

**Borough of Highlands  
Mayor & Council  
Regular/Workshop Meeting  
January 16, 2013**

Meeting Location: Highlands Elementary School, 360 Navesink Avenue, Highlands, NJ 07732

Mayor Nolan called the meeting to order at 7:05 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: Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan**

**Also Present: Carolyn Cummins, Borough Clerk**

**Tim Hill, Borough Administrator**

**Steve Pfeffer, Chief Financial Officer**

**Bruce Padula, Borough Attorney**

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**Executive Session Resolution**

Mayor Nolan offered the following Resolution and moved its adoption:

**R-12-36**

**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:**

**2.Contracts: Borough Clerk & CFO Contract, Borough Engineering Contract,  
Borough Facility Repair Contracts, Shore GrafX Contract**

**3.Real Estate:**

**4. Personnel Matters:**

**5. Attorney-Client Privilege: Legal Issues Related to Zoning Officer Position,  
New FEMA Regulations & Zoning Ord Amendments**

**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. Any matter which, by express provision of Federal Law, State statute or rule of court shall be rendered confidential or excluded from public discussion. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.**

**2. Any matter in which the release of information would impair a right to receive funds from the federal government.**

**3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family**

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circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. Any collective bargaining agreement, or the terms and the conditions of which are proposed for inclusion in any collecting bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

5. Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investments of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of law

7. Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124, NJ 478 (1991).

9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

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

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

**ROLL CALL:**

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

**The Governing Body then entered into Executive Session.**

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Mayor Nolan called the meeting back to order at 8:02 p.m.

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

**ROLL CALL:**

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

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**Committee Reports:**

**Finance:**

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Mr. Pfeffer stated he sold emergency notes. He read thru his report on the sale of the notes. He explained that we did not meet our revenue taxes, we are \$228,000.00 short. He further explained the preliminary numbers. He also explained that we have \$422,000.00 from FEMA. He will ask the tax assessor about a short term tax increase.

Mr. Hill will find out if tax form filled out in town but not in the county will be reduced.

**Public Safety:**

No report at this time.

**Administration:**

Mr. Hill gave his report. He stated that he is working with FEMA Step Program. He explained the program. We need to determine if there is a need for a grant with 25% match from the Borough. He also explained the Work Force Labor Development that is being worked. He spoke of the DEP and the need for removal of shoreline debris. He further explained a Monmouth County Open Space Beach Grant that we received.

**Library Fund:**

Ms. Ryan said that there has been an incredible interest with help with the library, to restock it. The DPW will pick up donated books from Ms. Ryan's house.

**HBP:**

Mrs. Braswell mentioned upcoming events, such as; St. Patrick's Day Parade on March 23<sup>rd</sup> and the fundraiser for the parade on January 27<sup>th</sup> from 3-7pm at the Windansea. She stated that 15 businesses are open. Hope for Highlands has formed a committee and is putting together a program for distribution with grant materials. She spoke of an upcoming fundraiser concert at the Count Basie Theater on Sunday, January 27<sup>th</sup>. She mentioned that information packets will be mailed to all affected residents with relief application. It will be on a first come, first served basis. The homeowners will be able to receive up to \$1000.00 in materials and equipment. Mrs. Braswell will email Mrs. Cummins the letter and application. She added that there is also a new website for Hope for Highlands. Various forms will be available on the website.

**Highlands Affordable Housing Authority:**

Mr. Francy said they reached out to Monmouth County Park Director about using space for trailers. There isn't infrastructure for sewers. He further explained. He spoke about availability of trailers.

Ms. Dibble spoke about the group providing the trailers.

Mayor Nolan said we would have to get authorization to use the site first. He and Mr. Hill will contact Mr. Arnold tomorrow to see if we have approval to use the county land.

**Public Relations/Donations:**

Ms. Kane spoke of using Doris and Ed's site for distribution of supplies. Rosemary Ryan submitted a report that she is expecting \$2,000.00 worth of building supplies and Mrs. Cummins will put this on the website. She would like to do a mass mailing to include needs forms and solution center information.

