1.	231 Bay Ave, LLC	Flood Review #9700-8-07-22	\$143.50
2.	Colby Plumbing,	Curb Cut Review#9700-8-07-24	\$197.35
3.	Paul Gundlach	Retaining Wall Review#9700-8-07-35	\$290.00
4.	Yong Hai Huang	Flood Review #9700-8-07-40	\$407.75
5.	231 Bay Ave, LLC	Zoning Board Escrow#9500-9-7-07	\$1,781.74
6.	Douglas Lentz	Zoning Board Escrow #9500-9-6-08	\$418.76
7.	Bay One Nine, LLC	Zoning Board Escrow#9500-9-5-09	\$27.98
8.	Marie Sarosy	Zoning Board Escrow#9500-9-4-09	\$286.32
9.	Edna Parzych	Zoning Board Escrow#9500-9-1-10	\$195.38
10.	B. Kennedy	Zoning Board Escrow#9500-9-12-93	\$145.00
11.	Peter King	Zoning Board Escrow#9500-9-09-93	\$94.50
12.	Devine/Hicks	Zoning Board Escrow#9500-9-04-93	\$293.42
13.	W. & B. Brailard	Zoning Board Escrow#9500-9-12-94	\$297.67
14.	S. & T. Dzedzic	Planning Board Escrow#9000-9-02-06	\$118.97
15.	Douglas Lentz	Planning Board Escrow #9000-9-03-1	\$554.75
16.	Forefront Homes	Planning Board Escrow #9000-9-05-3	\$913.78
17.	Thomas Reed	Planning Board Escrow#9000-9-06-4	\$0.46
18.	Everclear Dev. LLC	Planning Board Escrow#9000-9-07-02	\$116.94
19.	Claddagh of Highlands	Planning Brd Escrow#9000-9-07-03	\$69.58
20.	A & T. Oakley	Grading Plan Review #9800-9832	\$311.50
21.	S. Rhame DBA the Hills Group	Grading #9800-9831	\$379.00
22.	E. Reidy	Curb Review #9800-9842	\$120.25
23.	T. &V. Caldas	Driveway Review #9800-9857	\$3.00
24.	Sofia Homes, LLC	Retaining Wall Escrow #9800-9859	\$257.64
25.	D. Tarpey	Flood Review App Escrow#9800-9836	\$209.00
26.	M. & M. Wrenn	Flood Review Escrow#9800-9834	\$3.00
27.	S. Cassidy	Sidewalk Fee Escrow #9800-9830	\$25.75
28.	Kerri Higgins	Steep Slope Review #9800-9845	\$40.00
29.	R. & M> Conte	Steep Slope Review #9800-9820	\$373.75
30.	Adam Dublet	Sidewalk Review #9800-9846	\$248.50
31.	The Noonan Guiney,	Sidewalk Review #9800-9838	\$30.00
32.	Gary Badrick	Vacation Request #9800-9861	\$2,000.00
33.	NJ American Water	Hillside Ave Escrow#9800-9869	\$6,583.50
34.	Highlander Assoc	Escrow#9800-9823	\$1070.50

Seconded by Ms. Kane and adopted on the following Roll Call Vote:

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

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-12-130
RESOLUTION APPROVING THE HIGHLANDS BUSINESS PARTNERSHIPS
ADOPT A BENCH PROGRAM**

WHEREAS, the Highlands Business Partnership presented the "HBP Adopt-a-bench program" to the Governing Body at its May 16, 2012 Council Meeting; and

WHEREAS, the Governing Body was very supportive of this program as presented.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Highlands Business Partnerships "HBP Adopt-a-Bench Program" is hereby approved.

BE IT FURTHER RESOLVED that said approval is subject to the program using 6 foot backed black benches as presented (Item #ASM-TB6B-01-BK/CD) as well as the Router 4 by 6 Plaque for the top of the benches (Item #LAB-FAB-CUSTMACH).

BE IT FURTHER RESOLVED that said benches will be installed at municipal parks and public places as approved by the Borough Administrator.

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

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

**R-12-132
RESOLUTION APPROVING SOCIAL AFFAIRS PERMIT
FOR THE AMERICAN LEGION**

WHEREAS, the American Legion has filed an application for a Social Affairs Permit for an event to be held on July 7, 2012 with a rain date of July 8, 2012; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed and approved by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the Highlands American Legion for an event to be held on July 7, 2012 with a rain date of July 8, 2012.

