

**BOROUGH OF HIGHLANDS**  
**Mayor & Council**  
**Regular/Workshop Meeting**  
**November 6, 2013**

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

Mayor Nolan called the meeting to order at 7:00 p.m.

Ms. 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 Administrator**

**Tim Hill, Borough Administrator**

**Bruce Padula, Borough Attorney**

**Dale Leubner, Borough Engineer**

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**Executive Session Resolution**

Mayor Nolan offered the following Resolution and moved its adoption:

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

**R-13-229**

**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: Captain's Cove**

**2.Contract: Barry Leeser Contract – Riced**

**Lease for 19 Bay Avenue**

**Lease for Modspace Trailers**

**TOMSA Agreement**

**3.Real Estate:**

**4. Personnel Matters: CFO Position**

**Grant Writer Position**

**5. Attorney-Client Privilege: NJ Futures Letter**

**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 circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned

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(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 collective 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 Mayor Nolan 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

Mayor and Council entered Executive Session.

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Mayor Nolan called the Regular Meeting back to order at 8:00 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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**Introduction of Superintendent of Gateway National Park:**

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Jen Neverson introduced herself. Sandy Hook is a priority to her. She explained the unique opportunity to partner with the National Park Service in restoring the historic structures at Fort Hancock. She wants help in spreading the word. They are requesting expressions of interest submissions.

Pete McCartney introduced himself. The park wants to go back out to seek interest in participation in this project. He further explained the project. They need help to save these buildings. He further explained the program. They are looking for the best ways to get buildings reused. He brought information pamphlets with him that described their goals and guidelines and criteria.

Jen Neverson explained that it could be used for businesses, residential, non-profit organizations.

Ms. Ryan stated that she will send proposals in. She commends them for doing this.

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**Consent Agenda:**

Mrs. Cummins stated that Mr. Leubner wished to add an item to the payment of bills.

Mr. Leubner said he wanted to add payment certification #1 for Esposito Construction for the reconstruction of Bayside Drive. It is not a final payment but it is for the work that they completed. The amount is \$79,332.54.

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-13-230**

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

**WHEREAS**, the Borough of Highlands has a need for professional engineering services for the design and construction of the Reconstruction of the North Street Pump Station 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 \$220,000 plus reimbursable expenses per T & M Associates preliminary construction cost estimate dated March 15, 2013 for Professional Engineering Services for the design and the construction administration of the Reconstruction of the North Street Pump Station provided to the Borough of Highlands for the period of one year; 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 as follows:

I hereby certify funds are available from: Bond Ordinance 13-20 contingent upon expiration of 20 day estoppels period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced:

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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. T & M Associates are hereby retained to provide professional engineering services as described above for an amount not to exceed \$220,000 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 execute the contract documents.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Seconded by Mr. 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 its adoption:

**R-13-231**

**AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes, and

**WHEREAS**, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

**NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of Highlands, in the County of Monmouth,

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State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the

individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
Re: Taxpayer Duplicate Payment				
1.01	14	2011	\$2,649.06	Fecso, Allan
1.01	24	2011	201.79	Metzger, Kathleen
1.02	24	2011	440.95	Hughes, Patrick
1.03	15	2011	41.73	Low, George
1.04	6	2011	353.22	McLaughlin, Gina
1.04	22	2011	363.04	Quinn, John & Linda
3	1	2011	79.42	Bianco, Jessica
7	1.01	2011	81.88	Badrick, Gary & Monica
9.01	6	2011	30.43	Romano, Joseph & Marlene
11	16.02	2011	618.74	Rodlansjy, Patric M.
11	17	2011	33.15	Gangemi, Frederick
11.01	8	2011	1,832.89	Lafauci, Susan
11.01	13	2011	57.37	Smith, David
11.01	14	2011	17.12	Smith, D & Stillion, Sandra
11.03	7	2011	190.59	Kelleher, Dan, Paul & Mary
11.06	10	2011	76.39	Soakes, Carlos
11.09	9	2011	1,629.07	Koch, Peter & Lisa
12	3.01	2011	2,508.40	Schneider, Joan
14	2.011	2011	511.56	Kelemen, Frank & Melissa
17	2.01	2011	704.00	Samuals, Maka
19	8	2011	3,000.00	Killeen, Joseph & Tara
19	10	2011	1,456.73	Douglas & Jill Widman
19	10	2013	3,088.56	Widman, Douglas & Jill
20	5.14	2011	85.00	Monmouth Housing Alliance
21	7	2011	34.92	Fleming, Joy
21	15	2011	48.41	Thorner, Larry & Debra
26	14	2011	100.00	Kubiok, Mark
28	14.03	2011	4,135.57	Semmel, Albert & Pamela
35	13	2011	36.18	Serghis, Maria
38.01	17.02	2011	985.30	Cividanes, Barbara
40	13.01	2011	398.48	Sherman, Robert
51	4	2011	1,871.95	Lawrence, Francis
52	16	2011	165.85	Mancinelli, Theresa
57	25	2011	346.78	Musgrave, Adam
58	3.01	2011	1,102.00	Monmouth Housing Alliance
59	30	2011	144.88	Grasso, David F. & Linda
60	4	2011	340.04	Bigler, Tomothy & Levassuer
71	1	2011	305.10	Kleinsorgen, Corinne
72	9.15	2011	38.34	Dickerson, Elizabeth
72	33	2011	87.16	Hollembek, Philip N.
72	41.01	2011	83.42	Scarano, Gerard & Patricia
76	10	2011	1,127.88	Cireco, Stephen
86	3	2011	125.00	Davis, Robert & Cynthia
90	16	2011	153.94	Branin, Joseph Brian
92	1	2011	128.43	Rafferty, Sandra
93	1	2011	1,130.30	St. Amour, Michael
100.2	9	2011	336.02	Colyard, Robert Jr.
100.3	13	2011	32.22	Billet, Lewis & Noreen
100.5	37	2011	1,140.24	Deandrea, Craig
100.5	42	2011	143.40	Jill Reilley

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100.7	28	2011	205.36	Caccamo, Joseph A.
100.7	39	2011	196.88	Hennelly, Willaim
100.8	41	2011	239.09	Sutton, John S.
100.9	68	2011	142.53	Wagner, Colleen
100.11	140	2011	326.42	E & N Construction, Inc.
100.12	149	2011	967.91	Glietz, Janalyn
101	4	2011	47.05	Serghis, Argiris & Androula
106.1	204	2011	14.37	Ostrowski, Paul & Joan
106.1	1007	2011	120.58	Spannagel, Ingrid
106.1	1407	2011	99.89	Gallagher, Patricia
112	12.01	2011	151.77	Lamberti, William
112	12.04	2011	126.08	Tirado, Gloria & Danny
115	9.119	2011	448.22	Glavan, Martin & McCarthy
115	9.122	2011	462.84	Schnabel, George & Lynne
116	5	2011	941.68	Muradi, Khatera
120	17.02	2011	289.31	Bova, Joseph
Totals			<u>\$39,371.88</u>	