**Shared Services:**

No report at this time.

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Mayor Nolan asked if there were any questions or concerns from the Council.

**Consent Agenda:**

**Ms. Kane offered the following Resolution and moved on its appointment:**

**R-13-34**

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RESOLUTION APPOINTING  
PART-TIME PLUMBING INSPECTOR**

WHEREAS, the Borough of Highlands is need of hiring a temporary part/time Plumbing Inspector due to the recent resignation of Albert Hopping; and

WHEREAS, the Borough Administrator has reviewed applications for said position; and

WHEREAS, it is the recommendation of the Borough Administrator that Errol Lamberson be appointed to this position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Errol Lamberson is hereby appointed to the part/time position of Plumbing Inspector effective January 17, 2013.

BE IT FURTHER RESOLVED that said appointment is to be compensated at a rate of \$40 per hour for up to 10 hours per week.

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Redmond, Ryan, Francy, Kane, Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Ms. Kane offered the following and moved on its approval for adoption:

**R-13-37**

**RESOLUTION APPROVING HIGHLANDS BUSINESS PARTHERSHIP  
2013 CALENDAR OF EVENTS**

WHEREAS, the Highlands Business Partnership submitted its 2013 Calendar of Events to the Borough of Highlands for approval; and

WHEREAS, the Governing Body of the Borough of Highlands at its Decmeber 19, 2012 Meeting reviewed Calendar of Events and approved it.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the 2013 HBP Calendar of Events listed below is hereby approved:

**Highlands Business Partnership  
2013 Events Calendar**

<b>Saturday</b>	<b>March 23</b>	<b>St. Patrick's Day Parade Bay Avenue 2PM</b>
<b>Sunday</b>	<b>May 26</b>	<b>Seaport Craft Show Huddy Park 10AM-5PM</b>
<b>Saturday</b>	<b>TBD</b>	<b>Taste of Highlands Noon-6PM</b>
<b>Saturdays</b>	<b>July - October</b>	<b>Farmer's Market 8AM Huddy Park</b>

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<b>Thurs-Sun</b>	<b>Aug 1 – Aug 4</b>	<b>Clamfest Huddy Park Thursday 6-10PM Friday 6-11PM Saturday 12-11PM Sunday 12-8PM</b>
<b>Sunday</b>	<b>September 29</b>	<b>Twin Lights Bike Ride 7AM Huddy Park-Shore Drive</b>
<b>Saturday</b>	<b>October 5</b>	<b>Oktoberfest 2-9PM</b>
<b>Sunday</b>	<b>October 6</b>	<b>Rain date- Veterans Park</b>
<b>Saturday</b>	<b>TBD</b>	<b>Highlands Craft Beer Festival</b>
<b>Friday</b>	<b>December 6</b>	<b>Tree Lighting 6pm</b>
<b>Saturday</b>	<b>December 7</b>	<b>Rain date Huddy Park</b>

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Franczy, Ms. Kane, Mayor Nolan  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

Ms. Kane offered the following Resolution and moved on its adoption:

**R-13-38  
RESOLUTION AUTHORIZING AGREEMENT  
FOR SPECIAL CITIZENS AREA TRANSPORTATION SYSTEM (SCAT)  
BETWEEN THE BOROUGH OF HIGHLANDS AND  
THE BOARD OF CHOSEN FREEHOLDERS**

**WHEREAS, the Borough of Highlands has a need for eligible residents to have transportation to and from local food markets; and**

**WHEREAS, the Monmouth County Board of Chosen Freeholders has established the Special Citizens Area Transportation System (referred to as SCAT) which provides such transportation services at a rate of \$155.00 per half day.; and**

**WHEREAS, the Borough of Highlands has reviewed an agreement for said services for the period of January 1, 2013 through December 31, 2013 and finds it to be acceptable; and**

**WHEREAS, certification of availability of funds here hereby made contingent upon adequate funding being appropriated upon the adoption of the 2013 Municipal Budget. Certification will be provided on per voucher basis.**

**Community Center Budget Acct#2-01-28-360-000-234**

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Stephen Pfeffer, Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement for the period of January 1, 2013 through December 31, 2013 at a rate of \$155 per half day for the purpose of providing transportation to eligible residents.

