

**Borough of Highlands  
Mayor & Council  
Workshop/Regular Meeting  
July 18, 2012**

Mayor Nolan called the meeting to order at 7:01 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. Francy, Ms. Kane, Mayor Nolan**

**Absent: Mr. O'Neil**

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

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**Executive Session Resolution**

Mrs. Cummins read the following Resolution for approval:

Mayor Nolan offered the following Resolution and moved its adoption:

**R-12-155  
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**
- 2.Contract: \*Municipal Service Agreement for Bayview Condos  
\*PBA Contract  
\*Quick Chek Developers Agreement**
- 3.Real Estate: \*Wastewater System - NJAW**
- 4. Personnel Matters: \*Building Dept Personnel – Paul Vitale  
\* Reg Robertston – 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 Mr. Francy 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**

**ABSTAIN: None**

The Governing Body then entered into Executive Session.

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Mayor Nolan called the Regular Meeting back to order at 8:19 p.m.

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

**ROLL CALL:**

**Present: Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan**

**Absent: Mr. O'Neil**

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

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**Fire Department Grant Presentation:**

Dave Parker from Highlands Fire Department spoke of a \$665,000.00 grant awarded thru FEMA Assistance to Firefighters Grant Program to purchase a new ladder truck. He read thru his presentation. He said that the estimated cost is \$1.2 million of a new ladder truck and equipment. He further explained the various types of equipment needed.

Mayor Nolan thanked Dave Parker.

Mr. Pfeffer stated that once he gets all the paperwork, he will have bond ordinance prepared. He will need authorization to move forward to prepare the bond ordinance.

Mayor Nolan offered a motion for Mr. Pfeffer to prepare the bond ordinance, and seconded by Mr. Francy and all were in favor on the following roll call vote:

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: Mr. O'Neil**

**ABSTAIN: None**

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**Consent Agenda:**

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

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

**R-12-144  
RESOLUTION APPROVING DEVELOPER'S AGREEMENT  
AND PERFORMANCE BOND FOR QUICK CHEK PROJECT  
LOCATED AT BLOCK 108 LOTS 1 & 2.01**

**WHEREAS**, Borough of Highlands Zoning Board approved the application of Quick Chek for development on property located at Block 108 Lots 1 & 2.01; and

**WHEREAS**, a requirement of that approval is that the developer enter into a Developer's Agreement and post a performance bond; and

**WHEREAS**, the Borough Attorney has reviewed and approved both the performance bond and the developer's agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the Developer's Agreement and Performance Bond are hereby approved and the Mayor and Borough Clerk are hereby authorized to execute Developer's Agreement for Quick Check for block 108 lots 1 & 2.01.

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

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**ROLL CALL:**

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

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-12-156**

**RESOLUTION CANCELING UNEXPENDED BALANCES OF THE  
GENERAL CAPITAL FUND EFFECTIVE JUNE 30, 2012**

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

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

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

ORDINANCE NUMBER	PROJECT DESCRIPTION	FUNDED CAPITAL SURPLUS	UNFUNDED	DOT GRANT
O-08-02 O-09-01	Various Improvements at Certain Pump Stations Community Center and Borough Hall	\$20,782.36	\$	22,965.00

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

**ROLL CALL:**

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

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-12-157**

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL  
CURRENT FUND ACCOUNTS PAYABLE  
EFFECTIVE JUNE 30, 2012**

**WHEREAS**, the Chief Financial Officer has determined that the following accounts payable should be canceled due to the expiration of the contract and/or the lack of known activity;

Thomas Wilson, Esquire  
Bentham vs Caizza \$2,500

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**WHEREAS**, it is necessary to formally cancel said accounts payable so that the balance may be credited to current surplus and;

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands that the Chief Financial Officer is hereby authorized to cancel the above accounts payable in the current fund.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

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

**R-12-158**

**RESOLUTION APPROVING APPLICATION TO EXTEND LIQUOR LICENSED PREMISES**

**WHEREAS**, Andy's Shore Bar, Inc., has filed an application for to extend the liquor licensed premise for an event to be held on July 22, 2012 with a rain date of September 9, 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 application to extend the licensed premise for Andy's Shore Bar, Inc.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

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

**R-12-159**

**RESOLUTION AUTHORIZING  
WAIVER OF MUNICIPAL FEE FOR FIRE HYDRANT INSTALLATION**

**WHEREAS**, the Fire Official has been working on a fire hydrant project and has been notified that New Jersey American Water will be installing a fire hydrant at the new Quick Chek project located at block 108 lots 1 & 2.01 as required by the borough; and

**WHEREAS**, the Fire Official has requested that the Borough waive any and all fees associated with the installation of a fire hydrant that the Borough requested be installed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that municipal permit fees for the installation of a new fire hydrant are hereby waived for New Jersey American Water.

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

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**ROLL CALL:**

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

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

**R-12-160  
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. Ohlinger, Eileen      ZB#9500-9-2-12 Block 76 Lot 1      \$572.75**

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

**ROLL CALL:**

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

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

**R-12-164  
RESOLUTION RESCINDING  
RESOLUTION R-12-138**

**WHEREAS**, on June 20, 2012 the Borough of Highlands adopted Resolution R-12-138 entitled "Resolution Authorizing the Chief Financial Officer to Cancel Capital Fund Accounts Payable", which authorized the cancelation of George Cooper Rudolph Architect payable in the amount of \$1,656.00; and

**WHEREAS, this was a duplication of a prior Resolution.**

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that Resolution R-12-138 is hereby rescinded.