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:** None

**ABSTAIN:** Ms. Ryan

Mayor Nolan offered the following resolution and moved for its adoption:

**BOROUGH OF HIGHLANDS**  
**COUNTY OF MONMOUTH**  
**R-13-232**

**RESOLUTION - AUTHORIZING TRANSFERS BETWEEN BUDGET**  
**APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, N.J.S.A. 40A:4-58 provides for transfers as permitted between budget appropriations during the last two months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highlands (not less than two thirds of the governing body affirmatively concurring) that transfers between 2013 Budget Appropriations be made as follows:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Legal:		
Other Expenses	\$ 20,000.00	
Community Center:		
Salaries & Wages	15,000.00	
Beachfront:		
Salaries & Wages	8,000.00	
Finance:		
Other Expenses	2,000.00	

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Code Enforcement:

Other Expenses	8,000.00	
Tax Assessor		
Other Expenses		\$ 10,000.00
Substandard Housing:		
Other Expenses		41,000.00
Telecommunications		2,000.00
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	\$ 53,000.00	\$ 53,000.00

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 its adoption:

**R-13-233**  
**RESOLUTION**  
**APPROVING RAFFLE LICENSES**  
**APPLICATION NO. RA#1317-13-14 & RA#1317-13-15**  
**HENRY HUDSON REGIONAL SCHOOL PTO**

**WHEREAS**, the Henry Hudson Regional School PTO has submitted two Raffle License Applications No. RA1317-13-14 and RA#1317-13-15.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands hereby approved Raffle License Applications RA#1317-13-14 & RA#1317-13-15 for the Henry Hudson Regional School PTO and the Borough Clerk is authorized to sign off on licenses.

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

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**INSERT R-13-234**

HIGHLANDSNJ.COM



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Mayor Nolan offered the following and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH  
R-13-235**

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL  
CAPITAL FUND ENCUMBRANCE PAYABLE**

**WHEREAS**, the Chief Financial Officer and the Borough Attorney have determined that the following encumbrance payable should be canceled due to the Contractor having never posted a maintenance bond and the statute of limitations having run on any potential breach of contract claim concerning payment, and;

Tomae Construction Company  
Bond Ordinance 03-13 \$5,492.57

**WHEREAS**, it is necessary to formally cancel said encumbrance payable so that the balance may be credited to the improvement authorization 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 encumbrance payable in the general capital fund.

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 its adoption:

**R-12-237  
RESOLUTION AUTHORIZING AWARD OF CONTRACT  
TO VENDOR(S) WITH STATE CONTRACT  
FOR ONE (2) DODGE CHARGER**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Highlands, County of Monmouth, State of New Jersey as follows:

1. In accordance with the requirements of the Local Public Contracts Law N.J.S.A. 40A:11-12 et seq., and the regulations promulgated thereunder, the following purchase without competitive bids from vendor(s) with State Contract is hereby approved.

**ITEM # 1**

**VENDOR**

**CHAS S. WINNER INC.  
CARMAN DODGE JOINT VENTURE  
196 S. DuPont Hwy  
New Castle, DE 19720**

**STATE CONTRACT # 82927**

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**AMOUNT \$ 33,007 per vehicle Total AMOUNT \$66,014.00**

**DESCRIPTION**

**TWO (2) 2013 DODGE CHARGER  
FOR THE POLICE DEPARTMENT**

**WHEREAS, the Chief Financial Officer does hereby certify funding:**

**Account: 1190-5080                      \$66,014.00**

\_\_\_\_\_  
**Stephen Pfeffer, CFO**

**2. The Borough Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.**

**3. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:**

- A. Purchasing Agent**
- B. Comptroller**
- C. Tim Hill, Administrator**
- D. Vendor**

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 Payment of Bills List and moved on its authorization for payment:

**RECAP OF PAYMENT OF BILLS**  
**11/06/2013**

<b>CURRENT:</b>		\$	1,053,806.39
Payroll	( 10/30/2013)	\$	107,232.56
Manual Checks		\$	34,889.25
Voided Checks		\$	
<b>SEWER ACCOUNT:</b>		\$	1,143.48
Payroll	(10/30/2013)	\$	2,671.51
Manual Checks		\$	442.02
Voided Checks		\$	
<b>CAPITAL/GENERAL</b>		\$	

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<b>CAPITAL-MANUAL CHECKS</b>	\$	
Voided Checks	\$	
<b>WATER CAPITAL ACCOUNT</b>	<b>\$</b>	
<b>TRUST FUND</b>	\$	4.80
Payroll (10/30/2013)	\$	950.00
Manual Checks	\$	2,274.95
Voided Checks	\$	
<b>UNEMPLOYMENT ACCT-MANUALS</b>	<b>\$</b>	
<b>DOG FUND</b>	<b>\$</b>	
<b>GRANT FUND</b>	\$	1,576.21
Payroll (10/30/2013)	\$	5,728.93
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**  
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**CURRENT FUND**

<b>Total Current Fund</b>		0.00
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**CAPITAL FUND**

T & M Associates	Highland Avenue Road Improvements	16,020.82
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**Note: Highland Avenue Improvements payment contingent upon adoption of Professional Service Resolution amending Resolution 11-95.**

T & M Associates	North Street Pump Station	157.52
T & M Associates	North Street Pump Station	1,570.71
T & M Associates	North Street Pump Station	17,436.72
T & M Associates	North Street Pump Station	21,027.74
T & M Associates	North Street Pump Station	35,348.25

**Note: North Street Pump Station payment contingent upon adoption of Professional Service Resolution 13-230**

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<b>Total Capital Fund</b>	<u>91,561.76</u>
<b>GRANT FUND</b>	
<b>Total Grant Fund</b>	<u>0.00</u>
<b>SEWER UTILITY FUND</b>	
<b>Total Sewer Utility Fund</b>	<u>0.00</u>
<b>TRUST FUND</b>	
<b>Total Trust Fund</b>	<u>0.00</u>
<b>Total Supplemental Bill List</b>	<u>91,561.76</u>
Additional payments:	
Esposito                      Payment #1	79,332.54

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

**ROLL CALL:**

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

**Minutes Approved on Consent Agenda:**

Mayor Nolan offered a motion for the approval of the October 16<sup>TH</sup>, 2013 Executive and Regular Meeting minutes, seconded by Ms. Ryan and all were in favor 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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**Ordinances: 2<sup>nd</sup> Reading, Public Hearing & Adoption**

**O-13-27 - Ordinance Regulating Home Elevations:**

Ms. Cummins read the title of Ordinance O-13-17 Ordinance Regulating Home Elevations on for 2<sup>nd</sup> Reading, Public Hearing and Adoption. This was published in the October 27<sup>th</sup> edition of the Asbury Park Press and may now be open for public hearing.