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Franczy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Ms. Kane offered the following Resolution and moved on its adoption:

**R-13-39  
RESOLUTION AUTHORIZING  
SERVICE AGREEMENT  
WITH THE MONMOUTH COUNTY SPCA**

**WHEREAS**, the Borough of Highlands has a need for providing housing services for stray animals in the Borough of Highlands; and

**WHEREAS**, the Borough currently uses the Monmouth County SPCA as a drop off site to be used by our Animal Control Officer to drop off stray animals at the following rates:

Stray Dogs - \$200

Wildlife - \$25.00

Cats - \$130.00

Small Exotics - \$40

; and

**WHEREAS**, the Borough's current service agreement expired on December 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the Monmouth County SPCA is hereby approved holding facility for stray animals for the February 1, 2013 through January 31, 2014.

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Franczy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Ms. Kane offered the following Resolution and moved on its adoption:

**R-13-40  
RESOLUTION APPROVING ANIMAL CONTROL SERVICES CONTRACT  
FOR THE PERIOD OF JANUARY 1, 2013 THROUGH DECEMBER 31, 2013**

**WHEREAS**, the Borough of Highlands has a need to provide Animal Control Services to the Borough; and

**WHEREAS**, Kerry Gowan, a Licensed Animal Control Officer is so qualified to provided Animal Control Services to the Borough of Highlands; and

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WHEREAS, Kerry Gowan will provide Animal Control Services to the Borough at a rate of \$30.00 per animal control response.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands Mayor & Council that Kerry Gowan is hereby awarded a contract to provide Professional Animal Control Services to the Borough of Highlands for the period of January 1, 2013 through December 31, 2013 and the Borough Administrator is hereby authorized to execute attached agreement.

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

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

Ms. Kane offered the following Resolution and moved on its adoption:

**R-13-42  
RESOLUTION AUTHORIZING  
THE SUBMISSION OF AN APPLICATION FOR THE MUNICIPAL ALLIANCE GRANT  
FOR CALENDAR YEAR 2013**

WHEREAS, the Highlands Borough Council of the Borough of Highlands, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Highlands Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Highlands Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Highlands Borough, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Highlands Borough Council does hereby authorize submission of an application for the Highlands Municipal Alliance grant for calendar year 2013 in the amount of \$27,525.00.
2. The Highlands Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Seconded by Mayor Nolan and adopted on the following roll call vote:

**ROLL CALL:**

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

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**INSERT RESOLUTION R-13-45 TEMP MUNICIPAL BUDGET**

HIGHLANDSNJ.COM

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**Ms. Kane offered the following Resolution and moved on its adoption:**

**R-13-46**

**Resolution Approving Hurricane Sandy National Emergency Grant Agreement with  
the Board of Chosen Freeholders of the County of Monmouth**

**Whereas, Hurricane Sandy caused extensive damage within Borough of Highlands; and**

**Whereas, as part of the recovery effort additional employment is needed ; and**

**Whereas, the Board of Chosen Freeholders of the County of Monmouth have approved the Borough to receive Hurricane Sandy National Emergency Grant which covers the costs to employ temporary employees;**

**Now, therefore, be it Resolved by the governing body of the Borough of Highlands that the attached Hurricane Sandy National Emergency Grant agreement between the Borough, Highlands and the Board of Chosen Freeholders of the County of Monmouth is hereby approved.**

**BE IT FURTHER RESOLVED that the Mayor is authorized to execute the agreement on behalf of the Borough.**

**Seconded by Mayor Nolan and adopted on the following roll call vote:**

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

**Ms. Kane offered the following Resolution and moved on its adoption:**

**R-13-47**

**RESOLUTION ACCEPTING THE PROPOSED WATER  
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT  
ENTITLED: MONMOUTH COUNTY FUTURE WASTEWATER SERVICE AREA MAP**