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

**ROLL CALL:**

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

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

**R-12-165  
RESOLUTION – CHANGE ORDER #3**

**FIORE PAVING COMPANY**

**DECREASE OF \$72.00**

**HIGHLAND AVENUE AREA ROAD IMPROVEMENTS**

**WHEREAS**, a contract was awarded for Fiore Paving Co., Inc. as follows:

R-11-176	July 20, 2011	\$1,186,325.00
R-11-202	11/2/11	\$ -0.00 Change Order #1
R-11-231	12/7/11	\$-1.99 Change Order #2

**WHEREAS**, change order # 3 dated July 10, 2012 prepared by T & M Associates, professional engineers, sets forth reasons for said change order (adjustments of the original bid quantities to reflect as built quantities and the addition of supplementary items ),

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that change order #3 decreasing the original contract amount by \$72.00 is hereby authorized for the Highland Avenue Area Road Improvements Project. The contract amount is hereby amended to \$1,186,251.01.

Certification of Funds:

I hereby certify that funds are available for this contract from Ordinance 10-14.

**NO CERTIFICATION NECESSARY**

Stephen Pfeffer  
Chief Financial Officer

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

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

**R-12-166**

**RESOLUTION DECLARING AN EMERGENT CONDITION FOR VARIOUS REPAIRS  
TO THE SOUTH BAY AVE LIFT STATION FROM POWER OUTAGES AND TO  
PROVIDE AUTHORIZATION TO OBTAIN CONTRACT WITHOUT PUBLIC  
BIDDING PURSUANT TO THE  
PROVISIONS OF N.J.S.A. 40A:11-6**

**WHEREAS**, an emergent condition developed on June 26<sup>th</sup>, June 29<sup>th</sup>, July 3<sup>rd</sup> and July 12, 2012 as a result of a power outages various repairs were needed at the South Bay Ave Lift Station in the Borough of Highlands; and

**WHEREAS**, provisions of N.J.S.A. 40A:11-6 permit the Borough to award contracts without public bidding or quotes when an emergency affecting the health, welfare and safety of the public requires the immediate performance of services; and

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**WHEREAS**, the Mayor, Frank Nolan declared the situation an emergency condition affecting the health and safety of the public.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Highlands that authorization be and is hereby given to the Borough Administrator to proceed with processing the necessary payments for services and material rendered to rectify the problems caused by Power Outages that cause various repairs to be made at the South Bay Ave Lift Station.

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: Mr. O'Neil**

**ABSTAIN: None**

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

**R-12-169  
RESOLUTION – CHANGE ORDER #1  
BLACK ROCK ENTERPRISES, LLC  
DECREASE OF \$8.24**

**FOR THE 2011 ROAD IMPROVEMENT PROGRAM PROJECT**

**WHEREAS**, a contract was awarded for Black Rock Enterprises, LLC as follows:

R-12-60    March 7, 2012            \$399,345.28

**WHEREAS**, change order # 1 dated July 10, 2012 prepared by T & M Associates, professional engineers, sets forth reasons for said change order (adjustments of the original bid quantities to reflect as built quantities and the addition of supplementary items ),

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that change order #1 decreasing the original contract amount by \$8.24 is hereby authorized for the 2011 Road Improvement Program Project. The contract amount is hereby amended to \$399,337.04.

Certification of Funds:

I hereby certify that funds are available for this contract from Ordinance O-11-12.

**NO CERTIFICATION NECESSARY**

Stephen Pfeffer  
Chief Financial Officer

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: Mr. O'Neil**

**ABSTAIN: None**



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

**RECAP OF PAYMENT OF BILLS  
 07/18/2012**

<b>CURRENT:</b>		\$	
Payroll	(07/15/2012)	\$	
Manual Checks		\$	85,996.98
Voided Checks		\$	
<b>SEWER ACCOUNT:</b>		\$	
Payroll	(07/15/2012)	\$	
Manual Checks		\$	2,264.26
Voided Checks		\$	
<b>CAPITAL/GENERAL</b>		\$	
<b>CAPITAL-MANUAL CHECKS</b>		\$	
Voided Checks		\$	
<b>WATER CAPITAL ACCOUNT</b>		\$	
<b>TRUST FUND</b>		\$	
Payroll	(07/15/2012)	\$	
Manual Checks		\$	15,912.08
Voided Checks		\$	
<b>UNEMPLOYMENT ACCT-MANUALS</b>		\$	
<b>DOG FUND</b>		\$	467.60
<b>GRANT FUND</b>		\$	
Payroll	(07/15/2012)		
Manual Checks		\$	900.00
Voided Checks		\$	

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<b>DEVELOPER'S TRUST</b>	\$
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**

