

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

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

Mayor Nolan called the meeting to order at 7:17 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, Ms. D'Arrigo

Late Arrival: Mayor Nolan – arrived at 7:23 p.m.

Absent: Mrs. Wells

Also Present: Carolyn Cummins, Borough Clerk

Tim Hill, Borough Administrator

Patrick DeBlasio, Tax Collector

Dale Leubner, Borough Engineer

Brian Chabarek, Borough Attorney

Executive Session Resolution

Ms. Broullon 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: Baymen**
- 2. Contract: Grant Writer Contract**
- 3. Real Estate:**
- 4. Personnel Matters:**
- 5. Investigation:**
- 6. Attorney-Client Privilege: Snow Ordinance**
Letter from BPU RE: NJNG Lines
Review of Street Repair Ordinance
Review of RFP for Architect

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists; and

BE IT FURTHER RESOLVED that no portion of this meeting shall be electronically recorded unless otherwise stated; and

BE IT FURTHER RESOLVED that the private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

1. Any matter which, by express provision of Federal Law, State statute or rule of court shall be rendered confidential or excluded from public discussion. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Any matter in which the release of information would impair a right to receive funds from the federal government.

Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. Any collective bargaining agreement, or the terms and the conditions of which are proposed for inclusion in any collecting bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
5. Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investments of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.
6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of law
7. **Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.**
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124, NJ 478 (1991).
9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

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

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

ROLL CALL:

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

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:22 p.m.

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

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

ROLL CALL:

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

Public Comment Period on Consent Agenda Resolutions Only:
 Mayor Nolan opened the public comment period.

Kim Skorka of 315 Shore Drive questioned Resolution R-16-91.

Mr. Leubner stated that this was authorized at the last meeting. He explained that this is needed to close out the DPW case.

Kim Skorka questioned the cost of a vacuum on the payment of bills.

Mr. Hill explained the purchasing process and qualifying vendors.

Mr. DeBlasio added that all vendors need to provide a Business Registration from the State of New Jersey.

Mayor Nolan added we can try to tweak.

There were no further questions.

Mayor Nolan closed the public portion.

Consent Agenda:

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

There were none.

**R-16-86
RESOLUTION
AUTHORIZING REFUND
OF TREE PERMIT APPLICATION FEES**

WHEREAS, the Tree Commissioner of the Borough of Highlands has reviewed the tree permit application for Barbara Scagnelli, 23 Waterwitch Ave, Highlands for the removal of three trees. The Tree Commissioner has determined that that permits were not required; and

WHEREAS, the Chris Francy, Tree Commissioner recommends the immediate reimbursement of the funds collected by the Borough of Highlands in the amounts of \$75.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Chief Financial Officer is authorized to immediately refund and pay the following:

1. Barbara Scagnelli **\$75.00**

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

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

**R-16-87
RESOLUTION
AUTHORIZING REFUND OF TAX OVERPAYMENT**

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain banks residents, and property owners within the Borough of Highlands, as a result of an overpayment of taxes, and

WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
106.1	108	2015	\$1,291.55	BERGSTROM,ROBERT
28	9.02	2014	\$3,545.23	LEONTIEVA,ELENA
28	9.02	2015	\$6,827.29	LEONTIEVA,ELENA
115	9.302	2016	\$2,216.44	DAVIS, KYLE

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

**R-16-88
RESOLUTION APPROVING SOCIAL AFFAIR PERMIT**

WHEREAS, the American Legion has filed an application for a Social Affairs Permit for an event to be held on May 6, 2016 at 85-87 Bay Ave with no rain date; and

WHEREAS, the submitted application forms are complete in all respects, fees have been paid, and the license has been properly reviewed and approved by the Police Department.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Highlands does hereby approve the Social Affairs Permit for the American Legion for an event to be held on May 6, 2016 with no rain date.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

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

R-16-89

RESOLUTION AMENDING R-16-69

WHICH AUTHORIZED THE PURCHASE OF TWO (2) 2016 POLICE INTERCEPTOR SUV'S FOR THE POLICE DEPARTMENT FROM BEYER FORD CRANFORD CO OP #47-CPCPS FOR THE BOROUGH OF HIGHLANDS POLICE DEPARTMENT

WHEREAS, by way of Resolution R-16-69, the Borough of Highlands approved a contract for Beyer Ford, pursuant to Cranford Co-Op #47-CPCPS in the amount of \$67,840.50 through MCIA15, for the purchase of two (2) 2016 Ford Interceptor SUV vehicles in accordance with the bid quotation received from Beyer Ford.