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Mr. Padula stated that this is the home elevation ordinance that mirrors the language in the bill to be introduced in the Legislature.

Mayor Nolan opened the public hearing.

Arnie Fuog of Valley Street asked if it has to do with the height.

Mr. Padula responded that it says nothing about the height just the manner in which they are lifted.

Kim Skorka of 315 Shore Drive spoke of the house that fell and the use of house jacking.

Mr. Padula explained its industry standards.

Kim Skorka questioned the 2<sup>nd</sup> house collapse.

Mr. Padula stated that these plans were approved by the homeowners PE. This adds input thru the Construction Office.

Mayor Nolan closed the public hearing.

**O-13-27 Ordinance Regulating Home Elevations:**

Mrs. Cummins read the tile O-13-27 Ordinance Regulating Home Elevations for final reading and adoption.

Mayor Nolan offered the following Ordinance and moved on its final reading and adoption:

**O-13-27**  
**BOROUGH OF HIGHLANDS**  
**COUNTY OF MONMOUTH**

**AN ORDINANCE SUPPLEMENTING AND AMENDING SECTION 10-3**  
**OF THE BOROUGH CODE OF THE BOROUGH OF HIGHLANDS**  
**REGULATING HOME ELEVATION CONTRACTORS WITHIN THE**  
**BOROUGH**

**WHEREAS**, as a result of Superstorm Sandy and implementation of new base flood elevation calculations within the Borough, an unprecedented number of homes within the Borough will be raised; and

**WHEREAS**, the Borough recently experienced two homes collapsing while in the process of being raised; and

**WHEREAS**, the Borough finds that establishing minimum standards and procedures for home raising is in the best interest of the safety, health and welfare of the people of the Borough of Highlands.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Highlands as follows:

**SECTION ONE:** Section 10-3.1, "Definitions," of the Borough Code shall be supplemented with the addition of the following definitions:

"Home elevation" means any home improvement that involves raising an entire residential or non-commercial structure to a higher level above ground in order to avoid flood damage.

"Home elevation contractor" means a contractor or subcontractor who engages in the practice of home elevation.

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“Unified jacking machine” means a machine used to raise a structure that is capable of lifting each corner and the entire bulk of the structure in a synchronized manner.

**SECTION TWO:** There shall be added to the Borough Code, a new section, Section 10-3.8, entitled “Home Elevation Contractors,” which shall read:

**10-3.8 Home Elevation Contractors**

a. All home elevation contractors engaging in home elevation in the Borough shall be registered with the Division of Consumer Affairs in the Department of Law of Public Safety.

b. All home elevation contractors engaging in home elevation in the Borough shall comply with the provisions of the “Contractors’ Registration Act,” P.L. 2004, c. 16.

c. Home elevation contractors shall utilize a unified jacking machine for any home elevation.

d. Prior to commencing any home elevation in the Borough, the home elevation contractor and subcontractor, if any shall have an in-person pre-elevation meeting and site walk-through with the Construction Code Official.

e. **Insurance.** All home elevation contractors engaged in home elevation in the Borough shall secure, maintain, and file with the Borough proof of a certificate of commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence; and shall additionally carry insurance in the minimum amount of \$500,000 per occurrence to cover the contents of the premises for any peril not covered in the homeowner’s insurance policy that could result from elevating the home.

f. **Bond.** No permit shall be issued for a home elevation project until the home elevation contractor has filed a bond in an amount determined to be sufficient by the Borough Engineer. The bond shall be executed by the home elevation contractor as principal and a surety company licensed to do business in the State of New Jersey as surety and shall be conditioned as follows:

1. To indemnify and hold harmless the borough from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation, arising out of injury to any person or property resulting from any work done by the home elevation contractor.

2. To indemnify the borough for any expense incurred in enforcing any of the provisions of this section.

3. To indemnify any person who shall sustain personal injuries or damage to his/her property as a result of any act or omission of the home elevation contractor, his/her agents, employees or subcontractors done in the course of any work under the permit.

One bond may be accepted to cover a number of home elevation projects by the same home elevation contractor. Bonds shall remain in force for a period to be determined by the Borough Engineer.

g. **Violations.** Any person who is found to be in violation of this section shall be subject to a fine in accordance with Section 1-5 of the Borough Code and not less than \$1,000.00. Additionally, any person who is found to be in violation of this section shall be barred from engaging in home elevation in the Borough for a period of two (2) years.

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**SECTION THREE: 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.

**SECTION FOUR: REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION FIVE: 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: Ms. Ryan, Mr. Redmond, Ms. Kane, Mayor Nolan**

**NAYES: Mr. Francy**

**ABSTAIN: None**

**ABSENT: None**

**Council Discussion:**

Mr. Francy is not sure we should move ahead with this. There are very few contractors to utilize this house lifting system.

Ms. Ryan would like to make sure about insurance.

Mr. Padula stated that we would need to reintroduce if there are changes.

Mr. Francy spoke about a pre-construction meeting. We can do internally. We don't need this ordinance.

Mr. Ryan wants pre-construction meeting. Pass the ordinance and amend it in two weeks.

**O-13-29 – Bond Ordinance for Community Center Improvements:**

Ms. Cummins read the title of Ordinance O-13-29 Bond Ordinance for Community Center Improvements on for 2<sup>nd</sup> Reading, Public Hearing and Adoption. This was published in the October 27<sup>th</sup> edition of the Asbury Park Press and may now be open for public hearing.

Mayor Nolan opened the public hearing.

Doug Card of 28 Shrewsbury Avenue asked if we could hold off on this until we receive the funds.

Kim Skorka asked if we are asking for donated materials.

Ms. Ryan replied that we are working with a group called Rebuild Together. They have a list of groups that come in and to the work. She will put Kim Skorka in contact with them.

Kim Skorka recommended it be placed on our website and to do a robo call for volunteers.

Mr. Hill stated that when we are ready, we will do that. We need architect plans first.

Ms. Ryan stated the church has volunteer sign ups.