**July 18, 2012**

**CURRENT FUND**

Amsterdam Printing & Litho	Employment Applications	70.04
Bankers Life Insurance	Retiree Health Insurance	520.56
Borough of Highlands Payroll	7/13/12 Payroll	105,650.35
Caruso & Baxter	Zoning Board Legal Retainer 7/12	867.50
Comcast Cable	Internet #1	180.00
County of Monmouth	County Taxes due 8/15/12	434,533.00
County of Monmouth	Library Taxes due 8/15/12	25,804.36
County of Monmouth	Open Space Taxes due 8/15/12	24,239.59
Henry Hudson High School	School Taxes due 7/10/12	317,234.02
Henry Hudson High School	School Taxes due 8/09/12	317,234.02
Henry Hudson High School	Debt Service due 8/10/12	47,418.89
Highlands Board of Education	School Taxes due 7/15/12	240,148.00
Highlands Board of Education	Debt Service Taxes due 7/15/12	10,896.68
Highlands Board of Education	School Taxes due 7/30/12	240,148.00
Horizon Blue Cross	Dental Insurance 8/12	2,663.70
JCP & L	Traffic Lights #12-12	1,068.70
Monmouth County Regional Health Commission	Health Services - 3rd Quarter 2012	14,164.75
Nextel Sprint	Emergency Mgmt/Fire Cell Phones	186.71
N.J. Natural Gas	Natural Gas #12-12	347.82
Riverfront in the Highlands Condo Association	Street Lighting Reimbursement	123.61
Shoregrafx	Website Services 6/12	650.00
Stephen Pfeffer	Reimbursement - Office Supplies	22.46

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J Swanton Fuel	Diesel & Unleaded 7/12/12	2,872.77
T & M Associates	Hurricane Irene Flooding	556.00
T & M Associates	General Services	8,965.45
T & M	Captain's Cove Marina Easements	1,461.75
Watchung Water	Bottled Water	311.80
Welco	Industrial Gases	60.39
<b>Total Current Fund</b>		1,798,400.92

**CAPITAL FUND**

Black Rock Enterprises	2011 Road Improvement Program #1	84,626.96
Fiore Paving	Highland Ave Road Improvements #6	161,726.13
L & L Paving	Bay Avenue Road Improvements #3	65,855.02
T & M Associates	Bay Avenue Reconstruction	9,727.98
T & M Associates	2011 Road Program	10,582.17
<b>Total Capital Fund</b>		332,518.26

**GRANT FUND**

Borough of Highlands Payroll	7/13/12 Payroll	516.72
T & M Associates	Stormwater Management	2,208.51
<b>Total Grant Fund</b>		2,725.23

**SEWER UTILITY FUND**

AHHRSA	Sewer Fees 7/12	104,234.00
AHHRSA	Sewer Fees 8/12	104,234.00
Borough of Highlands Payroll	7/13/12 Payroll	5,977.56
Horizon Blue Cross	Dental Insurance 8/12	171.48
JCP & L	Electric #TY12-01	308.38
<b>Total Sewer Utility Fund</b>		214,925.42

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**TRUST FUND**

Borough of Highlands Payroll	7/13/12 Payroll	6,375.00
T & M	Engineering - Quick Chek	679.56
T & M	Engineering - Quick Chek	2,810.88
T & M	Engineering - Quick Chek	1,678.00
T & M	Scaturro	699.00
T & M	Compagni 21 Prospect St	423.50
T & M	Perlman 38 Cornwall	750.00

Total Trust Fund	13,415.94
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<b>Total Supplemental Bill List</b>	2,361,985.77
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Seconded by Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

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

**Minutes Approved on Consent Agenda:**

Mayor Nolan offered a motion for the approval of the June 20<sup>th</sup>, 2012 Regular Minutes and Executive Session Minutes, seconded by Ms. Kane and all were in favor on the following roll call vote:

**ROLL CALL:**

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

**Other Resolutions:**

**R-12-161**

Mrs. Cummins read the title of R-12-161 Resolution Appointing a Police Officer.

Mayor Nolan explained the need for another officer and the hiring process.

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

**R-12-161  
RESOLUTION APPOINTING TROY HARTSGROVE AS A**

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**POLICE OFFICER IN THE BOROUGH OF HIGHLANDS**

**WHEREAS**, the Borough of Highlands has established a police department and currently has a vacancy in the position of patrolman; and

**WHEREAS**, the New Jersey Civil Service Commission has provided a certification of eligible to the Borough; and

**WHEREAS**, Troy Hartsgrove appears on the certification of eligible; and

**WHEREAS**, all individuals on the certification who scored higher than Mr. Hartsgrove have either been hired, did not respond, are unavailable or otherwise ineligible by law to be hired as a police officer; and

**WHEREAS**, the Borough interviewed three (3) candidates from the certification; and

**WHEREAS**, the interview committee has recommended the hiring of Mr. Hartsgrove.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Highlands that Troy Hartsgrove is hereby appointed a patrolman in the Borough; and

**BE IT FURTHER RESOLVED** that the Borough Administrator shall return the certification of eligible to the Civil Service Commission as required by law.

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

Mayor Nolan then swore in Troy Hartsgrove.

**R-12-162:**

Mrs. Cummins read the title of R-12-162 Resolution Adopting Temporary Budget.

Mr. Pfeffer explained this is a transition budget for 6 months. We are doing a temporary emergency resolution for the next meeting.

## INSERT R-12-162

**R-12-163:**

Mrs. Cummins read the title of R-12-163 Resolution Appointing Depuration Commission Member.

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

**R-12-163**

**RESOLUTION APPOINTING MEMBER TO THE HIGHLANDS DEPURATION  
COMMISSION**

**WHEREAS**, the Borough has received a letter of resignation from board member John Urbanski for his unexpired three year term;

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**WHEREAS**, section 2-33 of the Borough of Highlands General Ordinance defines the structure of the commission of being nine members, three appointed by the Mayor without the consent of the council; two to be appointed by the mayor with advice and consent of council; four to be appointed by council. Membership of the commission shall not be limited to residents of the Borough of Highlands. The Mayor & Borough Administrator shall be ex officio members of the commission with full voting rights.