WHEREAS, the Borough of Highlands, amends Resolution R-16-69 to reflect that the two (2) vehicles which are being replaced by the aforementioned purchase of two (2) 2016 Ford Interceptor SUV vehicles may be sold, re-used or salvaged, as applicable, by the Borough.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands that the two (2) vehicles being replaced by and through the purchase of two (2) 2016 Ford Interceptor SUV vehicles authorized by Resolution R-16-69 may be sold, re-used or salvaged, as applicable, by the Borough.

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

R-16-90

RESOLUTION AMENDING R-16-22

RESOLUTION APPOINTING THE ARNETTE FIRM, LLC AS PROFESSIONAL LEGAL COUNSEL FOR TAX APPEAL AND TAX LITIGATION THROUGH THE NON-FAIR AND OPEN PROCESS

WHEREAS, the Borough of Highlands has a need for professional legal counsel services for tax appeal and tax litigation matters and special litigation matters: and

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of Arnette, LLC is so recognized; and

WHEREAS, the Borough of Highlands adopted Resolution R-16-22 on January 1, 2016 awarding a Professional Legal Services Contract to law firm of Arnette, LLC at an hourly rate of \$115.00 per hour, not to exceed \$15,000.00 for the calendar year 2016; and

WHEREAS, there was a typographical error in the hourly rate in Resolution R-16-22 of \$115.00 per hour, where it should have been \$125.00 per hour.

NOW, THEREFORE, BE IT RESOLVED BY THE Borough Council of the Borough of Highlands Resolution R-16-22 is hereby amended to reflect the correct hourly rate of \$125.00 per hour, not to exceed \$15,000.00 for the calendar year 2016.

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-16-91

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

T & M ASSOCIATES

FOR PRELIMINARY ASSESSMENT OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Highlands has a need for professional Engineering services for the Preliminary Assessment of the Department of Public Works 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 the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$5,200.00 plus reimbursable expenses for Professional Engineering Services as stated on the T & M Associates proposal dated February 2, 2016; 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, c 271; and

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

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

Account Number# _____

I hereby certify funds are available as follows:

Patrick DeBlasio, 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 Council of the Borough of Highlands as follows:

1. Robert Keady, P.E. T & M Associates are hereby retained to provide professional engineering as described above for an amount not to exceed \$5,200 plus reimbursable expenses.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

**RECAP OF PAYMENT OF BILLS
03/16/2016**

CURRENT:			
Payroll		\$	158,884.85
Manual Checks	(02/29/2016)	\$	108,948.23
Voided Checks		\$	
			\$
SEWER ACCOUNT:			
Payroll		\$	67,199.40
Manual Checks	(02/29/2016)	\$	3,521.19
Voided Checks		\$	
			\$
CAPITAL/GENERAL		\$	17,237.03

Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016

CAPITAL-MANUAL CHECKS \$ \$
 Voided Checks \$ \$
WATER CAPITAL ACCOUNT \$

TRUST FUND \$ 73,953.73
 Payroll (02/29/2016) \$ 7,352.50
 Manual Checks \$ \$
 Voided Checks \$

UNEMPLOYMENT ACCT-MANUALS \$

DOG FUND \$

GRANT FUND \$ 85,128.53
 Payroll (02/29/2016) \$ 1,091.33
 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.

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

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the February 17th, 2016 Executive and Regular minutes for approval, seconded by Ms. Broullon and all were in favor on the following roll call vote:

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

Other Resolutions:

R-16-92 – Resolution Approving “Pride in Highlands” Event:

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

Mrs. Cummins read the title of Resolution R-16-92.

Mayor Nolan explained that this is a community cleanup day with participating groups such as; environmental commission, recreation committee, scouting troops and the PTO.

Mr. Card added that this is a great event. The groups in town are excited about it. He wants it to be a big event for everyone.

