

**Mayor and Council
Meeting Minutes
Community Center,
22 Snug Harbor Avenue, Highlands
Wednesday, March 1, 2017
7:00 p.m.**

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council 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. Formal Action will be taken.

Call to Order
Meeting Statement
Roll Call
Executive Session Resolution

EXECUTIVE SESSION: 7:00PM

Attorney-Client Privilege:	Bay Pointe at Highlands Condominium Association
Contract Negotiations:	Potential acquisition of Property - Block 37, Lots 12.01 and 13 for New Borough Hall
	M&S Waste Services Contract/Commercial pick-up

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Approval of Minutes: February 15, 2017 – Regular Meeting

Public Comments on Resolutions

Resolutions

- R-17-062** - Accepting Pocket Meadow Initiative Project
- R-17-063** - Appointing Member to the Communications Committee
- R-17-064** - Appointing Members of the Green Team Advisory Committee
- R-17-065** - Renewing Shared Services with Atlantic Highlands for Acting Municipal Clerk/Registrar and Acting Deputy Registrar
- R-17-066** - Refunding Mercantile Licensing Fee – Captain’s Cove Marina
- R-17-067** - Payment of Bills

Ordinances: Public Hearing/Possible Adoption

- O-17-04** - Capital Ordinance Providing for Various Capital Improvements
- O-17-05** - Amending Bond Ordinance Number O-13-17 (Which Provides for Wall Reconstruction)

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Other Business:

**Street Vacation Request for 47 Twin Lights Terrace, Block 25, Lots 4 and 5
Block 37 Lots 12&13 OLPH Site for the New Borough Hall**

Public Comments:

Adjourn:

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REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

ROLL CALL:

Present: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil

Absent:

Also Present: Brian Geoghegan, Borough Administrator
Dwayne Harris, Acting Borough Clerk
Brian Chabarek, Borough Attorney
Patrick DeBlasio, CFO
Dale Leubner, Zoning Officer
Kim Gonzales, Purchasing Agent

Approval of Minutes: February 15, 2017 – Regular Meeting

A motion to approve these meeting minutes was offered by Mayor O'Neil and seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

These meeting minutes have been properly approved.

Public Comments on Consent Agenda

Mayor O'Neil opened the floor to public comments on the consent agenda. None were forthcoming. Mayor O'Neil closed the floor to public comments.

Consent Agenda

R-17-062 - Accepting Pocket Meadow Initiative Project

R-17-063 - Appointing Member to the Communications Committee

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- R-17-064** - Appointing Members of the Green Team Advisory Committee
- R-17-065** - Renewing Shared Services with Atlantic Highlands for Acting Municipal Clerk/Registrar and Acting Deputy Registrar
- R-17-066** - Refunding Mercantile Licensing Fee - Captain's Cove Marina
- R-17-067** - Payment of Bills

A motion to approve the consent agenda was offered by Council Member Card and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

The consent agenda has been properly approved.

Ordinances: Public Hearing/Possible Adoption

O-17-04 - Capital Ordinance Providing for Various Capital Improvements

Mayor O'Neil opened the floor to public comments on O-17-04.

Julian Mambelli of 15 Center Street stated that he would like to provide literature to include Center and Jackson Streets on this ordinance.

Tina Manna of 164 Linden Avenue asked if this included street signage.

Catherine Reed of 7 Snug Harbor Avenue asked if this was the ordinance that provides for the wall reconstruction.

Rosemary Ryan of 117 Highland Avenue if this includes the corner of South Peak and Highland where it floods and if it could be looked at.

Mayor O'Neil closed the public portion of comments on this ordinance.

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A motion to adopt O-17-04 was offered by Council Member Wells and was duly seconded by Council Member Broullon.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

O-17-04 has been properly adopted.

O-17-05 - Amending Bond Ordinance Number O-13-17 (Which Provides for Wall Reconstruction)

Mayor O'Neil opened the floor to public comments on O-17-05.

Catherine Reed of 7 Snug Harbor Avenue asked if this was the wall at Snug Harbor.

Mayor O'Neil closed the public portion of comments on this ordinance.

A motion to adopt O-17-05 was offered by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

O-17-05 has been properly adopted.

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Other Business:

Street Vacation Request for 47 Twin Lights Terrace, Block 25, Lots 4 and 5

Brian Chabarek, Borough Attorney explained that the applicant has satisfied the initial criteria for preliminary approval for this request and all cost of the escrow deposit paid by this applicant.