**WHEREAS**, the Borough has received numerous Citizen Participation Forms of interested application in which the Governing Body have reviewed.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the following appointment is hereby made:

1. Nina Flannery Unexpired Three Year Term to Expire 5/31/14

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

**R-12-168:**

Mrs. Cummins read the title of R-12-168 Resolution Awarding Contract for Lease of Borough Lot.

Mayor Nolan explained that this was put out to bid and they were the highest bidder.

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

**R-12-168**

**Resolution awarding a lease of municipally-owned property  
located at Block 56, Lot 3 to DanRob Associates d/b/a  
Windansea Restaurant for a term of five (5) years**

Whereas, by Resolution R-12-107, the Borough authorized public notice and bid for a lease of property it owns, known as Block 56, Lot 3;

Whereas, on June 6<sup>th</sup> and June 22, 2012, the Borough published notice of the bid solicitation in Asbury Park Press.

Whereas, the Borough received one response to its public notice, submitted by DanRob Associates d/b/a Windansea Restaurant; and

Whereas, the Borough wishes to accept the proposal, which exceeded the minimum bid requirements contained in the public notice, and award a lease to DanRob Associates d/b/a Windansea Restaurant.

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

1. The Borough accepts the proposal dated June 29, 2012 from DanRob Associates d/b/a Windansea Restaurant for a lease of Block 56, Lot 3 for an amount of \$1,300.00 per month for the months of May, June, July and August and for \$100 per day on an "as needed" basis during the months of January, February, March, April, September, October, November and December; and

2. The Borough directs the Borough attorney to prepare an agreement in accordance with these terms with DanRob Associates for such an agreement for a five (5) year term.

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: Mr. O'Neil**

**ABSTAIN: None**

**R-12-170:**

Mrs. Cummins read the title of R-12-170 Resolution Approving 2013 Municipal Alliance Program.

Mr. Hill explained that this is a renewal of the Municipal Grant Funding from the County. He further explained the Grant.

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

**R-12-170**

**RESOLUTION  
SUPPORTING 2013 MUNICIPAL ALLIANCE PROGRAM**

**WHEREAS**, the Municipal Alliance Program has provided a wide range of services to the people of the Borough of Highlands and Borough of Atlantic Highlands, supporting programs such as D.A.R.E., parent education programs, drug free recreational programs such as Project Graduation and Project Prom, senior citizens programs and other services to all student and residents in need;

**WHEREAS**, for 2013, with contribution of 25% matching funds from the Borough of Highlands and Borough of Atlantic Highlands, this program is eligible for a 75% Municipal Alliance Grant for most costs; and

**WHEREAS**, this contribution has been split evenly, 12.5% from each Borough, and will be used for programs that directly benefit students and residents with no portion of these funds being used for the compensation of any staff; and

**WHEREAS**, Heather DeBlasi, Municipal Alliance Coordinator, requests an amount of funding and approval to file the Municipal Alliance Grant Application for 2013 which is now underway and due.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the request for matching funds of \$3,440.63 for 2013 is approved.

**BE IT FURTHER RESOLVED** that the request to prepare and file the Municipal Alliance Grant Application for 2013 is approved and the Mayor and Borough Administrator and Municipal Clerk are hereby authorized to sign the Statement of Assurances concerning the Municipal Alliance Grant.

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

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**ROLL CALL:**

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

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**Ordinances: Introduction & Setting of Public Hearing Date for August 15, 2012:**

**Ordinance O-12-15 Repealing Permit Parking**

Mrs. Cummins read the title of Ordinance O-12-15 Repealing Permit Parking for introduction and setting of a public hearing date.

Mr. Padula explained that this was requested by Chief Blewett, to remove this requirement.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of August 15, 2012 at 8:00 P.M. and authorized its publication according to law:

**BOROUGH OF HIGHLANDS**

**ORDINANCE NO. O-12-15**

**AN ORDINANCE REPEALING BOROUGH ORDINANCE 7-3.8 SO AS TO ELIMINATE THE PERMIT PARKING REQUIREMENT**

WHEREAS, the Borough of Highlands, desires to supplement Chapter 7 of the Revised General Ordinances of the Borough of Highlands, specifically Section 7-3.8, entitled: "Permit Parking for Residents;" and

WHEREAS, the Chief of Police has recommended elimination of the requirement that parking be allowed only by permit on each of the following streets: Willow Street, Locust Street, Marie Avenue, King Street and Shore Drive.

WHEREAS, Section 7-3.8, entitled: "Permit Parking for Residents" provides, in pertinent part:

7-3.8 *Permit Parking for Residents.*

*a. Parking on the following streets or portions of said streets shall be restricted at all times to vehicles of residents, their family members and guests displaying a proper permit or placard issued by the borough clerk pursuant to this subsection.*

- 1. Willow Street—entire paved portion on both sides of street no parking any time; Willow Street residents may park on Locust Street.*
- 2. Locust Street—entire length on both sides of street to intersection with Willow Street.*
- 3. Shore Drive from intersection of Marie Avenue west to Willow Street on both sides of street and on the north side only west of Willow to its terminus for residents that do not have off street parking with the exception of placards for guests.*
- 4. Marie Street—entire paved portion on both sides of street.*
- 5. King Street—entire paved portion on both sides of street.*

WHEREAS, the remaining sections of 7-3.8, that is, subsections (b)-(g) presently set forth the various requirements of application for parking permits and conditions to be fulfilled by permit applicants and permit holders; and

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



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(1) The provisions of Section 7-3.8, titled "Permit Parking for Residents" is repealed in its entirety;

(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.

