

**Borough of Highlands
Mayor & Council
Regular Meeting
February 17, 2016**

Meeting Location: Robert D. Wilson Memorial Community Center, 22 Snug Harbor Ave., Highlands

Mayor Nolan called the meeting to order at 7:12 p.m.

Mrs. Cummins read through the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a 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. Broullon, Mr. Card, Mrs. Wells, Mayor Nolan

Late Arrival: Ms. D'Arrigo – arrived – 7:14 p.m.

**Also Present: Carolyn Cummins, Borough Clerk
Tim Hill, Borough Administrator
Patrick DeBlasio, Tax Collector
Ashley Malandre, Borough Attorney
Dale Leubner, Borough Engineer
Rob Keady, Borough Engineer**

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:

**2. Contract: Review Tilt-Up Demo RFP's
Shared Services – Sewer Operations
Twin Light Terrace Condo Mun Service Agreement**

3. Real Estate: Facility Update - DPW

4. Personnel Matters:

5. Investigation:

**6. Attorney-Client Privilege: Cat Ordinance Amendment Update
Snow Ordinance
Emergency Repairs-Branin Bill-5 Gravelly Point Road**

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.

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

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

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

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

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

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

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

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

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

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

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAYS: None
ABSENT: None
ABSTAIN: None

The Governing Body then entered into Executive Session.

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Mayor Nolan called the Regular Meeting to order at 8:06 p.m.

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

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAYS: None

ABSENT: None

ABSTAIN: None

Public Comment Period on Consent Agenda Resolutions Only:

Mayor Nolan opened the public comment period.

Carol Bucco of 330 Shore Drive commented on the ordinance regarding appointment of the Borough Attorney.

Mayor Nolan stated that there was a ruling today. It will be public record tomorrow. We have been advised not to speak about it.

Carol Bucco questioned the change in the clerk's salary and the need to amend the salary ordinance.

Mayor Nolan stated that this will be discussed in the public hearing for the ordinance.

Carol Bucco spoke of the Fire Prevention Official issue that was discussed at a previous meeting.

Mayor Nolan stated that would need to be discussed in the public portion.

Mr. Card added that this public comment period is for resolutions only.

Mayor Nolan also added that each ordinance has a public portion.

Barbara Ianucci of 28 Shrewsbury Avenue questioned the high water bills for Veteran's Park.

Mr. Hill replied that NJ American Water was notified to shut the water off at the curb. He added that the bill will be disputed. He will follow up on it.

Barbara Ianucci requested that this bill be pulled from the payment of bills.

Ms. Broullon stated that she was going to request that it be pulled.

Kim Skorcka of 315 Shore Drive spoke of Resolution R-16-65 for Mosquito Aerial Spraying. She asked if they sprayed in 2015 and if so, she was never notified.

Mrs. Cummins commented that the commission would notify the Police Department.

Mr. Card added that he does not believe they sprayed last year.

Mr. Hill will follow up on it for 2016.

Kim Skorcka questioned an item on the Payment of Bills for a rental of a passenger van. The Recreation Center has a passenger van and it should be shared.

Mr. Hill stated that the Recreation Center does not have a passenger van, it is a cargo van.

Mayor Nolan added that there are no seats in the back.

Kim Skorcka requested Mrs. Wells phone bill reimbursement not be paid at this time.

Stacy Pritchard of 138 Bay Avenue question Resolution R-16-65 and wants to know why we are doing it. She does not feel the spraying is effective. She does not want us to spray poison when it is not necessary.

Mr. Card added that this does not mean they will spray. This is only if it becomes necessary. They will notify the Police Department. They will make the community aware if they spray.

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There were no further questions.

Mayor Nolan closed the public portion.

HBP 2016 Budget Public Hearing:

Mayor Nolan opened the public hearing.

Mrs. Wells stated that the budget is the same as last year.

Mrs. Cummins added that there was a correction on the income; it does not affect the budget.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of R-16-37 approving the HBP 2016 Budget.