**WHEREAS, the Borough of Highlands desire to provide for the orderly development of wastewater facilities within the Monmouth County; and**

**WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and**

**WHEREAS, the NJDEP has established the WQM plan amendment procedures as the method of incorporating unplanned facilities into a WQM plan; and**

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**WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on January 7, 2013 as the Monmouth County Future Wastewater Service Area Map has been submitted on behalf of the Monmouth County Board of Chosen Freeholders;**

**NOW, THEREFORE, BE IT RESOLVED on this 16th day of January, 2013 by the governing body of the Borough of Highlands that :**

- 1. The Borough of Highlands hereby consents to the amendment entitled Water Quality Management Plan, and publicly noticed on January 7, 2013, prepared by Monmouth County, for the purpose of its incorporation into the applicable WQM plan(s).**
- 2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C.7:15-3.4 and to the County of Monmouth Division of Planning.**

**Seconded by Mayor Nolan and adopted on the following roll call vote:**

**ROLL CALL:**

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

**Ms. Kane offered the following Resolution and moved on its adoption:**

**R-13-48  
RESOLUTION  
APPROVING RAFFLE LICENSE  
APPLICATION NO. RA#1317-13-1  
HENRY HUDSON REGIONAL SCHOOL PTO**

**WHEREAS, the Henry Hudson Regional School PTO has submitted Raffle License Applications No. RA1317-13-1 for a drawings to be held in March & May of 2013.**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Raffle License Applications RA#1317-13-1 for the Henry Hudson Regional School PTO is hereby approved and the Borough Clerk is authorized to sign off on licenses.**

**Seconded by Mayor Nolan and adopted on the following roll call vote:**

**ROLL CALL:**

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

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**INSERT RESOLUTION R-13-51 CANCELING BUDGET APPROPS.**

HIGHLANDSNJ.COM

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Ms. Kane offered the following Payment of Bills List and moved on its approval for payment:

**RECAP OF PAYMENT OF BILLS  
01/16/2013**

<b>CURRENT:</b>		<b>\$ 213,976.27</b>
Payroll	(01/15/2013)	\$ 112,473.18
Manual Checks		\$ 497,922.87
Voided Checks		\$
<b>SEWER ACCOUNT:</b>		<b>\$ 109,301.17</b>
Payroll	(01/15/2013)	\$ 3,106.39
Manual Checks		\$ 161,882.11
Voided Checks		\$
<b>CAPITAL/GENERAL</b>		<b>\$ 468.76</b>
<b>CAPITAL-MANUAL CHECKS</b>		<b>\$</b>
<b>Voided Checks</b>		<b>\$</b>
<b>WATER CAPITAL ACCOUNT</b>		<b>\$</b>
<b>TRUST FUND</b>		<b>\$ 4,367.19</b>
Payroll	(01/15/2013)	\$
Manual Checks		\$ 1,623.56
Voided Checks		\$
<b>UNEMPLOYMENT ACCT-MANUALS</b>		<b>\$</b>
<b>DOG FUND</b>		<b>\$</b>
<b>GRANT FUND</b>		<b>\$ 2,000.00</b>
Payroll	(01/15/2013)	\$ 1,163.86
Manual Checks		\$
Voided Checks		\$
<b>DEVELOPER'S TRUST</b>		<b>\$</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  
January 16, 2013**

**CURRENT FUND**

Henry Hudson Regional School District	School Taxes 1/10/13	317,234.02
MDS, Inc.	Storm Tipping Fees ESTIMATED	600,000.00
NJSHBP	January 2013 Health Benefits	81,567.42
T & M Associates	North St. P.S. Replacement	35,348.25

