

BOROUGH OF HIGHLANDS
Mayor & Council
Regular/Workshop Meeting
February 5, 2014

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

Mayor Nolan called the meeting to order at 7:04 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 Clerk

Tim Hill, Borough Administrator

Bruce Padula, Borough Attorney

Dustin Glass, Borough Attorney

Dale Leubner, Borough Engineer

Steve Pfeffer, Borough CFO

Executive Session Resolution

Mayor Nolan offered the following Resolution and moved its adoption:

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: 8 Bay Street

2.Contract: Tim Hill Contract

NJ Futures Agreement

Gateway Villas Municipal Service Agreement

Shore GrafX Contract

3.Real Estate: 11 Marina Place

4. Personnel Matters: Police Dept. Matters – Todd Gardiner - Riced

5. Attorney-Client Privilege: Community Ratings System

Taxi Licenses

Extension of the 2% Cap on Interest

Robin Hood Update

Repairs to Structures

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

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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.**
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 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

Mayor and Council entered Executive Session.

Mayor Nolan called the Regular Meeting back to order at 8:21 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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Consent Agenda:

Mayor Nolan asked the governing body if they had any questions on the resolutions.

Ms. Kane asked Mr. Hill about R-14-55 –Appointing Commission Reps for MCRHC.

Mr. Hill stated that he will represent the Borough.

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

R-14-51
RESOLUTION APPOINTING
TEMPORARY FILL-IN RECREATION LEADER

WHEREAS, the Governing Body adopted Resolution R-13-249 approving a Maternity Leave of Absence for Melissa Festa, P/T Recreation Leader for a period of three months; and

WHEREAS, the Recreation Department is now in need of a temporary fill-in p/t Recreation Leader and it is the recommendation of Jennifer Strehl, Recreation Assistant, and Timothy Hill, Borough Administrator, that Kim Karaman, 18 Prospect Street, Highlands, NJ be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Kim Karaman is hereby appointed as a temporary fill-in p/t Recreation Leader effective immediately.

BE IT FURTHER RESOLVED that Kim Karaman be compensated at an hourly rate of \$14.00 per hour not to exceed the weekly worked hours of Melissa Festa.

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-14-52
RESOLUTION APPOINTING
PROVISIONAL PART-TIME SPECIAL LAW ENFORCEMENT OFFICER
CLASS II

WHEREAS, there exists a need within the Police Department to appoint a part-time Special Law Enforcement Officers, Class II to cover open shifts ; and

WHEREAS, it is the recommendation of the Chief of Police that Michael Carlino be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Michael Carlino is hereby appointed as a part-time provisional Special Law Enforcement Officers, Class II effective immediately.

BE IT FURTHER RESOLVED that said provisional appointments be compensated at an hourly rate of \$15.00 per hour.

BE IT FURTHER RESOVLED that said appointment is contingent upon the candidate's completion of a psychological and physical examinations.

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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-14-53
RESOLUTION AUTHORIZING
REFUND OF REMAINING
UNUSED ZONING BOARD ESCROW FUNDS

WHEREAS, the Board Secretary has reviewed the following escrow accounts and has received authorization from both the Board Attorney and Board Engineer that there are no outstanding invoices due to them; and

<u>Account #</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
T-03-56-856-120	Two Rivers Construction	56	8	\$589.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Chief Financial Officer is hereby authorized and directed to refund the above referenced applicants their remaining escrow funds.

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:

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UNUSED ZONING BOARD ESCROW FUNDS

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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

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

R-14-54

**RESOLUTION DECLARING AN EMERGENT CONDITION FOR VARIOUS REPAIRS
TO THE HIGHLANDS FIRE HOUSE LOCATED AT 17-1 SHORE DRIVE AND TO
PROVIDE AUTHORIZATION TO OBTAIN CONTRACT WITHOUT PUBLIC
BIDDING PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:11-6**

WHEREAS, an emergent condition developed on January 22, 2014 as a result of a water pipe break, various repairs are needed at the Highlands Fire House in the Borough of Highlands; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that authorization be and is hereby given to the Borough Administrator to proceed with processing the necessary payments for services and material and equipment rendered to rectify the problems caused by the water pipe breaking.

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 its adoption:

R-14-55

**RESOLUTION APPOINTING
COMMISSION REPRESENTATIVES
TO THE MONMOUTH COUNTY REGIONAL HEALTH COMMISSION #1**

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Tim Hill, Borough Administrator be appointed Commission Representative for the Borough of Highlands for a one year term to expire December 31, 2014.

BE IT FURTHER RESOLVED, that _____ be appointed Alternate Commission Representative for the Borough of Highlands for a one year term to expire on December 31, 2014.

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

ROLL CALL:

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

Mayor Nolan offered the following Resolution and moved its adoption:

R-14-56
RESOLUTION APPOINTING TEMPORARY WINTER SEASONAL EMPLOYEES
FOR THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough has the need for temporary winter seasonal employees to work with the DPW in assisting with snow removal; and

WHEREAS, Timothy Hill, Borough Administrator has made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed have been included in the 2014 Temporary Municipal Budget under Casual Labor .

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following winter seasonal temporary appointments on a call by call basis be and hereby are approved:

<u>DPW</u>	<u>Position</u>	<u>Name</u>	<u>Hrly. Rate</u>
Snow Removal		Richard O'Neil	\$15.00
Snow Removal		William O'Neil	\$15.00
Snow Removal		Brian Burton	\$15.00
Snow Removal		Michael Alvator	\$15.00
Snow Removal		Jason Zito	\$15.00
Snow Removal		Billy Caizza	\$15.00
Snow Removal		Tony Johnson	\$15.00
Snow Removal		Joseph Misita	\$15.00

Seconded by Mr. Redmond 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-14-61
RESOLUTION SUPPORTING
THE HIGHLANDS ARTS COUNCIL

WHEREAS, the Highlands Arts Council is a non-profit organization that formed in the aftermath of Hurricane Sandy as recommended by FEMA as one of the solutions to aid in the recovery of the Highlands Borough; and

WHEREAS, the mission of the Highlands Art Council is to improve the quality of life in Highlands by helping the arts to flourish. The volunteer members of the Arts Council are firmly committed to achieving the following:

1. Establishing an artistically, financially and operationally successful arts organization and programs that are diverse and accessible to all residents.

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2. Supporting a respected and valued community encouraged to achieve their best and be broadly connected to community life in ways that make full use of their creativity and talents.
3. Promoting expanded public participation in and support the arts.
4. Maintaining a network of people, businesses, organizations, institutions and communities working in partnership to advance the arts and the arts contributions to the Highlands Borough community.
5. Building an integrated town economy whose community and economic development strategies, plans and resources are connected to the arts.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the Borough does hereby support the Highlands Arts Council and wishes them much success.

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

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion for the approval of the Regular Minutes (no executive sessions) from January 1st and January 13th, 2014, and seconded by Mr. Redmond 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

Other Resolutions:

R-14-57 – Resolution Awarding Professional Services for Grant Writer

Mrs. Cummins read the title of R-14-57.

Mr. Hill briefly explained that three firms responded and two firms gave formal presentations to the committee. Based on the findings of the committee, they recommended Millennium Strategies. Their cost was lower. Ms. Ryan and Mr. Francy also were on the committee. There will be a 30 day out clause. If we are not happy with their performances, there is no long term contract.

Ms. Ryan explained the interview process and she feels confident that we made the right decision.