(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, Ms. Kane, Mayor Nolan**

**NAYES: Mr. Francy**

**ABSENT: Mr. O'Neil**

**ABSTAIN: None**

**Ordinance O-12-16 Prohibiting Parking on Portion of Bayview Street**

Mrs. Cummins read the title of Ordinance O-12-16 Prohibiting Parking on Portion of Bayview Street for introduction and setting of a public hearing date. This came under the recommendation of our Fire Official, Dave Parker.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of August 15, 2012 at 8:00 P.M. and authorized its publication according to law:

**BOROUGH OF HIGHLANDS**

**ORDINANCE NO. O-12-16**

**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 A CERTAIN PORTION OF BAYVIEW STREET**

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 Fire Marshall has recommended that in order to provide proper access for emergency vehicles, a portion of Bayview Street, ten (10) feet in each direction from the ninety and east sides, 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.

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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>
Bayview Street	North and East	Ten (10) feet in each direction from the middle of the corner of the North and East sides

(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.

(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. Francy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

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

**Ordinance O-12-13 – Prohibiting Parking:**

Mrs. Cummins read the title of Ordinance O-12-13 Prohibiting Parking for the second reading and public hearing. She stated that this was published in its entirety in the June 22<sup>nd</sup>, 2012 edition of the Two River Times and may now be open to public hearing.

Mayor Nolan opened the public hearing.

Carol Bucco of 330 Shore Drive asked if all of the places have driveways.

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Mr. Hill explained which section of Locust Street this concerned.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of Ordinance O-12-13 for the third and final reading and adoption.

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

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**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.

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

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

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**Committee Reports:**

**Finance:**

Mr. Pfeffer explained that he closed out 2012. He then gave the results of how the year went. Our tax collection rate increased slightly to 96.32%. Our surplus increased to \$833,000.00. Our delinquent tax collection decreased slightly. The Building Department fees increased. The Sewer collection went from \$1.5 million to \$1.66 million. Our receivable balance went from \$239,000.00 to \$244,000.00. It is just up slightly. We closed out the year from \$214,483.00 to \$246,037.00. We are doing better in the utility but money is still tight. There was money left in the 2012 budget.

Mr. Francy questioned the tax rate of the 3<sup>rd</sup> quarter.

Mr. Pfeffer explained that the municipal rate is estimated. He further spoke with the Council about the budget and explained the tax bill rates for the 3<sup>rd</sup> quarter.

Council continued discussion on budget.

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**Public Safety:**

Chief Blewett submitted his report and read thru a few points.

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**POLICE DEPARTMENT**  
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT  
CHIEF



171 BAY AVENUE HIGHLANDS, N.J. 07732



TEL: 732-872-1156  
FAX: 732-872-9240

**Report to Council  
July 2012**

- \* The Swift9-1-1 Emergency Notification System has been instrumental in delivering emergency notifications to residents during the recent water emergency and alleviating some of the calls to the Police Department allowing the dispatchers to handle emergency or life threatening calls. The Highlands Police Department did refer several residents to the Borough website in order to register for the notifications and once again strongly urges all residents to register.
- \* I'd like to remind all residents that the water restrictions were modified earlier this month and not lifted. All Monmouth County Police Departments have been asked to aggressively enforce a disorderly persons offense (2A:9-49) which carries up to six (6) months and a \$1000.00 fine in order to help resolve the water problem. Outdoor water usage including handheld hoses and lawn sprinklers are limited to every other day (odd-even schedule; if your address is an odd number you can use on odd numbered days of the month) between the hours of 5am – 9am and 5pm -9pm. There are some exceptions such as use of private wells for irrigation, watering new sod or seed if daily watering is required and commercial uses for nurseries, farm stands, plumbing and car washes.
- \* The warm weather has not only increased local business traffic but also the amount of disorderly and alcohol related incidents investigated by the Highlands Police Department. As always, this department is dedicated to providing a safe environment for our residents and will be continuing its "zero tolerance" policy in regard to these types of quality of life incidents.
- \* A walking post has been established primarily in the business district on weekend night shifts to help deter criminal activities and to improve public relations with the police.
- \* On July 4, 2012 officers responded to the Quick check Store in regard to a suspicious person. As a result of the initial investigation it was discovered that the individual was in possession of an

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airsoft handgun, a BB gun, duct tape and a mask. Eric Preston, 33 years of age, Keansburg was arrested and charged with unlawful possession of a weapon.

\*

**Administration:**

- Traffic
  - Bay Avenue Project: waiting for notification from L&L Paving as to the paving schedule. T & M advised project will be completed before the Clam Festival.
  - Highland Avenue Project– the road work is continuing along with the use of officers.
  
- Homeland Security
  - Capt Clagett and I are continuing to meet with the State Department of Homeland Security, the Monmouth County Office of Homeland Security and Seastreak Ferry personnel in an effort to obtain an \$80,000.00 grant for security upgrades at Seastreak. The security equipment available through the grant is not only for stationary equipment at Seastreak but also portable equipment, such as a variable message board, that could also be used for other events.
  
- Hiring (regular police officer/special law enforcement officer candidates)
  - Special Law Enforcement Officers – two candidates were hired and have started working weekend shifts after completing FTO training.
  - Regular Officers – The department has completed all necessary interviews, background checks and has recommended a candidate for appointment.
    - Training: Monmouth County Police Academy (07-23-2012 thru 12-06-2012)
    - Manpower: The hiring of this officer will increase the department's roster back to thirteen (13) officers and should alleviate some scheduling issues.
  