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

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

ABSENT: None
ABSTAIN: None

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

R-12-133

RESOLUTION AMENDING RESOLUTION R-12-77

**AUTHORIZING DISPOSAL OF
BOROUGH EQUIPMENT**

WHEREAS, the Borough of Highlands Governing Body adopted Resolution R-12-77 on April 4, 2012 which authorized the disposal of office equipment and vehicles; and

WHEREAS, the DPW Supervisor was authorized to auction off a **1986 Chevy Blazer VIN#1GED18J2GS105590**; and

WHEREAS, the DPW Supervisor has believes that it would be more financial beneficial to the borough to dispose of the vehicle via salvage verses auctioning it off.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that Resolution R-12-77 is hereby amended to allow for the salvage of a 1986 Chevy Blazer VIN#1GED18J2GS105590

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

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

R-12-134

**RESOLUTION AUTHORIZING
WAIVER OF MUNICIPAL FEES FOR FIRE TYPE I PERMIT**

WHEREAS, the local Girl Scouts will be hosting an overnight function for the children at the Community Center on June 8, 2012 which requires a Type I Fire Permit which cost \$42.00; and

WHEREAS, the Girl Scouts are a non-profit organization and the Borough is very supportive of their contributions that they provide to the local children.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that municipal permit fees in the amount of \$42.00 for a Type I Fire Permit is hereby waived.

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

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

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

R-12-135

BOROUGH OF HIGHLANDS

**RESOLUTION AUTHORIZING AND DIRECTING THE BOROUGH ENGINEER AND
BOROUGH ATTORNEY TO MEET WITH ELIGIBLE HOMEOWNERS TO DISCUSS
THE HAZARD MITIGATION GRANT PROGRAM FROM FEMA FOR ELEVATING
HOMES WITHIN A FLOOD ZONE**

Whereas, as a result of Hurricane Irene in August 2011, FEMA has made available several Public Assistance Grants including Hazard Mitigation Grants available to local communities; and

Whereas, Hazard Mitigation Grant Program funds are available to local communities following a Presidential disaster declaration to reduce or eliminate losses from future disasters; and

Whereas, examples of Hazard Mitigation Grant projects include elevating flood-prone homes or businesses; and

Whereas, the Borough Engineer is currently working on a Hazard Mitigation Grant Program to elevate thirteen (13) eligible homes within the Borough; and

Whereas, there exists certain legal and other procedural prerequisites to eligibility for and participation in the Hazard Mitigation Grant Program; and

Whereas, in order to comply with all legal and other requirements, the Borough desires its engineer and attorney to meet with eligible homeowners to discuss the process of participation in the Hazard Mitigation Grant Project.

Now, therefore, be it RESOLVED that the Mayor and Council authorize and direct the Borough Engineer and Borough Attorney to meet with eligible residents to discuss eligibility for and participation in the Hazard Mitigation Grant Project for home elevation to ensure compliance with all legal and procedural requirements of the project.

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

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

RECAP OF PAYMENT OF BILLS

06/06/2012

CURRENT:		\$	576,535.50
Payroll	(05/30/2012)	\$	277,557.32
Manual Checks		\$	35,710.00
Voided Checks		\$	

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

SEWER ACCOUNT:		\$ 77.26
Payroll	(05/30/2012)	\$ 15,030.73
Manual Checks		\$ 655.52
Voided Checks		\$
CAPITAL/GENERAL		\$ 2,756.28
CAPITAL-MANUAL CHECKS		\$
Voided Checks		\$
WATER CAPITAL ACCOUNT		\$
TRUST FUND		\$ 22,559.12
Payroll	(05/30/2012)	\$ 4,875.00
Manual Checks		\$
Voided Checks		\$
UNEMPLOYMENT ACCT-MANUALS		\$
DOG FUND		\$ 405.80
GRANT FUND		\$ 8,032.96
Payroll	(05/30/2012)	
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.**