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

R-14-57

**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT
RFP – GRANT WRITING & CONSULTING SERVICES**

WHEREAS, the Borough of Highlands has a need for professional grant writing and consulting services; and

WHEREAS, the Borough has gone through the fair and open process, advertised on its website and in the Asbury Park Press on December 19, 2013, the solicitation for receipt of

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proposals from professional grant writers for said services and (3) three proposals were received; and documented on December 31, 2013; and

WHEREAS, the Borough has reviewed all proposals received and it was determined that Millennium Strategies, satisfies the requisites contained in the request for proposals to be considered for professional services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for the price not to exceed \$4,000 per month as provided in the proposal with the certification of funds being provided by the Chief Financial Officer contingent upon the adoption of the 2014 municipal budget.

Account: Mayor & Council - Other

Stephen Pfeffer, Chief Financial Officer

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

1. The firm of Millennium Strategies, 60 Roseland Avenue, Caldwell, NJ 07006 is hereby retained to provide professional grant writing services for an amount not to exceed \$4,000 per month for a 12 month period to expire December 31, 2014.
2. The contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract /proposal shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

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-14-58 – Resolution Awarding Professional Eng. Services for Strategic Plan (SRPR)

Mrs. Cummins read the title of R-14-58.

Steve Nelson explained that this resolution opens the door to other monies that the DCA has for residential.

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

R-14-58

**RESOLUTION AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT
RFP – ASSISTANCE WITH PREPARATION OF A STREGIC RECOVERY PLANNING
REPORT**

WHEREAS, the Borough of Highlands has a need for professional engineering/planning services for assistance with the preparation of a Strategic Recovery Planning Report; and

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WHEREAS, the Borough has through the fair and open process, advertised on its website and in the Asbury Park Press on December 19, 2013, the solicitation for receipt of proposals from professional engineering/planning firms for said services and (3) three proposals were received; and documented on December 31, 2013; and

WHEREAS, the Borough has reviewed all proposals received and it was determined that T & M Associates, 11 Tindal Road, Middletown, NJ 07748, satisfies the requisites contained in the request for proposals to be considered for professional services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for the price not to exceed \$19,900 as provided in the proposal with the certification of funds being provided by the Chief Financial Officer contingent upon the adoption of the 2014 municipal budget:

Account: General Engineering

Stephen Pfeffer, Chief Financial Officer

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

1. The firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is hereby retained to provide professional engineering/planning services for an amount not to exceed \$19,900.
2. The contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract /proposal shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

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

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

R-14-59 – Resolution Awarding Professional Bond Counsel Services

Mrs. Cummins read the title of R-14-59.

Mr. Padula explained this resolution is to continue Mr. Jessup's firm for AHHRSA and EIT.

Mayor Nolan offered the following and moved its adoption:

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COUNTY OF MONMOUTH

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R-14-59

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR BOND COUNSEL SERVICES
McMANIMON, SCOTLAND & BAUMANN, LLC**

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

WHEREAS, such professional bond counsel services can only be provided by licensed professionals and McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, N.J. 07068 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 a unit price or fixed fee amounts listed and hourly rates in the proposal with the certification of funds being provided by the Chief Financial Officer on each voucher for such services for the Borough of Highlands for the period January 1, 2014 through December 31, 2014; and

WHEREAS, McManimon, Scotland & Baumann, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon, Scotland & Baumann, LLC 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 the McManimon, Scotland & Baumann, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the McManimon, Scotland & Baumann, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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. The McManimon, Scotland & Baumann, LLC are hereby retained to provide professional legal services as described above or requested by the governing body.
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 authorized to sign the contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Seconded by 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-14-60 – Resolution Awarding Contract for Solid Waste/Recycling Pickup

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Mrs. Cummins read the title of R-14-60.

Dustin Glass made a correction to the amount of the contract in the resolution. It should be \$4.00 less at \$643,900.00.

Mr. Redmond offered the following resolution and moved its adoption:

Borough of Highlands
Resolution No. 2014-60

**AUTHORIZING THE BOROUGH OF HIGHLANDS TO AWARD A CONTRACT FOR
SOLID WASTE AND RECYCLABLE MATERIALS COLLECTION SERVICE**

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et. seq. the Borough of Highlands advertised and solicited bids for solid waste and recyclable materials collection services; and

WHEREAS, the Borough of Highlands received bids from M&S Waste Services, Inc., Future Sanitation, Inc., and DeLisa Waste Services, Inc.; and

WHEREAS, the lowest responsible bid received was from M&S Waste Services, Inc. for solid waste and recyclable materials collection services; and

WHEREAS, M&S Waste Services, Inc. bid on options 5 and 6 of the Bid Specifications and agreed to provide those services to the Borough; and

WHEREAS, M&S Waste Services, Inc. will provide solid waste and recyclable materials collection services as described in its bid on options 5 and 6 of the Bid Specifications for the sum of \$643,900.00, which includes pricing for solid waste, recyclable materials and bulk waste collection for years one (1) through three (3) of M&S's Bid Proposal and excludes pricing quotations for both extension options; and

WHEREAS, M&S Waste Services, Inc. will direct solid waste to the Monmouth County Reclamation Center to be disposed of at a rate of \$73.85 per ton and will direct bulk waste to the Montecalvo Transfer Station to be disposed of at a rate of \$81.00 per ton; and

WHEREAS, M&S Waste Services, Inc. will provide solid waste and recyclable materials collection services awarded in accordance with this resolution commencing on or about February 17, 2014, or as soon as feasible; and

WHEREAS, the Governing Body finds that M&S Waste Services, Inc. is the lowest responsible and responsive bidder.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, New Jersey that the Borough awards the contract for solid waste and recyclable materials collection service to M&S Waste Services, Inc.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized and directed to sign such contracts and take any such ministerial actions as are necessary to effectuate the provisions of this resolution.

BE IT FURTHER RESOLVED that the Borough Attorney is hereby directed to prepare a contract between the Borough and M&S Waste Services, Inc. in accordance with the Bid Specifications, M&S's Bid Proposal and this resolution.

Certification of Funds:

2014 Current Budget: Sanitation Other Expenses – Contractual Services
Period: February 17, 2014 – December 31, 2014 \$184,997

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I hereby certify funds contingent upon the Governing Body appropriating the necessary funding in the 2014 budget. Certification of Funds for future years will be provided for in 2015,2016 and 2017 contingent upon the Governing Body appropriating the necessary funding.

Steve Pfeffer, CFO

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

ROLL CALL:

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

NAYES: None

ABSENT: None

ABSTAIN: None

Ordinances –2nd Reading, Public Hearing & Adoption:

O-14-01 – Ordinance Dissolving the AHHRSA

Mrs. Cummins read the title of O-14-01 on for 2nd reading and public hearing. This ordinance was published in the January 24th edition of the Two River Times and may now be open for a public hearing.

Mayor Nolan asked Matt Jessup, Esq., to briefly explain the ordinance.

Matt Jessup stated that he has been on the bond counsel for the borough. The two ordinances and resolution have been brought before the Board for dissolution and have been approved. The finance board agreed that this was a smart fiscal decision. The dissolution will take effect on March 31, 2014. The first ordinance splits assets; 52% to Highlands and 48% to Atlantic Highlands. Highlands will receive the truck. The land and pump station building in Atlantic Highlands will go to them. He continued to explain the allocations. The second ordinance is the bond ordinance. It assumes our share of the existing debt and authorizes Highlands's new money to finish the pipe project that was financed thru a note thru the Authority. He then explained the resolution. It states that we looked at alternatives to taking new bonds versus existing bonds.

Council continued discussion with Mr. Jessup.

Mayor Nolan opened the public hearing.

