

**Borough of Highlands
Mayor & Council
Regular Meeting
April 1, 2015**

Mayor Nolan called the meeting to order at 7:08 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 Work Shop/Regular Meeting of the Mayor & Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
Absent: Mr. Redmond
Also Present: Carolyn Cummins, Municipal Clerk
Tim Hill, Borough Administrator
Bruce Padula, Borough Attorney
Dale Leubner, 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:** Clam Plant RFP Interview
Review of Hazard Mitigation RFP's
- 3. Real Estate:** Municipal Facility Location, Facility Update-Community Center
- 4. Personnel Matters:** Paul Vitale- RICED
Henry Clagett – RICED
Louis Fundora – RICED
Municipal Judge Position, Life Guards, Recycling Coordinator
- 5. Investigation:**
- 6. Attorney-Client Privilege:** Navesink Capital Marina Project

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

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

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

1. Any matter which, by express provision of Federal Law, State statute or rule of court shall be rendered confidential or excluded from public discussion. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
2. Any matter in which the release of information would impair a right to receive funds from the federal government.
3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the

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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. Ryan and adopted on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:27 p.m.

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

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

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Presentation of Time Line for Community Center:

Fran Mullen of T&M Engineers introduced himself and his team. He explained that the Borough will pay up front for all the work. The documentation will be sent to FEMA. The Borough will get 90% of the cost back. He understands the urgency. He explained that their goal is to get the final design plan, go out to bid and award the contract at the June 17th meeting. The contractor will need 10-12 weeks to complete the work. He further explained flood zone and flood proofing.

Mayor Nolan questioned the use of volunteers.

Fran Mullen stated that volunteers are prohibited from a construction site. He spoke of liability issues. He further explained that volunteers can do prep work before the contractor takes control. He recommended keeping a list of the volunteers name and address. We can get credit for that labor.

Ms. Ryan will be the volunteer coordinator.

Ms. Kane commended Kim Gonzales, Purchasing Agent, for bringing T&M and all professionals together.

Ms. Ryan said that there is an on line petition to volunteer with over 100 signatures. They want to help in the effort.

Mayor Nolan stated that if necessary, we can schedule a special meeting in June to award the contract.

Carolyn Broullon of 12 Miller Street explained her experience as a volunteer. There are strict guidelines. She does not understand the timeline of 12 weeks to complete the Community Center.

Fran Mullen explained that 12 weeks is referred to as the three month contract duration. He further explained.

Donica Baysinger of 12 Miller Street asked if this is all being done now because of the petition.

Mayor Nolan explained that it's because we were able to change from an "A" zone to a "V" zone.

Mr. Hill explained that there was a meeting with FEMA yesterday which was scheduled weeks ago. This action is based on that meeting.

Kim Skorka of 315 Shore Drive would like to minimize the 10%. Can we work on getting material donated?

Fran Mullen said we can work on it. We could put in specs. There is a process.

Kim Skorka asked if we could put in the contract a bonus for early completion.

Fran Mullen stated that we have delay clauses and incentives. FEMA will not reimburse us for that. Its only for actual cost.

Charles LaRue of 12 Second Street spoke about the reimbursement issues with FEMA and how do we know we will be reimbursed.

Fran Mullen responded. We have to deliver the results to FEMA.

Mr. Hill added that we are in discussions for advances.

Barbara Ianucci of 28 Shrewsbury Avenue asked if this is a critical structure.

Fran Mullen replied no. FEMA has declared it a non-critical structure.

Barbara Ianucci has concerns about critical structure and lack of flood insurance. She has read where they will deduct the value of what the flood insurance should have been.

Fran Mullen said that there isn't discounting for lack of production because of lack of insurance. It is not a critical structure.

Discussion continued.

Mr. Hill stated that the architect is 30-40% designed.

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Barbara Ianucci continued to question Fran Mullen regarding the structure. She asked about having access to outdoor public restrooms at the community center.

Fran Mullen explained that FEMA will not cover that. This is for pre-storm conditions.

Barbara Ianucci asked about volunteers doing it and would it affect the grant.

Kim Gonzales, Borough Purchasing Agent, replied that we would have to amend the Project Worksheet and that FEMA would have to approve it.

Greg Wells of 246 Bayside Drive asked if not raising the community center would impact insurance cost.

Fran Mullen replied no. He further explained.

Dale Leubner said that this will satisfy FEMA by flood proofing.

Nancy Burton of 22 Atlantic Street stated that homeowners that are raising their houses, FEMA is paying for elevators. Is this an option for the community center?

Ms. Ryan said there is no funding, only for special cases. It is for a lift or a ramp.

Nancy Burton inquired about the Snowflake money.

Mr. Hill explained that the Snowflake money was granted for the non-FEMA portion of the playground, the basketball court and the tennis court only. He further explained that they were also given \$30,000.00 from the Snowflake grant for a resilient floor inside the building.

Nancy Burton also would like to see outdoor bathroom facilities and lockers for the beach.

Trisha Rivera of Waterwitch Avenue asked if bathrooms and lockers can be built for the tennis and basketball courts.

Mayor Nolan stated that they can't with FEMA money.

Fran Mullen estimated \$120-125,000.00 for bathrooms.

Katie Reed of 7 Snug Harbor Avenue said that she is happy to hear about the community center.

LoriAnn Nolan of 51 Waterwitch Avenue agreed. She feels we need bathrooms. She continued to explain that people come in to use the bathroom while the kids program is going on. We would need only one bathroom.

Chris Francy of 36 5th Street asked how we are going to accommodate the pump house generators on the roof.

Mr. Leubner explained that the generators will not be on the roof. They are stand away generators. They will be next to the building.

Chris Francy asked if the upstairs be more usable.

Fran Mullen said we will bring it to code only.