Mayor O'Neil opened the floor to public comments on this request.

(?) of (?) asked for further explanation.

Jacob Fry of 47 Twinlights Terrace identified himself as the owner/applicant of this request and offered further explanation of it.

Mayor O'Neil closed the public portion of comments on this request.

A motion to approve this request was offered by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

This motion has been approved.

Block 37 Lots 12&13 OLP Site for the New Borough Hall

Mayor O'Neil asked for the architect, Kevin Settembrino, to be introduced.

Mark Drucker of 153 Highland Avenue asked about the status of this project.

Brian Chabarek explained that the borough is in discussions with the diocese for the acquisition of the property.

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Mark Drucker asked if the borough was considering other locations.

Mayor O'Neil replied no.

Mark Drucker asked if the property being considered was the thrift shop and parking lot across from the church.

Mayor O'Neil replied yes.

(?) Groehl of 83 Valley Avenue asked what was happening to the old building and why wasn't it being repaired. She also asked why is the borough looking to make acquisitions when there are other things going on in town.

Council Member Broullon explained that the old borough hall was condemned and FEMA would only allow the borough to rebuild outside the flood zone to receive a reimbursement from them.

Mr. Kevin Settembrino, architect gave his presentation regarding the concept of the look of the new borough hall and its function.

Mayor O'Neil asked Mr. Settembrino to answer questions from the public.

(?) Groehl of 83 Valley Avenue commented on the traffic and had the opinion that this location didn't make sense.

Fransesca Phippen of 160 Navesink Avenue said that she would be concerned about the parking but she felt the borough hall design was beautiful and that it says "Highlands."

Tina Manna of 164 Linden Avenue asked about the property across from the elementary school.

Maxine (?) of 85 Valley Avenue expressed concern about summer traffic and emergency vehicles and the future of the food bank.

Rosemary Ryan of 117 Highland Avenue commented that the diocese will probably sell the property anyway and she would rather have something there that was beautiful and chosen by the residents at this location. She feels this is something that the town needs and she supports it 100%.

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Andrew Daino of 118 Miller Street asked about the time frame of the project and how will it affect property values.

Chris Francy of 36 Fifth Street asked about exploring the possibility of sharing borough halls with neighboring boroughs.

Council Member Card stated that some of Mr. Francy's concerns had not yet been explored but Sea Bright wanted nothing to do with us.

Kim Gonzales, Borough Purchasing Agent, stated that the borough has guidance from FEMA and NJOEM in regards to what is viable as far as possible borough hall sites. This site was recommended as the highest return for the best outcome for Highlands to receive federal funding.

Council Member D'Arrigo concurred with Mrs. Gonzales.

Donna Schneider 155 Highland Avenue asked if the design really needs to have the tower.

Mr. Settembrino stated that the design is just a concept.

Lawrence Barbierie of 25 Prospect Street asked if any of the reports and studies were available to the public.

Brian Chabarek said that he wasn't aware of the specific reports but that the site selection was the recommendation of FEMA.

Council Member Card stated that information is available on FEMA's website.

Kim Gonzales stated that while this project is under review, it may not be feasible to release this information at this time.

Council Member Card stated that what can be released will be once it has been reviewed by the borough attorney.

Barbara White of 171 Highland Avenue asked how many parking spots will there be.

Sonya Cashner of 85 Valley Avenue asked why no discussions have taken place with Sea Bright and Atlantic Highlands regarding shared services.

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Council Member D'Arrigo stated that Sea Bright wants nothing to do with Highlands. They have their own issues and are in a completely different flood zone than we are.

Sonya Cashner stated the property values decreasing and she doesn't want to look at the back of this building. She wondered if there were other locations that where this could be. She stated that she doesn't believe that this project could possibly come in at any less than \$3 million.

Jack (?) of (?) commented that the design is beautiful but felt it should be less conspicuous.

An unidentified speaker asked if there was a time frame in which all of this had to be done.

Carol Bucco of 330 Shore Drive suggested that the elementary school be closed and send the kids to a neighboring town so we use that building for the borough hall.

An unidentified speaker commented that she would like to see the town have something to be proud of and we all need to work together.

Mark Drucker of 153 Highland Avenue stated that he felt the design of the landscaping and architecture of the building should consider the neighborhood around it.

Scott Keller of 8 Huddy Avenue thanked the mayor and council and the architect. He agreed with Carol Bucco. He also suggested the field.