R-16-92

RESOLUTION APPROVING THE HIGHLANDS BUSINESS PARTNERSHIP “PRIDE IN HIGHLANDS” EVENT

WHEREAS, the Highlands Business Partnership has requested the approval and support of the governing body to add Pride in Highlands to their 2016 Event Calendar to be held on April 23, 2016.

WHEREAS, the event will be a community clean-up day, with participating groups such as the Environmental Commission, the Recreation Committee, Scouting Troops, the PTO as well as any other volunteers wishing to participate.

WHEREAS, the Highlands Business Partnership will coordinate the logistics for this event with the Borough Administrator, Tim Hill; Highlands Police Chief, Joseph Blewett; as well as any other representatives deemed necessary from the Borough of Highlands.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands, that the governing body hereby approves and supports the Pride in Highlands event to be held on April 23, 2016, which is hereby added to the Highlands Business Partnership 2016 Event Calendar.

BE IT FURTHER RESOLVED that the Highlands Business Partnership will coordinate the logistics for this event with the Borough Administrator, Tim Hill; Highlands Police Chief, Joseph Blewett; as well as any other representatives deemed necessary from the Borough of Highlands.

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

R-16-93 – Resolution Approving Renewal of Liquor License:

Mrs. Cummins read the title of Resolution R-16-93. She further added that the State issued a special ruling which permits us to renew it.

R-16-93

**RESOLUTION RENEWAL OF
LIQUOR LICENSE 1317-33-004-012
GRIMALDIS FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016**

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

WHEREAS, the Borough of Highlands adopted Resolution R-15-177 on September 2, 2015 a Resolution Renewing Liquor Licenses which included the renewal of License No. 1317-33-004-002 owned by Grimaldis for the License period of July 1, 2015 through June 30, 2016; and

WHEREAS, renewal application and approval were filed with the State of New Jersey Division of Alcohol and Beverage Control; and

WHEREAS, it was been brought to the attention of the Borough that based on changes within the renewal application it was determined that the License would be required Special Ruling because the license has been inactive since October 2012; and

WHEREAS, the Licensee applied to the State of New Jersey for a Special Ruling and the State of New Jersey issued a Special Ruling Docket Number 03-16-45.55403 dated March 9, 2016.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Renewal of Liquor License for License No. 1317-33-004-002 is hereby approved or the License period of July 1, 2015 through June 30, 2016.

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

Ordinances: Introduction & Setting of a Public Hearing Date for April 20th :

O-16-9 Borough Cell Phone Ordinance
Mrs. Cummins read the title of Ordinance O-16-94 on for introduction and setting of a public hearing date of April 20th , 2016

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of April 20, 2016 at 8:00 P.M.

**O-16-9
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

AN ORDINANCE SUPPLEMENTING SECTION 2-3.1 OF THE REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS TO PROVIDE THAT MEMBERS OF THE GOVERNING BODY HAVE THE OPTION OF OBTAINING BOROUGH ISSUED CELL PHONES TO CONDUCT BOROUGH BUSINESS TO BE PAID DIRECTLY BY THE BOROUGH AND THAT THE USE OF PERSONAL CELL PHONES WILL NOT BE REIMBURSED

WHEREAS, the governing body finds that there is a need for the use of Borough issued cell phones for members of the governing body, in order to conduct Borough business, and that there is also a need for uniformity in the use and reimbursement for such cell phones.

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

SECTION ONE: Section 2.31 shall be supplemented as follows:

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

2-3.1(a) In order to establish uniformity in the use and reimbursement of cell phones for members of the governing body to conduct Borough Business, it is hereby established that members of the governing body, consisting of the Mayor and council, shall be afforded the option of obtaining a Borough issued cell phone for their use to conduct Borough business. The said Borough issued cell phones shall be paid directly by the Borough. Should any member(s) of the governing body choose to utilize their personal cell phone(s) in order to conduct Borough business, it is hereby established that the Borough will not provide reimbursement for the same.

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 Mr. Card and introduced on the following roll call vote:

ROLL CALL:

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

Other Business:

Borough Engineers Status Report

Mr. Leubner gave a brief summary of his report listed here.

