

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

Mr. Mullen called the meeting to order at 7:35 p.m.

Mr. Mullen asked all to stand for the Pledge of Allegiance.

The following statement was made: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Reorganization/Regular Meeting of the Borough of Highlands Planning Board and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

**ROLL CALL:**

**Present: Mr. Mullen, Mr. Parla, Mr. Roberts, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Gallagher**

**Absent: Mr. Schoellner, Mr. Stockton, Ms. Ruby, Mr. Roberts**

**Also Present: Carolyn Cummins, Board Secretary  
Jack Serpico, Esq., Board Attorney  
Robert Keady, P.E., Board Engineer**

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**Reorganization:**

**Resolution Appointing Chairperson**

Mr. Mullen offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS  
PLANNING BOARD RESOLUTION  
DESIGNATING CHAIRPERSON  
FOR THE YEAR 2012**

BE IT RESOLVED by the Borough of Highlands Planning Board that Andrew Stockton be appointed Chairperson of the Planning Board for a term of one (1) year expiring December 31, 2012.

Seconded by Mayor Nolan and adopted on the following Roll Call Vote:

**ROLL CALL:**

**AYES: Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Hill, Mr. Gallagher**

**NAYES: None**

**ABSTAIN: None**

**Resolution Appointing Vice Chairperson**

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

**BOROUGH OF HIGHLANDS  
PLANNING BOARD RESOLUTION  
DESIGNATING VICE CHAIRPERSON  
FOR THE YEAR 2012**

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

**BE IT RESOLVED** by the Borough of Highlands Planning Board that Roderic Schoellner be appointed Vice Chairperson of the Planning Board for a term of one (1) year expiring December 31, 2012.

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

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Hill, Mr. Gallagher

**NAYES:** None

**ABSTAIN:** None

**Resolution Appointing Board Secretary**

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

**BOROUGH OF HIGHLANDS  
PLANNING BOARD RESOLUTION  
APPOINTING BOARD SECRETARY  
FOR THE YEAR 2012**

**BE IT RESOLVED** by the Borough of Highlands Planning Board of the Borough of Highlands that Carolyn Cummins be appointed Secretary of the Planning Board for a term of one (1) year expiring December 31, 2012.

Seconded by Mr. Mullen and adopted on the following Roll Call Vote:

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Hill, Mr. Gallagher

**NAYES:** None

**ABSTAIN:** None

**Resolution Appointing Board Attorney & Awarding Professional Legal Contract**

Mr. Mullen offered the following Resolution and moved in its adoption:

**RESOLUTION APPOINTING PLANNING BOARD ATTORNEY FOR THE  
CALENDAR YEAR 2012 &  
AUTHORIZING THE AWARD OF A PROFESSIONAL LEGAL SERVICES  
CONTRACT**

**WHEREAS**, the Borough of Highlands has a need for professional legal services to be provided to the Planning Board for the calendar year 2012 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and Jack Serpico, Esq., of the law office of Jack Serpico, Esq. is so recognized;

**WHEREAS**, the Board Secretary has determined and certified in writing that the value of the contract will not exceed \$17,500; and

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

**WHEREAS, Jack Serpico** has submitted that attached contract for Professional legal services for the calendar year 2012; and

**WHEREAS,** the Planning Board has reviewed attached contract for Professional legal Services for 2012; and

**WHEREAS,** certification of the availability of funds is hereby provided by the Chief Financial Officer.

Planning Board Budget  
Account #1141-3755 - \$4,000.00  
For the Period of January 1, 2012 through June 30, 2012

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Stephen Pfeffer, Chief Financial Officer

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

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Highlands Planning Board as follows:

1. Jack Serpico, P.E. of the law office of Jack Serpico, Esq. is hereby appointed as Planning Board Attorney for the calendar 2012 and is awarded a professional service contract for an amount not to exceed \$4,000 for professional legal services provided for the period of January 1, 2012 through June 30, 2012.
2. The attached Professional legal services Contract is hereby approved and the Board Chairman and Secretary are hereby authorized to sign the contract.
3. This contract is awarded without competitive bidding as "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.
4. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary.
5. The Board Secretary is hereby directed to publish notice of this award as required by law.