- Grants
  - The Highlands Police Department participated in the 2012 Click It or Ticket Campaign. The State Division of Highway Traffic and Safety awarded the department funds that covered the cost of hiring off-duty officers for the enforcement of the seat belt laws.
    - Program: May 21, 2012 and June 3, 2012
    - Officers Worked: Eleven (11) shifts
    - Total Summons Issued: Seventy-Two (72)
    - Seat Belt Violations: Thirty-Nine (39)
    - Child Restraints: Two (2)
  
- Ordinances
  - Parking – Ptl. Chesek is reviewing the parking sign survey as well as the related ordinances in order to verify the issues that still need to be addressed.
    - Survey – originally conducted in 2009 and turned over to then Borough Administrator, Mr. Bruce Hilling, for disposition.
  
  - Noise Ordinance – the current ordinance is contradictory and needs to be clarified.

\*

**Investigations:**

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During a two month period (May/June) this department handled a total of **21** initial investigations which included thefts, assaults, burglaries, criminal mischief, criminal trespass, harassment and unattended deaths that required additional follow up by the detective division.

- Total Investigations
  - May = 13
  - June = 8
- Closed Investigation
  - May = 8
  - June = 7

\* **Community Policing:**

- Explorers –
  - May 26, 2012 – assisted with traffic control during the Annual Memorial Day Parade
  - May 27, 2012 – assisted at the Seaport Craft Show
  - June 5, 2012 – attended and participated in an extrication drill hosted by the Highlands Fire Department
  - June 23, 2012 – assisted at the “Taste of Highlands”
  - June 24, 2012 – participated in a pistol competition against the Sea Cadets.
    - A total of ten (10) explorers competed
    - Highlands Police Explorers won the competition – overall scoring higher than the Sea Cadet participants
  - July 9 – 13, 2012, attended one (1) week police academy program
    - A total of nine (9) explorers attended
    - All nine (9) graduated
- Extreme Heat – most heat emergencies occur because a person has been overexposed to heat. Older adults, young children and those who are sick are more likely to succumb to the heat.
  - Precautions to take:
    - Stay indoors as much as possible
    - Drink plenty of water
    - Limit alcoholic beverages
    - Never leave children or pets alone in closed vehicles
    - Check on family, friends and neighbors who live alone or do not have air conditioning
- Hurricane Awareness
  - Season – June through November (most occurring mid-August to late October)
    - Make a Plan
    - Learn Evacuation Routes
    - Assemble emergency kit – include food, water, medical supplies, battery operated radio, batteries and flashlights
    - Store important documents in a fire and flood safe location
  - Information – visit [ready.nj.gov](http://ready.nj.gov) or [fema.gov](http://fema.gov)

\* **Patrol:**

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- Juveniles
  - Total Calls – (12)
    - Complaints – (6) for the month
    - Arrests – (6) curfew violations
  
- Domestic Violence Complaints
  - Simple Assault – (3)
  - Harassment – (5)
  - Terroristic Threats – (2)
  
- Mental Health/ Crisis Calls
  - Total Calls – (14)
  - Transports to other facilities – (5)
  
- First Aid – 42 calls
  - HFAS – during daytime hours there seems to be a lack of manpower in town forcing officers to remain on scene until a mutual aid town can arrive

\* **Training:**

- Firearms – officers attended a one-day training session consisting of live fire drills using simunitions.
  
- Schools
  - Det. Dobens attended a three (3) day training course on Sexual Assault Investigations/Interviews held at the Monmouth County Police Academy.

\* Total Calls for Service: 605

\* Arrests: Adults: 22 ( 3 for possession of CDS)

JV: 3 ( 1 for possession of CDS)

\* Summons: Total: 133

Moving Violations: 69

Non-Moving: 35

DWI: 6

Boro Ordinance: 23

(Statistical Information is from June 1 – 30, 2012)

**Administration:**

Mr. Hill read thru his report.



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**1DPW:**

14 LISTED ITEMS –

(1) Made all rounds of Parks and Beaches (2) Checked Waterwitch and South Bay ave Lift stations (3) Cut Grass and weed wacked all green areas (4) Pulled Pumps at Waterwitch Lift station cleaned and reinstalled Both pumps (5) Replaced Storm drain line on Portland road (6) Worked with Pumping Service at South Bay ave Lift station (7) Cleaned all Storm drains of debris (8) Street Sweeper – repairs ongoing (9) Started removing dirt from Jones creek (10) Started painting curbs throughout town (11) Picked up garbage from upper Bayside Dr (12) Cut and cleaned Holly Street and Cedar street (13) Weed wacked Shore drive and Portland road (14) All DPW workers attended mandatory Right to Know and HazMat Training. (15) Work performed at S. Bay Lift Station by contractors during power outages late June / early July – indications of JCP&L issues with restoring power to.

**2BUILDING & HOUSING:**

Code Enforcement: 39 Inspections done in June - 10 failed, notices sent and follow up scheduled. Property Maintenance – continuing to address and cite as inspected or reported.