There were no questions from the public.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-14-01 on for 3rd and final reading and adoption.

Mayor Nolan offered the following Ordinance and moved on its adoption and authorized its publication according to law:

O-14-01

**AN ORDINANCE OF THE BOROUGH OF HIGHLANDS, IN THE
COUNTY OF MONMOUTH, NEW JERSEY, DISSOLVING THE
ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE
AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20**

WHEREAS, the governing body of the Borough of Highlands, in the County of Monmouth, New Jersey ("Highlands"), by ordinance duly adopted by Highlands on May 21, 1968, and the governing body of the Borough of Atlantic Highlands, in the County of Monmouth, New Jersey ("Atlantic Highlands"), by ordinance duly adopted by Atlantic Highlands on March 26, 1968 jointly created the Atlantic Highlands - Highlands Regional

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Sewerage Authority (the "Authority"), in accordance with the "Sewerage Authorities Law", constituting Chapter 138 of the Pamphlet Laws of 1946 of the State (codified at N.J.S.A. 40:14A-1 et seq.), as the same may from time to time be amended and supplemented (the "Act"); and

WHEREAS, the Authority is responsible for the ownership, operation and maintenance of two pump stations, one in each of Highlands and Atlantic Highlands, force mains between the two pump stations and force mains from the pump station in Atlantic Highlands to the discharge point at the Township of Middletown Sewerage Authority ("TOMSA") trunkline (collectively, the "System"); and

WHEREAS, the collection systems located in Highlands and Atlantic Highlands are owned by each of Highlands and Atlantic Highlands, respectively; and

WHEREAS, in order to fund various capital improvements to the System, or refund outstanding bonds originally issued to fund such various capital improvements, the Authority has previously issued the following outstanding debt:

1. \$741,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010, consisting of \$195,000 outstanding principal amount of Sewer Revenue Bonds, Series 2010A (the "Series 2010A Bonds"), issued to the New Jersey Environmental Infrastructure Trust (the "NJEIT") and \$546,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010B (the "Series 2010B Bonds" and, together with the Series 2010A Bonds, the "Series 2010 Bonds"), issued to the State of New Jersey, Acting by and through the Department of Environmental Protection;
2. \$7,140,000 outstanding principal amount of Sewer Revenue Refunding Bonds, Series 2011, dated and issued on or about January 24, 2011 and maturing on January 15 in each of the years 2015 through 2032, inclusive (the "Series 2011 Bonds"), issued to the Monmouth County Improvement Authority County-Guaranteed Pooled Loan Program; and
3. \$2,833,082 New Jersey Environmental Infrastructure Trust Interim Financing Note, dated and issued on August 22, 2013 to the NJEIT, maturing on May 21, 2014, and bearing interest at a rate of zero per centum (0.00%) per annum (the "Interim Note" and, together with the Series 2010 Bonds and the Series 2011 Bonds, the "Authority Debt"); and

WHEREAS, the Authority Debt is secured by, among other things, Revenues (as defined in the Authority's resolution adopted October 2, 1986, as amended and supplemented (the "General Bond Resolution")), and a Service Contract dated October 6, 1970, as amended and supplemented (the "Service Contract"), by and among Highlands, Atlantic Highlands and the Authority, which Service Contract requires each of Highlands and Atlantic Highlands to make certain payments to the Authority from any available funds, including from the levy of *ad valorem* taxes upon all the taxable real property within Highlands and Atlantic Highlands, respectively; and

WHEREAS, Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Highlands to dissolve the Authority; and

WHEREAS, Atlantic Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Atlantic Highlands to dissolve the Authority; and

WHEREAS, Highlands has determined that dissolving the Authority will provide substantial annual operating savings to Highlands and will allow Highlands full control of the portion of the System that services the residents of Highlands and others (the "Highlands System"); and

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WHEREAS, Highlands has further determined that dissolving the Authority will not materially impact the residents of Highlands nor the financial operations of Highlands, as Highlands has previously created a separate sewer utility within its municipal budget and has always collected service fees from residents through the utility and paid Highlands obligations to the Authority through such utility; and

WHEREAS, section 20 of the Local Authorities Fiscal Control Law (the "Fiscal Control Law") grants to a municipality the power to dissolve an authority, by ordinance, provided that the ordinance makes adequate provision for the payment of all creditors or obligees of the authority and further makes adequate provision for the assumption of services provided by the authority which are necessary for the health, safety and welfare of the recipients of such services; and

WHEREAS, Highlands desires to assume fifty-two percent (52.0%) of the Authority Debt payment obligations, as calculated and shown in Exhibit A attached hereto (the "Highlands Debt"), as well as to assume fifty-two percent (52.0%) of any outstanding payment obligations of the Authority as of the Effective Date; and

WHEREAS, in addition to the Authority Debt and any outstanding payment obligations, the Authority owns various property and assets, including but not limited to a building located on Block 118, Lot 2.02 of the tax maps of Atlantic Highlands (the "Authority Building") and a sport utility vehicle (the "Authority Vehicle"); and

WHEREAS, Highlands further desires to assume all of the rights, duties, and obligations of the Authority with respect to the Highlands System, and to assume the provision of those services provided by the Authority that are necessary for the health, safety and welfare of the recipients of such services within Highlands; and

WHEREAS, Highlands further desires to negotiate and enter into a service contract with TOMSA, if necessary, on terms substantially similar to those contained in the existing service contract by and between the Authority and TOMSA, with respect to that portion of the Highlands System that provides flow to TOMSA; and

WHEREAS, Highlands, in conjunction with Atlantic Highlands, desires to dissolve the Authority in accordance with, and in fulfillment of, the provisions of N.J.S.A. 40A:5A-20.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, as follows:

Section 1. Dissolution. Highlands hereby dissolves the Authority, subject to the approval of such dissolution by Atlantic Highlands and further subject to the terms and conditions hereof.

Section 2. Transfer of Title to Highlands of Authority Property and Facilities. Upon the effective date of the dissolution as set forth in Section 5 of this ordinance (the "Effective Date"), (i) the Highlands System and (ii) certain real and personal property, including but not limited to the property, facilities, contracts, leases and agreements of the Authority and certain monies and funds held by or for the Authority designated as being transferred to Highlands, as such designation is agreed to by both Highlands and Atlantic Highlands, which designation shall reflect a division fifty-two percent (52.0%) to Highlands and forty-eight percent (48.0%) to Atlantic Highlands of such real and personal property, or as close to such percentages as is equitably possible, except for the Authority Vehicle which is being conveyed in its entirety to Highlands and the Authority Building, which is being conveyed in its entirety to Atlantic Highlands, shall be deemed transferred to and become the property of Highlands (collectively, the "Highlands Property"). The existing officers of the Authority are hereby authorized and directed to execute any documents or instruments necessary to transfer legal title to the Highlands System and Highlands Property upon the Effective Date. At least one copy of all applicable documents and records of the Authority shall be delivered to the Highlands Clerk prior to the Effective Date.

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Section 3. Payment of All Creditors and Obligees. Upon the Effective Date, Highlands and Atlantic Highlands shall initially jointly assume certain legal obligations to all existing and outstanding creditors and obligees of the Authority, subject to the specific terms and conditions of such obligations. It is the intention of Highlands and Atlantic Highlands that, immediately upon the Effective Date, Atlantic Highlands will pay such existing and outstanding creditors from Authority funds, to the extent available, and will thereafter divide any remaining funds fifty-two percent (52.0%) to Highlands and forty-eight percent (48.0%) to Atlantic Highlands (such share to Highlands shall be considered part of the Highlands Property). The Highlands Debt shall be debt of Highlands, payable by Highlands out of the first funds becoming legally available to Highlands, but if not otherwise available, then from the levy of *ad valorem* taxes upon all the taxable real property located in Highlands.