Tina Manna of 164 Linden Avenue asked about transitioning the school into the borough hall after Hurricane Sandy.

An unidentified speaker asked Mr. Settembrino if he consider underground parking.

Maxine (?) of 85 Valley Avenue said that a lot of the students wouldn't mind going to a larger school district for more opportunities. And the field next door to the elementary school should be looked at by FEMA.

Carla Cefalo of 62 Gravelly Point Road stated that it would take years to get the kids sent to another school district. Ms. Cefalo stated visibility is critical. She agreed with the gentleman who made suggestions about the landscaping.

Council Member D'Arrigo stated that traffic is an issue that everyone has traffic issues.

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Council Member Broullon stated that this location was not picked from a hat. She said that Ms. Gonzales worked with FEMA and NJOEM for a long time.

Council Member Wells stated that OLPH would not have been her first choice but explained the reasons why it is the right one. She said that we have to work to make smart choices together.

Council Member Card encouraged the public to voice their concerns.

Mayor O'Neil thanked everyone for coming out and for their input.

Adjourn:



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-062

RESOLUTION ACCEPTING POCKET MEADOW INITIATIVE PROJECT OFFERED TO COMMUNITY PARTNERS BY THE BOWMAN'S HILL WILDFLOWER PRESERVE

WHEREAS, the Bowman's Hill Wildflower Preserve has selected the Borough of Highlands as a community partner eligible for a program to embrace the Pocket Meadow Initiative Project; and

WHEREAS, the Pocket Meadow Initiative is a program designed to take a small piece of the Preserve's Meadow and recreate it in public spaces; and

WHEREAS, a Pocket Meadow can transform an empty lot into a meaningful garden that will help to create a sense of season and place and provide an essential habitat for pollinators; and

WHEREAS, through a grant program and donations, Bowman's Hill Wildflower Preserve will provide the following to the selected community partners: introductory consultations, site visits and survey recommendations, planting design for approximately 200 square feet of area, native plants chosen specifically for the site selected, initial supervision on "Planting Day", a long-term maintenance plan and curriculum co-development; and

WHEREAS, the Governing Body wishes to accept the aforesaid Pocket Meadow Initiative Project, by and through the Bowman's Hill Wildflower Preserve, which is offering the project to community partners through a grant program and donations at no cost to the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that the Borough of Highlands accepts the Pocket Meadow Initiative Project offered to community partners through the Bowman's Hill Wildflower Preserve which is offering the project to community partners through a grant program and donations at no cost to the Borough.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-063

RESOLUTION APPOINTING MEMBER TO THE COMMUNICATIONS COMMITTEE

WHEREAS, by way of Resolution 17-027, the Borough of Highlands established a Communications Committee, which is advisory in nature, for the year 2017 for the purpose of advising the governing body as to email, website, social media, and re-branding in order to provide a consistent message by and for the Borough of Highlands; and

WHEREAS, by way of Resolution 17-027, the Communications Committee shall consist of not less than five (5) and not more than nine (9) resident members in order to streamline Borough messages to residents, businesses and investors; and

WHEREAS, in accordance with Resolution 17-027, all appointments shall be for a one-year term to expire on December 31, 2017; and

WHEREAS, in accordance with Resolution 17-027, the following members were appointed to serve on the Communications Committee: Jen Olson, Al Pritchard, Greg Wells and Jo-Anne Olsezewski; and

WHEREAS, in accordance with Resolution 17-027, Carolyn Broullon was appointed to serve as the Council Liaison to the Communications Committee; and

WHEREAS, the governing body wishes to appoint the following individual to serve on the Communications Committee due to vacancies which currently exist: Ray Goddard.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Ray Goddard is hereby appointed to serve on the Communications Committee for a one-year term to expire on December 31, 2017.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-064

RESOLUTION APPOINTING MEMBERS OF THE GREEN TEAM ADVISORY COMMITTEE IN ACCORDANCE WITH ORDINANCE O-17-02

WHEREAS, by way of Ordinance O-17-02, duly adopted by the governing body on February 15, 2017, the Green Team was established as a permanent advisory committee; and

WHEREAS, by way of Ordinance O-17-02, the governing body shall appoint nine (9) Borough residents to serve on the Green Team. One (1) member must be on the Land Use Board; one (1) member must be on the Environmental Commission; one (1) member must be a Highlands Business Owner; one (1) member must be a Department of Public Works Employee and one (1) member must be a Recreation Department Employee; and