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**\*\*\*\*\* ESTIMATED**

**Total Current Fund 1,034,149.69**

**CAPITAL FUND**

**Total Capital Fund 0.00**

**GRANT FUND**

**Henry Hudson Regional School District 4TH Quarter Alliance Grant 6,378.72**

**Total Grant Fund 6,378.72**

**SEWER UTILITY FUND**

**AHHRSA January Service Charge 109,219.00**

**NJSHBP January 2013 Health Benefits 2,141.84**

**Total Sewer Utility Fund 2,141.84**

**TRUST FUND**

**Total Trust Fund 0.00**

**Total Supplemental Bill List 1,042,670.25**

**Seconded by Mayor Nolan and approved for payment on the following roll call vote:**

**ROLL CALL:**

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

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**Minutes Approved on Consent Agenda:**

Ms. Kane offered a motion for the approval of the January 1st, 2013 Reorganization and Regular Meeting minutes, seconded by Mayor Nolan and all were in favor on the following roll vote:

**ROLL CALL:**

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

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**Other Resolutions:**

**Resolution R-13-31:**

**R-13-31 Resolution Appointing Temporary Employees:**

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

**R-13-31**

**RESOLUTOIN APPOINTING TEMPORARY EMPLOYEES FOR VARIOUS POSITIONS**

**WHEREAS, Monmouth County has a grant program which allows for hurricane damaged municipalities to apply for and receive funding to hire various temporary employees for up to a six month period in which the Borough of Highlands has applied for said grant; and**

**WHEREAS, the Borough will need to hire temporary employees to help get through the difficult time of rebuilding and getting the borough back together.**

**NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands that the following people are hereby appointed to the following temporary positions and meet the requirements for said positions:**

**Public Works Repairer # of Openings: 5 at an hourly rate of \$11.50 per hour, 37.5 hours per week.**

**1. Anthony Johnson Full-time ( 40 Hours Per Week)**

**Office/Clerical # of Openings: 3 at an hourly rate of \$11.50 for two Full-Time for 37.5 hours per week and \$10.00 per hour for one part-time position for 20 hours per week.**

**1. Nancy O'Neil Part-Time**

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Hours: 20 – 30 hours per week

2. Edith Moskowizz Part-Time

Hours: 20 – 30 hours per week

3. Patty Parker Part-time

Hours: 20-30 hours per week

Volunteer Coordinator # of Openings: 1 at an hourly rate of \$12.00 per hour, 24 hours per week.

1. Michele Pezzullo Part-time Work Hours: 20-25 hours per week.

Custodial/Bldg Maintenance # of Openings: 1 at an hourly rate of \$12.00 per hour, 37.5 hours per week.

1. \_\_\_\_\_ Full-time

BE IT FURTHER RESOLVED that these appointments will be for a six month period effective immediately.

BE IT FURTHER RESOLVED that temporary appointments do not include any benefits.

BE IT FURTHER RESOLVED that said appointments are subject to the approval by the Monmouth County Work Force Development.

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

**ROLL CALL:**

AYES: Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan  
NAYES: None  
ABSENT: None  
ABSTAIN: None

Mayor Nolan offered the following Resolution and moved on the introduction of the HBP 2013 Budget and set a public hearing date of February 20, 2012 at 8:00 P.M. Public hearing to be held at the Highlands Elementary School located at 360 Navesink Ave, Highlands, NJ 07732. Notice of Public Hearing is authorized.

R-12-41  
RESOLUTION APPROVING THE  
HIGHLANDS BUSINESS PARTNERSHIP  
2013 BUDGET

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WHEREAS, the Governing Body of the Borough of Highlands hereby introduces the following Highlands Business Partnerships 2013 Budget:

**HIGHLANDS BUSINESS IMPROVEMENT DISTRICT  
District Management Corporation  
Highlands Business Partnership  
January 1, 2013– December 31, 2013**