Section 4. Assumption of Services Provided by the Authority. Upon the Effective Date, Highlands shall become successor to the Authority on the Highlands Property; provided, that Highlands shall not be required to, nor shall it assume the obligation to employ any of the Authority's employees or administrators nor shall it assume any professional service contracts, all of whom and all of which, respectively, shall be terminated as of the Effective Date.

Section 5. Effective Date of Dissolution. The dissolution of the Authority shall take effect at 11:59 p.m., Eastern Standard Time, on March 31, 2014.

Section 6. Nature of Obligations Assumed; Limitation on Liability. Highlands assumes (i) the Highlands System and (ii) the Highlands Property, subject to the same terms, conditions, rights, responsibilities, obligations and limitations applicable to the Authority, and such assumption by Highlands shall not create, express or implied, any additional, extended, enhanced or modified obligation, liability, right or remedy of any party to any such contracts, leases and agreements.

Section 7. Authorization of Highlands and Authority to Take all Necessary Action and to Execute Documents for the Provision of Treatment Services. (a) The Mayor, Business Administrator, Chief Financial Officer, Clerk and other Highlands officers, as directed by the Mayor and/or Business Administrator, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance. The members of the Authority, its officers, employees, engineers, accountants, counsels and consultants are hereby authorized and directed to take all steps necessary to effectuate the purposes of this ordinance.

(b) The Mayor, Business Administrator, Chief Financial Officer, Clerk and other Highlands officers, as directed by the Mayor and/or Business Administrator, are hereby authorized and directed to negotiate, enter into and execute (i) a service contract with TOMSA on substantially similar terms contained in the existing service contract by and between the Authority and TOMSA, and substantially in the form on file in the office of the Clerk of Highlands, with such additions, deletions and modifications as determined necessary by such Highlands officer after consultation with counsel to Highlands and (ii) if necessary, a service contract and/or a shared services contract with Atlantic Highlands, each to provide for treatment services and water pollution control facilities necessary to preserve and maintain the water quality of Highlands in accordance with Federal, state and local requirements for the benefit of the residents of Highlands.

Section 8. Approval of Local Finance Board; Filing. This ordinance shall be submitted to, and approved by, the Local Finance Board in the Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board") prior to final adoption in accordance with the requirements of N.J.S.A. 40A:5A-20 and the final adoption of this ordinance by Highlands shall represent conclusive proof of the fact that this ordinance has received the approval of the Local Finance Board. Immediately upon adoption of this ordinance, this ordinance shall be filed with the Local Finance Board and with the Secretary of State of the State of New Jersey, in accordance with N.J.S.A. 40A:5A-20.

Section 9. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

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Section 10. Repeal of All Inconsistent Ordinances. All ordinances of Highlands which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 11. Effective Date. This ordinance shall take effect immediately upon adoption and shall not be subject to referendum, provided, however, that the Local Finance Board has approved this ordinance in accordance with N.J.S.A. 40A:5A-20.

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

O-14-02 – Bond Ordinance for Dissolution of AHHRSA

Mrs. Cummins read the title of O-14-02 on for 2nd reading and public hearing. This ordinance was published in the January 24th edition of the Two River Times and may now be open for a public hearing.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-14-02 on for 3rd and final reading and adoption.

Mayor Nolan offered the following Bond Ordinance and moved on its adoption and authorized its publication according to law:

O-14-02

BOND ORDINANCE OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, IN FURTHERANCE OF THE DISSOLUTION OF THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY, APPROPRIATING \$5,731,272 THEREFOR AND AUTHORIZING NOT TO EXCEED \$5,731,272 PRINCIPAL AMOUNT OF BONDS OR NOTES IN CONNECTION THEREWITH

WHEREAS, the governing body of the Borough of Highlands, in the County of Monmouth, New Jersey ("Highlands"), by ordinance duly adopted by Highlands on May 21, 1968, and the governing body of the Borough of Atlantic Highlands, in the County of Monmouth, New Jersey ("Atlantic Highlands"), by ordinance duly adopted by Atlantic Highlands on March 26, 1968 jointly created the Atlantic Highlands - Highlands Regional Sewerage Authority (the "Authority"), in accordance with the "Sewerage Authorities Law", constituting Chapter 138 of the Pamphlet Laws of 1946 of the State (codified at N.J.S.A. 40:14A-1 et seq.), as the same may from time to time be amended and supplemented (the "Act"); and

WHEREAS, the Authority is responsible for the ownership, operation and maintenance of two pump stations, one in each of Highlands and Atlantic Highlands, force mains between the two pump stations and force mains from the pump station in Atlantic Highlands to the discharge point at the Township of Middletown Sewerage Authority ("TOMSA") trunkline (collectively, the "System"); and

WHEREAS, the collection systems located in Highlands and Atlantic Highlands are owned by each of Highlands and Atlantic Highlands, respectively; and

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WHEREAS, in order to fund various capital improvements to the System, or refund outstanding bonds originally issued to fund such various capital improvements, the Authority has previously issued the following outstanding debt:

4. \$741,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010, consisting of \$195,000 outstanding principal amount of Sewer Revenue Bonds, Series 2010A (the "Series 2010A Bonds"), issued to the New Jersey Environmental Infrastructure Trust (the "NJEIT") and \$546,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010B (the "Series 2010B Bonds" and, together with the Series 2010A Bonds, the "Series 2010 Bonds"), issued to the State of New Jersey, Acting by and through the Department of Environmental Protection;
5. \$7,140,000 outstanding principal amount of Sewer Revenue Refunding Bonds, Series 2011, dated and issued on or about January 24, 2011 and maturing on January 15 in each of the years 2015 through 2032, inclusive (the "Series 2011 Bonds"), issued to the Monmouth County Improvement Authority County-Guaranteed Pooled Loan Program; and
6. \$2,833,082 New Jersey Environmental Infrastructure Trust Interim Financing Note, dated and issued on August 22, 2013 to the NJEIT, maturing on May 21, 2014, and bearing interest at a rate of zero per centum (0.00%) per annum (the "Interim Note" and, together with the Series 2010 Bonds and the Series 2011 Bonds, the "Authority Debt"); and

WHEREAS, the Authority Debt is secured by, among other things, Revenues (as defined in the Authority's resolution adopted October 2, 1986, as amended and supplemented (the "General Bond Resolution")), and a Service Contract dated October 6, 1970, as amended and supplemented (the "Service Contract"), by and among Highlands, Atlantic Highlands and the Authority, which Service Contract requires each of Highlands and Atlantic Highlands to make certain payments to the Authority from any available funds, including from the levy of *ad valorem* taxes upon all the taxable real property within Highlands and Atlantic Highlands, respectively; and

WHEREAS, Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Highlands to dissolve the Authority; and

WHEREAS, Atlantic Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Atlantic Highlands to dissolve the Authority; and

WHEREAS, Highlands has determined that dissolving the Authority will provide substantial annual operating savings to Highlands and will allow Highlands full control of the portion of the System that services the residents of Highlands and others (the "Highlands System"); and

WHEREAS, Highlands has further determined that dissolving the Authority will not materially impact the residents of Highlands nor the financial operations of Highlands, as Highlands has previously created a separate sewer utility within its municipal budget and has always collected service fees from residents through the utility and paid Highlands obligations to the Authority through such utility; and