WHEREAS, in accordance with Ordinance O-17-02, initially three members shall be appointed to a three (3) year term, three members shall be appointed to a two (2) year term and three (3) members shall be appointed to a one (1) year term; and

WHEREAS, in accordance with Ordinance O-17-02 after the initial appointments, all terms shall be for a period of three (3) years; and

WHEREAS, in accordance with Ordinance O-17-02, the Mayor and a member of the governing body shall serve as ex officio members of the Green Team; and

WHEREAS, the governing body wishes to appoint the following individuals to serve on the Green Team with their terms of office set forth below:

Green Team	Classification	Term of office
Nancy Burton	Resident	One year - 2017
Rosemary Ryan	Resident	Two years - 2018
Linda Ziemba	Resident	Three years - 2019
Scott Keller	Resident	One year - 2017
Ken Braswell	Land Use Board	Two years - 2018
Steve Szulecki	Environmental Commission	Three years - 2019
Carla Cefalo	Business Owner	One year - 2017
Joe Misita	Department of Public Works	Two years - 2018
Diane Knox	Recreation Department	Three years - 2019
Carolyn Broullon	Council Liaison	One year - 2017

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that the above-named individuals shall serve on the Green Team Advisory Committee for the terms set forth above.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-065

RESOLUTION RENEWING SHARED SERVICES AGREEMENT WITH THE BOROUGH OF ATLANTIC HIGHLANDS TO PROVIDE THE SERVICES OF THE ACTING MUNICIPAL CLERK/REGISTRAR AND ACTING DEPUTY REGISTRAR AND EXTENDING THE TERMS OF THE SAID AGREEMENT FOR A PERIOD OF NINETY (90) DAYS

WHEREAS, by way of Resolution R-16-149, Dwayne M. Harris, RMC, CMR, RPPO and QPA was appointed to serve in the position of acting Municipal Borough Clerk in accordance with the terms of a Shared Services Agreement which has a right to renew; and

WHEREAS, by way of Resolution R-16-149, Elizabeth Merkel was appointed to serve in the position of acting Deputy Registrar in accordance with the terms of a Shared Services Agreement which has a right to renew; and

WHEREAS, the aforesaid appointments were made due to medical disabilities of the Borough Clerk and Deputy Borough Clerk and Registrar, wherein the said individuals were out with medical disabilities for an indeterminate amount of time; and

WHEREAS, the Borough Clerk remains out with a medical disability for an indeterminate amount of time; and

WHEREAS, the Deputy Borough Clerk and Registrar also remains out with a medical disability for an indeterminate amount of time; and

WHEREAS, in accordance with Resolution R-16-149, the Borough executed a Shared Services Agreement with the Borough of Atlantic Highlands to provide the services of Acting Municipal Clerk/Registrar and Acting Deputy Registrar in accordance with the applicable statutes of the State of New Jersey; and

WHEREAS, in accordance with the terms of the aforesaid Shared Services Agreement and as set forth in Resolution R-16-149, the aforementioned appointments to Acting Municipal Borough Clerk and Acting Deputy Registrar were effective through December 31, 2016 with the right to renew the said Shared Services Agreement upon the terms and conditions set forth therein; and

WHEREAS, by way of Resolution R-16-231, the appointment of Dwayne M. Harris, RMC, CMR, RPPO and QPA to serve in the position of Acting Municipal Borough Clerk was extended for a period of ninety (90) days through March 31, 2017, in accordance with the terms of the aforesaid Shared Services Agreement which contains the right to renew; and

WHEREAS, by way of Resolution R-16-231, the appointment of Elizabeth Merkel to serve as Acting Deputy Registrar, was extended for a period of ninety (90) days, through March 31, 2017, in accordance with the terms of the aforesaid Shared Services Agreement which contains the right to renew; and

WHEREAS, the Borough of Highlands has notified the Borough of Atlantic Highlands of its intention to renew the Shared Services Agreement and extend the same for a period of ninety (90) days, through June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Highlands that the appointment of Dwayne M. Harris, RMC, CMR, RPPO and QPA to serve in the position of Acting Municipal Borough Clerk is hereby extended for a period of ninety (90) days, through June 30, 2017, and the appointment of Elizabeth Merkel to serve as Acting Deputy Registrar, is hereby extended for a period of ninety (90) days, through June 30, 2017, in accordance with the terms of the aforesaid Shared Services Agreement which has a right to renew.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Chief Financial Officer and the Borough of Highlands Administrator as well as the Borough of Atlantic Highlands Administrator and Municipal Clerk for the Borough of Atlantic Highlands.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-066