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

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan, Mr. Redmond,  
Mr. Hill, Mr. Gallagher

**NAYES:** None

**ABSTAIN:** None

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

**Resolution Appointing Board Engineer & Awarding Professional Engineering Contract**

Mr. Parla offered the following Resolution and moved in its adoption:

**RESOLUTION APPOINTING PLANNING BOARD ENGINEER FOR THE CALENDAR  
YEAR 2012  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract to be provided to the Planning Board for the calendar year 2012 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and Robert Keady, **P.E.** of the firm of T & M Associates, 11 Tindall Road, Middletown, NJ is so recognized;

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

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

**WHEREAS**, **T & M Associates** has completed and submitted a Political Contribution Disclosure Form in accordance with P.L. 2005, c271; and

**WHEREAS**, **T & M Associates** has submitted that attached contract for Professional Engineering services for the calendar year 2009; and

**WHEREAS**, the Planning Board has reviewed attached contract for Professional Engineering Services for 2012; and

**WHEREAS**, certification of the availability of funds is hereby provided by the Chief Financial Officer.

Planning Board Budget  
Account #1141-3757 - \$2,200.00  
For the Period of January 1, 2012 through June 30, 2012

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Stephen Pfeffer, Chief Financial Officer

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

**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 of Highlands Planning Board as follows:

1. Robert Keady, P.E. of T & M Associates is hereby appointed as Planning Board Engineer for the calendar 2012 and is awarded a professional service contract for an amount not to exceed \$2,200 for professional engineering services provided for the period of January 1, 2012 through June 30, 2012.
2. The attached Professional Engineering Contract is hereby approved and the Board Chairman and Secretary are hereby authorized to sign the contract.
3. This contract is awarded without competitive bidding as "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.
4. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary.
5. The Board Secretary is hereby directed to publish notice of this award as required by law.

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

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan, Mr. Redmond,  
Mr. Hill, Mr. Gallagher

**NAYES:** None

**ABSTAIN:** None

**Resolution Setting 2012 Meeting Schedule**

Mr. Parla offered the following Resolution be memorialized and moved on its adoption:

**RESOLUTION SETTING THE SCHEDULE FOR REGULAR  
MEETINGS OF THE BOROUGH OF HIGHLANDS  
PLANNING BOARD  
FOR THE YEAR 2012**

**BE IT RESOLVED** by the Borough of Highlands Planning Board that the following schedule is hereby designated as the official Regular Meeting Calendar of the Planning Board for the year 2012. The official meeting days shall be the second Thursday of each month unless otherwise noted.

February 9, 2012  
March 8, 2012  
April 12, 2012  
May 10, 2012  
June 14, 2012  
July 12, 2012  
August 9, 2012

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

September 13, 2012  
October 11, 2012  
November 8, 2012  
December 13, 2012  
January 10, 2013 Regular/Reorganization Meeting

**BE IT FURTHER RESOLVED** that all meetings will be held at the Highlands Municipal Building, Council Chambers, 171 Bay Avenue, Highlands, NJ at 7:30 p.m.

Seconded by Mayor Nolan and adopted on the following Roll Call Vote:

**ROLL CALL**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Hill, Mr. Gallagher  
**NAYES:** None  
**ABSTAIN:** None

**Resolution Designating Official Newspapers**

Mr. Mullen offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS  
PLANNING BOARD RESOLUTION  
DESIGNATING THE OFFICIAL NEWSPAPER  
FOR THE YEAR 2012**

**BE IT RESOLVED** by the Borough of Highlands Planning Board that the **Asbury Park Press and the Two River Times**, are hereby designated as the official Newspaper for the Borough of Highlands Planning Board publications which are required by law for the year 2012.

Seconded by Mayor Nolan and adopted on the following Roll Call Vote:

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan, Mr. Redmond,  
Mr. Hill  
**NAYES:** Mr. Gallagher  
**ABSTAIN:** None

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**Regular Meeting:**

**PB#2011-1 Scaturro Irrevocable Trust – Postponement to February 9<sup>th</sup>, 2012  
Portland road, Block 1 Lots 14-18 and Block 3 Lots 9-11**

Mayor Nolan offered a motion to postpone the public hearing for PB 2011-1 to the February 9, 2012 meeting without the need for further public notice. Seconded by Mr. Parla and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan,  
Mr. Redmond, Mr. Hill, Mr. Gallagher  
**NAYES:** None  
**ABSTAIN:** None

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**Approval of Minutes:**

**Borough of Highlands  
Planning Board  
Reorganization/Regular Meeting  
January 12, 2012**

Ms. Peterson offered a motion to approve the October 13, 2011 Planning Board Minutes, seconded by Mr. Mullen and approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Mullen, Mr. Parla, Ms. Peterson, Mr. Gallagher**

**NAYES: None**

**ABSTAIN: None**

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**Communications:**

Richard O'Neil stated that it has been a pleasure to serve on the Planning Board for all these years and thanked all members for their service.

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

The meeting adjourned at 7:46 p.m.

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**Carolyn Cummins, Board Secretary**