Melissa McAller of 52 Barberie Avenue asked if we are lifting the Community Center.

Mr. Hill responded that at this point we do not have to lift it. He said it may be eligible for mitigation funds thru FEMA.

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Ms. Ryan explained about insurance.

Barbara Ianucci of 28 Shrewsbury Avenue would like wording added "will receive funding" in the ordinance.

Mr. Hill stated that we do not know the dollar amount. The Robert Woods Foundation is a specific project funding.

Larry Colby of 44 South Bay Avenue asked if the bond will have no penalties.

Mr. Padula stated that he believes that is correct.

Mayor Nolan closed the public hearing.

**O-13-29 Bond Ordinance for Community Center Improvements:**

Mrs. Cummins read the tile O-13-29 Bond Ordinance for Community Center Improvements for final reading and adoption.

Mayor Nolan offered the following Ordinance and moved on its final reading and adoption:

**O-13-29**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE COMMUNITY CENTER IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$378,720 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$450,000, including \$51,346.21 from the Reserve for Federal Emergency Management Agency Assistance (the "FEMA Reserve Funds"), and further including the sum of \$19,933.79 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and the FEMA Reserve Funds, negotiable



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bonds are hereby authorized to be issued in the principal amount of \$378,720 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the Community Center, including, but not limited to, the replacement of wall insulation, drywall, base molding, flooring, carpeting, electrical outlets and mechanical and electrical items, including heating, ventilation and air conditioning condensing units with disconnects, an air handler unit, various size electrical breakers, safety switches, photo cells, meter sockets, a manual transfer switch and a gas hot water heater, the re-setting of restroom sinks, toilets, urinals, the countertop and restroom partitions and design, engineering and construction work, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date

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of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$378,720, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**ROLL CALL:**

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

**O-13-30 –Ordinance Concerning Nonconforming Uses:**

Ms. Cummins stated that this ordinance needs to be reviewed by the Planning Board Meeting next week. She needs a motion to carry this to the December 4<sup>th</sup> meeting.

Mayor Nolan offered a motion to carry Ordinance O-13-30 to the December 4<sup>th</sup> meeting to allow the Planning Board to review at their next meeting, seconded by Ms. Kane and all were in favor on the following roll call vote:

**ROLL CALL:**

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

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**Ordinances: Introduction & Setting of a Public Hearing Date:**

**O-13-33 – Bond Ordinance for Acquisition of Ambulances:**

Mrs. Cummins read the title of Ordinance O-13-33 Bond Ordinance for Acquisition of Ambulances for introduction and setting of a Public Hearing date for December 4<sup>th</sup>

Mayor Nolan offered the following Bond Ordinance for introduction and setting of a public hearing date of December 4, 2013 at 8:00 p.m. and authorized its publication according to law:

O-13-33

BOND ORDINANCE PROVIDING FOR ACQUISITION OF  
AMBULANCES IN AND BY THE BOROUGH OF HIGHLANDS, IN  
THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING  
\$240,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$228,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE  
PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS,  
IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members  
thereof affirmatively concurring) AS FOLLOWS:

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Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$240,000, including a \$20,000 contribution anticipated to be received by the Borough from the Borough first aid squad (the "First Aid Squad Contribution"), and further including the sum of \$12,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and in anticipation of the First Aid Squad Contribution, negotiable bonds are hereby authorized to be issued in the principal amount of \$228,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of ambulances, which may be new and/or refurbished, including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive

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evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years. To the extent that the Borough determines to acquire one or more refurbished ambulances, the Borough reasonably expects that such refurbished ambulance or ambulances will be in operation for at least 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof

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has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$228,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof, as well as the First Aid Squad Contribution if and when received, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its

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undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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**

**O-13-34 – Salary Ordinance:**

Mrs. Cummins read the title of Ordinance O-13-34 Salary Ordinance for introduction and setting of a Public Hearing date for December 4<sup>th</sup>.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of December 4, 2013 and authorized its publication according to law:

**O-13-34**

**AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE COMPENSATION OF CERTAIN BOROUGH EMPLOYEES OF THE BOROUGH OF HIGHLANDS FOR 2013**

BE IT ORDAINED by the Mayor and Council of the Borough of Highlands, a municipal Corporation of the State of New Jersey;

Section 1. The annual salaries and compensation exclusive of longevity benefits of the officers and employees holding the offices or positions hereinafter described shall be shown on Schedule A, annexed hereto, for 2012 and beyond unless amended, payable semi-monthly unless herein described.

Except as provided by labor contract, all salary ranges shall constitute minimum and maximum to be determined by subsequent Resolution of the Mayor and Council within those limits.

Section 2. **OTHER POSITIONS AND DUTIES**

A. All other persons employed by the Borough not otherwise mentioned herein shall be paid at a rate to be fixed by a Resolution of the Mayor and Council.

B. Additional duties associated with the administration of grants awarded to the Borough may be compensated out of the proceeds of said grants at a rate to be fixed and determined by Resolution of the Mayor and Council.

Section 3. **LONGEVITY BENEFITS.**



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There shall be no longevity benefit other than where the benefit is specifically mandated by agreement or contract.

Section 4.       EFFECTIVE DATE:

The salaries and compensation set forth herein shall be effective and payable as of and after January 1, 2012 unless otherwise set forth by contract or agreement..

Section 5.       REPEALED

All ordinances or parts of ordinances inconsistent with this ordinance are hereby superseded.

Section 6.       IMPLEMENTATION

This ordinance shall take effect immediately upon its passage and publication in accordance with law.

Seconded by Ms. Kane 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**

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**Other Resolutions:**

**R-13-236 Resolution Assumption of Obligations for AHHRSA – P.H./Adoption:**

Mrs. Cummins stated that this resolution needs to be tabled. It has to wait for the adoption of the ordinances.

Ms. Kane offered a motion to table Resolution R-13-236 to the December 4<sup>th</sup> meeting, seconded by Mayor Nolan and all were in favor 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**

**R-13-224 Resolution Appointment of Sewer Plant Operator:**

Mrs. Cummins read the title of Resolution R-13-224-Appoinmet of Sewer Plant Operator.

Mr. Francy asked if this was for a “C” license.

Mr. Hill said it was.

Mr. Francy asked if this just for his license and is he the operator.

Mr. Hill stated that he is listed as our operator.