WHEREAS, section 20 of the Local Authorities Fiscal Control Law (the "Fiscal Control Law") grants to a municipality the power to dissolve an authority, by ordinance, provided that the ordinance makes adequate provision for the payment of all creditors or obligees of the authority and further makes adequate provision for the assumption of services provided by the authority which are necessary for the health, safety and welfare of the recipients of such services; and

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WHEREAS, by ordinance of Highlands, entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DISSOLVING THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20" (the "Highlands Dissolution Ordinance"), and by a parallel ordinance of Atlantic Highlands, entitled, "AN ORDINANCE OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DISSOLVING THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20" (the "Atlantic Highlands Dissolution Ordinance"), Highlands and Atlantic Highlands have dissolved the Authority, subject to the terms and conditions of the Highlands Dissolution Ordinance and the Atlantic Highlands Dissolution Ordinance; and

WHEREAS, pursuant to the Fiscal Control Law and the applicable provisions of the Local Bond Law, N.J.S.A. 40A:2-1 at seq. (the "Local Bond Law"), Highlands is authorized to assume all or a certain portion of the outstanding debt of the Authority and/or issue obligations in furtherance of the dissolution of the Authority; and

WHEREAS, Highlands, as part of the dissolution of the Authority and in connection with the provision for the payment of all creditors or obligees of the Authority, has initially assumed the responsibility for and payment of fifty-two percent (52.0%) of the Authority Debt payment obligations, as calculated and shown in Exhibit A attached hereto (the "Highlands Debt"); and

WHEREAS, Highlands has further determined to authorize the issuance of bonds and, in anticipation thereof, bond anticipation notes to (i) currently refund Highlands' portion of the Interim Note, in the amount of \$1,473,203 (which amount is included in the Highlands Debt), and (ii) provide new money in the amount of \$159,597 to finance the cost (as defined in the Act) of capital improvements to the System not previously financed by the issuance of the Interim Note (together, the "2014 NJEIT Project").

NOW, THEREFORE, 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. Highlands hereby initially assumes the responsibility for and payment of the Highlands Debt (in the aggregate principal amount of \$5,571,675). Highlands hereby determines that the initial assumption by Highlands of the Highlands Debt is a cost effective means of meeting such obligations.

Section 2. Highlands is hereby authorized to issue bonds and, in anticipation thereof, bond anticipation notes, in order to finance and re-finance the 2014 NJEIT Project as and when it deems appropriate and to evidence the assumption of the Highlands Debt, in order to provide for such financing and re-financing, and the costs of issuance associated therewith, Highlands hereby appropriates the aggregate amount of \$5,731,272 (consisting of Highlands' portion of the Interim Note, in the amount of \$1,473,203, the balance of the Highlands Debt, in the amount of \$4,098,472, plus new money in the amount of \$159,597), and authorizes the issuance of such bonds and bond anticipation notes in one or more series in the aggregate principal amount of not exceeding \$5,731,272. As provided in N.J.S.A. 40A:5A-20, no down payment is required in connection with this bond ordinance.

Section 3. 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

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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 4. Highlands hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of Highlands 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 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 1 hereof is authorized to be undertaken by Highlands as a result of the dissolution of the Authority and is an authorized purpose for which the bonds or notes may be issued. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the bonds issued in furtherance of the dissolution of the Authority is not exceeding 40 years from the date of issuance of such bonds.

(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 Highlands as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,731,272, but that the net debt of Highlands is not increased by this bond ordinance, as \$5,571,675 of such bonds and notes authorized may be deducted as provided in section 20 of the Fiscal Affairs Law and Section 5(e) hereof, and \$159,597 of such bonds and notes authorized may be deducted as provided in Section 5(f) hereof. The obligations authorized herein will be within all debt limitations prescribed by the Fiscal Affairs Law and the Local Bond Law.

(d) No amount 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 described in Section 1 hereof.

(e) This bond ordinance authorizes obligations of Highlands in the amount of \$5,571,675 solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of Highlands. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of Highlands or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board"), has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) This bond ordinance authorizes obligations of Highlands in the amount of \$159,597 solely for purposes described in N.J.S.A. 40A:2-7(h). Such amount of the obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 6. The chief financial officer of Highlands 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 Highlands and to execute such disclosure document on

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behalf of Highlands. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of Highlands pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of Highlands 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 Highlands fails to comply with its undertaking, Highlands shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 7. The full faith and credit of Highlands are hereby pledged to the punctual payment of the principal of and the interest on (a) the Highlands Debt, upon assumption of same by Highlands as and to the extent set forth in **Exhibit A** attached hereto and (b) the bonds and bond anticipation notes authorized by this bond ordinance. The Highlands Debt and the bonds and bond anticipation notes authorized herein shall be direct, unlimited obligations of Highlands, and Highlands shall be obligated to levy *ad valorem* taxes upon all the taxable real property within Highlands for the payment of the Highlands Debt and the bonds and bond anticipation notes authorized herein and the interest thereon without limitation as to rate or amount.

Section 8. If any section, subsection, sentence, clause or phrase of this bond ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this bond ordinance.

Section 9. This bond ordinance shall take effect immediately upon adoption and shall not be subject to referendum, provided, however, that the Local Finance Board has approved this bond ordinance in accordance with N.J.S.A. 40A:5A-20.

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-14-62 – Resolution Assumption of Obligations AHHRSA

Mrs. Cummins read the title of R-14-62 on for public hearing.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of R-14-62 on for final reading and adoption.

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

R-14-62

RESOLUTION OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, MAKING CERTAIN DETERMINATIONS IN CONNECTION WITH THE ASSUMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY

WHEREAS, the governing body of the Borough of Highlands, in the County of Monmouth, New Jersey ("Highlands"), by ordinance duly adopted by Highlands on May 21, 1968, and the governing body of the Borough of Atlantic Highlands, in the County of Monmouth, New Jersey ("Atlantic Highlands"), by ordinance duly adopted by Atlantic

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Highlands on March 26, 1968 jointly created the Atlantic Highlands - Highlands Regional Sewerage Authority (the "Authority"), in accordance with the "Sewerage Authorities Law", constituting Chapter 138 of the Pamphlet Laws of 1946 of the State (codified at N.J.S.A. 40:14A-1 et seq.), as the same may from time to time be amended and supplemented (the "Act"); and

WHEREAS, the Authority is responsible for the ownership, operation and maintenance of two pump stations, one in each of Highlands and Atlantic Highlands, force mains between the two pump stations and force mains from the pump station in Atlantic Highlands to the discharge point at the Township of Middletown Sewerage Authority ("TOMSA") trunkline (collectively, the "System"); and

WHEREAS, the collection systems located in Highlands and Atlantic Highlands are owned by each of Highlands and Atlantic Highlands, respectively; and

WHEREAS, in order to fund various capital improvements to the System, or refund outstanding bonds originally issued to fund such various capital improvements, the Authority has previously issued the following outstanding debt:

7. \$741,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010, consisting of \$195,000 outstanding principal amount of Sewer Revenue Bonds, Series 2010A (the "Series 2010A Bonds"), issued to the New Jersey Environmental Infrastructure Trust (the "NJEIT") and \$546,673.76 outstanding principal amount of Sewer Revenue Bonds, Series 2010B (the "Series 2010B Bonds" and, together with the Series 2010A Bonds, the "Series 2010 Bonds"), issued to the State of New Jersey, Acting by and through the Department of Environmental Protection;
8. \$7,140,000 outstanding principal amount of Sewer Revenue Refunding Bonds, Series 2011, dated and issued on or about January 24, 2011 and maturing on January 15 in each of the years 2015 through 2032, inclusive (the "Series 2011 Bonds"), issued to the Monmouth County Improvement Authority County-Guaranteed Pooled Loan Program; and
9. \$2,833,082 New Jersey Environmental Infrastructure Trust Interim Financing Note, dated and issued on August 22, 2013 to the NJEIT, maturing on May 21, 2014, and bearing interest at a rate of zero per centum (0.00%) per annum (the "Interim Note" and, together with the Series 2010 Bonds and the Series 2011 Bonds, the "Authority Debt"); and