**Construction:**

16 Permit fees generated in June for various applications. High level of ongoing activity and construction inspections. June = \$23K + in fees

**Zoning:**

Reviewed 17 Zoning Permit Applications. Reviewing additional items regarding site plan and steep slope issues. Mr. Mullin has also explained Zoning Ordinance changes to several affected residents, reviewed Quick-Check building permit for completeness -very busy with walk-ins requesting information for additions, new homes, etc

**3PARKS & RECREATION:**

**June Usage:** Condos / Homeowners Assoc. 3, Girl Scouts 4, FOB 4, AA / Women's Step Group 1, Tae Kwon Do 3, 4-H Variety Club 2, Garden Club, Historical Society, Boating Safety Class, HBP Mtg., Seasonal Staff Orientation, Training, and First Aid Training. One private event - Citizens for a Better Highlands BBQ.

**Senior Citizens:** Business Mtg. 6/14/12, Bingo / Lunch 6/21/12, SC Social 6/28/12 - Calendar Party 10 participants, SC Special Event 6/29/12 - Summer Picnic 20 participants. Highlands Community Singers were the entertainment. **Special Events:** Teen Night 6/15/12 - 41 participants (Tae Kwon Do demonstration), Teen Night 6/22/12 - 23 participants, Movie on the Beach "The Goonies" 6/29/12 - 60 participants. **Other:** Kids on the Move Program - 44 participants registered - Ended 6/13/12, **Summer Kidfest started 7/2/12 - 135** participants registered so far, Kids Connection Program started 7/9/12 - 37 participants registered so far, Lifeguards started on Beaches 6/29/12, Senior Farmer's Market Voucher Distribution 7/2/12 - Serviced 32 Seniors so far. **Other Upcoming Events:** Teen Nights 7/13/12, 7/27/12 (Teen Movie Night), 8/10/12 from 7:00 pm to 9:30 pm.

Summary: (23 Group Uses + 1 Private event), 4 Senior Citizen Activities, 3 Special Events (Teen Nights & Movie on the Beach). Summer Kidfest started 135 children registered, Farmers Market Voucher Program (32 registered, limited number of vouchers left).

**Administration –**

Staff Training and orientation for Seasonal Employees conducted – Food Handling, Youth Camp Regulations, Background Checks, etc

Monmouth County CDBG Grant Application – Presentation Meeting scheduled for August 22, 2012.

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Rec'd Notification from DOT regarding RT 36 repaving --- Union Beach to Highlands - may be starting at the end of July.

Working with Exxon – Mobil – design of Bayside Drive roadway / curbing based on EM recommendations.

Thank all residents for their patience and understanding of the circumstances during the Water Emergency.

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

**Library:**

There was no report at this time.

**Highlands Business Partnership:**

Mrs. Braswell gave her report. She spoke of upcoming events such as the Clamfest. The Farmer's Market is going well. They sent out a press release for the Adopt a Bench Program.

Mr. Francy would like the Economic Development Report to be a part of the monthly report.

Mayor Nolan is planning to have a draft for the August meeting regarding tax abatement ordinance.

**Shared Services:**

There is no report at this time.

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**Other Business:**

**Borough Engineer's Status Report:**

Mr. Leubner read thru his report.

**HGHL-G1201 July 13, 2012**

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

Re: Engineer's Status Report

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.

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2. **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 (NJDOT Local Aid funding: \$160,000)
- **Prospect Street Mill/Overlay:** from Osborne Street to the vicinity east of Woodland Street (NJAW funding: \$38,800)
- **Bay View Street Rehabilitation:** The entire length

Bid Date: February 29, 2012

Award Date: March 7, 2012

Contractor: Black Rock Enterprises, L.L.C., Old Bridge, NJ

Amount: \$399,345.28

- Preconstruction meeting held on May 4, 2012
- Minor concrete work remains on Valley Avenue
- Utility delay on Woodland Street due to concerns over leaning utility pole. JCP&L devising a solution to rectify the situation.
- Discussions with Contractor to advance Valley Avenue and Bay View Street to completion while utility pole issue on Woodland Street is resolved.

3. **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.
- Water main break on March 16, 2012 has delayed the completion of the drainage installation. Storm sewer has been redesigned to avoid conflicts with the watermain in its current location which differs from the information originally provided to our office during design.
- Meeting held with NJAW on April 11, 2012 to review proposed drainage changes. Follow up meeting to be held on April 13, 2012 due to NJAW's uncertainty distinguishing between live and inactive mains.
- Drainage installation is complete.
- Concrete work has been substantially completed.
- Working with Contractor to minimize additional costs associated with extra work required due to utility conflicts.
- Additional drainage work at the Ocean/Twin Lights/Highland intersection will cost approximately \$29,000. Mayor and Council verbally approved the change order at the June 20, 2012 Council meeting. Work has been substantially completed.
- Paving operations to commence upon completion of work by Verizon in the s-curve area and the removal of the interfering utility pole.

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4. **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:	February 15, 2012
Contractor:	L&L Paving Company Inc., Tinton Falls NJ
Amount:	\$387,842.40

- Concurrence of award has been received by the NJDOT and Monmouth County Community Development.
- A pre-construction meeting was held on March 21, 2012.
- Drainage installation has been completed.
- Concrete work is underway. Numerous issues and concerns over subpar work have resulted in a portion of the concrete being removed and replaced.

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. The Borough has been notified that the project ranks third and fourth on the State funding list.
2. **FEMA House Lifting Program:** A meeting is scheduled with Borough Officials and the affected residents for July 24, 2012 at 7:30pm at Borough Hall to review the program and procedures.
3. **Monmouth County Community Development Block Grant:** As requested, we have prepared and submitted a grant application for the improvements to the North Street Pumpstation and the North Street inflow pipe between Bay Avenue and the pumpstation.