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.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

- 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.
- 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 and energized.
- 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. Contractor is anticipating remobilizing the week of March 21, 2016.

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.
- Concrete work is complete.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

- Paving to commence over the next few weeks once asphalt plants re-open for the season.
- The initial \$150,000 of the grant has been requested from the NJDOT.

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.

- 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

- 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 has commenced.
 - De-watering pump to be shut off during non-working hours.
 - NJNG to relocate gas main at the Shrewsbury Avenue intersection on March 17, 2016.
 - Temporary stockpile of materials to be stored on the vacant Borough lot off of Fifth Street as needed.
- Drainage and sanitary sewer work has commenced on Shrewsbury Avenue

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.
- Project will be reviewed with Borough Subcommittee prior to advertisement for construction.

11. **Bay Avenue Streetscape Phase II:** This project continues various components of streetscape improvements between Washington Avenue and Valley Street. T&M was provided a verbal authorization to proceed with the project by the Governing Body at the March 2, 2016 Council meeting. Construction funding is being provided through a D-Biz Loan.

12.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

- Survey is complete.
- Formal proposal to be provided to the Borough for action at the April 6, 2016 Council meeting.
- Base bid for project will consist of stamped concrete, ADA curb ramps and conduit for future decorative street lighting.
- All other components will be advertised as bid alternates in order of importance.

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.

3. **Borough Hall (FEMA PW 2006):** Actual project dependent upon result of final FEMA review.

- RFP for architect ready to be issued for advertisement upon authorization from the Governing Body.

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.

Anne Marie Tierney of Shrewsbury Avenue asked if the gas line problem will affect residents.

Mr. Leubner said no and further explained.

Carol Bucco of 330 Shore Drive asked how the curbing on Shore Drive was chosen to be replaced. She continued to speak about driveway cuts.

Mr. Leubner explained that it was not a full curb replacement project. They replaced what would fit into the budget.

Kim Skorka of 315 Shore Drive stated that the curb cut for the Municipal Lot on Shore Drive has been removed and she spoke of her concerns with traffic.

Mr. Leubner stated we can put the depression back in.

Mayor Nolan directed Mr. Leubner to look into it and have it corrected.

Mr. Card added that he noticed people using the lot as a thru-way. He would like Chief Blewett's input.

Chief Blewett stated that the lot is used to avoid flooding. He suggested temporarily closing one end of the lot to stop it from being used as a thruway.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

Lori Ann Nolan of Snug Harbor Avenue stated that school buses use the lot also during flooding. She asked Mr. Leubner to keep into consideration the ferry traffic and children going to school in the morning when doing these projects.

Mr. Leubner explained that the amount of paving will take two or three days.

Mayor Nolan stated that they will get the curb cuts put back.

Kim Skorka asked if the sidewalk will be done between Waterwitch and Washington. It is in good condition.

Mr. Leubner replied no.

Mr. Leubner spoke of the potential new borough hall. We are advertising for the architect next week. The bids will be reviewed by the next meeting and award at the May 18th meeting. He further spoke of the Valley Street Pump Station sink hole. It has been resolved. He further explained.

Chris Francy of 36 Fifth Street questioned that why there isn't a curb cut in front of the old Borough Hall.

Mr. Leubner stated that it was discussed during the design phase.

Chris Francy spoke of parking lot being used for the post office and restaurants.

Mayor Nolan added that we had issues with overnight parking.

Mr. Card stated that there is also a liability risk with the apron being broken up. It was the governing body's decision.

Mr. Francy asked about the status of a program post Hurricane Irene to raise 11-12 houses.

Mr. Leubner stated that the Council took T&M Associates off of it and the program was given to Arcadis.

Mr. Hill stated that they are still working on it. There are 3-4 homes that are still eligible for it.

Mayor Nolan explained that some of those homes were also impacted by Hurricane Sandy.

Mr. Hill added that Arcadis continues to work on this and has filed for an extension.

Mary Saltzman of Snug Harbor Avenue questioned the process of building Borough Hall and if we had chosen a site.

Mayor Nolan explained that we have identified various locations. He further explained that FEMA eliminated a few of the locations. He explained the process. It was narrowed down to one option which is a privately owned property. It is the former OLPH parking lot.