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

**R-13-224**  
**Resolution Provisionally Appointing Barry Leeser to the position of Sewage**  
**Plant Operator and Approving an Employment Agreement Between the**  
**Borough and Barry Leeser**

WHEREAS, the Borough is required to employ a Sewage Plant Operator who possesses certain required licenses issued by the Department of Environmental Protection; and

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WHEREAS, the Borough is a Civil Service municipality and the position of Sewage Plant Operator is within the competitive class of titles of the Civil Service Commission; and

WHEREAS, the Civil Service Commission, N.J.A.C. 4A:4-1.5, permits provisional appointments until a permanent appointment is made;

WHEREAS, the Borough wishes to provisionally appoint Barry Leeser to the position of Sewage Plant Operator pursuant to the terms of the attached contract for employment; and

WHEREAS, Barry Leeser wishes to accept employment to the position upon the terms and conditions contained in the attached employment agreement.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands as follows:

1. The Borough hereby approves the attached employment agreement and provisionally appoints Barry Leeser as Sewage Plant Operator, pursuant to the regulations of the New Jersey Civil Service Commission;
2. The Mayor and Clerk are authorized to sign the employment agreement on behalf of the Borough; and
3. The Office of the Clerk is authorized and directed to take all ministerial action required to effectuate the intent of this Resolution including, but not limited to, completing all necessary paperwork with the Civil Service Commission.

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

**R-13-238 – Resolution Endorsing Long Term Recovery Plan:**

Mrs. Cummins read the title of Resolution R-13-238 – Endorsing Long Term Recovery Plan.

**Mayor Nolan offered a motion for the following resolution and moved on its adoption:**

**R-13-238**

**RESOLUTION  
ENDORING  
THE  
HIGHLANDS  
LONG-TERM  
COMMUNITY  
RECOVERY  
PLAN**

**WHEREAS**, the impact from floods and storm surge resulting from Hurricane Sandy caused significant damage to the Borough of Highlands, including damage to 40% of the housing stock and greater than 60% of the businesses within the Borough of Highlands; and

**WHEREAS**, the State of New Jersey invited the Federal Emergency Management Agency's Long-Term Community Recovery team to assist the Borough in completing a strategic recovery plan; and

**WHEREAS**, well over 1,000 volunteer hours were devoted to creating this plan by Highlands residents, business owners, and partners; and

**WHEREAS**, the Highlands Long-Term Community Recovery Plan has been developed to establish guidelines and projects that will provide the community with guidance to revitalize Highlands and effectively help residents and business owners recover from the impacts of flooding; and

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**WHEREAS**, the Highlands Long-Term Community Recovery Plan demonstrates to the community that recovery involves organization and collaboration among community partners, positive promotional strategies to capitalize on Highland's natural and cultural resources, and understanding that increasing community resilience is central to recovery and revitalization; and

**WHEREAS**, the Highlands Long-Term Community Recovery Plan has been reviewed by community residents, business owners, and federal, state, and local agencies;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Highlands, County of Monmouth, State of New Jersey hereby adopt the "Highlands Long-Term Community Recovery Plan" and will work with partners and stakeholders to implement and update this plan, as needed. The Borough will include the recommendations of the plan in its next comprehensive master plan reexamination and update the Borough's Hazard Mitigation Plan in cooperation with Monmouth County.

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

**R-13-239 – Resolution Amending Prof. Engineering Services:**

Mrs. Cummins read the title of Resolution R-13-239 – Amending Prof. Engineering Services.

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

**R-13-239**  
**RESOLUTION AMENDING RESOLUTION R-11-95**  
**PROFESSIONAL ENGINEERING SERVICES OF A NON-FAIR AND OPEN**  
**CONTRACT FOR THE HIGHLAND AVENUE AREA RECONSTRUCTION**  
**T & M ASSOCIATES**

**WHEREAS**, there exists the need for professional engineering services for the Highland Avenue Area Reconstruction as a non fair and open contract pursuant to the provisions of N.J.S.A.19:44A-20.5; and

**WHEREAS**, such Professional Planning Services can only be provided by licensed professionals and T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is so recognized; and

**WHEREAS**, a contract was awarded on April 6, 2011 for an amount not to exceed \$60,000 plus reimbursable expenses for the Highland Avenue Area Reconstruction; and

**WHEREAS**, T & M Associates has requested an additional \$16,020.82 for additional services performed beyond the scope of the original contract due to utility conflicts and failures; and

**Certification of Funds: Bond Ordinance 11-6**

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**Stephen Pfeffer, Chief Financial Officer**

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**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**, the determination of value has been placed on file with this resolution with the Borough Clerk; and

**WHEREAS**, T & M Associates has submitted the C.271 Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26 (P.L. 2005,c271, s2).

**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 Mayor and Council of the Borough of Highlands of the following:

1. T & M Associates' contract for professional planning services is hereby increased by \$16,020.82 for a total contract amount not to exceed of \$76,020.82 plus reimbursable expenses.
2. This 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 person authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Seconded by Mr. 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

**R-13-240 – Resolution Claiming Lien:**

Mrs. Cummins read the title of Resolution R-13-240 – Claiming Lien.

**Mayor Nolan offered a motion for the following resolution and moved on its adoption:**

**R-13-240**

**RESOLUTION AUTHORIZING THE BOROUGH OF HIGHLANDS TO CLAIM A LIEN FOR DEMOLITION COSTS AND FEES AGAINST 1 LOCUST ST, KNOWN AS BLOCK 101, LOT 19 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLANDS, WHICH WAS DEMOLISHED AFTER IT WAS DETERMINED TO BE AN UNSAFE STRUCTURE DANGEROUS TO HUMAN LIFE AND THE PUBLIC WELFARE**

**WHEREAS**, on August 23, 2013, the home located at 1 Locust St., also known as Block 101, Lot 19 on the official tax map of Highlands, New Jersey ("the Home"), which was being raised off of its foundation to comply with FEMA Flood Regulations, slid off of its foundation and into another adjacent home; and

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**WHEREAS**, the Construction Official determined that Home was an unsafe structure, posing an actual and immediate danger to human life and the public welfare and posted a Notice of Imminent Hazard; and

**WHEREAS**, the Construction Official ordered the demolition of the Home in order to protect human life and the public welfare; and

**WHEREAS**, Borough of Highlands incurred \$40,786.77 in demolition costs associated with the demolition of the Home; and

**WHEREAS**, the N.J.S.A. 40:48-1, *et seq.*, permits a municipality to assess the cost of demolishing a building, which is deemed unsafe and dangerous to human life and the public welfare; and

**NOW, THEREFORE, IT IS RESOLVED** by the governing body of the Borough of Highlands, as follows:

1. The Borough shall assess a Municipal Lien against real property located at 1 Locust Street, Highlands, New Jersey 07732, also known as Block 101, Lot 19 on the official tax map of the Borough of Highlands in the amount of \$40,786.77 for demolition costs and fees associated with the demolition of the property, which was determined to be an unsafe structure, posing an actual and immediate danger to human life and the public welfare.