**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

**Short Term Rentals:**

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Mr. Hill stated that we have some information on short term rentals that was provided to the Council. He recommends we form a committee of Council and residents. He would like to form a committee and make recommendations at the August meeting.

Mr. Redmond will be a part of the committee.

**Review of Sidewalk Ordinance:**

Mr. Hill spoke about revisiting the ordinance to lessen restrictions on residents.

Mayor Nolan said we can complete the smaller jobs.

**Highland Avenue Traffic Calming Petition:**

Mayor Nolan stated that we received a petition to insure that they are designed in to the Highland Avenue rebuild.

Mr. Francy said this was discussed at the last meeting. It was tabled. He asked a resident to speak about it.

Debra Thorner spoke about traffic speeding on Highland Avenue and the need for traffic calming devices.

Mr. Leubner described the two devices in the plan.

Mr. Francy spoke of possible bump options with regard to fire trucks.

Mayor Nolan wants to modify width for fire trucks.

Council continued to discuss.

Chief Blewett said all fire trucks are different sizes.

Mr. Leubner said there would be signs and markings in the road about the speed humps.

Discussion continued.

Chief Blewett feels that we should enhance signage to help stop speeding. He spoke about school buses being affected also. He recommends no parking on one side of the "S" curve.

Mr. Keady then spoke of temporary bumps prior to installing real ones.

Mr. Redmond spoke of how much it would reduce speed.

Chief Blewett said a study was done and there was very little speeding.

Mr. Francy stated it's not the speeding; it's the "S" curve.

Discussion continued.

Mayor Nolan directed Mr. Hill to meet with Chief Blewett about no parking and locations.

**Borough Lot on Hwy. #36 – formerly known as Stymies:**

Mayor Nolan stated that we want to do a sitting park with no parking.

Mr. Leubner spoke about a prior sketch provided by Peter Mullen. We incorporated some of the bridge components. He did a rough sketch as a First Responders Park. He further explained. He will forward the sketch to the council.

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Mr. Francy stated that the Environmental Commission is volunteering to help move it toward being a park. He does not feel we should spend money on T&M but have the Environmental Commission to come up with a plan.

Mr. Redmond wants parked cars removed.

Chief Blewett was directed to enforce this and issue tickets.

Mr. Hill did get a cost estimate for a temporary fence to stop parking.

Mr. Francy does not want fence.

Mr. Hill was directed to install no parking signs on the property.

Mayor Nolan directed Chief Blewett to issue warnings first.

**Referendum Question for Flood Project:**

Mr. Francy wants a referendum for bonding for the flood project. The deadline is in August to have it on the November Election Ballot.

Mayor Nolan offered a motion for Mr. Padula to prepare a resolution for the August meeting, seconded by Mr. Francy and all were in favor on the following roll call vote:

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

**Review of Noise Ordinance:**

Chief Blewett explained the problems with the current ordinance. We do allow outdoor music. The issue we have is we allow bands and another section regarding any noise heard over 100 ft. is a violation. The town needs to either do away with bands or allow them during certain hours. He recommends after hours is easier to enforce.

Discussion continued.

Mr. Francy asked about an indoor band that can be heard outside.

Chief Blewett said we could change the criteria for music, instead of 100 ft. to 200 – 300 ft.

Discussion continued.

Mrs. Braswell supports the 200 ft. She spoke about being fair to businesses. You could hurt the businesses to disallow it.

Mayor Nolan supports Chief Blewett's recommendations.

Mr. Padula will prepare an ordinance to state 100 ft. exception for commercial outdoor music and the hours.

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**Public Portion:**

Don Manrodt of 268 Bayside Drive complained about outdoor music from the Seastreak.

Mayor Nolan said they are allowed.

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Don Manrodt said a site plan needs approval for a tiki bar at Seastreak. He then commented on speed bumps, he does not support. He then questioned the fiscal year change in regards to the tax bills.

Mr. Pfeffer explained the calendar year tax billing will be once a year but will not be a calendar year.

Don Manrodt spoke about Bayside Drive. The ditch needs to be cleaned and fence is blocking it.

Mr. Francy we will revisit after the road is done.

Mr. Manrodt feels we need to lower the manholes on the Bay Avenue project.

Council directed Mr. Leubner to look at Bay Avenue.

Debbie Thorner of 88 Highland Avenue spoke about the speed bumps on Highland Avenue and alternate options such as signage, lowering the speed limit, and rumble strips.

Chief Blewett and Mr. Hill will come back at the next meeting with recommendations.

Chief Blewett will put a speed flashing sign up on Highland Avenue.

Carol Bucco of 330 Shore Drive asked why we have to buy an indicator light if we have one. She spoke about the flooding at Huddy Park; she thought the project was going to stop this.

Mr. Francy said the project is not finished yet.

Carol Bucco spoke of paving on Miller and Highland, will it affect the church?

Mr. Leubner explained we can not prohibit both accesses to the property. One access will always be open.

Carol Bucco questioned speed humps and does not feel they will solve the problem.

Pat Welch of South Peak Street feels that the speed bumps will be a problem.

Tara Ryan of Ocean Street said a resident of Washington Street asked her to speak about this street and the Clamfest. There will be a parking issue. She also spoke of Highland Avenue and the parking on the "S" curves. She also feels that signage is needed during construction of Highland Avenue when the road is closed

Brett Chamberlin of Middletown - passed.

There were no further questions.

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

The Meeting adjourned at 10:19 P.M.

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Debby Dailey, Deputy Clerk

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