Mr. Card added that we are not committed to that lot if something else becomes available. The architect will analyze what we need. He will speak with all the department heads.

Mayor Nolan stated that the architect will certify the location, where each department should be located and square footage.

Mr. Card spoke about the lot across the street from the Fire Department. He will ask the architect to verify that lot.

Mayor Nolan further explained the Borough Hall site process. We will have multiple public forums to keep residents informed.

Ms. Broullon added that we have to assemble this team of professionals to show that we are committed and ready to go.

Mary Saltzman questioned due diligence.

Mayor Nolan stated that the professionals that they have on board did their due diligence.

Arnie Fuog of Valley Street asked if the dollar amount is set aside for the architect before they find a site. He feels we should hire an engineer first.

Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016

Mr. Card explained that the architect has to be brought in first for cursory data gathering. The engineer will come in shortly after.

Mayor Nolan explained state requirements for different facilities and departments.

Ms. Broullon explained the RFP process.

Mr. Card added that once we start building, its 90% reimbursable because it's a forced relocation.

Arnie Fuog asked if the 500 year flood plain line the same or has it been moved.

Mayor Nolan responded that it depends who you ask. That is why we are bringing in the professionals. There are many options.

Vacation Request for Holly Street:

Lawrence Litrell, Esq., representing the owner of 234 Bay Avenue spoke of the purpose of the request to vacate a fraction of the street off Cedar Street. He added we are attempting to make application for a minor sub-division. He further spoke of affected properties. He wants to know if it is in the Borough's interest to vacate the portion of this street.

Mr. Card spoke of his concerns. He would like to give this to the Land Use Board to give us a consultation. He stated that we would need to consult with the First Aid, Fire Department and the Police Department.

Lawrence Litrell added that he is here tonight to just get a preliminary decision not a final decision.

Mayor Nolan stated that we will push this to the Land Use Board for their recommendations, comments and concerns. He will also ask the Chief of Police, OEM, Fire and First Aide and Engineers to give their comments and concerns.

Mr. Chabarek stated that we need also includes any departments deemed necessary.

Mr. Card asked if they are on a time restraint.

Lawrence Litrell stated he understands the vetting process.

Mayor Nolan stated that they will send to the Planning Board and then bring it back at the April 20th Council Meeting and we will notice residents.

Girl Scout Project:

Mr. Hill stated that the girl scouts are requesting permission to do a plantings project at the Community Center. The Girl Scouts are waiting for approval for the project from Girl Scout Council. They will come to the Council with a full blown plan for Council approval.

Mayor Nolan stated that the council is all on board with the project.

Tim Hill's Resignation:

Mayor Nolan announced that Mr. Hill has submitted his notice of resignation. His last day will be May 31st, 2016. We will start the process tomorrow for a new Borough Administrator. He explained the process. Mr. Card and Ms. Broullon will interview the applicants. An ad will be in the paper by Friday. He thanked Mr. Hill for his years of service.

Public Portion:

Kim Skoroka of 315 Shore Drive spoke about a program called Amazon Prime that non-profits use. She further explained it could be used for fund raisers for target items.

Mayor Nolan asked the CFO and our attorney to look into it.

Kim Skoroka spoke of the DPW yard and she feels it is very congested. She feels we need to free up some space. She recommended of auctioning off some vehicles.

Mayor Nolan stated that the council has been discussing this. We hope to have some ideas at the first meeting in April.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

Mr. Francy of 36 Fifth Street asked if we can direct the engineer to do a survey of the surrounding properties. It would be needed for the Planning Board meeting.

Mayor Nolan stated that Mr. Card will work on this with Mr. Leubner.

Linda Ziamba of 25 Grand Tour questioned the status of grants discussed at the last meeting.

Mayor Nolan stated that the answers were not what they expected. They will be going in a different direction.

Mr. Card added that they are working on rewording the D-Biz Project. The grants are for big ticket projects. He is working with Mr. Leubner on this.

Mary Saltzman of 43 Snug Harbor Avenue asked if we have quotes to remove the Tilt-Up Project.

Mayor Nolan replied yes. We received multiple bids ranging from \$9,000 to \$17,000. We will be putting out a survey to the residents and also a town hall type meeting in April. We are also discussing to put on a referendum in November.