Melissa Pederson of Bay Street questioned if having volunteers will affect the 90%.

Fran Mullen replied no.

Mr. Hill explained different categories that volunteer time get reimbursed.

Discussions about reimbursement procedures continued.

Katie Reed asked if T&M gets a fee and if it is a set fee.

Fran Mullen explained billing to her. It is based on hours per week, not a percentage.

Fran Mullen and his team left the meeting.

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Consent Agenda:

Mayor Nolan asked if anyone had questions on any item on consent agenda.

Mayor Nolan will abstain on the March 18th minutes.

**R-15-89
RESOLUTION
APPROVING RAFFLE LICENSES**

WHEREAS, the Hi Mar Striper Club have submitted Raffle License Applications No. RA1317-15-04, 8, RA1317-15-10, RA1317-15-11;

WHEREAS, all paperwork appears to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands does hereby approve Raffle License Applications RA#1317-15-8, RA#1317-15-10, and RA#1317-15-11 and the Borough Clerk is authorized to sign off on licenses.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA		x	YES	NO		

**R-15-92
RESOLUTION AUTHORIZING
THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT 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 control, 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 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 mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

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- 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
CARD			x			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			x	YES		NO

R-15-93

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 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>
66	11	2012 & 2013	\$7,368.72	Singer, Moshe & & Schorr, Shraga

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		X			
ON CONSENT AGENDA			x	YES		NO

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the March 4th & 18th, 2015 Regular and Executive Minutes, seconded by Ms. Kane and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan
NAY: None
ABSENT: Mr. Redmond

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ABSTAIN: Mayor Nolan

Other Resolutions:

R-15-65 – Resolution – Appointing Municipal Judge:

Mrs. Cummins read the title of R-15-65.

**R-15-65
APPOINTMENT OF MUNICIPAL
COURT JUDGE**

WHEREAS, N.J.S.A. 2B: 12-1 et seq. requires every municipality to establish a Municipal Court, and therefore exists a need for the Borough to contract for the services of a Municipal Court Judge for the Borough of Highlands; and,

WHEREAS, due to the passing of Judge Peter A. Locascio, Esq, there exists a vacancy in the position of Municipal Court Judge; and,

WHEREAS, Attorneys who are New Jersey residents and have practiced law for at least five years may be appointed to the position of Municipal Court Judge by the Mayor, with the advice and consent of the council; and,

WHEREAS, after reviewing all applicants the Borough has determined that Thomas Smith, Esquire meets the qualifications of Municipal Court and that the Mayor recommends that Thomas Smith, Esquire, be appointed to that position.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Borough of Highlands, in the County of Monmouth, that the appointment of Thomas Smith, Esquire as the Municipal Court Judge for the unexpired term of Judge Peter A. Locascio, ending December 31, 2015, is hereby confirmed.

BE IT FURTHER RESOLVED that the Borough of Highlands hereby appoints Thomas Smith, Esquire of 5158 Route 9 South, Howell, NJ 07731 as Municipal Judge at a rate of \$13,500.00 annually effective immediately.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD				x		
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA YES <input checked="" type="checkbox"/> NO						

R-15-95 - RFP – Public Defender:

Mayor Nolan briefly discussed with council the need to hire a public defender.

Mayor Nolan directed Councilman Card and Councilman Redmond to interview candidates.

**R-15-95
AUTHORIZING RFP FOR
PUBLIC DEFENDER**

WHEREAS, there is a need to appoint a Public Defender;

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Borough of Highlands, in the County of Monmouth, that the Borough Clerk and the Borough Attorney are hereby authorized to prepare and advertise Request for Proposals for a Public Defender.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES		x	NO

R-15-90 – Resolution – Authorizing Hazard Mitigation Plan:

Mrs. Cummins read the title of R-15-90.

Council briefly discussed.

Mr. Leubner explained that this is the County’s plan that is in effect.

Mayor Nolan offered a motion to table Resolution R-15-90 to the April 15th meeting, seconded by Mr. Card and passed on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

R-15-91 – Resolution – Authorizing RFP’s for Website Design & Hosting Services:

Mrs. Cummins read the title of R-15-91.

Ms. Ryan offered a motion to table Resolution R-15-91 to the April 15th meeting, seconded by Mayor Nolan and passed on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

R-15-94 – Resolution – Accepting Resignation of Nancy O’Neil:

Mrs. Cummins read the title of R-15-94.

Mayor Nolan thanked her for her services.

**R-15-94
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

RESOLUTION ACCEPTING THE RESIGNATION OF NANCY O’NEIL

WHEREAS, Nancy O’Neil, a Borough employee in the construction office has submitted her resignation; and

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WHEREAS, the Borough wishes to accept her resignation and wish Nancy well in the future.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Highlands hereby accepts the resignation of Nancy O'Neil, thanks her for her service and wishes her well in the future.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND						x
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	X	NO	

Ordinances: On for Introduction & Setting of a Public Hearing Date:

O-15-7 – Ordinance Amending Ordinance Accepting Easement:

Mrs. Cummins read the title of O-15-7 on for introduction and setting of a public hearing date for May 20th, 2015.