**R-16-67
RESOLUTION
ADOPTING THE HBP 2016 BUDGET AND
HIGHLANDS BUSINESS IMPROVEMENT DISTRICT
District Management Corporation
Highlands Business Partnership
January 1, 2016– December 31, 2016**

COMMERCIAL DISTRICT PROGRAM BUDGET	2016 EXPENSE
Visual Improvement.....	\$20,000.00
<input type="checkbox"/> Beautification	
<input type="checkbox"/> Maintenance	
<input type="checkbox"/> Holiday & Seasonal	
<input type="checkbox"/> Street Banners	
Special Events Calendar.....	\$50,000.00
<input type="checkbox"/> Creation of events	
Marketing & Communications.....	\$25,000.00
<input type="checkbox"/> Ad campaigns – online, newspaper, magazine, shows	
<input type="checkbox"/> Tourism	
<input type="checkbox"/> Public Relations	
<input type="checkbox"/> Image Building	
<input type="checkbox"/> Visitor Guide	
<input type="checkbox"/> Audio & Video Media	
<input type="checkbox"/> Maintain Website & Database & Graphic Ad Design	
Economic Development.....	\$15,000.00
• Business Recruitment/Retention & Redevelopment	
Administrative Budget	
Personnel.....	\$40,000.00
Miscellaneous.....	\$10,000.00
<input type="checkbox"/> Legal and Audit	
<input type="checkbox"/> Insurance	
<input type="checkbox"/> Office Supplies	
<input type="checkbox"/> Utilities – Telephone, fax & electric	

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License & fees

TOTAL Expenses.....\$160,000.00

**HIGHLANDS BUSINESS IMPROVEMENT DISTRICT
District Management Corporation
Highlands Business Partnership
January 1, 2016 – December 31, 2016**

**COMMERCIAL DISTRICT
PROGRAM BUDGET**

**2016
Income**

Special Events Income.....\$90,000.00

- Vendor Fees Income
- Event Income (Social Affairs & Raffle Permit income)

Marketing & Communications.....\$10,000.00

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

TOTAL Income\$100,000.00

TOTAL ASSESSMENT INCOME REQUIRED TO OPERATE - \$60,000.00

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			x			
CARD	x		x			
D'ARRIGO			x			
WELLS		x	x			
NOLAN			x			
ON CONSENT AGENDA			YES	x	NO	

Consent Agenda:

Mayor Nolan asked if anyone had any items they would like to remove.

Mr. Card questioned Mrs. Wells if she was comfortable with the wording of the minutes that reflect that a full explanation was given regarding Mr. Parker but Mrs. Wells stated on social media that there wasn't.

Mrs. Wells responded that an adequate explanation was not given to Mr. Parker and she will vote no on the minutes.

R-16-65 – Resolution – Mosquito Control Commission Aerial Spraying:

Mrs. Cummins read the title of R-16-65.

**R-16-65
RESOLUTION AUTHORIZING
THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT**

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**AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF
HIGHLANDS**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Highlands is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE BE IT RESOLVED be it resolved as follows:

1. The Governing Body hereby Authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitos constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		x	x			
CARD	x		x			
D'ARRIGO			x			
WELLS			x			
NOLAN				x		
ON CONSENT AGENDA		x	YES			NO

Payment of Bills:

Mayor Nolan stated that we will remove the water bill for Veteran’s Park.

Mr. Card inquired about the purchase of a dumpster.

Mr. Hill explained the need to purchase a dumpster for beach sweeping material. It is cheaper to own. He further explained the savings.

Mrs. Cummins asked if we are adding the Branin bill for \$14,876.00.

Mayor Nolan stated yes.

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**RECAP OF PAYMENT OF BILLS
 02/17/2016**

CURRENT:		\$	211,732.17
Payroll	(01/30/2016)	\$	118,113.46
Manual Checks		\$	
Voided Checks		\$	
 SEWER ACCOUNT:		 \$	 4,456.04
Payroll	(01/30/2016)	\$	3,521.19
Manual Checks		\$	
Voided Checks		\$	
 CAPITAL/GENERAL		 \$	 8,653.90
CAPITAL-MANUAL CHECKS		\$	255.00
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
 TRUST FUND		 \$	 44,465.05
Payroll	(01/30/2016)	\$	5,340.00
Manual Checks		\$	
Voided Checks		\$	
 UNEMPLOYMENT ACCT-MANUALS		 \$	
 DOG FUND		 \$	
 GRANT FUND		 \$	 9,077.44
Payroll	(01/30/2016)	\$	1,091.33
Manual Checks		\$	
Voided Checks		\$	
 DEVELOPER'S TRUST		 \$	
Manual Checks		\$	
Voided Checks		\$	