Mary Saltzman feels that the referendum is a non-starter. She spoke for herself and a few residents that they are not willing to live with that structure thru the summer. She doesn't want to wait until November. She would rather donate to remove it than pay an attorney to get it removed. She added that she is inclined to hire an attorney because she feels that the beach violated. It's illegal and everyone hates it. She has a petition with 40 signatures and it did end up on line. It received an additional 76 signatures.

Mayor Nolan asked her if she is willing to wait until the town hall meeting in April.

Mary Saltzman agreed. She further spoke about how no one has taken responsibility for this. She is concerned about her tax dollars being used for it. She feels that many people would contribute in an effort to take it down.

Mayor Nolan stated that he takes the blame. He explained that he saw it when he came home from the hospital. He does not like it either.

Mary Saltzman stated that regarding a referendum, not all the residents can vote.

Mayor Nolan agreed. He hopes that they will have a large turn out because due to it being a Presidential election. He will have it on the April 20th agenda.

Ms. Broullon spoke about the survey. It allows for residents and renters to vote.

Mary Saltzman asked about accommodating people who cannot attend the meeting.

Ms. Broullon added that the meeting will be streamed live. There is also a comment section.

Mr. Card stated that the meeting will be publicized.

Mayor Nolan added that it's becoming more evident that more people are okay with it being removed.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

Mary Saltzman asked if a DEP permit is needed to have it removed.

Mr. Card explained that they received a letter from DEP stating to remove it or fill out the application. We will inform the DEP if we remove it.

Tina Kenner of 164 Linden Avenue would like the meeting advertised to the general public.

Mayor Nolan explained the various ways this will be advertised. He will also do a reverse 911.

Carol Bucco of 330 Shore Drive applauds the Mayor's efforts to make some budget cuts.

Mayor Nolan thanked her.

Carol Bucco stated that she did research regarding the Municipal Clerk Ordinance. In 2009, Mrs. Cummins was appointed Municipal Clerk by Resolution R-09-267. The salary listed on the resolution was \$64,322. She then read the job duties and the breakdown. In 2015 a salary of \$59,000 was introduced by resolution. She continued to speak about various resolutions and job duties. She feels the salary ordinance must be rescinded.

Mayor Nolan directed Mr. Chabarek to research.

Carol Bucco also added that Ordinance 2.42 states that the council can appoint a Borough Attorney after 30 days. That was approved in 1979.

Mayor Nolan added that Mr. Chabarek has an extensive background sorting thru ordinances.

Maria Higgins of 15 Snug Harbor Avenue asked if a mailer could be sent out to non-resident homeowners when a meeting is being held regarding the Tilt-Up. She supports the removal.

Mayor Nolan stated that it is posted on the Borough website and residents can sign up for the reverse 911. We are also trying to build a data for emails. It will also put out on social media.

Tom Reed of 7 Snug Harbor Avenue thanked the Governing Body, Mr. Hill, Mrs. Cummins and the Chief of Police for their hard work. He heard a rumor that the skate park was going to be dismantled. He does not want to take away something positive from the kids. He added that the Tony Hawk Foundation does grants. He spoke of others and himself who would volunteer to help out with the skate park.

Mayor Nolan spoke of upgrading all of our recreation facilities, not eliminating anything.

Mr. Hill stated that we had the manufacturer review their equipment at the skate park. This is version 1. They are manufacturing version 4 now. Our equipment is no longer manufactured. They spoke of retrofitting. They would have to be custom fitted which is expensive. The equipment is no longer under warranty. He spoke of volunteers working on the equipment and our insurance liabilities. We have to very careful with that. We need to do it right. The Tony Hawk Foundation is interested in concrete parts and has very little restrictions.

Mayor Nolan added that Mr. Reed is speaking of an entire new skate park. We wanted to upgrade it. We can't fix what we have, we need to replace. We will have a plan in April.

There were no further questions.

Mayor Nolan offered a motion to close the public portion seconded by Mr. Card and all were in favor.

**Borough of Highlands
Mayor & Council
Regular Meeting
March 16, 2016**

The Meeting adjourned at 10:26 p.m.


Debby Dailey, Deputy Clerk