Mayor Nolan offered the following amended ordinance pass first reading and moved on its introduction and setting of a public hearing date of May 20th, 2015 at 8:00 p.m:

**Borough of Highlands
County of Monmouth
O-15-7**

**AN ORDINANCE ACCEPTING A DEED OF SITE TRIANGLE EASEMENT AND
STORMWATER EASEMENT FOR BLOCK 101, LOT 27.02 FROM PULTE HOMES OF
N.J.**

WHEREAS, N.J.S.A. 40A:12-14, authorizes a municipality to acquire easements; and

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of easements by municipalities be accomplished by ordinance; and

WHEREAS, on or about March 13, 2014, memorialized in Resolution No. PB#2013-3, the Borough of Highlands Planning Board granted Final Site Plan Approval to Navesink Capital Partners, LLC (“Navesink”) to construct a mixed-use development on real property, including upon Block 101, Lot 27.02; and

WHEREAS, Navesink was, at the time it received Final Site Plan Approval, the owner of Block 101, Lot 27.02; and

WHEREAS, Navesink subsequently transferred ownership of Block 101, Lot 27.02 to Pulte Homes of NJ (“Pulte”), which will be developing Block 101, Lot 27.02 in accordance with Final Site Plan Approval granted to Navesink; and

WHEREAS, Resolution No. PB#2013-3 required Navesink and/or the appropriate owner of real property to convey certain deeds and easements to the Borough, as a condition of approval; and

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WHEREAS, in connection with said Board approval, Pulte, the owner of the subject real property, desires to convey to the Borough the following easement over a portion of Block 101, Lot 27.02:

- Deed of Sight Triangle Easement for Block 101, Lot 27.02

WHEREAS, the Borough Engineer has determined that it would be appropriate for the Borough to accept the easements and deeds, in a form acceptable to the Borough Attorney and the Engineer;

WHEREAS, the Governing Body has determined that it would be appropriate for the Borough to accept the easements and deeds, in a form acceptable to the Borough Attorney and the Engineer; and

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

(1) The Borough hereby accepts the following deed and easement, in a form acceptable to the Borough Attorney and Borough Engineer, from Pulte Homes of N.J.:

- Deed of Sight Triangle Easement for Block 101, Lot 27.02

(2) The Mayor, Clerk, and such other Borough officials as may be required, are hereby authorized to accept and execute the deeds and easements on behalf of the Borough. The fully-executed deeds and easements shall be recorded, as appropriate.

(3) 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.

(4) REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Seconded by Ms. Ryan and introduced on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mr. Redmond

ABSTAIN: None

O-15-8 – Ordinance Amending Ordinance Accepting Easements:

Mrs. Cummins read the title of O-15-8 on for introduction and setting of a public hearing date for May 20th, 2015.

Mayor Nolan offered the following amended Ordinance pass first reading and moved on its introduction and setting of a public hearing date of May 20, 2015 at 8:00 P.M.:

**Borough of Highlands
County of Monmouth
O-15-8**

AN ORDINANCE ACCEPTING VARIOUS DEEDS AND EASEMENTS FROM SANDY HOOK DEVELOPERS, LLC FOR BLOCK 101, LOT 27.03

WHEREAS, N.J.S.A. 40A:12-14, authorizes a municipality to acquire easements; and

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WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of easements by municipalities be accomplished by ordinance; and

WHEREAS, on or about March 13, 2014, memorialized in Resolution No. PB#2013-3, the Borough of Highlands Planning Board granted Final Site Plan Approval to Navesink Capital Partners, LLC (“Navesink”) to construct a residential development on real property, including upon Block 101, Lot 27.03; and

WHEREAS, Sandy Hook Developers, LLC (“Sandy Hook”) is the owner of Block 101, Lot 27.03; and

WHEREAS, Resolution No. PB#2013-3 required Sandy Hook to convey certain deeds and easements to the Borough, as a condition of approval; and

WHEREAS, in connection with said Board approval, Sandy Hook, the owner of the property, desires to convey to the Borough the following easements over a portion of Block 101, Lot 27.03:

- Sanitary Sewer and Stormwater Easement for Block 101, Lot 27.03
- Sanitary Sewer Easement for Block 101, Lot 27.03
- Stormwater Easement for Block 101, Lot 27.03 (2,893 sq. ft., .07 acres)

WHEREAS, the Borough Engineer has determined that it would be appropriate for the Borough to accept the easements and deeds, in a form acceptable to the Borough Attorney and the Engineer;

WHEREAS, the Governing Body has determined that it would be appropriate for the Borough to accept the easements and deeds, in a form acceptable to the Borough Attorney and the Engineer; and

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

(1) The Borough hereby accepts the following deeds and easements, in a form acceptable to the Borough Attorney and Borough Engineer, from Sandy Hook:

- Sanitary Sewer and Stormwater Easement for Block 101, Lot 27.03
- Sanitary Sewer Easement for Block 101, Lot 27.03
- Stormwater Easement for Block 101, Lot 27.03 (2,893 sq. ft., .07 acres)

(2) The Mayor, Clerk, and such other Borough officials as may be required, are hereby authorized to accept and execute the deeds and easements on behalf of the Borough. The fully-executed deeds and easements shall be recorded, as appropriate.

(3) **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.

(4) **REPEALER**. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) **EFFECTIVE DATE**. This Ordinance shall take effect after final passage as provided by law.

Seconded by Ms. Kane and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

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O-15-15 – Ordinance Prohibiting Certain Animals:

Mrs. Cummins read the title of O-15-15 on for introduction and setting of a public hearing date for May 20th, 2015.

Mayor Nolan offered the following ordinance pass first reading and moved on its introduction and setting of a public hearing date of May 20th, 2015 at 8:00 P.M.

**O-15-15
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
AN ORDINANCE SUPPLEMENTING CHAPTER 16 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HIGHLANDS WITH SECTION 16-5,
“PROHIBITED ANIMALS”**

WHEREAS, the Borough of Highlands finds that it is necessary to supplement chapter 16 of the Revised General Ordinances of the Borough of Highlands (“Borough Code”) to include Section 16-5, “Prohibited Animals;” and

WHEREAS, such prohibitions previously existed in the Borough Code but were inadvertently removed during a prior recodification; and

WHEREAS, the Borough wishes to return such prohibitions to the Borough Code and to prohibit residents from possessing any goats, sheep, swine, horses, rabbits, chickens, pigeons or other fowl; and

WHEREAS, the Borough has determined that this amendment promotes the health, safety and welfare of its residents to prohibit possession of the above-referenced animals.