Add On

Branin Construction 5 Gravelly Pt Road Repair \$14,876.00

Removal

New Jersey American Water Bay Ave Park (Vet Park) \$ 697.46

**THE COMPLETE PAYMENT OF BILLS IS AVAILABLE IN
 THE CLERK'S OFFICE FOR ANYONE THAT WISHES TO REVIEW THE LIST.**

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	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		x	x			
CARD			x			
D'ARRIGO			x			
WELLS			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	x	NO	

Minutes Approved on Consent Agenda:

Mr. Card offered a motion to approve the January 20th, 2016 Executive and Regular minutes for approval, seconded by Ms. D'Arrigo and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo
NAYES: Mrs. Wells
ABSTAIN: Mayor Nolan
ABSENT: None

Other Resolutions:

R-16-66 – Resolution Appointing Members to Recreation Committee

Mayor Nolan read the title of R-16-66 and explained that this is a new Recreation Committee. We received 12 applications.

**R-16-66
RESOLUTION APPOINTING
RECREATION COMMITTEE
MEMBERS**

WHEREAS, Section 2-23 of the Borough of Highlands General Code creates a RECREATION COMMITTEE, (ADVISORY) which states there shall be an advisory recreation committee in the borough consisting of not less than five nor more than nine members. All appointments shall be for one year and members shall serve until their respective successors are appointed and qualified. The recreation committee shall advise the mayor and council on the recreation program of the borough; and

WHEREAS, it is the desire of the Governing Body to appoint and implement the Recreation Committee and would appoint the following Member:

1. Katie Reed
2. Scott Keller
3. Gert Sofman
4. Greg Wells
5. Chris Moran
6. Jacqueline Kane
7. Christine Misita
8. Sonya Cashner
9. Valerie Browning

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the above named persons are hereby appointed to the Recreation Committee for a one year term to expire December 31, 2016.

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	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			x			
CARD			x			
D'ARRIGO			x			
WELLS		x	x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	x	NO	

Mayor Nolan directed Mrs. Cummins to send a meeting schedule to the new committee members. He also thanked all who applied.

Ordinances: Introduction & Setting of a Public Hearing Date for March 16th:

O-16-4 Zoning Ordinance Amendment

Mrs. Cummins read the title of Ordinance O-16-4 on for introduction and setting of a public hearing date of March 16, 2016.

Mr. Leubner explained that the ordinance amendment allows for easier site requirements for Land Use Ordinance.

Mayor Nolan further explained that if the ordinance passes, we will ask for it to be incorporated into the new Master Plan.

Mrs. Cummins stated that this will be introduced by title only.

Council discussed that the document was not done.

Mayor Nolan offered a motion to carry the introduction of Ordinance O-16-4 to the March 2nd meeting, seconded by Mrs. Wells and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAYES: None

ABSTAIN: None

ABSENT: None

Ordinances: 2nd Reading, Public Hearing, Adoption:

O-16-2 – Ordinance Amending Clerks Duties

Mrs. Cummins read the title of Ordinance O-16-2 on for 2nd reading and public hearing. This ordinance was published in the January 28th edition of the Two River Times and may now open the public hearing.

Mayor Nolan opened the public hearing.

Carol Bucco of 330 Shore Drive feels that the Fire Official Ordinance needs to be re-written.

Mayor Nolan stated that this ordinance is about the clerk.

Carol Bucco stated that there are no provisions of the clerk's duties for combined boards. She feels the salary for the clerk exceeds the salary ordinance. She continued to question the clerk's salary and duties. She feels that this ordinance and the fire prevention ordinance are wrong.

Kim Skorka of 315 Shore Drive feels that there should be separate stipends for board secretary.

Barbara Ianucci of 28 Shrewsbury Avenue feels that this should be kept as a stipend.

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Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of Ordinance O-16-2 on for final reading and adoption.