**Borough of Highlands
 Mayor & Council
 Workshop/Regular Meeting
 June 6, 2012**

SUPPLEMENTAL BILL LIST

June 6, 2012

CURRENT FUND

Broadview	Telephone Service #12-11	3,011.12
Cleary, Giacobbe, Alfieri, Jacobs LLC	Labor Counsel May 2012 Fees	1,102.00
Future Sanitation	Solid Waste/Recycling 6/01/12-6/15/12	8,408.34
Future Sanitation	Solid Waste/Recycling 6/16/12-6/30/12	8,408.34
Future Sanitation	Tipping Fees 5/15/12-5/31/12	8,786.19
Gravelly Point Beach Association	Street Lighting Reimbursement	54.79
Monmouth County Treasurer	May 2012 Tipping Fees	1,143.44
Nextel	Cell Phones - Emergency Mgmt. & Fire	191.31
Red Bank Recycling	May 2012 Transportation Charges	400.00
Welco	Industrial Gases	60.39
Total Current Fund		31,565.92

CAPITAL FUND

L & L Paving	Bay Ave - Payment Certificate #2	21,785.40
Total Capital Fund		21,785.40

GRANT FUND

Total Grant Fund	0.00
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SEWER UTILITY FUND

Total Sewer Utility Fund	0.00
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**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

TRUST FUND

Red Bank Recycling	May 2012 Transportation Charges	800.00
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Total Trust Fund		800.00
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Total Supplemental Bill List		54,151.32
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Approval of Minutes:

Mayor Nolan offered a motion for the approval of the May 16th, 2012 Regular & Executive Session Meeting Minutes, 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

Other Resolutions:

R-12-127

Mrs. Cummins read the title of R-12-127 - Resolution Approving HBP Social Affairs Permit.

Mayor Nolan said this is for the ClamFest.

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

R-12-127

**RESOLUTION APPROVING SOCIAL AFFAIRS PERMIT
FOR THE HIGHLANDS BUSINESS PARTNERSHIP**

WHEREAS, the Highlands Business Partnership has filed an application for a Social Affairs Permit for an event to be held August 2nd – August 5th, 2012 with no rain date; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed and approved by the Chief of Police.

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 an event to be held August 2, 2012 – August 5, 2012.

Seconded by Mr. O’Neil 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

R-12-123

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Mrs. Cummins read the title of R-12-123 – Resolution Approving Separation Agreement.

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

R-12-123

**RESOLUTION APPROVING RETIREMENT RELEASE & SEPARATION
AGREEMENT**

Whereas, Lt. William Armenti has served the Borough as a Police Officer for 25 years and wishes to retire; and

Whereas, the Borough and Armenti wish to memorialize the terms of his retirement from the Borough in accordance with Borough Police and the applicable Collective Negotiations Agreement,

Now, therefore, be it resolved by the Mayor and Council of the Borough of Highlands, that the Borough approves the Release and Separation Agreement between the Borough and Lt. Armenti and authorizes the Mayor to sign the Agreement on behalf of the Borough.

Seconded by Mr. Redmond 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

R-12-131

Mrs. Cummins read the title of R-12-131 – Resolution Approving VFW Social Affairs Permit.

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

R-12-131

**RESOLUTION APPROVING SOCIAL AFFAIRS PERMIT
FOR THE HIGHLANDS VFW**

WHEREAS, the Highlands VFW has filed an application for a Social Affairs Permit for an event to be held August 2nd – August 5th, 2012 with no rain date; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid, and the license has been properly reviewed and approved by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the Highlands VFW for an event to be held August 2, 2012 – August 5, 2012.

Seconded by Mr. O’Neil 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

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

R-12-136

Mrs. Cummins read the title of R-12-136 – Resolution Approving Fire Dept. Membership Application.

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

R-12-136

RESOLUTION APPROVING FIRE DEPARTMENT MEMBERSHIP APPLICATION

WHEREAS, Scott A. Burkhardt 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 Scott A. Burkhardt 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 Scott A. Burkhardt is hereby approved.

Seconded by Mr. Redmond 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

R-12-137

Mr. Padula read the title of R-12-137 – Resolution Approval of Two Agreements with Captain’s Cove Marina and read the resolution in to the record.

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

R-12-137

RESOLUTION APPROVING TWO AGREEMENTS

WHEREAS, the Borough and Captains Cove Marina have been negotiating over several issues related to the repair of the marina and Washington Avenue for damage caused by Hurricane Irene; and

WHEREAS, the parties agree to certain terms which permit the Borough and the Marina to each repair their own property.