WHEREAS, the Authority Debt is secured by, among other things, Revenues (as defined in the Authority's resolution adopted October 2, 1986, as amended and supplemented (the "General Bond Resolution")), and a Service Contract dated October 6, 1970, as amended and supplemented (the "Service Contract"), by and among Highlands, Atlantic Highlands and the Authority, which Service Contract requires each of Highlands and Atlantic Highlands to make certain payments to the Authority from any available funds, including from the levy of *ad valorem* taxes upon all the taxable real property within Highlands and Atlantic Highlands, respectively; and

WHEREAS, Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Highlands to dissolve the Authority; and

WHEREAS, Atlantic Highlands, after a careful examination and analysis, has determined that it is in the best interests of the residents of Atlantic Highlands to dissolve the Authority; and

WHEREAS, Highlands has determined that dissolving the Authority will provide substantial annual operating savings to Highlands and will allow Highlands full control of the portion of the System that services the residents of Highlands (the "Highlands System"); and

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WHEREAS, Highlands has further determined that dissolving the Authority will not materially impact the residents of Highlands nor the financial operations of Highlands, as Highlands has previously created a separate sewer utility within its municipal budget and has always collected service fees from residents through the utility and paid Highlands obligations to the Authority through such utility; and

WHEREAS, section 20 of the Local Authorities Fiscal Control Law (the "Fiscal Control Law") grants to a municipality the power to dissolve an authority, by ordinance, provided that the ordinance makes adequate provision for the payment of all creditors or obligees of the authority and further makes adequate provision for the assumption of services provided by the authority which are necessary for the health, safety and welfare of the recipients of such services; and

WHEREAS, by ordinance of Highlands, entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DISSOLVING THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY PURSUANT TO N.J.S.A. N.J.S.A. 40A:5A-20" (the "Highlands Dissolution Ordinance"), and by a parallel ordinance of Atlantic Highlands, entitled, "AN ORDINANCE OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DISSOLVING THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY PURSUANT TO N.J.S.A. N.J.S.A. 40A:5A-20" (the "Atlantic Highlands Dissolution Ordinance"), Highlands and Atlantic Highlands have dissolved the Authority, subject to the terms and conditions of the Highlands Dissolution Ordinance and the Atlantic Highlands Dissolution Ordinance; and

WHEREAS, by bond ordinance of Highlands, entitled, "BOND ORDINANCE OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, IN FURTHERANCE OF THE DISSOLUTION OF THE ATLANTIC HIGHLANDS - HIGHLANDS REGIONAL SEWERAGE AUTHORITY, APPROPRIATING \$5,731,272 THEREFOR AND AUTHORIZING NOT TO EXCEED \$5,731,272 PRINCIPAL AMOUNT OF BONDS OR NOTES IN CONNECTION THEREWITH" (the "Dissolution Bond Ordinance"), Highlands has initially assumed the responsibility for and payment of fifty-two percent (52%) of the Authority Debt payment obligations, as calculated and shown in **Exhibit A** attached hereto (the "Highlands Debt"); and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, Highlands's initial assumption of the Highlands Debt is not effective until (i) Highlands determines, by resolution of the Borough Council of Highlands setting forth facts that constitute the basis for the determination, that such assumption will be a cost effective means of meeting the obligations as compared with the issuance of obligations of Highlands and (ii) Highlands transmits a certified copy of such resolution to the Local Finance Board in the Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board"); and

WHEREAS, Highlands believes that, at this time, the assumption of the Authority Debt is the most cost effective means of meeting these debt obligations, versus the cost of issuing new debt obligations of Highlands, as (i) the Series 2010 Bonds have been issued through the low-interest New Jersey Environmental Infrastructure Trust Financing Program, pursuant to which the Series 2010B Bonds bear interest at a rate of 0.00 per centum (0.00%) per annum and the Series 2010A Bonds bear interest at "triple-A" interest rates ranging from 3.00% to 5.00%, all of which are lower interest rates than Highlands would achieve if it issued its own Highlands bonds; further, such Series 2010 Bonds are not subject to optional redemption in the near term and, accordingly, if Highlands issued its own bonds today to refund the Series 2010 Bonds, the transaction would result in a significant net present value loss, (ii) the Series 2011 Bonds have been issued through the County of Monmouth Guaranteed Monmouth County Improvement Authority Pooled Loan Program, pursuant to which the Series 2011 Bonds bear interest at "triple-A" interest rates ranging from 2.00% to 5.00%, which interest rates are lower than Highlands would achieve if it issued its own Highlands bonds; further, such Series 2011 Bonds are not subject to optional redemption in the near term and, accordingly, if Highlands issued its own bonds today to refund the Series 2011 Bonds, the transaction would result in a significant net present value loss, and (iii) the Interim Note is not currently subject to redemption and, upon

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its maturity, will be currently refunded with bonds issued directly by Highlands pursuant to the Dissolution Bond Ordinance; and

WHEREAS, based on the above-stated facts, Highlands has determined that the initial assumption of the Authority Debt is a cost effective means of meeting such debt obligations as compared with the issuance of obligations of Highlands.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows

Section 1. The recitals of this resolution are incorporated herein as if set forth in full herein.

Section 2. Highlands hereby determines, based on the above-stated facts, that the initial assumption by Highlands of the Highlands Debt is a cost effective means of meeting such debt obligations as compared with the issuance of obligations of Highlands.

Section 3. The Chief Financial Officer of Highlands is hereby authorized and directed to make payment of all outstanding invoices and payment obligations of the Authority, including but not limited to all debt service payments on the Highlands Debt, and including all expenses incurred in connection with the dissolution of the Authority, out of funds and accounts transferred from the Authority to Highlands pursuant to the Dissolution Ordinance.

Section 4. The Clerk of Highlands is hereby authorized and directed to transmit a certified copy of this resolution, as adopted, to the Local Finance Board.

Section 5. This resolution shall take effect in accordance with applicable 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

Other Resolutions:

R-14-63 – Resolution Approving Agreement with Tim Hill, Administrator

Mrs. Cummins stated that Mr. Padula had prepared a resolution for tonight's meeting.

Mr. Padula read the resolution in to the record.

Mayor Nolan spoke in favor of appointing Mr. Hill.

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

R-14-63
RESOLUTION APPROVING AGREEMENT
WITH TIM HILL AS ADMINISTRATOR FOR THE
TERM DECEMBER 17, 2013 THROUGH DECEMBER 6, 2016

WHEREAS, Tim Hill served as Borough Administrator since December 7, 2011; and

WHEREAS, Tim Hill's term expired on December 6, 2013; and

WHEREAS, Tim Hill and the Borough agreed to extend the terms of his employment until February 6, 2014 while the parties negotiated a successor agreement; and

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WHEREAS, the parties have agreed to the terms of a successor employment agreement with Tim Hill to serve as Administrator.

NOW THEREFORE, BE IT RESOLVED by the governing body that the Borough approves and agreement with Tim Hill in substantially the same form as attached hereto, and incorporated herein by reference, for the term from December 7, 2013 to December 6, 2016.