Mr. Card offered a motion to table Ordinance O-16-2 to the March 2nd meeting, seconded by Mayor Nolan and all were in favor on the following roll call vote:

ROLL CALL:

AYES: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAYES: None

ABSTAIN: None

ABSENT: None

Mrs. Wells added that Mrs. Cummins does a lot of work. Her work duties have also increased since Sandy. She does not sit around and do nothing. There is a ton of work that comes out of that office.

O-16-3 – Ordinance Council to Service without Compensation

Mrs. Cummins read the title of Ordinance O-16-3 on for 2nd reading and public hearing. This ordinance was published in the January 28th edition of the Two River Times and may now open the public hearing.

Mayor Nolan opened the public hearing.

Carol Bucco of 330 Shore Drive feels that the stipend does not really matter. Maybe we could take away the money for Atlantic City Convention.

Mayor Nolan spoke about trying to save money in the budget.

Ms. Broullon added that the amount saved is about \$13,000.00. That money could be used for so many different ways.

Mr. Card complimented the Mayor for putting this on the table. He continued to speak about budget reductions. Maybe we can better services by cutting budgets in all departments. He further added that we should not give the \$400 for the League of Municipalities or reimbursement for a personal cell phone. If the town issues a cell phone to you, the town pays for it.

Mayor Nolan stated that if he attends the Conference of Mayor's in April, he pays for it. He further spoke of budget cuts.

Carol Bucco feels that the table should discuss cell phone reimbursement.

Mayor Nolan agreed.

Lori Dibble of 2 Matthew Street spoke favorably for the council to receive compensation.

Mrs. Wells added that she does not have the extra money and could use the money. She further explained.

Barbara Ianucci of 28 Shrewsbury Avenue recognized the time and burden on private life on the council. She added that maybe the council could make the stipend voluntary.

Mr. Card spoke of the financial situation of the town and is in favor of this ordinance.

Kim Skorka of 315 Shore Drive spoke about her financial situation and how she has had to make cuts in her expenses. She applauds the council for bringing this to the table. She does not want someone to run for council for the money.

Carla Cefalo-Braswell of Gravelly Point Road feels that the stipend should be voluntary. The council spends twice the amount they receive.

Joanne Olszewski of 27 Grand Tour teaches financial responsibility. She would like the council to speak to the School Board about cutting back.

Mayor Nolan explained that schools act independent from the council. They are always looking for ways to save money. They have reached out to many resources. The council has attended their meetings. Mrs. Wells is now the council liaison for the Board of Education. He spoke favorably of the Board of Ed.

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Katie Reed of 7 Snug Harbor stated that the council does a great job. She further added that we should try to cut the budget by 20%.

Annemarie Tierney of Shrewsbury Avenue stated that she spent six years on the School Board. Highlands Elementary School did a lot of work with Shared Services. Henry Hudson High School is a shared budget with Atlantic Highlands so we do not have a lot of control but they have done a great job in cutting back.

Mr. Card said that he is asking each department to get budgets down by 5-10%.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of Ordinance O-16-3 on for final reading and adoption.

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

**O-16-3
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**AN ORDINANCE SUPPLEMENTING SECTION 2-3.1 TO
PROVIDE THAT THE MAYOR AND COUNCIL SHALL
SERVE WITHOUT COMPENSATION**

WHEREAS, the governing body finds that volunteer service is a valuable community service and wishes to serve without compensation.

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

SECTION ONE: Section 2-3.1 shall be supplemented as follows (additions are underscored):

2-3.1 Composition, Election, Term.

The council shall consist of the mayor and four councilmen. The mayor and members of the council shall be elected at large by the voters of the municipality and shall serve for a term of three years, beginning on the first day of January next following their election. The mayor and council shall serve without compensation.

SECTION TWO. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

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

SECTION FOUR. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

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

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAY: None
ABSTAIN: None
ABSENT: None

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Other Business:

Borough Engineers Status Report

Mr. Leubner gave a brief summary of the report listed below.