REFUND OF MERCANTILE LICENSE FEE

WHEREAS, Captains Cove Marina applied for a 2017 Mercantile License and paid an application fee in the amount of \$50.00; and,

WHEREAS, the Mercantile License application was subsequently denied and the fees paid need to be refunded to the applicant; and,

WHEREAS, in accordance with N.J.S.A. 40:52-2(b), 90% of the application fee shall be refunded if the application is denied; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, and State of New Jersey that the refund of the 2017 Mercantile License fee, paid by Captains Cove Marina, in accordance with N.J.S.A. 40:52-2(b) in the amount of \$45.00 is hereby authorized.



BOROUGH OF
HIGHLANDS COUNTY
OF MONMOUTH

RESOLUTION 17-067

RESOLUTION AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated February 24, 2017, which totals as follows:

Current Fund	\$708,352.04
Sewer Account	\$20,627.54
Capital Fund	\$0.00
Trust-Other	\$62,730.70
Federal/State Grants	\$85.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$791,795.28** be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is on file in the Municipal Clerk's office for reference.

**RECAP OF PAYMENT OF BILLS
03/01/2017**

CURRENT:		\$	708,352.04
Payroll	(02/15/2017)	\$	
Manual Checks		\$	
Voided Checks		\$	
 SEWER ACCOUNT:		\$	20,627.54
Payroll	(02/15/2017)	\$	
Manual Checks		\$	
Voided Checks		\$	
 CAPITAL/GENERAL		\$	
CAPITAL-MANUAL CHECKS		\$	
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
 TRUST FUND		\$	62,730.70
Payroll	(02/15/2017)	\$	
Manual Checks		\$	
Voided Checks		\$	
 UNEMPLOYMENT ACCT-MANUALS		\$	
 DOG FUND		\$	
 GRANT FUND		\$	85.00
Payroll	(02/15/2017)	\$	
Manual Checks		\$	
Voided Checks		\$	
 DEVELOPER'S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

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



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 17-04

CAPITAL ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,025,000 THEREFOR (\$175,000 FROM THE BOROUGH'S CAPITAL SURPLUS ACCOUNT AND \$370,714 FROM THE BOROUGH'S CAPITAL IMPROVEMENT FUND; \$146,286 FROM A COMMUNITY DEVELOPMENT BLOCK GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY; \$333,000 FROM A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY) TO PAY FOR THE COST THEREOF

WHEREAS, the Borough of Highlands, in the County of Monmouth, State of New Jersey (the "Borough"), wishes to undertake various capital improvements throughout the Borough; and

WHEREAS, the cost of said improvements or purposes is estimated to be \$1,025,000; and

WHEREAS, the Borough desires to authorize the appropriation and expenditure of \$1,025,000, which sum includes \$175,000 from the Borough's Capital Surplus Account; \$370,714 from the Borough's Capital Improvement Fund; \$146,286 from a Community Development Block Grant received or expected to be received from the State of New Jersey; and \$333,000 from a New Jersey Department of Transportation Grant received or expected to be received from the State of New Jersey to undertake various capital improvements.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The capital improvements or purposes described below are hereby authorized as general capital improvements to be undertaken by the Borough. For the said improvements or purposes, the Borough hereby appropriates the amount of \$1,025,000, which sum includes \$175,000 from the Borough's Capital Surplus Account; \$370,714 from the Borough's Capital Improvement Fund; \$146,286 from a Community Development Block Grant received or expected to be received from the State of New Jersey; and \$333,000 from a New Jersey Department of Transportation Grant received or expected to be received from the State of New Jersey.

SECTION 2. The capital improvements or purposes hereby authorized are various capital improvements including, but not limited to, sanitary sewer improvements from Atlantic Street to Washington Avenue (from Shore Drive to Bay Avenue); Improvements to Bay Street (from Woodland Avenue to Grand Tour); Improvements to North Peak Street (from Valley Street to Terminus); Improvements to Valley Street (from Shore Drive to Fifth Avenue); Improvements to Twin Lights Terrace (from Light House Road to Hillside Court); Improvements to Miller Street (from Shore Drive to Bay Avenue); and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto. All expenditures for such improvement or purpose shall comply with the Local Public Contracts Law N.J.S.A. 40A:11-1, et. seq.