2. The Mayor, Borough Administrator and Borough Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Seconded by Mayor Nolan and all were in favor 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

**R-13-241 – Resolution Authorizing Municipal Alliance Grant 2014:**

Mrs. Cummins read the title of Resolution R-13-241 – Authorizing Municipal Alliance Grant.

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

**R-13-241**

**RESOLUTION**

**AUTHORIZATION FOR REVISED MUNICIPAL ALLIANCE GRANT APPLICATION  
FOR FISCAL YEAR JANUARY 1, 2014 – JUNE 30, 2014**

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

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

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1. The Borough of Highlands Council does hereby authorizes submission of an application for the Highlands Municipal Alliance grant for the period of January 1, 2014 through June 30, 2014 in the amount of \$28,525.00 and a cash match of \$3,440.63
2. The Borough of Highlands Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
Frank L. Nolan, Mayor

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

Mr. Francy stated that he received an email from the Alliance. They are having a meeting to ask people to apply in Middletown.

Mr. Hill was not familiar with the email.

Discussion continued at table.

**R-13-242 – Resolution Authorizing Advance for Expenses:**

Mrs. Cummins read the title of Resolution R-13-242 – Authorizing Advance for Expenses.

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

**R-11-242**  
**RESOLUTION AUTHORIZING ADVANCE**  
**FOR EXPENSES FOR BOROUGH OFFICIALS**

**WHEREAS**, NJSA 40A:5-16.1 provides for the lawful advancement of funds to officials and employees of the Borough for their expenses for authorized travel and incidents thereto; and

**WHEREAS**, the following officials of the Borough of Highlands will be traveling to the New Jersey League of Municipalities Convention during the third week in November 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the following officials be given an advance in the amount (\$100 a day) set forth next to their names and positions **and said officials are required to submit their receipts for expenses and/or return any unused moneys:**

Chris Francy – Councilman	\$400.00
Rebecca Kane – Councilwoman	\$400.00
Frank Nolan – Mayor	\$400.00
Tara Ryan, Councilwoman	\$400.00
Kevin Redmond, Councilman	\$400.00

**BE IT FURTHER RESOVLED** that other Borough Official and Employees will be reimbursed for such expenses up to \$100.00 a day with a maximum of 4 –days \$400.00 for the convention upon submission of receipts to the Borough.

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

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**ROLL CALL:**

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

**R-13-243 – Resolution Authorizing Purchase Under State Contract:**

Mrs. Cummins read the title of Resolution R-13-243 – Authorizing Purchase Under State Contract.

Mayor Nolan offered the following resolution and moved for its adoption:

**R-13-243**  
**RESOLUTION**  
**AUTHORIZING PURCHASE UNDER STATE CONTRACT**

**WHEREAS**, the Borough of Highlands is in need of the acquisition and installation of rubber safety surfacing at the new Sandy Ground playground at Veterans Memorial Park; and

**WHEREAS**, Giordano Contracting, LLC has a valid state contract for the above purchase and installation as listed below; and

**WHEREAS**, these purchases are permitted under 40A:11-12, the New Jersey State Cooperative Purchasing Program; and

**WHEREAS**, Tim Hill, Borough Administrator recommends these purchases; and

**NOW, THEREFORE BE IT HEREBY RESOLVED** that the Governing Body authorizes purchasing under the following state contract be awarded to Giordano Contracting, LLC:

<b>CONTRACT</b>	<b>AMOUNT</b>	<b>NUMBER</b>
Park & Playground Equipment, Parts & Installation T-0103	\$ 20,000	A81418

I hereby certify funds are available from the Open Space Trust Fund

\_\_\_\_\_  
Stephen Pfeffer, Chief Financial Officer

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

Mrs. Cummins stated that there are additional resolutions to be added tonight.

**R-13-244 – Resolution Approving Fire Department Membership Application:**

Mrs. Cummins read the title of Resolution R-13-244 – Approving Fire Department Membership Application.

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

**R-13-244**  
**RESOLUTION APPROVING FIRE DEPARTMENT**

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**MEMBERSHIP APPLICATION**

**WHEREAS**, Stephanie Hawley has submitted a Fire Department Membership Application to the Highlands Fire Department; and

**WHEREAS**, the Fire Chief has reviewed the membership application submitted by Ms. Hawley and recommends that the application be approved.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the Fire Department Membership application submitted by Stephanie Hawley is hereby approved and the Borough Clerk is hereby authorized sign the approved application.

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

**R-13-245 – Resolution Authorizing RFP Grant Writer:**

Mrs. Cummins read the title of Resolution R-13-245 – Authorizing RFP Grant Writer and read .

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

**R-13-245**  
**RESOLUTION AUTHORIZING**  
**REQUEST FOR PROPOSALS**  
**FOR GRANT WRITER**

**WHEREAS**, the Borough is desirous of retaining a professional firm or individual to provide the Borough with grant writing services; and

**WHEREAS**, the Borough wishes to issue a RFP to solicit proposals to fill the need.

**NOW, THEREFORE, BE IT RESOLVED** that the Clerk is authorized to publish an RFP and solicit proposals for grant writing services.

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

**R-13-246 – Resolution Approving Municipal Court Shared Services Agreement:**

Mrs. Cummins read the title of Resolution R-13-246 – Approving Municipal Court Shared Service Agreement.

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

**R-13-246**  
**RESOLUTION**  
**APPROVING MUNICIPAL SHARED SERVICE AGREEMENT**



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**WHEREAS**, the Borough previously approved a shared service agreement for municipal court with Atlantic Highlands; and

**WHEREAS**, the Borough and Atlantic Highlands have negotiated final details of implementing the agreement and wish the agreement to be effective December 1, 2013.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough approved the shared services agreement for municipal court services with an effective date of December 31, 2013.

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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**Committee Reports:**

**Finance**

No report. Mr. Pfeffer is absent.

**Public Safety**

Chief Blewett was not present to read thru his report.

