

BOROUGH OF HIGHLANDS
Mayor & Council
Special Meeting
November 18, 2013

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

Mayor Nolan called the meeting to order at 7:35 p.m.

Ms. Dailey 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: **Debby Dailey, Deputy Clerk**
Tim Hill, Borough Administrator
Late Arrival: **Bruce Padula, Borough Attorney – arrived at 7:43 p.m.**

Executive Session Resolution

Mayor Nolan offered the following Resolution and moved its adoption:

RESOLUTION R-13-248
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. Contract:**
- 3. Real Estate:**
- 4. Personnel Matters:**
- 5. Attorney-Client Privilege: Community Center**

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 (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.

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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

Mayor and Council entered Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:09 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

Transit Village Destination Application:

Carla Cefalo-Braswell spoke about the public input on what they would like to see happen in the town. The map is done. It is a half mile radius. She continued to explain the score card and items that we meet. Zoning criteria will be checked by Steve Nelson. He will keep us posted.

Carla Cefalo-Braswell further explained the events that meet the criteria and the process to move it forward.

Steve Nelson explained that the process would include the public's vision. We want to meet the community's needs. He also stated that NJ Transit may want to be involved.

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Mayor Nolan asked if about other towns that have used this.

Carla Cefalo-Braswell said that it has helped with parking issues and development. We would also be eligible for DOT funding. This focuses around the ferry area, too. It creates a walkable community.

Mayor Nolan spoke of item #7 – Identify Placemaking efforts near transit.

Carla Cefalo-Braswell explained placemaking and providing amenities to the community.

Steve Nelson said it benefits the Borough. You can get ferry passengers to stop and spend money in the town.

Mr. Francy asked how this will impact certain areas for future development.

Carla Cefalo-Braswell said it is using what we have. We will have a mixed use project. It will be good for the entire town.

Mr. Francy feels that the transit village designation will give us access to funding for builders and developers. They would have to meet criteria also.

Ms. Kane feels this is a step in the right direction. We need ratables and services for the citizens. We are doing events but we need to fill up empty spaces. It will benefit us all.

Ms. Ryan stated that we are very cautious. This is not a free for all for builders. There is a lot that we need to do. We need a comfort station.

Carla Cefalo-Braswell agreed with Ms. Ryan. Public area amenities are important.

Mayor Nolan spoke of improvements to the bike path and sidewalks.

Female, name unknown, asked about requirements to maintain public areas and if there are penalties if you do not maintain them properly.

Mayor Nolan responded that you would not get the money.

Carla Cefalo-Braswell explained that they do check on the towns.

Melissa McAleer of 52 Barberie Avenue said this sounds like a good opportunity but wants the town to continue to explore other opportunities.

Carla Cefalo-Braswell further explained the benefits to the town.

Melissa McAleer spoke of concerns with parking and having to leave town to get things.

Ms. Kane explained that the goal is to gain more stores, grocery stores and walking traffic.

Mayor Nolan added that this would address parking.

Discussion continued regarding bond money.

Mr. Francy stated that this has been discussed before but never happened. This will encourage and get funding for development.

Melissa McAleer feels the space that they are discussing is a small space. How will it affect the town? She would like to see a map.

Mayor Nolan said it will not change the zoning map.

Barbara Ianucci of 28 Shrewsbury Avenue spoke of the Transit Village Website and DOT programs in the area. Are there actual plans?

Carla Cefalo-Braswell stated that we are part of the Bayshore Regional Plan that has already been adopted. Being a part of a regional plan gives us a better score.

Discussion continued about the vision of the Transit Village.

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Carla Cefalo-Braswell explained that builders will be required to follow criteria also.

Barbara Ianucci wants the town to get the most out of this and not a lot of low income housing.

Mr. Hill said they will be looking for specific ideas from all.

Ms. Kane said this is the first step. We need to know all ideas and concerns.

Doug Card of 28 Shrewsbury Avenue asked if this is a way for the town to get revenue first. What will this revive? He feels that we should get a grant writer on board. There is money out there.

Larry Colby of S. Bay Avenue is concerned about new development and affordable housing.

Kim Skorka of 315 Shore Drive would like a reverse 911 regarding meetings. She would also like a better presentation of the Transit Village. She asked if the half mile radius from the ferry includes the hill.

Ken Braswell of Gravelly Point Road said that it does.

Kim Skorka asked about incentives to new stores.

Carla Cefalo-Braswell stated that it is for residents now.

Kim Skorka asked about projects and what the town wants to do.

Ms. Ryan mentioned wi-fi and restrooms.

Mr. Mullen of Marina Bay Court said the half mile radius is all residential. The zone would have to be modified. This includes higher density, volume and buildings.

Mayor Nolan stated that we will provide set designs. It does not circumvent zoning.

Carla Cefalo-Braswell explained that designation is filed with the State. It still has to go thru their process.

Elizabeth Dillon of 15 Bay Street asked how long has this been worked on.

Ms. Kane responded since the Clamfest in August.

Mr. Francy stated that this has been looked at in the past.

Carla stated that it was around 2000-2001, but never moved on.

Elizabeth Dillon asked about tax breaks and other incentives.

Carla said there will be tax breaks for developers. There are eight incentive programs from the State.

Melissa McAleer feels the town has a tough mercantile process.

Carla explained the criteria that must be met and she further discussed the mercantile process.

Elizabeth Dillon asked what the biggest obstacle is to get 100% funding.

Carla said zoning.

Public Portion:

Carolyn Brouillon of 12 Miller Street thanked her neighbors for all there help while lifting her house.

Kim Skorka of 315 Shore Drive spoke about meetings and agendas being listed on the website.

Barbara Ianucci – passed.

Doug Card – passed.

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Melissa McAleer of 52 Barberie Avenue asked about the representatives for the Transit Village.

Mayor Nolan stated that the representatives told the town what to do and what not to do. He will do a reverse 911 for the next meeting.

Ms. Kane stated that we can do a town hall meeting.

Melissa McAleer asked when the maps will be ready.

Mayor Nolan said it will be soon.

John Peterson of 52 Barberie Avenue thanked the council for help regarding the dumpster on Barberie Avenue.

Patty Catalone of 2 Private Road spoke of her concerns with parking lot at the beach on Miller Street. She stated that Saturday nights are the worst. They have called the police 6 times some nights. She is requesting no overnight parking.

Mr. Redmond will speak to Chief Blewett and will get back to her.

Doug Card recommended parking a police car there.

Patty Catalone suggested charging Windansea.

Ms. Ryan will discuss this further with Ms. Catalone after the meeting.

Melissa Pederson asked if we could install a camera.

Maureen Welch of 50 Valley Street asked if the Code Enforcement Officer has started.

Mr. Hill stated that she met with Dave Mercado on Wednesday. She has also toured the town.

Loriann Nolan informed all of the upcoming Tree Lighting on Sunday, Dec. 6th at Huddy Park. She also explained that December 11th is Highlands Day of Kindness.

Mayor Nolan stated that there will be three meetings in December. They will be on the 4th, 11th and 18th.

Eileen Scanlon of 24 5th Street asked how we did financially in the storm. Union Beach received a lot of money.

Mayor Nolan said various programs and grants are still pending or waiting to hear if we qualify.

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

The Meeting adjourned at 9:43 p.m.

Debby Dailey, Deputy Clerk