The following is the status of various projects in which we are involved as Borough Engineer:

Capital Improvement Projects

1. Stormwater System Improvements:

- Plans have been submitted to the NJDEP as required for the EIT loan.
- Permit applications are currently under review.
 - NJDEP permits have been obtained.
 - Green Acres has advised that they require a permit for the pumpstation as it will exist on the same property as the Community Center which is on the Borough's ROSI.
 - NJDEP had previously approved this project in its entirety but is now requiring the Green Acres Permit approximately four years later.
 - Pre-Application meeting with Green Acres was held on January 27, 2016.
 - USACE permit has been obtained.
 - Resubmission is under review by Freehold Soil Conservation District.
- Project was to be advertised this winter pending approval through the EIT. However the Green Acres permit may delay the advertisement until at least the fall.
 - Potential of relocating generator adjacent to pumpstation.

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

- Design is substantially complete.
 - Station has been redesigned higher to be out of the new floodplain per recent ABFE's.
 - Design has been revised to utilize electric pumps with a backup diesel generator due to the inability to satisfy NJDEP sound attenuation regulations.
- Access agreements are required from the adjacent property owners for construction purposes.
- Meeting with Borough Subcommittee to be held to review the final design.
- Permit applications have been submitted.
 - CAFRA permit has been obtained.
 - USACE permit application is currently under review.
- Construction is anticipated to commence in the spring.

3. The Waterwitch Avenue & Linden Avenue Drainage Project: The intent of this project is to capture sediment frequently received from Monmouth Hills and Route 36 to keep it from clogging the Borough's infrastructure and causing additional flooding.

- Project has been advertised twice. Prices have been significantly higher than the engineer's estimate.
- Bids have been rejected twice.
- We have altered the original design to reduce construction costs.
- Meeting with Borough Subcommittee to be held to review the final design.
- Project will be re-advertised upon approval from the Governing Body.

4. Community Center ADA Walkway: This project repairs the bituminous walkway along the sports courts and provides ADA access to the beach and gazebo areas.

- Project documents have been completed.
- Informal solicitation of Contractors has been completed.
- One quotation was received in the amount of \$54,600 which substantially exceeded the Engineer's Estimate.
- Additional quotes were solicited as authorized by the Borough's Qualified Purchasing Agent. No responses were received.

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- Proposal has been requested from the Contractor who will be completing the Shore Drive resurfacing phase II project.

5. NJEDA Streetscape Project: This project adds streetscape improvements behind the curblines, plus crosswalks through both downtown business districts. Project involves a \$1.5 million grant from the NJEDA

- Design is complete.
- Meetings have been held with Council Representatives and the Borough Administrator to review the project design and amenities.
- Meeting was held on June 15, 2015 with the Highlands Business Partnership to advise them of the anticipated improvements and what to expect during construction.

Bid Opening: July 21, 2015
Award: July 23, 2015
Contractor: Defino Contracting, Inc.
Amount: \$1,273,000.00

- Conduit and concrete work has been substantially completed on the north side of Bay Avenue with the exception of the North Street intersection.
- Light poles along the north side of Bay Avenue have been installed. Completed fixtures will be energized in the near future.
- Project limits have been reduced in the Huddy Park/Shore Drive area as discussed with the Borough Subcommittee to better utilize the funding in other areas of the project.
- Work has stopped for the winter with the exception installing light poles mentioned above.

6. The Resurfacing of Shore Drive Phase II: This project extends from Waterwitch Avenue to Locust Street. This project includes a \$200,000 grant from the NJDOT.

Bid Opening: June 23, 2015
Award: June 25, 2015
Contractor: Fiore Paving Company, Inc.
Amount: \$233,000.07

- Concurrence of award received from the NJDOT.
- Contracts have been executed.
- Construction has been delayed due to various factors including Pulte Homes soil import and NJNG gas main replacement on Shore Drive. Both the soil import and gas main replacement projects have been completed.
- Work is delayed until the spring due to the winter season.

7. Shrewsbury Avenue Rehabilitation/North Street Stormsewer Inflow Pipe Replacement: This project includes the entire length of Shrewsbury Avenue from Bay Avenue to Miller Street. It also includes replacing the stormsewer inflow pipe to the North Street Pumpstation from Bay Avenue to Shrewsbury Avenue and reconstructing the existing roadway. The projects have been combined due to proximity as well as anticipated better scheduling and pricing. This project includes a \$210,000 grant from the NJDOT for Shrewsbury Avenue as well as \$178,077.00 from the Monmouth County Community Development Block Grant program for North Street.