Report to Council  
November 2013

- \* October 4, 2013, Guada Lupe Menozo, 31 years old, Highlands, was arrested and charged with criminal sexual contact after inappropriately touching a co-worker while being given a ride home.
- \* Robert J. Cumiskey, 39 years old, Port Monmouth, was arrested on October 4, 2013 and charged with burglary, criminal mischief and simple assault following a report that he entered the residence of his ex-girlfriend, forcibly broke down a locked bedroom door and assaulted her. At the time of his arrest Cumiskey was found to have several failure to appear warrants and was subsequently transported to the Monmouth County Correctional Institution, Freehold, in lieu of bail.
- \* Andrew Weyrick, 41 years old, Highlands, was arrested for a violation of a Final Restraining Order on October 15, 2013. After a NJ Superior Court Judge set bail at \$7500.00 Weyrick was released with the Final Restraining Order still in effect. On the same day Weyrick began threatening the victim and a second warrant was issued for his arrest. Weyrick had fled but was located at a relative's residence in Barnegat Township where he was subsequently arrested and then transported to the Monmouth County Correctional Institution. Weyrick's bail was increased to \$22,000.00.
- \* On October 19, 2013 officers responded to a Portland Road residence regarding an assault. As the result of a preliminary investigation John Collins, 25 years old, Keansburg, was arrested and charged aggravated assault after injuring his roommate. Collins was subsequently transported to the Monmouth County Correctional Institution, Freehold in lieu of \$1,000.00 bail with no ten percent option. It was later learned that a relative of the victim had gone to the residence prior to police involvement and assaulted Collins. Donald Hewitt, 55 years old, Middletown, was charged with simple assault and disorderly conduct. Hewitt was released on his own recognizance pending a court appearance.

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\* **Administration:**

- Police Department –New Facilities
  - AT&T advised this department that there were 61 times the main HPD number (1158) was hacked and calls were placed to Grenada. Broadview was contacted and advised that there were approximately 14 times in which unknown person(s) hacked into the Broadview remote voice mail and placed calls to Vermont.
- Homeland Security
  - Chief Blewett, Ptl. Ruth and HHRS Principal Lenore Kingsmoore recently attended a training given by Retired Col. David Grossman who is an expert on terrorism, school shootings and causes of violent school crime. The course provided attendees with insight into studies documenting the adverse effects of technology on our youth, specifically, violent video games and television. Col. Grossman’s presentation also recommended strategies to prevent school violence and detect behaviors that could lead to violence in schools.
- Grants
  - The State Division of Highway Traffic and Safety awarded the department grant mobilization funds to cover the cost of hiring off-duty officers for the enforcement of driving while intoxicated laws during the Holiday season.
    - Program: December 2, 2013 through January 2, 2014
    - Grant Amount: \$4400.00
    - Once again this department was awarded DWI grant funds based on prior successful enforcement.

\* **Training:**

- Mental Health – due to the increased number of crisis related calls for service a special training session is being scheduled for the department which will provide information on additional resources that are available when dealing with these types of calls, as well as, information on how to handle crisis related situations.

\* **Community Policing:**

- Explorers –
  - Events
    - Participants attended the Eastern State Penitentiary Terror Behind the Walls Haunted House on Friday, October 25, 2013
  - Training
    - Participants are working on a safety presentation that they will present to the seniors at Ptak Towers in early December. The presentation will inform residents on the dangers of holiday shopping, phone and email scams, building security and how they can protect themselves from becoming a victim.

\* **Investigations:**

Between September 15, 2013 and October 15, 2013 this department handled a total of 5 initial investigations which included thefts, criminal sexual contact, assault and unattended deaths that required additional follow up by the detective division including witness interviews/statements, referrals/meetings with other agencies (Monmouth County Prosecutor’s Office/Division of Youth and Family Services).

- Total Investigations - 5
  - Closed - 2
  - Arrests – 2

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- Open Investigations – 3

\* Total Calls for Service: 432

\* Arrests: Adults: 16

JV: 2 (2 for possession of CDS)

\* Summons: Total: 38

Moving Violations: 15  
Non-Moving: 6  
DWI: 3  
Boro Ordinance: 14

(Statistical Information is from September 15 – October 15, 2013)

**Administration**

**1. Various Recovery Related items:**

- a. FEMA: Continue working with FEMA and Arcadis for Reimbursements – total of 17 PA’s being considered for 90% reimbursement. Rec’d notification of 589K is being processed for project reimbursement related to debris removal.
- b. FEMA Disaster Recovery Coordination Team – Long Term Recovery Public Meeting was held on Oct. 25<sup>th</sup>.
- c. WorkForce Development Program – Positions that are filled: Volunteer Coordinator, 2 Clerical, 2 Bldg. Maint. Inspectors.

Total 977 reviewed in 8 zones.

A - PROPERTY APPEARS TO BE IN USE	705
B - PROPERTY APPEARS TO BE HABITABLE BUT NOT IN USE	26
C - PROPERTY APPEARS UNDER REPAIR, ACTIVE WORK BEING PERFORMED	136
D - PROPERTY APPEARS TO BE VACANT, NO VISIBLE SIGNS OF WORK BEING PERFORMED	50
E - PROPERTY APPEARS TO BE UNINHABITED AND IN NEED OF REPAIRS	60

Continued reorganization of Distribution Center, Conducting visual inspections by Zones, reaching out to participating non-profits and charitable organizations to re-establish contacts and additional services to residents. WFD Funds have been allocated to carry program at least until Dec. 31, 2013.

**2. Department of Public Works**

- a. Bulk & Brush Pick-ups by Zone competed in October – continue into November / December
- b. Assisted with Sandy PG Project site clean-up, equipment needs and debris removal.
- c. Continued rounds of garbage removal, storm drains and park maintenance.
- d. Set up / breakdown for various events.

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e. Met with MEL/JIF Safety Coordinator regarding general Safety and Operations.

**3. Building and Housing:**

a. Construction Office:

Building Official Report October 1-31:No. Applications Received: 12 No. Permits Issued: 52  
Total Construction Fees Received: \$26,094. Total Value of Construction: 1,105,564.

Inspection Details: Building: 97 Electric: 88 Plumbing: 35 Fire: 24

b. Zoning Office - 14 Floodplain Approvals ,  
2 Substantial Damage Letters  
2 Floodzone Inquiry Letters  
2 Substantial Damage Appeal Denial Letters  
18 Zoning Approvals  
4 Zoning Denials

c. Code Enforcement (10/1-10/31) 44 Inspections completed, - 5 Summonses issued for property maint. / other. New p/t CE/ Property Maint officer Elaine Broyles will be starting the 11/13/13.

**4. Recreation Department**

Kids on the Move Program - 27 registered

Teen Night, October 4th - 33 participants; Teen Night,

October 18th - 31 participants;

Halloween Costume Contest, October 27th - 55 participants;

Men's Basketball League ended Oct. 31st - 29 participants total.

Upcoming Recreation Events / Programs

1. Twinlights Fall Basketball Camp for Boys & Girls in grades 5 - 8, November 4 - November 8 at HHRS Gym from 6:30 pm - 8:30 pm, \$60 per participant.