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

SECTION ONE: Section 16-5, “Animals Prohibited,” shall be included in the Revised General Ordinance of the Borough of Highlands as follows:

16-5 PROHIBITED ANIMALS.

16-5.1 Prohibited Animals.

It shall be unlawful for any person to keep in his/her possession any goats, sheep, swine, horses, rabbits, chickens, pigeons or other fowl except as hereinafter provided.

16-5.2 Duties.

It shall be deemed that the Board of Health shall have the power and duty to regulate the control of pigeon fanciers in the Borough of Highlands. Pigeon fanciers shall be allowed when sanitary conditions, proper loft management and good loft construction prevail. The Executive Officer shall make an inspection every six months and a Health Permit shall be given.

16-5.3 Penalties.

- a. Any person found guilty of violating any of the foregoing provisions concerning possession of prohibited animals shall be subject to a fine not to exceed two hundred and fifty (\$250.00) dollars for an initial violation. For a second violation, the fine shall not exceed five hundred (\$500.00) dollars. For a third violation, the fine shall not exceed seven hundred and fifty (\$750.00) dollars. For a fourth violation, the fine shall not exceed one thousand (\$1000.00) dollars. For a fifth violation, the fine shall not exceed fifteen hundred (\$1500.00) dollars. For a sixth violation, the fine shall not exceed two thousand (\$2,000.00) dollars as well as for any violation thereafter. Additionally, when an offender is found to be a repetitious offender, the offender shall be subject to not more than 30 days imprisonment in the county jail for each subsequent offense. A repeat offender

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shall be defined as an individual who has violated the statute more than three times within a four-week period of time.

- b. Each day that this chapter is violated shall constitute a separate offense.

16-5.4 Severability.

If any provision of this ordinance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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. This Ordinance shall take effect after final passage and publication as provided by law.

Seconded by Mr. Card and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: Mr. Redmond

ABSTAIN: None

O-15-15 – Ordinance Prohibiting Certain Animals:

Mrs. Cummins read the title of O-15-15 on for introduction and setting of a public hearing date for May 20th, 2015.

Council briefly discussed.

Mr. Padula stated that this was brought about because Judge Locascio had a case regarding goats.

Nancy Burton of Atlantic Street would like to have chickens.

Mayor Nolan directed Nancy Burton to attend meetings and give recommendations.

Mayor Nolan offered the following ordinance pass first reading and moved on its introduction and setting of a public hearing date of May 20th, 2015 at 8:00 P.M.

**O-15-15
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
AN ORDINANCE SUPPLEMENTING CHAPTER 16 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HIGHLANDS WITH SECTION 16-5,
“PROHIBITED ANIMALS”**

WHEREAS, the Borough of Highlands finds that it is necessary to supplement chapter 16 of the Revised General Ordinances of the Borough of Highlands (“Borough Code”) to include Section 16-5, “Prohibited Animals;” and

WHEREAS, such prohibitions previously existed in the Borough Code but were inadvertently removed during a prior recodification; and

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WHEREAS, the Borough wishes to return such prohibitions to the Borough Code and to prohibit residents from possessing any goats, sheep, swine, horses, rabbits, chickens, pigeons or other fowl; and

WHEREAS, the Borough has determined that this amendment promotes the health, safety and welfare of its residents to prohibit possession of the above-referenced animals.

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

SECTION ONE: Section 16-5, "Animals Prohibited," shall be included in the Revised General Ordinance of the Borough of Highlands as follows:

16-5 PROHIBITED ANIMALS.

16-5.1 Prohibited Animals.

It shall be unlawful for any person to keep in his/her possession any goats, sheep, swine, horses, rabbits, chickens, pigeons or other fowl except as hereinafter provided.

16-5.2 Duties.

It shall be deemed that the Board of Health shall have the power and duty to regulate the control of pigeon fanciers in the Borough of Highlands. Pigeon fanciers shall be allowed when sanitary conditions, proper loft management and good loft construction prevail. The Executive Officer shall make an inspection every six months and a Health Permit shall be given.

16-5.3 Penalties.

- a. Any person found guilty of violating any of the foregoing provisions concerning possession of prohibited animals shall be subject to a fine not to exceed two hundred and fifty (\$250.00) dollars for an initial violation. For a second violation, the fine shall not exceed five hundred (\$500.00) dollars. For a third violation, the fine shall not exceed seven hundred and fifty (\$750.00) dollars. For a fourth violation, the fine shall not exceed one thousand (\$1000.00) dollars. For a fifth violation, the fine shall not exceed fifteen hundred (\$1500.00) dollars. For a sixth violation, the fine shall not exceed two thousand (\$2,000.00) dollars as well as for any violation thereafter. Additionally, when an offender is found to be a repetitious offender, the offender shall be subject to not more than 30 days imprisonment in the county jail for each subsequent offense. A repeat offender shall be defined as an individual who has violated the statute more than three times within a four-week period of time.
- b. Each day that this chapter is violated shall constitute a separate offense.

16-5.4 Severability.

If any provision of this ordinance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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. This Ordinance shall take effect after final passage and publication as provided by law.

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Seconded by Mr. Card and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

O-15-16 – Ordinance Amending Parking Regulations of Portland Road:

Mrs. Cummins read the title of O-15-16 on for introduction and setting of a public hearing date for May 20th, 2015.