SECTION 3. The expenditures for the improvements or purposes set forth in Section 2 hereof are hereby authorized and approved. The Mayor, the Acting Clerk, the Chief Financial Officer or any other official/officer of the Borough is each hereby authorized and directed to execute, deliver and perform any agreement with the State of New Jersey to undertake the improvements or purposes set forth herein and to effectuate the transaction contemplated hereby.

SECTION 4. The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

SECTION 5. This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

Motion: Introduce Ordinance 17-04, **Moved** by Mayor O'Neil, **Seconded** by Councilmember Broullon.

Vote: Motion carried by roll call vote (**summary:** Yes = 5, No=0, Abstain= 0).

Yes: Councilmember Broullon, Councilmember Card, Councilmember D'Arrigo, Councilmember Wells, Mayor O'Neil.

No:

Absent:

Abstain:

Public Hearing and possible adoption will be held on March 01, 2017.

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held February 15, 2017. WITNESS my hand this 16th day of February 2017.

A handwritten signature in black ink that reads "Dwayne M. Harris". The signature is written in a cursive style with a large, looped initial "D".

Dwayne M. Harris, RMC
Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 17-05

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-13-17 (WHICH PROVIDES FOR WALL RECONSTRUCTION) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON SEPTEMBER 18, 2013, TO AMEND THE TITLE AND DESCRIPTION SET FORTH THEREIN TO PROVIDE FOR WALL RECONSTRUCTION AND VARIOUS BAY STREET IMPROVEMENTS

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

SECTION 1. The bond ordinance of the Borough of Highlands, in the County of Monmouth, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council on September 18, 2013, numbered O-13-17 and entitled, "BOND ORDINANCE PROVIDING FOR WALL RECONSTRUCTION IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), which Original Ordinance is hereby amended and supplemented to the extent and with the effect as follows:

A. The title of the Bond Ordinance shall be amended to read in its entirety as follows:

"BOND ORDINANCE PROVIDING FOR WALL RECONSTRUCTION AND VARIOUS BAY STREET IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF"

B. The improvements or purposes described in Section 3(a) of the Original Ordinance is hereby amended such that Section 3(a) thereof is hereby amended to read as follows:

"The improvements hereby authorized and the purpose for the finance of which the bonds are to be issued include, but are not limited to, wall reconstruction along 8 Bay Street and various other capital improvements to Bay Street (from Woodland Avenue to Grand Tour), including all work and materials necessary therefor and incidental thereto."

SECTION 2. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 3. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Motion: Introduce Ordinance 17-05, **Moved** by Councilmember Wells, **Seconded** by Councilmember D'Arrigo.

Vote: Motion carried by roll call vote (**summary:** Yes = 5, No=0, Abstain= 0).

Yes: Councilmember Broullon, Councilmember Card, Councilmember D'Arrigo, Councilmember Wells, Mayor O'Neil.

No:

Absent:

Abstain:

Public Hearing and possible adoption will be held on March 01, 2017.

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held February 15, 2017. WITNESS my hand this 16th day of February 2017.



Dwayne M. Harris, RMC
Municipal Clerk

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council 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. Formal Action will be taken.

REGULAR MEETING: 8:00PM

Meeting Statement
Call to Order
Pledge of Allegiance
Roll Call

ROLL CALL:

Present: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil

Absent:

Also Present: Dwayne Harris, Acting Borough Clerk
Brian Chabarek, Borough Attorney
Patrick DeBlasio, CFO
Dale Leubner, Zoning Officer

Approval of Minutes: February 2, 2017 – Regular Meeting

Public Comments on Resolutions

Resolutions

R-17-051 - Award Emergency Contract - J.F. Kiely

Consent Agenda:

Resolutions

1. ~~R-17-052~~ - Appointing Errol Lamberson Plumbing Sub-Code Official – **WITHDRAWN**
2. **R-17-053** - Auth. Disposal of Surplus Property of Highlands Borough
3. **R-17-054** - Auth. Shared Services Agreement with Sea Bright for Street Sweeping
4. **R-17-055** -Auth. Shared Services Agreement with Sea Bright for Lifeguards
5. **R-17-056** - Approval to Submit a Grant Application with NJDOT Portland Road
6. **R-17-057** - Cancel Capital Improvement Appropriation Balances
7. **R-17-058** - Authorizing Amendment to the 2017 Temporary Budget
8. **R-17-059** - Authorizing Payment of Bills
9. **R-17-060** - Adopting Highlands Business Partnership Budget for the Year 2017