NOW, THEREFORE, BE IT RESOVLED by the Mayor and Council of the Borough of Highlands that the agreements concerning (1) the issuance of a mercantile license for Captains Cove and (2) concerning conditions related to the repairs made by the marina and the exchange of easements are approved in substantially the same form as attached hereto and as presented by Counsel subject to final execution of the agreements by all parties.

Seconded by Mayor Nolan 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

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Ordinances: Introduction and Set Public Hearing Dates:

Ordinance O-12-13:

Mrs. Cummins read the title of Ordinance O-12-13 for introduction and setting of public hearing date of July 18th, 2012.

Mr. Francy asked for clarification of where parking is impeded.

Mr. Hill said Chief Blewett's recommendations were no parking on either side of the egress.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of July 18th, 2012 at 8:00 P.M. and authorized its publication according to law:

BOROUGH OF HIGHLANDS

ORDINANCE NO. O-12-13

AN ORDINANCE SUPPLEMENTING SCHEDULE I OF CHAPTER 7-3.4 "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS TO PROHIBIT PARKING AT ALL TIMES ON LOCUST STREET SOUTH AND EAST OF WILLOW STREET TO ITS TERMINUS

WHEREAS, the Borough of Highlands, desires to supplement Chapter 7 of the Revised General Ordinances of the Borough of Highlands, specifically Section 7-3.4, entitled: "Parking Prohibited at All Times on Certain Streets;" and

WHEREAS, the Chief of Police has recommended that Locust Street, south and east of Willow Street to its terminus, shall be an area of no parking at all times; and

WHEREAS, Section 7-3.4, entitled: "Parking Prohibited at All Times on Certain Streets" provides, in pertinent part:

7-3.4 Parking Prohibited at All Times on Certain Streets.

No person shall park a vehicle at any time upon any of the streets or parts of streets described in Schedule I attached to and made a part of this chapter.

NOW, THEREFORE, BE IT ORDRAINED BY THE BOROUGH OF HIGHLANDS as follows:

(1) Schedule I of Section 7-3.4, "Parking Prohibited at All Times on Certain Streets," shall be supplemented to include the following:

SCHEDULE I

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Locust Street	Both	south and east of its intersection with Willow Street to its terminus

(2) SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

(3) REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

(4) EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Seconded by Mr. Redmond and introduced 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

Ordinance O-12-14:

Mrs. Cummins read the title of Ordinance O-12-14 for introduction and setting of public hearing date of June 20th, 2012.

Mayor Nolan offered the following ordinance and moved on its introduction and setting of a public hearing date for June 20, 2012 at 8:00 P.M. and authorized its publication according to law:

O-12-14

Borough of Highlands

County of Monmouth

An Ordinance granting an Access Easement to RA Multimedia Corp. d/b/a Captain’s Cove Marina to maintain the underlying support for its bulkhead along Washington Ave. and accepting a Drainage Easement from RA Multimedia Corp. d/b/a Captain’s Cove Marina

Whereas, the Borough and Multimedia (hereinafter referred to as “the Marina”) are the owners of adjacent property along Washington Avenue, comprised of, in part a length of roadway and a bulkhead; and

Whereas, during Hurricane Irene in August 2011, the Marina’s bulkhead and Washington Avenue suffered damage; and

Whereas, since that time, the Borough and the Marina have alleged that each other are responsible for the damage; and

Whereas, the Borough has alleged, in part, that the Marina failed to maintain its bulkhead and the Marina has alleged that a Borough drain into the Marina is responsible, in part for the damage; and

Whereas, the Marina has filed a Tort Claim Notice with the Borough concerning the damage to its bulkhead; and

Whereas, each party had denied responsibility for the damage but the parties have nonetheless engaged in negotiations to amicably resolve these outstanding issues; and

Whereas, as part of these negotiations, the parties expressed a desire to exchange the mutual easements discussed herein; and

Whereas, N.J.S.A. 40A:12-16 provides that a municipality may, by ordinances, exchange any rights or interests in land therein owned by the municipality for other lands or rights or interests therein desired for public use.