Mayor Nolan offered the following ordinance pass first reading and moved on its introduction and setting of a public hearing date of May 20, 2015 at 8:00 p.m.:

**O-15-16
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**AN ORDINANCE AMENDING SECTION 7-3.4 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HIGHLANDS REGULATING PARKING ON
PORTLAND ROAD**

WHEREAS, the Borough wishes to amend the Revised General Ordinances of the Borough of Highlands (hereinafter referred to as “Borough Code”), Section 7-3.4, to allow parking on Portland Road between Highland Avenue and Hillside Avenue, with the exception of the State of New Jersey’s parking laws, which prohibit parking ten (10) feet from a fire hydrant, twenty-five (25) feet from an intersection and fifty (50) feet from a stop sign; and

WHEREAS, the Borough wishes to further amend Borough Code Section 7-3.4 to prohibit parking on Portland Road at all times in those areas not designated above, with the exception of the east side of Portland Road at the area one hundred and twenty-four (124) feet south of the utility pole identified as BT40103hb to forty (40) feet north of the utility pole identified as B7224; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Borough Code Section 7-3.4 to amend the parking restrictions on Portland Road; and

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

SECTION ONE. Borough Code Section 7-3.4, “Parking Prohibited at All Times on Certain Times,” shall be amended as follows:

Schedule I

Portland Road

<i>Sides</i>	<i>Location</i>
<i>Both</i>	<i>Entire Length</i> <i>(except parking shall be permitted between Highland Avenue and Hillside Avenue and the east side of Portland Road one hundred and twenty-four (124) feet south of the utility pole identified as BT40103hb until forty (40) feet north of the utility</i>

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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. Ryan and introduced on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

Ordinances: Second Reading, Public Hearing, Adoption:

O-15-12 – Ordinance Refunding Bonds:

Mrs. Cummins read the title of Ordinance O-15-12 on for 2nd reading and public hearing. This ordinance was published in March 21st edition of the Asbury Park Press and now may open the public hearing.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of Ordinance O-15-12 on for final reading and adoption.

Ms. Kane offered the following Ordinance pass final reading and moved on its adoption and authorized its publication according to law:

O-15-12

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF NOT TO EXCEED \$2,600,000 AGGREGATE
PRINCIPAL AMOUNT OF GENERAL OBLIGATION
REFUNDING BONDS BY THE BOROUGH OF HIGHLANDS,
IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY, TO THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY (THE “MCIA”) FOR THE PURPOSE OF
REFUNDING CERTAIN BONDS HERETOFORE ISSUED BY
THE BOROUGH TO THE MCIA**

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), on December 4, 2008, the Borough of Highlands, in the County of Monmouth, State of New Jersey (the “Borough”), had previously issued \$3,373,000 aggregate principal amount of General Obligations Bonds, consisting of general capital general obligation bonds (the “2008 General Capital Bonds”) and sewer general obligation bonds (the “2008 Sewer Bonds” and together with the 2008 General Capital Bonds, the “2008 Bonds”) to the Monmouth County Improvement Authority (the “MCIA”) in connection with the MCIA’s 2008 Pooled Governmental Loan Program; and

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WHEREAS, \$1,928,000 of such 2008 General Capital Bonds dated December 4, 2008 (the "2008 Refunded General Capital Bonds") are currently outstanding and can be defeased or are subject to redemption prior to their stated maturity, as applicable, and \$118,000 of such 2008 Sewer Bonds dated December 4, 2008 (the "2008 Refunded Sewer Bonds" and together with the 2008 Refunded General Capital Bonds, the "Refunded Bonds") are currently outstanding and can be defeased or are subject to redemption prior to their stated maturity, as applicable; and

WHEREAS, the MCIA and the Borough have determined that refunding bonds can be issued to defease or refund, in whole or in part, such Refunded Bonds which, under current market conditions, can generate a debt service savings to the Borough; and

WHEREAS, the Borough has determined to provide for the defeasance or refunding of the Refunded Bonds through its issuance of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$2,600,000 to the MCIA, as provided in this refunding bond ordinance.

NOW, THEREFORE, 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. In order to finance the purposes described in Section 2 hereof, negotiable refunding bonds of the Borough hereby designated as General Obligation Refunding Bonds (the "Refunding Bonds") are hereby authorized to be issued to the MCIA in an aggregate principal amount not to exceed \$2,600,000. The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Refunding Bonds are to be issued are (i) defeasing or refunding the principal amount of Refunded Bonds, including the payment of interest accrued thereon to the date fixed for redemption or defeasance, as applicable, and the redemption price thereof, if applicable, and (ii) paying the cost of the issuance relating to the Refunding Bonds, including printing, advertising, accounting, financial and legal expenses, rating agency fees, underwriter's discount, bond insurance premium of credit enhancement fees, if any, and MCIA costs of issuance, which may include any of the foregoing set forth in this Section 2(a)(ii).

(b) The aggregate cost of issuing the Refunding Bonds, as provided by N.J.S.A. 40A:2-51(b) (which amount includes all items described in Section 2(a)(ii) hereof) will not exceed \$75,000. Such amount is included in the maximum authorized principal amount set forth in Section 1 hereof.

(c) The Refunded Bonds shall be defeased or called for redemption, as applicable, prior to maturity thereof as provided in the Refunded Bond certificates. A portion of the proceeds from the sale of the Refunding Bonds shall be deposited in trust by the MCIA to provide for the payment and retirement of the Refunded Bonds. Any moneys held in trust by the MCIA may be invested in accordance with law.

Section 3. Any further provisions as to terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Borough adopted prior to the issuance of the Refunding Bonds.

Section 4. The Borough Council hereby delegates to the Chief Financial Officer or Business Administrator of the Borough the power to sell the Refunding Bonds at private sale to the MCIA, to determine the terms of the Refunding Bonds and to perform such other actions and make such other determinations.

Section 5. The Borough Council hereby authorizes and delegates to the Chief Financial Officer or the Business Administrator, in consultation with Archer & Greiner

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P.C., Red Bank, New Jersey (“Bond Counsel”) and Fallon and Larsen LLP, Hazlet, New Jersey (the “Borough Auditor”), the authority to negotiate and execute on behalf of the Borough any document for the purchase and sale of the Refunding Bonds to the MCIA.