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

Committee Reports:

Finance Report

Mr. Pfeffer stated that he filed a CDBG Essential Services Grant Application with the DLGS. He and Mr. Hill came up with essential a list of Sandy related items. It included code enforcement, construction official and his secretary, lease of Borough Facilities, tax appeals, DPW Manager and dollar amount. We asked for \$340,000.00. Within the next few weeks, Mr. Pfeffer and Mr. Hill will be going to Trenton to meet with them on this application and also the potential of getting the CDL Grant turned from a loan to a grant. He would like to set up a meeting with Mayor Nolan and the Council President to discuss where we are.

Public Safety

Chief Blewett read thru his report.

POLICE DEPARTMENT
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT
CHIEF



171 BAY AVENUE

HIGHLANDS, N.J. 07732



TEL: 732-872-1158
FAX: 732-872-9240

Report to Council
February 2014

- * The Highlands Police Department arrested Timothy M. Brown, 21 years of age, Seadrift Avenue, Highlands and Maria L. Magill, 24 years of age, Fourth Street, Highlands on December 11, 2013 as the result of an investigation into a burglary and theft. The investigation started November 11, 2013 when a Fourth Street resident reported her credit cards stolen and unauthorized purchases were made totaling over \$1500.00. On December 2, 2013 another Fourth Street resident reported a burglary to her home which resulted in her diamond engagement ring and \$500.00 in cash being stolen. As information was developed and the investigation continued the Highlands Police Department was able to identify the suspects as Timothy Brown and Maria Magill. Ms. Magill was charged with burglary and (5) counts of theft and her bail was set at \$75,000.00 with no ten percent option. Mr. Brown was also charged with burglary, theft and aiding another and his bail was set at \$55,000.00 with no ten percent option. Both suspects were subsequently transported to the Monmouth County Correctional Institution, Freehold in lieu of bail. Ms. Magill was also being detained by the Morris County Superior Court on an

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active warrant for violation of probation. The Highlands Police Department was able to recover the victim's diamond engagement ring which was valued at \$10,000.00 from a Pawn Shop in Keyport and it has been returned to its rightful owner by Dsgt. Joseph R. Rogers. The Highlands Police Department also seized Timothy Brown's motor vehicle in connection with his involvement.

- * On January 8, 2014 officers were dispatched to a Fourth Street residence for an unresponsive female. Upon arrival officers found a 35 year old female unconscious and hypothermic inside the vacant residence. The victim was transported by MONOC BLS to Monmouth Medical Center, Long Branch for treatment. Since the victim is unaware of how she arrived at the residence which was under construction, anyone who may have information regarding the incident is requested to contact Dsgt. Rogers.
- * During a routine motor vehicle stop for a traffic violation on January 9, 2014; Sgt. Robert Burton and Sgt. Louis Fundora arrested Allison E. Dorobis, 24 years of age, Bay Avenue, Highlands on several active warrants. After being placed under arrest Ms. Dorobis was found to be in possession of three (3) decks of heroin and a hypodermic syringe. Officers also arrested Alexis Mason, 33 years of age, Bay Avenue, Highlands after she was found to be in possession of suboxone, a prescribed narcotic.
- * Officers are investigating a residential burglary of a Linden Avenue residence which occurred on January 11, 2014. The victim reported that unknown person(s) entered the residence through an unsecured rear door and removed the victim's Playstation 4 and a pair of electronic headphones.
Total value of the items stolen is \$730.00.

* **Administration:**

- Code Enforcement: vacant houses
 - Requesting community assistance in reporting houses that are unoccupied and accessible.
 - Police Department will document locations and refer the locations to code enforcement. Since the last council meeting the police department has referred six vacant houses to code enforcement in addition to several other concerns.
 - A lot of these properties are in disrepair creating a hazard to emergency personnel and the general public.
- Highlands Elementary School
 - Several incidents this winter involving injuries on the property due to sleigh riding
 - Posted "No Sledding" on the school sign board located on Hwy 36
 - Officers disperse groups from the property, but person(s) return soon after officers leave because the property is unsecured and has been a favorite sledding location for generations.
- Hiring
 - Special Law Enforcement Officer Class II (SLEO II)
 - Interview (2) candidates
 - (1) applicant turned down position due to job offer from another jurisdiction
 - Hiring (1) SLEO II – Michael Carlino
 - Dispatchers
 - (3) newly hired part-time dispatchers completed training
 - (1) additional part-time dispatcher still being trained

* **Grants**

- Homeland Security
 - Urban Areas Security Initiative Grant Award (items ordered)
 - (4) MDT (mobile data terminals)(vehicles)

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- (1) Portable Metal Detector (SeaStreak)
- (2) License Plate Readers
- State Division of Highway Traffic and Safety
 - Statewide Year End Holiday Crackdown
 - Period: December 2, 2013 through January 2, 2014
 - Award: \$4,400.00

* **Training:**

- Schools
 - Sgt. Burton – Certified Public Manager (CPM) Course
 - Completed – January 2014
 - Sgt. Rogers – Certified Public Manager (CPM) Course
 - Starting – February 15, 2014

* **First Aid:**

- HFAS – Because of limited manpower especially during weekdays, we entered into an agreement with MONOC in 2005; since then MONOC is immediately dispatched upon receiving a call first aid (dual dispatch).
 - MONOC - ambulances available
 - BLS – respond when volunteers cannot
 - ALS – respond for all life threatening natures
 - Recently a resident refused assistance from MONOC ALS because of a misconception that they would be billed for treatment.
 - Literature received by this department advises that no bill will be generated to the town, squad or patient in compliance with all state and federal billing regulations.
 - Would like to inform residents of this for the future so that they are not unnecessarily refusing available medical treatment especially when advanced life support measures are necessary.

* **Investigations:**

The Highlands Police Department is investigating several burglaries in the Shore Drive area of town where unknown person(s) entered vacant residences and removed copper pipes. The department does not have information regarding a suspect or description, but Chief Blewett and the members of the Highlands Police Department urge anyone with any information in regard to these burglaries or anyone that observes suspicious activity or persons to contact the department. Please do not hesitate to call immediately; please do not wait until after person(s) has left the area.

* **Community Policing:**

- Explorers
 - 2013 Explorer Awards
 - Explorer of the Year – Joshua Hare
 - This explorer was selected based on dependability, attitude, attendance, and contributions to the post, department and community.
 - Community Service – Andrew Berry, Martin Maloney and Joshua Hare
 - These explorers were selected based on each of them completing and/or exceeding 100 hours of community service, including crowd traffic control, parking service, and community events preapproved and logged by the Advisor.
 - Tenure – Daniel Hennessey
 - Awarded to explorers who complete 1 year of satisfactory service to the post.
 - Emergency Response Training
 - January 9, 2014 through March 4, 2014
 - (6) explorers and (1) advisor attending

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* Total Calls for Service: 418

* Arrests: Adults: 16 (3 for possession of CDS)

JV: 1

* Summons: Total: 59

Moving Violations: 28

Non-Moving: 19

DWI: 3

Boro Ordinance: 9

Ms. Ryan questioned Chief Blewett about coverage when crossing guard is out.

Chief Blewett responded that he posts a police officer.

Administration Report

Mr. Hill read thru his report.

1. Various Recovery Related Items:

- a. Irene House Lifting – We are setting up a meeting the week of February 18th with the residents.
- b. PP Demo – We are working with our State Liaison and have appealed the denial for a time extension.
- c. PW's – We have submitted 2.046 million (90%=2.160) in request for reimbursement.
- d. New FIRM Maps have been released. We just received a packet of information today and will be reviewing it.
- e. Work Force Development Program – The program has been extended for at least another month. Overall, the program has been extended through December 2014 but there is no official word of what the allocation will be and how it may impact us.