<b>COMMERCIAL DISTRICT</b>	<b>2012</b>
<b>PROGRAM BUDGET</b>	<b>EXPENSE</b>

Visual Improvement.....	20,000.00	
<input type="checkbox"/> Beautification		
<input type="checkbox"/> Maintenance		
<input type="checkbox"/> Holiday & Seasonal		
<input type="checkbox"/> Street Banners		
Special Events Calendar.....	\$50,000.00	
<input type="checkbox"/> Creation of events		
Marketing & Communications.....	\$20,000.00	
<input type="checkbox"/> Ad campaigns		
<input type="checkbox"/> Tourism		
<input type="checkbox"/> Public Relations		
<input type="checkbox"/> Image Building		
<input type="checkbox"/> Visitor Guide 2012-2013 – Flood Damage		
<input type="checkbox"/> Audio & Video Media		
<input type="checkbox"/> Maintain Website & Database & Graphic Ad Design.....	\$10,000.00	
Economic Development.....	\$15,000.00	
• Business Recruitment/Retention & Redevelopment		
Administrative Budget		
Personnel.....	\$25,000.00	
Miscellaneous.....	\$10,000.00	
<input type="checkbox"/> Legal		
<input type="checkbox"/> Audit		
<input type="checkbox"/> Insurance		
<input type="checkbox"/> Office Supplies		
<input type="checkbox"/> Utilities – Telephone, fax & electric		
<input type="checkbox"/> License & fees		
<b>TOTAL Expenses.....</b>	<b>\$150,000.00</b>	

**HIGHLANDS BUSINESS IMPROVEMENT DISTRICT  
District Management Corporation  
Highlands Business Partnership  
January 1, 2013 – December 31, 2013**

<b>COMMERCIAL DISTRICT</b>	<b>2013</b>
<b>PROGRAM BUDGET</b>	<b>Income</b>

Special Events Income.....	\$85,000.00	
• Vendor Fees Income		
• Event Income (Social Affairs & Raffle Permit income)		

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Marketing & Communications.....\$15,000.00

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

TOTAL Income .....\$100,000.00

TOTAL ASSESSMENT INCOME REQUIRED TO OPERATE - \$50,000.00

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Mayor Nolan offered the following resolution and moved its adoption:

**R-13-43**

**RESOLUTION APPOINTING ATLANTIC HIGHLANDS/HIGHLANDS REGIONAL  
SEWERAGE AUTHORITY MEMBER**

WHEREAS, Richard O'Neils five year appointment to the Atlantic Highlands/Highlands Regional Sewerage Authority will expire on February 1, 2013; and

WHEREAS, it is the Governing Body's desire to appoint Richard O'Neil to a five year term.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Richard O'Neil is hereby appointed as a member of the Atlantic Highlands/Highlands Regional Sewerage Authority for a five year term effective February 2, 2013 for a term to expire on February 1, 2017

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

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

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

**R-13-44**

**RESOLUTION PRIVATIZING THE POSITION OF ZONING OFFICER EFFECTIVE  
FEBRUARY 1, 2013**

WHEREAS, the Borough of Highlands established the position of Zoning Officer pursuant to the Highlands Borough Code Section 2-12A; and

WHEREAS, the Borough Code, Section 2-12A.2 provides that the position of Zoning Officer shall be for a term of one calendar year and requires an annual appointment by the governing body; and

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WHEREAS, at its reorganization meeting on January 1, 2013, the governing body determined not to reappoint any individual to the position of Zoning Officer; and

WHEREAS, by Resolution R-12-232, the Borough of Highlands approved a layoff plan reducing in force the current Zoning Officer for reasons of economy and efficiency; and

WHEREAS, by correspondence dated December 12, 2012, the Borough, through counsel, submitted a layoff plan to the New Jersey Civil Service Commission pursuant to N.J.A.C. 4A:8-1.4; and

WHEREAS, on or about December 12, 2012, the Civil Service Commission contacted the Borough's Labor Counsel and informed counsel that it had no record of the employee currently serving in the position of Zoning Officer and, therefore, may take whatever action the Borough deems appropriate; and

WHEREAS, the Borough has determined that, for reasons of economy and efficiency, to privatize the duties of Zoning; and

WHEREAS, the Borough has provided written notice to the individual currently serving as Zoning Officer that his employment with the Borough will end, effective February 1, 2012, and that position shall be privatized as of that date.