Section 6. All other matters relating to the Refunding Bonds shall be performed or determined pursuant to a resolution of the Borough, or the performance or determination thereof shall be delegated by resolution of the Borough to an official or officer of the Borough, Bond Counsel or the Borough Auditor.

Section 7. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with (i) the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs prior to final adoption hereof, together with the statement signed by the Chief Financial Officer of the Borough required by N.J.S.A. 40A:2-55, and (ii) the MCIA.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this refunding bond ordinance, the Borough Clerk is hereby authorized and directed to publish a summary of this refunding bond ordinance, together with a Notice of Pending Bond Ordinance, at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance.

Section 10. After final adoption of this refunding bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish a summary of this refunding bond ordinance, as finally adopted, together with a Bond Ordinance Statement (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the “Code”), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. The purpose of the issuance of the Refunding Bonds is to effect a debt service savings to the Borough.

Section 13. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance and the said bonds and notes authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 14. The Chief Financial Officer of the Borough is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the Borough Bond Counsel and the Auditor,

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and the manual or facsimile signature of the Chief Financial Officer of the Borough upon any documents shall be conclusive as to all such determinations. The Mayor, the Borough Administrator, the Chief Financial Officer of the Borough, the Borough Clerk and any other Borough official, officer or professional, including but not limited to, Bond Counsel and the Auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including, if applicable, the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with Bond Counsel and the Auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.

Section 15. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided herein and the Local Bond Law, but, if applicable, not prior to the time that the consent of the Local Finance Board, Division of Local Government Services in the New Jersey Department of Community Affairs has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

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

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

O-15-13 – Ordinance to Exceed Budget Appropriation Limits:

Mrs. Cummins read the title of Ordinance O-15-13 on for 2nd reading and public hearing. This ordinance was published in March 21st edition of the Asbury Park Press and now may open the public hearing.

Mayor Nolan opened the public hearing.

Barbara Ianucci of Shrewsbury Avenue asked why we need the increase.

Mayor Nolan explained that Mr. DeBlasio, CFO, is not present. He has questions also.

Carol Bucco of 330 Shore Drive feels that this is for a “just in case” situation.

Mayor Nolan closed the public hearing.

Mayor Nolan offered a motion to table the vote only for Ordinance O-15-13 to the next meeting, seconded by Mr. Card and passed on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

O-15-14 – Ordinance Refunding Bonds:

Mrs. Cummins read the title of Ordinance O-15-14. She requested that this ordinance be tabled. She needs sufficient time to notify all effected property owners.

Mayor Nolan offered a motion to table Ordinance O-15-14 to the May 6th meeting, seconded by Ms. Ryan and passed on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Ms. Ryan, Mayor Nolan
NAY: None
ABSENT: Mr. Redmond
ABSTAIN: None

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Committee Reports:

Finance:

No report. Mr. DeBlasio was not present.

Mayor Nolan stated that he met with sub-committee on the Budget. We will have a town hall meeting sometime this month.

Public Safety:

Chief Blewett submitted his report.

POLICE DEPARTMENT
BOROUGH OF HIGHLANDS



JOSEPH R. BLEWETT
CHIEF



171 BAY AVENUE HIGHLANDS, N.J. 07732



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

***Report to Council
April 2015***

- * John Davis-Torrise, 39 years old, Waterwitch Avenue, Highlands was arrested on February 16, 2015 and charged with simple assault following a domestic dispute. Mr. Torrises' bail was set at \$2500.00 and he was subsequently released on bond.
- * On February 16, 2015, Tami Smith, 43 years old, Waterwitch Avenue, Highlands was arrested and charged with simple assault following a domestic dispute.
- * Kellie V. Richards, 38 years old, Spring Street, Red Bank was arrested and charged with simple assault following a domestic dispute. Ms. Richards was processed and later released on her own recognizance pending a future court appearance.
- * The Highlands Police Department along with the Highlands Fire Department, surrounding agencies and the Monmouth County Fire Marshall responded to a structure fire at a vacant Shore Drive residence on February 19, 2015.
- * On February 22, 2015, a white 2003 Dodge Ram pickup with a snowplow attached was reported stolen from Scenic Drive. The vehicle was entered into the National Crime Information Center (NCIC) and was later recovered in New York after the driver struck a parked vehicle. Officers from the New York City Police Department subsequently arrested Ernest Lapointe, 38 years old, Waterwitch Avenue, Highlands and charged Mr. Lapointe with driving while intoxicated, criminal possession of stolen property, unauthorized use of a stolen vehicle and leaving the scene of an accident.
- * During a routine motor vehicle stop for a traffic violation on March 8, 2015; Ptl. Troy Hartsgrrove arrested Edwin A. Valle, 18 years of age, Hamilton Street, Somerset for possession of a controlled dangerous substance; specifically marijuana and possession of drug paraphernalia. Mr. Valle was processed and later released on a summons to appear in Municipal Court.
- * Sometime between March 9, 2015 and March 12, 2015, unknown person(s) removed a Mercury outboard motor valued at approximately \$1500.00 from Marina Bay Court.

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* Unknown person(s) removed six (6) kayaks valued at approximately \$1600.00 from the beach front of a Portland Road property between March 13, 105 and March 14, 2015.

* On March 15, 2015, Jeffrey R. Chapman, 22 years old, Birchwood Lane, Middletown was arrested and charged with possession of a controlled dangerous substance; specifically marijuana after officers were dispatched to check suspicious activity on Huddy Avenue. Mr. Chapman was processed and later released on a summons to appear in Municipal Court.