Ordinances: Public Hearing - [Possible Adoption – March 1, 2017]

O-17-02 - Amend Chapter 2 of the Borough Code to Establish the Borough of Highlands Green Team Advisory Committee

O-17-03 - Ordinance Providing for Various Capital Improvements

Ordinances: Introduction - [Public Hearing/Possible Adoption – March 1, 2017]

O-17-04 - Capital Ordinance Providing for Various Capital Improvements

O-17-05 - Amending Bond Ordinance Number O-13-17 Wall Reconstruction

Other Business:

Council Member Card - DEP Letter Highlands Borough Regarding Removal of the Tilt-Up

Dale Leubner - Engineering Projects

Monthly Reports

Public Comments:

Adjourn:

ROLL CALL:

Present: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil

Absent:

Also Present: Dwayne Harris, Acting Borough Clerk
Brian Chabarek, Borough Attorney
Patrick DeBlasio, CFO
Dale Leubner, Zoning Officer

Approval of Minutes: February 2, 2017 – Regular Meeting

A motion to approve these minutes was offered by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

These meeting minutes have been properly approved.

Public Comments on Consent Agenda

Mayor O'Neil opened the floor to public comments on the consent agenda.

Carol Bucco of 330 Shore Drive stated concern over R-17-054 Shared Services Agreement with Sea Bright for Street Sweeping, R-17-055 -Auth. Shared Services Agreement with Sea Bright for Lifeguards, and R-17-058 - Authorizing Amendment to the 2017 Temporary Budget.

Chris (?) of (?) commented that we should support the shared services and make it work.

Mayor O'Neil asked if there were any other comments from the public on the consent agenda. No more comments were forthcoming. Mayor O'Neil closed the public comments portion on the consent agenda.

Resolutions

R-17-051 - Award Emergency Contract - J.F. Kiely

A motion to approved this resolution was offered by Council Member Broullon and was duly seconded by Council Member Card.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, (4)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: Mayor O'Neil (1)

R-17-051 has been properly offered and approved.

Consent Agenda:

Resolutions

1. ~~R-17-052 - Appointing Errol Lamberson Plumbing Sub-Code Official - WITHDRAWN~~
2. R-17-053 - Auth. Disposal of Surplus Property of Highlands Borough
3. R-17-054 - Auth. Shared Services Agreement with Sea Bright for Street Sweeping
4. R-17-055 - Auth. Shared Services Agreement with Sea Bright for Lifeguards
5. R-17-056 - Approval to Submit a Grant Application with NJDOT Portland Road
6. R-17-057 - Cancel Capital Improvement Appropriation Balances
7. R-17-058 - Authorizing Amendment to the 2017 Temporary Budget

A motion to approved the consent agenda was offered by Council Member Broullon and was duly seconded by Council Member Card.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

The consent agenda has been properly approved.

R-17-059 - Authorizing Payment of Bills

A motion to approved this resolution was offered by Council Member Card and was duly seconded by Council Member D'Arrigo.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, (4)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: Mayor O'Neil (1)

R-17-059 has been properly offered and approved.

R-17-060 - Adopting Highlands Business Partnership Budget for the Year 2017

Mayor O'Neil opened the floor to public comments. None were forthcoming. Mayor closed the public comment portion on this resolution.

A motion to approved this resolution was offered by Mayor O'Neil and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (4)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: Mr. Card (1)

R-17-060 has been properly approved.

Ordinances: Public Hearing /Possible Adoption

O-17-02 - Amend Chapter 2 of the Borough Code to Establish the Borough of Highlands Green Team Advisory Committee

Mayor O'Neil opened the floor to public comments. None were forthcoming. Mayor closed the public comment portion on this ordinance.

A motion to adopt this ordinance was offered by Council Member Card and was duly seconded by Council Member Broullon.

O-17-02 was adopted by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

O-17-02 has been properly adopted.

Ordinances: Public Hearing - [Possible Adoption – March 1, 2017]

O-17-03 - Ordinance Providing for Various Capital Improvements (Open Space)

Patrick DeBlasio gave a brief explanation of this ordinance. Council Member D'Arrigo offered some project details.

Mayor O'Neil opened the floor to public comments.