NOW, THEREFORE, be it RESOLVED by the Mayor and Council of the Borough of Highlands New Jersey as follows:

1. For reasons of economy and efficiency, the employment of the individual currently serving as Zoning Officer shall end, effective February 1, 2013; and
2. The Borough shall privatize the services of the position of Zoning Officer.

Seconded by Ms. Ryan and adopted on the following roll call vote;

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

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

R-13-49

**RESOLUTION SETTING SALARY INCREASE RATES  
FOR BOROUGH CLERK & CHIEF FINANCIAL OFFICER**

WHEREAS, the Borough of Highlands has recently just settled all Union Contracts and so the Borough is now ready to set salary rate increases for the Statutory Employees that are not covered under Union Contract; and

WHEREAS, the Borough will provide a 2% increase which is the same as what was approved for the union contracts.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following salary increases are hereby approved for both the Borough Clerk and Chief Financial Officer:

July 1, 2012	2%
January 1, 2013	2%
January 1, 2014	2%

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January 1, 2015	2%
January 1, 2016	2%

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby approved effective January 1, 2013 to cash in up to 80 accrued sick leave hours in January of each year. This provision will be permitted through December 31, 2016.

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

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Franczy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

Mayor Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-13-50**

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

**WHEREAS**, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 is so recognized; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$150,000 plus reimbursable expenses for Professional Engineering Services, Zoning Officer and Flood Officer services provided to the Borough of Highlands for the period January 1, 2013 through December 31, 2013; and

**WHEREAS**, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit T&M Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, T & M Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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**WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2013 Municipal Budget:**

**I hereby certify funds are available as follows:**

**Current Fund: General Engineering and Stormwater Management**

**Sewer Utility Fund: Other Expenses and**

**Grant Fund: Stormwater Management Grant**

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**Stephen Pfeffer, Chief Financial Officer**

**WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;**

**NOW, THEREFORE, BE IT RESOLVED BY THE Borough Council of the Borough of Highlands as follows:**

- 1. Robert Keady, P.E. & Dale Leubner of T & M Associates are hereby retained to provide professional engineering, Zoning Officer and Flood Officer services as described above for an amount not to exceed \$150,000 plus reimbursable expenses.**
- 2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.**
- 3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.**
- 4. The Borough Clerk is hereby directed to publish notice of this award as required by law.**

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

**ROLL CALL:**

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

**NAYES: None**

**ABSENT: None**

**ABSTAIN: None**

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**Other Business:**

Mr. Leubner read thru his report.

**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**

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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. The project has been put on hold. We have requested to be included in the 2014 EIT funding cycle at this time.

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 has presented a solution to hold the existing pole.**
- **Letter sent to Contractor requesting him to resume work on October 15, 2012.**
- **Contractor has remobilized to continue drainage work on Woodland Street but is delayed again due to JCP&L forces unable to secure the utility pole at Bay Street due to manpower needed for storm related damages.**
- **Valley Avenue and Bay View Street have been final paved.**
- **Contractor has demobilized for the winter.**

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

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- 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.
- Project has been substantially completed.
- Traffic calming measures have been installed. Speed hump sign has been relocated as requested.
- Railings on individual stairways have been installed.
- Currently finalizing costs and closeout documentation with the Contractor.

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.
- Project has been substantially completed.
- Punchlist items have been addressed.
- Sod has been installed in Huddy Park.
- Final NJDOT inspection and project closeout documentation have been submitted and are being processed.
- Final NJDOT voucher has been received.

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**5. The Dredging of Jones Creek at Snug Harbor: Permit applications and associated plans are underway.**

- Ongoing discussions with the County.
- Scope may change based on recent dredging performed by Borough.

**6. The Replacement of the North Street Stormwater Pumpstation: The station was lost during Hurricane Sandy.**

- Pumpstation design is significantly completed.
- Operation to be similar to the Valley Street Pumpstation.
- Soil boring was performed on November 26, 2012.
- A 12" trailer pump is currently in place and utilized as needed until the station can be replaced.
- Design is substantially complete.
- o Station must be designed higher to be out of the new floodplain per recent ABFE's.
- o Working to minimize noise and adhere to NJDEP noise level requirements. May have to revise to electric pumps with backup diesel generator.