- Design is complete.
- Permits have been obtained.
- Sanitary sewer repairs identified previously will be incorporated into this project rather than video inspect the mains again as discussed with Council.
- Project was advertised and bids received. Prices were higher than the engineer's estimate.
- Project was re-advertised with the following results:

Bid Opening: November 24, 2015
Award: December 2, 2015
Contractor: Lucas Construction Group
Amount: \$859,232.50

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- NJDOT Concurrence of Award has been received and \$157,500 of the \$210,000 grant has been requested.
 - Contracts under review by the Contractor.
 - Pre-construction meeting was held January 19, 2016.
 - Pipe installation on North Street tentatively scheduled to commence February/March 2016.
9. **The Reconstruction of Bay Street:** This project will ultimately result in the reconstruction of Bay Street in its entirety.
- Survey is complete.
 - Several meetings were held with Borough Officials to review survey data with hopes of developing an interim repair of the roadway while funding gets put into place for the overall roadway reconstruction.
 - Interim roadway repairs were performed as discussed in the prior meetings.
10. **The Repair and Mitigation of Veterans Park Electric:** This project will repair and mitigate the electric supply to Veteran's Park.
- Design is underway.
 - Concerns raised pertaining to utility easement identified near the basketball court.
 - Easement houses a 48" RCP effluent main owned by the Monmouth County Bayshore Outfall Authority.
 - Current and proposed electrical loads have been identified.
 - Delays upwards of a month were experienced due to JCP&L lack of response.
 - Design is complete and under final quality check.
 - Project will be reviewed with Borough Subcommittee prior to advertisement for construction.

FEMA Reimbursement Assistance

1. **The Wilson Community Center Rehabilitation (FEMA PW 3368):** This project is intended to repair storm damage from Superstorm Sandy and provide mitigation measures to further protect the building against future damages.
- Bid Opening: June 23, 2015
Award: June 25, 2015
Contractor: Santorini Construction, Inc.
Amount: \$706,000.00
- Project is currently being managed by Joseph P. Tomaino, AIA
2. **Residential Demolition Program (FEMA PW 4730):** This is a project that provides for the demolition of structures damaged by Sandy and are currently vacant.
- Project application package has been formally re-submitted to NJOEM in November for consideration as required.
 - We have been advised that the application package is currently under review.

Grants and Loans

1. **FY 2015 NJDOT Local Aid Applications:** We submitted an application for Miller Street between Shore Drive and Bay Avenue as requested by the Governing Body. The Borough has been advised that they will receive \$83,000 towards this project.
2. **FY 2016 NJDOT Local Aid Applications:** The NJDOT has recently advertised for the 2016 round of Local Aid funding. We have applied for the Reconstruction of Valley Street from Shore Drive to Fifth Street as requested by the Governing Body.

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

Borough Email Addresses:

Mayor Nolan stated Ms. Broullon came up with idea and he asked her to bring it before the Council.

Ms. Broullon stated that we have inconsistencies with email addresses. We pay Comcast about \$250.00 per month for our email addresses. There are also additional email addresses that come out to \$29 per email. There are other plans that we could get that cost \$.50 to \$5.00 per email

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address. She would like to have all emails funnel thru the same place. She further explained the process. She is working on this and will report back to the council with updates.

Chief Blewett added that the Attorney General has laws for Police emails. He will forward the Police Email Regulations to Ms. Broullon.

Mrs. Wells added that there should be a meeting with Mrs. Cummins. She has confidential items.

Ms. Broullon stated that she has met with Mrs. Cummins. She further explained the domain would change not the email addresses.

Mayor Nolan directed Ms. Broullon to bring this back to the table.

Stacy Pritchard, address not stated, would like the OPRA process made easier for emails.

Ms. Broullon agreed and explained that are emails are subject to OPRA.

Mr. Card added that we need better housekeeping. We need to keep town emails to do town business. All that data should be available to the town and retrieved by Mrs. Cummins.

Green Team Update:

Ms. Broullon stated that we have successfully sent in an application. We should hear back from them in June. She submitted additional information in order to accreditation for the Bronze Level. The Bronze Level means is that we can start applying for grants. Once approved, we will receive a list of available grants and we can start to submit applications for projects around town.