We have continued reorganization of the 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.

2. Department of Public Works:

- a. Snow removal efforts were in place with assistance (additional 140 hours total to date) from seasonal hires.
- b. Vehicle repairs have been ongoing.
- c. Responded to various sewer issues reported. Followed up with Oswald and determined that two were not our responsibility.
- d. DPW will be meeting with M&S for input and advice.
- e. New barricades, cones and street signs were ordered and delivered.

3. Building and Housing:

- a. Construction Office: Hours for Secretary: Mon., Tues., Wed.: 10:30 a.m. to 4:30 p.m. & Thursday: 12 noon to 6:00 p.m.

Applications Received: 13 Permits Issued: 34

Total Construction Fees: \$16,314 Total Value: \$550,472

Inspection Detail: Building 85, Electric 70, Plumbing 17, Fire 9

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b. Zoning Office

15 Approvals

1 Denial

2 Mercantile Denials

5 Letters of Violations

1 Secondary Review of Denial for Zoning Board Hearing

Numerous Violation inspections

Flood Plain:

14 Flood Plain Approvals

1 Elevation Requirement Letter

CRS Meeting was held 1/29/14

c. Code Enforcement – 1/1/14 – 1/31/14

37 Inspections/ CO's 2 Summons

Elaine Broyles, Property Maintenance Office

Hours: Tues. & Wed – 4-8pm and Saturday: 8am-3pm & 3pm-4pm in office.

4. **Recreation Department:**

“Kids on the Move” Program – 43 registered so far; Adult Indoor Soccer – 21 registered so far; High School Ten Night on January 10th – 26 participants.

Upcoming Recreation Events/Programs:

- a. High School Teen Nights – February 21st & 28th at the Highlands Elementary School Gym from 7:00 pm – 9:30 pm. The event is for ages 14-18 and pizza and soda will be served. For more information please contact Heather DiBlasi at 908-601-5091.
- b. Adult Open Gym Indoor Soccer – December 4, 2013 – March 26, 2014, Wednesday evenings from 7:00pm – 9:00pm at HHRS Gymnasium. All participants must register with the Highlands Recreation Dept. in order to participate. You can register on-site the night you attend. For further information please call 732-872-1224 x 232.
- c. Kids on the Move Program is ongoing at the Highlands Elementary School Gym, Mondays through Wednesdays from 3pm to 5pm for ages 8-14. Registration forms are available at the Borough Hall Trailer at 42 Shore Drive or in the HES gym on Monday-Wednesday from 3pm -5pm.
- d. Adult Open Gym Volleyball – (Pending Board of Ed. Approval) February 25, 2014-April 15, 2014, Tuesday evenings, 7:30-9:00pm at HHRS Gymnasium. All participants must register with the Highlands Recreation Dept. in order to participate. You must be at least 18 years of age to play. You can register on-site the night you attend. For further information please call 732-872-1224 x232.

5. **Administration:**

- a. Working on 21 internal projects as identified by Mayor and Council.
- b. Continue working with various groups that are providing additional services to residents in town – Work Force Development, Future with Hope, Operation Hope, CPC Behavioral Health, NJ Center Healing Arts, Highlands/Atlantic Highlands Municipal Alliance, Highlands Recreation Dept., Atlantic Highlands Recreation Committee, HBP, Affordable Housing Alliance and Community Y.
- c. Reviewed RPS's for Grant Writer and held interviews as requested.
- d. Bid Opening held for PP Demo – Bid has been formally protested and we have forwarded for attorney review.

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- e. Follow up meeting will be held tomorrow with architect and engineer. Met with architect and FEMA rep---design plans will be underway with further discussion on Phase I and Phase II.
- f. Received many complaints with regards to garbage and recycling pickups.
- g. Additional meetings held with regards to CDBG Funds, Monmouth County Open Space funding, and Snow Flake Foundation. Project timelines are to be established for implementation.
- h. Fire House pipe break is being addressed with insurance company. Scope of damages and scope for repair is being put together.
- i. Additional meetings – US Army Corp of Engineers, Monmouth County Board of Health, House Lifting, DCA, Waste Management, New Grant Writing firm.

Mr. Hill asked Mr. Leubner to explain the CRS.

Mr. Leubner gave a brief update on Community Rating System. He had a successful meeting with FEMA. They did note deficiencies that were keeping us out of the Program. They have also have noticed the turnaround we have done since Sandy. He will be sending them more documentation. He will be sending a letter to the resident's downtown explaining flood plain violations that would keep their houses from being in compliance. Once we get in to the system, it will be a positive for all.

Mr. Francy asked about the status of the Community Center and Borough Hall Projects.

Mr. Hill will be meeting with the architect and engineer on site at the Community Center tomorrow. He will get an update on both sites.

Mr. Francy would like a monthly update.

Mr. Francy spoke about the North Street blue pump.

Mr. Leubner said the pump will be in on Friday.

Library

Ms. Ryan gave an update on the newsletter. She met with Sea Bright regarding their newsletter and they explained how they do theirs. This will be a quarterly newsletter. A resident has offered to do it. She hopes to have it going out at the end of March.

HBP

There was no report at this time.

Shared Services

There was no report at this time.

Public Portion:

Kim Skorka of 315 Shore Drive asked about the long term recovery for the steep slope such as guidance and funding. She was told that she cannot speak on behalf of the town. She would like to know how she can help.

Mr. Hill stated that no one told her that she couldn't gather information. He would like her to notify him about agencies that she has reached out to so we do not duplicate.

Kim Skorka would like coordinate with Steve Nelson. She has ideas that she wants to share.

Council continued the discussion with Kim Skorka and that she can obtain information but needs to keep the Borough informed.

Steve Nelson said that he would be happy to act as a coordinator of champions if the Borough desires.

Kathy of Gravelly Point Road stated that she understood the town was responsible for plowing Bay Avenue from Waterwitch to Gravelly.

Mr. Hill responded that it is the County who does that.

Kathy asked about trash pickup problems.

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Mr. Francy explained that due to snow, they did not pick up.

Mr. Hill stated they the company does not pick up the next day, you would have to wait to your next scheduled pick up day. They do not have the equipment to do that. He also mentioned that we are getting a new sanitation company starting soon.

Council continued to explain and discuss.

Kathy Bajor of 15 Huddy Avenue asked about art council support from the Governing Body.

Mr. Padula stated that the resolution was adopted at tonight's meeting.

Tricia Rivera of 31 Waterwitch Avenue asked if there are plans for all storms.

Mayor Nolan explained that the planning process is different types of storms.

Tricia Rivera complained about the downtown snow situation from the storms.

Mr. Hill said he did send trucks to her street numerous times. The snow is melting and it is hard to keep ahead of it.

Mr. Francy stated that we cannot move cars to do curb to curb plowing.

Kim Skorka spoke about the snow on Monday morning. She said that cars were sliding backward down Waterwitch. Who is responsible for that road?

Mr. Redmond stated that from Waterwitch to Linden, it is the county.

Mr. Hill stated that he does call the County and the State to pass along road situations.

Doug Card of Shrewsbury Avenue stated that if this information was posted on the website, residents would not have to call Borough Hall.

Mr. Hill said he does refer people to the website but people still want to call.

Ms. Kane reminded residents that due to lack of resources, to help out and dig out fire hydrants and drains.

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

The Meeting adjourned at 9:19 p.m.

Debby Dailey, Deputy Clerk