Now, therefore, be it ORDAINED by the Borough of Highlands as follows:

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

(1) The Borough hereby grants an access easement to the Marina in the form attached hereto and incorporated herein by reference which shall include, inter alia, the following conditions: (a) the Marina shall provide the Borough with at least seventy-two (72) hours written notice, except in cases of emergency, and (b) obtain any necessary permits or other approvals which may be required by law, prior to accessing the property which is the subject of the access easement;

(2) The Borough hereby accepts a drainage easement from the Marina in the form attached hereto and incorporated herein by reference; and

(3) SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

(4) REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Seconded by Mr. O'Neil and introduced 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:

Tara Ryan of 17 Ocean Street asked about the bridge ceremony. Did any of the council attend/
Mayor Nolan and Mr. Francy stated yes, they attended.

Mrs. Ryan asked about the "Paint the town Pink" program. Its seemed to her that we were not involved. Why did we not participate?

Mayor Nolan stated that we found out too late to be in it.

Mrs. Kurta will be involved in it next year and will look in to this for next year.

Don Manrodt of 268 Bayside Drive stated that the VFW was not invited to the bridge ceremony and Mr. Azzolina was a VFW member. Also, Monday night, we had flooding on Bayside Avenue. What is the status on the Bay Avenue project?

Mr. Leubner said that once the pipes are in, we will start on the road. It should be done mid-July weather permitting.

Roger Clemente of 164 Linden Avenue asked if there were any updates from FEMA regarding the landslide.

Mr. Hill stated that we have not heard from FEMA.

Roger Clemente spoke of a drainage pipe being clogged behind the bank.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Mr. Hill will take a look at the pipe.

Roger Clemente asked about the amount of money from FEMA per house.

Mr. Leubner explained that it is about \$91,500.00 per house. He further explained.

Claudette Darrigo of 12 Seadrift spoke of the flooding on Washington Avenue. This needs to get fixed.

Mayor Nolan stated that we just approved this to be fixed.

Pat Phillip of 56 Fourth Street spoke of a house on Bay and Cedar Avenue. The grass is overgrown.

Mr. Hill will send Dave Mercado down there tomorrow.

Pat Phillip asked who is running the Recreation Center. What are the criteria for someone to work there?

Mayor Nolan explained that a lot of the workers come back from last summer.

Pat Phillip stated that an employee got in to her grandchild's face

Mayor Nolan told her to speak with Mr. Hill tomorrow about the employee.

Pat Phillip asked if there is a list of the thirteen houses that are on the FEMA list.

Mrs. Cummins explained the FEMA list.

Paul Oliveira of 14 Seadrift spoke about short term rentals. Point Pleasant has an ordinance that he feels the Borough should look at. He also suggested parking permits for residents on Seadrift. He asked if there is an update on the paving of the parking lot at SeaStreak? He further asked how the houses were qualified for lifting.

Mayor Nolan said there isn't an update on the parking lot.

Mr. Hill said the information was on the signboard to apply with FEMA. Homeowners had to apply.

Mr. Francy said that these were houses that had filed claims due to the storm.

Mr. Leubner said this program is closed for new files. There may be other programs to file under. Mr. Leubner will look in to this.

Paul Oliveira asked about the Open Space Program.

Mr. Hill explained what it is used for.

Fred Rosaik thanked the Council and the Administration Office staff for all of their help. He is standing ready to work out a schedule with all engineers.

**Borough of Highlands
Mayor & Council
Workshop/Regular Meeting
June 6, 2012**

Rob Burton of 22 Atlantic Street spoke of Highland Avenue speed bumps. He does not think we should do speed bumps and explained why. He would like a portion of Atlantic Street to be made in to a two way street.

Terrance King of 11 Seadrift Avenue commented on the short term rental and parking issues. He is for the rental.

Lori King of 11 Seadrift Avenue said the neighbors are unhappy if they can't park in front of their own homes. There are no issues at the end of street.

Mr. Francy said we can not mediate when people do not want to use their driveways.

Lori King said they have been doing short term rentals since May. There have not been any incidents with tenants.

Mayor Nolan stated that at some point there will be a discussion on this.

Carla Braswell of 62 Gravelly Point Road stated that Henry Hudson Regional School Concert Band went to Hershey Park to compete and they came in first place and the middle school band came in second place. She recommended that the council do a proclamation.

Mayor Nolan we will recognize them as some point in the near future.

There were no further questions.

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

The Meeting adjourned at 9:45 P.M.

Debby Dailey, Deputy Clerk