* **Administration:**

- Facility
 - Water/Sewer
 - Costs are high - \$150.00 each time Johnny of the Spot responds, which is every other day.
 - Inquiring about cost for line hook up – waiting on quote
- Grants
 - Driving Simulator
 - Applied through a major insurance company for the majority of funding towards the purchase of a Driving Simulator to be used by teens at Henry Hudson Regional School and the Highlands Police Department Explorer Post.
 - The total cost of the simulator is approximately \$14,000.00
- Ordinances
 - Noise Ordinance
 - Revised Ordinance passed on March 18, 2015
 - Training – pending from business owners as to whether or not they will be attending
 - Portland Road
 - Introduction – revised parking ordinance to amend parking restrictions

* **Investigations:**

During this period the detective bureau handled (4) new initial investigations which included child abuse/neglect, theft and death investigations that required additional follow up including witness interviews/statements, referrals/meetings with other agencies (Monmouth County Prosecutor's Office/Division of Youth and Family Services) and is in addition to investigations that were handled by other officers but does not include routine calls handled on a daily basis or carry over investigations from previous months.

* **Crisis Calls:**

March 11, 2015, the Highlands Police Department responded with representatives from Monmouth Medical Center Mobile Screening regarding an evaluation due to concern for a resident that had been exhibiting unrealistic and unreasonable paranoia. Based upon the reported information and the individuals actions officers ultimately had to take the individual into protective custody and transport to a local hospital for medical treatment.

* **Community Policing:**

- Explorers
 - Training – March 11, 2015
 - Taser Demonstration
 - Presented by National Park Service Sandy Hook Unit
 - Guinness Run – March 15, 2015
 - Participants assisted with traffic control by blocking the intersections.

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- * Total Calls for Service: 401

- * Arrests: Adults: 13 (2 for possession of CDS)
JV: 1

- * Summons: Total: 63
 - Moving Violations: 21
 - Non-Moving: 21
 - DWI: 2
 - Boro Ordinance: 19

Administration:

Mr. Hill read thru his report.

1. Department of Public Works / Sanitation Services / Sewer

- a. Bulk Pick completed in all zones March
- b. Need to remind residents that construction debris is not to be placed in with regular garbage – residents and contractors must make other arrangements for disposal of construction material.
- c. Sewer line minor repair made on borough owned pipe off of Shore Drive.
- d. DPW – completed rounds, assisted with event set up and worked with students from NJIT who volunteered to help with pre-event street clean-up and additional clean up at skate park and all areas surrounding community center.

2. Building and Housing:

a. CONSTRUCTION OFFICE – March 2015

New Permits 26 Permit Updates 11 = 39 (Total 30 Rehab / 3 new)
Total Fees March 2015 = \$41,808
Cost of Construction as per permits \$787,116
Sub-Code Inspections 18 Building, 22 Electrical, 14 Fire, 20 Plumbing

b. Zoning Office:

ZONING

8 Approvals 1 Board Appearance Required 1 Construction Violation –
1 Relocation Approval of Electrical Service
1 Prior Approval Request for Non-Conforming Use

FLOODPLAIN

9 Approvals 1 Demolition Confirmation Letter 4 Letters of Compliance
2 Further Compliance Required Letters 1 Flood Zone Determination Letter.

c. Code Enforcement: 32 inspections - 6 Violations 26 CO's issued 1 summons

d. Property Maintenance 9 complaints responded to 8 resolved. 1 Violation issued, 4 summonses pending in court.

4. Fire Department: March 2015 Calls: 16

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- Training: Members recertified on SCBA masks, Chief Wells certified as CPR instructor.
- On 20 March the dept responded to Hillside Court unit E13 for a working oven fire. The owner extinguished the fire before arrival. FD checked for extension and used thermal imaging camera and vented the residence.
- The FD participated in the annual St. Patrick's Day parade. Due to simultaneous fire calls for us and our Mutual Aid departments we only had two pieces of apparatus in the parade.

5. OEM / Fire Prevention - March 2015

Highlands OEM

- Borough Emergency Operations Plan disseminated within specific locations in the Borough and awaiting final approval from the State.
- Monmouth County Hazard Mitigation Plan update submitted to the Borough for final approval.
- Coordinator and deputies continuing to work on communications licensing for the Borough and transitions to the new Monmouth County radio system. Approximately 65% complete. Must be in full compliance by May 1st 2015. May require additional equipment in the future. Short term and intermediate plans being developed. Will be requesting a meeting with Tim Hill and Kevin Redmond to review in April.
- Port Security - Meeting and discussing Highlands Marine capabilities 2015 (Fire-Rescue) April 6th in Newark. Port Security grant opportunities becoming available.

Highlands Fire Prevention Bureau

- NJ Division of Fire Safety Report complete.
- Reviewing new Emergency Reporting Software for fire department and fire prevention to integrate with Monmouth County 911 system. Moving forward with this project.
- Continuing with 2015 fire inspections. Major F/A system project at Eastpointe to be reviewed.
- Working with contractors in the final stages of the firehouse building upgrades. 90% completion.

5. Recreation Dept.

- a. Kids on the Move Program - 33 registered
- b. Adult Open Gym Indoor Soccer - 28 registered (Ended March 25th)
- c. Middle School Teen Night, March 13th - 38 participants
- d. Adult Open Gym Volleyball - 36 registered

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e. Senior Citizen Group's St. Patrick's Day Luncheon, March 26th - 22 participants

f. **Easter Egg Hunt, March 28th - 120 participants**

g. **Application being submitted for Summer Food Service Program for Children. Summer Registration will begin May 15.**

h. Rain Barrel Program – 15 responses thus far (as of 3/31)

i. other - Kids on the Move Program – will run through June 10, 2015, Adult Open Gym Volleyball – will run through April 30th, High School Teen Night - Friday, April 17th for grades 9-12 at the Highlands Elem. School Gym from 7-9:30 pm. The event is free and pizza & soda will be served.