**7. The Repairs to the Waterwitch Sanitary Sewer Pumpstation: The station suffered significant damage during Hurricane Sandy.**

- Station is running under its own power.
- Permanent fixtures to be installed as they are delivered.
- Automatic transfer switch will be delivered in four to six weeks.
- Borough must decide whether to refurbish the existing pumps for approximately \$8,000 or buy two new pumps for approximately \$14,000.
- One rental pump and one Borough pump are currently in use at the station.

#### **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 was held with Borough Officials and the affected residents on July 24, 2012 and again on July 30, 2012 with FEMA and State officials. Conflicting information was provided on July 30, 2012 and we are currently attempting to obtain a clear**

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directive from the State on how to proceed. The overall application is currently under review. Final approval remains from NJSHPO.

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. T&M provided a formal presentation to the Committee on August 22, 2012.

4. **FY 2013 NJDOT Local Aid Applications:** The application for the resurfacing of Shore Drive between Waterwitch Avenue and Locust Street has been submitted as directed by the Governing Body.

If you have any questions or require additional information, please do not hesitate to call.

Very truly yours,

T&M ASSOCIATES

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ROBERT R. KEADY, JR. P.E., C.M.E.

HIGHLANDS BOROUGH ENGINEER

Mr. Francy asked about the fill being used on Washington Avenue. It will be discussed at the next executive meeting.

Mr. Pfeffer will have Professional Engineers Resolution for the next meeting.

Mr. Francy spoke of Bayside Drive ice patch. Something needs to be done.

Mr. Leubner stated that once the design is done, we then go out to bid for repairs.

**CY 2013 Budget Matters Discussion and CFO Report of Special Emergency Bond Notes:**

Mr. Pfeffer said that budget information was put in councils packets. As things come out from the State, he will forward them thru Mrs. Cummins to the council. It is for informational purposes at this point. He further discussed. He does not anticipate Highlands applying for State Aid, he does not believe we qualify. He does not feel we will have the tax increase.

**Review of STEP Program:**

Mr. Hill briefly spoke of the FEMA Step Program. It is an opportunity to help residents that need emergency repairs to get in to their homes. He is currently reviewing this.

Mr. Francy asked about the House Raising Program from Storm Irene.

Mr. Leubner stated that they are waiting for one more approval from the State before they will send the agreements to us.

Discussion continued.

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**Public Portion:**

Karen Housman of 68 Fifth Street sent a letter to the Borough asking about suspending her sewer fee because the unit is unusable from flood damage.

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Mayor Nolan stated that in the past the sewer fee has not been waived. We still need to pay A.H.H.R.S.A. fees.

Don Manrodt of 268 Bayside Drive asked if there is a list to have homes raised.

Mayor Nolan said an assessment of homes is being done.

Mr. Hill stated that if he is interested in having your house raised, add your name to the list at the Solution Center.

Mr. Mandrodt spoke of the ditch on Bayside Drive. The fence along the ditch should be removed.

Mr. Francy directed Mr. Hill to have the fence removed and to put salt down.

John Urbanski of 2 North Street stated that the town did a great job in cleaning up. People are still putting debris out. He feels that the residents should get dumpsters. He wants to know what direction the town is taking with the Army Corp of Engineers.

Mayor Nolan said they are concerned with the bath tub effect of water not going out.

John Urbanski said the town should pursue height ordinance. He further explained.

Discussion continued regarding FEMA Base Flood Elevations.

Don Mandrodt spoke of old storms and the height of the water.

John Urbanski spoke of the pump on North Street. The Borough needs to solve the problem.

Mr. Hill will look into the North Street Pump.

Discussion continued regarding height and Base Flood Elevations.

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 9:21 p.m.

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Debby Dailey, Deputy Clerk

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