O-16-1 – Combined Board Ordinance Amendment:

Mrs. Cummins explained that Land Use Board Attorney sent a letter to the Mayor and Council regarding the recently adopted ordinance. He is requesting that the ordinance be amended to omit the 21 day time frame requirement to publish notices to 10 days' notice. This mirrors the State Statute.

Mayor Nolan offered a motion to introduce the amendment to O-16-1 from 21 day notice to 10 days at the March 2nd meeting, seconded by Mr. Card and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan
NAY: None
ABSTAIN: None
ABSENT: None

Borough Engineer Report – Additional:

Mr. Leubner stated that a letter was sent to Senator Menedez to solicit his support for flood map revision for the entire downtown area thru FEMA. We are moving forward to get the maps changed and for them to expand their rules before maps are adopted. Nothing will change when adopted; this will help speed up the process for the affected areas by this change.

Public Portion:

Dave Tauro of 47 S. Bay Avenue questioned if the Baymen are suing the town.

Mr. Card stated that we can't comment on that.

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Mayor Nolan explained that they can't comment on any ongoing litigation. If they are, it will be a public record at some point.

Dave Tauro asked why the report is confidential.

Mr. Card responded that the town paid for the report and it is attorney-client privilege. Because we are in potential litigation, we cannot disclose it.

Ashley Malandre stated that it is attorney-client work privilege.

Mayor Nolan further explained that until this is resolved it is not public. When it's resolved, it will be made public.

Dave Tauro continued to speak negatively about the lawsuit. He feels that the town won't win. Only the lawyers win. He feels that the town does not know what it is dealing with.

Kim Skorka of 315 Shore Drive spoke of revenue items and that we should auction off vehicles no longer used.

Mr. Hill stated that we will be moving on auctioning off two fire trucks for this year's budget.

Stacy Pritchard of 130 Bay Avenue spoke of the new Streetscape light poles and asked if we are able to eliminate any of the older lights to reduce our bill.

Mr. Leubner explained that they are decorative lighting.

Mayor Nolan stated that we could upgrade to LED bulbs and that would save money. We will look into that.

Mary Saltza of 43 Snug Harbor Avenue asked if there is an update on the Tilt-Up Project.

Mayor Nolan stated that they had a discussion in the Executive Session and they are moving forward with solutions. We will have an update at the next council meeting.

Mary Saltza further stated that she has a problem with the standard answer by the council, "that we voted for it", regarding questions on the Tilt-Up. She further stated that she typed word for word from the meeting that the resolution for the Tilt-Up was voted on. She spoke about the discussions that went on. She wanted to know if anything can be done to reflect the discussion.

Mayor Nolan asked her submit her typed document to the Borough Clerk and she will give copies to the council.

Mary Salta questioned Mr. Leubner about his response regarding NJDEP & CAFRA.

Dale Leubner responded that he did reach out to Tilt-Up to see if everything was run thru NJDEP & CAFRA as a courtesy.

Katie Reed of 7 Snug Harbor Avenue spoke about recent article in the Two River Times and asked if the Mayor is suing the town.

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Mayor Nolan replied that it is ongoing litigation. There is a document that is public record that will be available tomorrow. He is paying for his attorney not the town. The council agreed not to comment on this.

Mr. Card added that we were advised by both attorneys' not to comment because it is pending litigation.

Katie Reed continued to comment on the articles. She feels that we are a laughing stock. She feels we deserve an explanation.

Mayor Nolan added that he cannot get into that now.

Tina Camero of 154 Linden Avenue spoke about the HBP budget. She feels that their Christmas decorations need to improve. She feels that the red pvc pipes are embarrassment to our town.

Mr. Card added that the HBP does the decorations. Now that we have new light poles with accessible power, they can do something different. He recommends that she reaches out to the HBP and offer your ideas.

Mayor Nolan stated that they do have meetings once a month and she could bring her recommendations to them.

Carol Bucco of 330 Shore Drive spoke on Ordinance O-16-1. She feels that we need to get the ordinance right the first time.

There were no further questions.

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

The Meeting adjourned at 9:32 p.m.

Debby Dailey, Deputy Clerk