Peter (?) of (?) asked if the project had any impact on the flood prevention system.

Mayor closed the public comment portion on this ordinance.

A motion to adopt this ordinance was offered by Council Member D'Arrigo and was duly seconded by Council Member Broullon.

This ordinance was adopted by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

O-17-03 has been properly adopted.

Dale Leubner – 2017 Capital Improvement Programs

1. Identify Funding
2. Generic Project Approach
3. Roadway Projects
4. Sewer Projects
5. Storm Sewer Projects

6. Available Funding
7. 2017 Roadway Rehabilitation Projects
 - a. Bay Street (Woodland Street to Grand Tour)
 - b. Miller Street (Shore Drive to Bay Avenue)
 - c. North Peak Street (Valley Avenue to Terminus)
 - d. Twin Lights Terrace (Lighthouse Road to Hillside Avenue)
 - e. South Bay Avenue Drainage Fallout
8. 2017 Sanitary Sewer Rehabilitation Projects
 - a. Atlantic Avenue
 - b. Seadrift Avenue
 - c. Barberie Avenue
 - d. Washington Avenue
9. Storm water Systems Improvement Project
 - a. Snug Harbor Avenue to Washington Avenue
 - b. Valley Street Pump Station
10. North Street and Cornwall Street Area
11. Questions

Nancy Burton of 22 Atlantic Street asked where does all the water come from? Why does the pump station have to be so close to the beach?

Mayor O'Neil asked about the base flood height.

Rob Burton asked if this means that all public hearings are done?

Nancy Burton asked about the rendering that will be posted to the borough website. She also asked about the sanitary sewer being examined.

Chris (?) commented on the fact that the pump station will not be able to eliminate all the water and expressed doubt in this.

(?) of (?) stated that the presentation slides indicated locations limitations that were not mentioned in the ordinance.

Patrick DeBlasio stated this is not a BOND ordinance but a CAPITAL ordinance which is fully funded.

(?) of (?) asked about flooding.

Ordinances: Introduction - [Public Hearing/Possible Adoption – March 1, 2017]

O-17-04 - Capital Ordinance Providing for Various Capital Improvements

A motion to introduce this ordinance was offered by Mayor O’Neil and was duly seconded by Council Member Broullon.

O-17-04 was introduced by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D’Arrigo, Mrs. Wells, Mayor O’Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

O-17-04 has been properly introduced and will have a public hearing/possible adoption March 1, 2017.

Ordinances: Introduction - [Public Hearing/Possible Adoption – March 1, 2017]

O-17-05 - Amending Bond Ordinance Number O-13-17 Wall Reconstruction

A motion to introduce this ordinance was offered by Council Member Wells and was duly seconded by Council Member Broullon.

O-17-05 was introduced by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D’Arrigo, Mrs. Wells, Mayor O’Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

O-17-05 has been properly introduced and will have a public hearing/possible adoption March 1, 2017.

Other Business:

Council Member Card - DEP Letter to Highlands Borough Regarding Removal of the Tilt-Up

Council Member Card read portions and summarized the DEP.

Monthly Reports – Council Member D’Arrigo moved that the committee reports be posted to the borough website instead.

Dale Leubner – reported on the final closeout of Streetscape and Shore Drive Projects, and Shrewsbury North.

A pre-construction meeting will be held in the next two weeks to discuss Veteran's Park. Contracts are executed.

Streetscape 2 - all is done except for the electrical issue. JCP&L has not powered up the lights.

The Portland Road application has been submitted.

No word from the St. Francis School yet.

Public Comments:

Mayor O'Neil opened the floor to public comment.

Carol Bucco of 330 Shore Drive asked about O-17-06. She also asked for clarification of the abolishment of the Finance Committee.

(?) of (?) asked about O-17-04.

Tricia Rivera of 31 Waterwitch asked about re-routing pump stations. She also asked about Captain's Cove Marina.

Adjourn:

Mayor O'Neil adjourned the meeting.

Approval of Minutes:

Motion: Approve Minutes of March 01, 2017; Moved by: Councilmember Broullon; seconded by: Council member Wells.

Vote: Motion carried by roll call vote (**summary:** Yes =4).

Yes: Councilmember Broullon, Councilmember D'Arrigo, Councilmember Wells, Mayor O'Neil.

Absent: Councilmember Card

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held March 15, 2017. WITNESS my hand this 20th day of March 2017.



Dwayne M. Harris, RMC
Acting Municipal Clerk