Registration forms are available at the Borough Hall Trailer located at 42 Shore Drive. (13 participants registered so far as of November 4th)

2. Parent & Teen Fall Fiesta Dinner, sponsored by the Highlands / Atlantic Highlands Municipal Alliance, the Highlands Recreation Dept., & CPC Behavioral Healthcare Community Outreach Program, will be held on Thursday, November 7th from 6:00 pm - 8:00 pm at OLPH Gymnasium. The event is FREE for teens ages 13-18 with their parents. A Mexican dinner will be provided and there will be a cooking demonstration by Leo from Chilangos. You must register in advance. For more information please contact Heather DiBlasi at 908-601-5091.

3. Teen Nights - November 15th & 22nd at HES Gymnasium from 7:00 pm - 9:30 pm. Pizza & soda will be served.

4. Kids on the Move Program ongoing at the Highlands Elementary School Gym, Mondays through Wednesdays, 3:00 pm - 5:00 pm, for ages 8-14. Registration forms are available at the Borough Hall Trailer at 42 Shore Drive or in the HES gym on Mondays - Wednesdays from 3:00 pm - 5:00 pm.

**5. Administration**

a. HH Trail ---- work is underway in cooperation with AH and MCPS to have the trail opened. Progress is being made and work continues.

c. Community Center Building --- met with FEMA Flood Insurance / Mitigation specialist regarding flood proofing and possible Mitigation funding that could greatly reduce our potential flood insurance needs. Seeking proposal for architect to perform work.

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- d. NY/NJ Snowflake Youth Foundation Fund ---- in cooperation with the RWJ Foundation, Community Foundation of NJ and the NFL --- \$ have been targeted for projects ----- that were proposed through their initial contact with us ----- multi- purpose flooring for Community Center main room, New Playground, renovations to court basketball and tennis / multi-purpose court areas.

**Library**

No report at this time.

**Highlands Business Partnership**

Carla Cefalo-Braswell read thru her report. She spoke of upcoming events, such as; tree lighting on December 6<sup>th</sup> at 6pm at Huddy Park, Holiday Tree Lights Contest open to all residents and the 2014 Calendar is being finalized. Hope for Highlands have distributed funds to residents. The Robin Hood Grant has 34 eligible applicants. There are five completed homes. Three homes are ready to be finalized. Fourteen projects are out to bid.

**Shared Services**

No report at this time.

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**Other Business:**

**Skate Park**

Mr. Hill stated that the Police reported issues at the Skate Park. We need to get price quotes for repairs. There also has been minor vandalism. We will also re-lock the park when not in use.

Mayor Nolan would like to have a lighting plan for the walkway from the park to the Community Center.

**Mayor's Planning Board Appointment – Alternate #2**

**Mayor Nolan's appointment to the Planning Board:**

Whereby the following appointments were made by Mayor Nolan:

John Kovic

Alternate Number 2 Member of the Planning Board for the unexpired 2 Year Term to expire 12/31/13

**Flood Grant:**

Mr. Francy stated that he sent an email requesting the status of our Flood Grant. Our alternate #1 project is behind two projects. He further explained. He would like a motion for directive to get our funding paid from Sandy money. He would like Mayor Nolan to use his connections with the Governor to explore how we can get this done.

**Public Portion:**

Kim Skorka of 315 Shore Drive asked what the Borough pays for the website. She also asked when the sidewalk on Shore Drive by the bank will be repaired.

Mr. Hill responded that we are waiting on quotes.

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Kim Skorka asked how to apply for Board Membership. She asked if we are going back to Borough Hall.

Mayor Nolan stated that there will be a special meeting in December to discuss it.

Kim Skorka inquired how long FEMA will pay for the trailers.

Mayor Nolan stated to the end of 2013 and we are in the process of asking for an extension.

Mr. Hill said the cost for the trailers and 19 Bay Avenue is \$120,000 per year.

Kim Skorka feels we should rehab Borough Hall. People want to help. Why are we not doing anything about Borough Hall?

Mayor Nolan spoke of the Master Plan and Planning Board decisions.

Barbara Ianucci of 28 Shrewsbury Avenue spoke of deadlines for homeowners and the need for updated flood maps.

Mr. Leubner responded that he will get her a letter for her insurance company.

Barbara Ianucci questioned the elevation levels.

Mr. Leubner said she would need to speak with Paul Vitale.

Barbara Ianucci stated that the Borough website needs improvement and suggested the Borough going on facebook.

Ms. Kane would like volunteers who would provide lists of updates.

Carla Cefalo-Braswell said the website costs \$650.00 per month. That covers minutes and agendas. Not responsible for providing information.

Mayor Nolan discussed audio of meetings on website and the streamed meetings.

Ken Braswell spoke about the website and that it had no startup cost.

Council directed Mr. Braswell to put streamed meeting on website.

Ken Braswell explained that each department has access to the website to post updates and their department information.

Melissa McAleer congratulated the Mayor on winning the election. She asked what the scope of contract is for the website services and there are error messages on searches for businesses. She spoke of the municipal score card and contracts being placed on the website. She asked if anyone was sponsoring Thanksgiving.

Mr. Hill said he was not aware of any, but maybe the churches are doing something.

Melissa McAleer spoke of the dumpster at 56 Barberie Avenue and if any action was taken.

Mr. Hill stated that Joe Rogers will look into it.

Carolyn Broullon of 12 Miller Street spoke of car towed on Private Road.

Mr. Hill will have the DPW relocate the pole.

Carol Bucco of 330 Shore Drive spoke of the garbage bids. She wants the council to let the contractor know to lower the dumpsters to the ground rather than drop them and breaking the wheels. She also spoke of Municipal Service Agreement with Bayview Condos and getting it settled.

John Bentham of 39 Washington Street spoke of Captains Cove operating without a Mercantile License for two years.

Mayor Nolan stated that it is in litigation.

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Mr. Padula stated that several fines are pending in Municipal Court.

John Bentham continued to complain about operating without a Mercantile License.

Mr. Padula stated that we must follow the process.

John Bentham feels that the town will not be able to sustain itself in a few years. He asked council if they have looked into town consolidation. He continued to complain.

Mayor Nolan spoke of funds thru projects and shared services.

Melissa Pederson of 17 Bay Street asked how permits got on her counter for 31 Barberie Avenue.

Mr. Hill asked if she checked with her realtor.

Mr. Hill will check with the building department.

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

The Meeting adjourned at 9:41 p.m.

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Debby Dailey, Deputy Clerk

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