6. Administration

a. RFP's for Clam Depuration Plant Operation / Management and Business Constultantcy Services ---- had 2 responses – only one met the application criteria as released in the RFP.

b. AH/H/HHRS Tri-District Task Force & Regional Consolidation – Rep's from State Dept. of Education and Monmouth County Superintendent spoke about steps required to make informed recommendations. Analysis being completed with regards to all issues and timelines are being established with regards to referendum requirements.

c. NJIT Volunteers – 10 student volunteers and co-ordinator assisted with DPW efforts on March 12. Thanks to all who helped – and HBP for making lunch arrangements at Francesco's.

d. Continue to work with professionals, State OEM and FEMA reps with regards to Project Worksheets and completion of items.

e. Additional Shared Services meetings being held in the future.

f. Essential Services Grant ---- will be filed by April 7, 2015 deadline.

g. NJEDA “Streetscape Grant” – deadline for expenditure of funds / project completion has been extended to July 1, 2016. This may give us the opportunity to provide the least amount of disruption to the business districts that will be impacted during construction.

i. The Monmouth County Park System transport of the World War II naval gun from the Battleship New Jersey was completed on Monday to Battery Lewis at Hartshorne Woods Park. The permanent display will be designed in the future.

Board of Education:

Ms. Ryan spoke of the Tri-District. The H.E.S. will have a budget presentation on May 4th at 6:00 p.m. at the elementary school.

HBP:

Ms. Kane read thru the report submitted by H.B.P.

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Marketing & Events

The 2nd Annual Guinness Run took place on March 15th, at The Chubby Pickle. The race had a successful turnout despite being rescheduled for Sunday due to inclement weather. We had 42 runners, the total proceeds were \$1,000.00

The 13th Annual St. Patrick's Day Parade took place March 21st. A great big thank you to the volunteers and the DPW staff for an excellent job in removing the snow. Thank you Joe Burke for gathering volunteers. Thank you Karen Taylor Burke, Doug Card, Chris Francy, Dan Shields and whoever else was shoveling, it was truly appreciated. Once again Highlands pulls together! The parade was a huge success! We estimated over 5000 in attendance. The Pot of Gold raffle winners was a Highlands resident, who took home \$740.00 and the winner of the women's pink beach cruiser, donated by Kranky Cycles, was Michael So.

For the Competition of Floats, the winners were for "Best of Show" Bahrs Restaurant "Nautical Float", "Most Original" In the Garden's Lego Float, "Prettiest" NOAA's Fish Me I'm Irish Nautical Float, and the "Best Apparatus" Highlands First Aid Pirates.

The Highlands 2015 Visitor Guide has been updated and has been distributed to County, Sandy Hook, Twin Lights, and will begin locally. We continue to expand our online presence and social media campaigns.

Visual Improvement

Worked in partnership with the Borough's Clean Community Program to spruce up parks and public areas for Spring clean-up project. We are currently working with the Garden Club to put together a plan for the responsibility of watering planters and possible relocating some due to the streetscape project.

To date we have received one partial application for the Miller St. mural project, from Jim Kovic.

Economic Development – Awaiting a materials list from Tri-Bar for the fill needed to begin the Veterans Park Boardwalk Project. We are also are awaiting a hardware list (nuts & bolts) for the project. As soon as material list is received, we can have it delivered within 5 business days so we can get this project moving.

Robin Hood Grant –As of today 23 projects have been completed. Two homes are in progress; one waiting for concrete when the weather permits and a second has begun and will be completed by end of April. The final report will be submitted to Robin Hood as required.

Ms. Kane spoke of the grease traps letter that was sent out today. She will be working with the HBP and affected business owners to get a better understanding. She will bring information back to the table.

Shared Services:

Mayor Nolan stated that he will be meeting with another town on April 17th for a shared facility possibility. He will report back after the meeting.

Website RFP:

No report.

Other Business:

NJ American Grant – Rain Barrels:

Mr. Hill stated that NJ American Water presented us with a check for \$10,000.00. We are moving this project forward.

Ms. Ryan thanked Stacey for pushing this forward and for all of her assistance.

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Review R-14-220:

Ms. Ryan requested that this be carried to the May 6th meeting.

Public Portion:

Mayor Nolan directed Mrs. Cummins to put Fran Mullen's plan on the website. This was discussed earlier in the meeting.

Carol Bucco of 330 Shore Drive asked of plans with Doris and Ed's restaurant and voiced her concerns with water runoff.

Mr. Leubner spoke of challenges with the plans. He will go to the site and check things out.

Mr. Card stated that the dirt will be compacted. The problem may just be a temporary one.

Mayor Nolan said that there are no plans as of now for Doris and Ed's.

Carol Bucco asked about Title 39 for Bayview Condo's.

Mr. Padula will speak with her about this.

Melissa Pedersen of Bay Street spoke of the rain barrel survey.

Carolyn Broullon of 12 Miller Street stated that she did a survey monkey regarding the rain barrels. She will email the link to Mr. Hill.

Mayor Nolan directed Mr. Hill to be put the link on our website.

Barbara Ianucci of 28 Shrewsbury Avenue spoke on behalf of concerned citizen of Highlands. She then read the title of her petition for the record. She has 167 signatures. The petition is requesting the Borough of Highlands to permit volunteers to assist with the rehab of the Community Center.

Mayor Nolan said he appreciates their efforts. They are just as frustrated as the residents. The council had discussed this. Ms. Ryan will be in charge of the volunteers and will speak with Barbara Ianucci.

Barbara Ianucci spoke of the Tom Smith being the new judge and if he will have to recuse himself with prior clients.

Mr. Padula stated that he was not aware that there is a problem.

Kim Skorka of 315 Shore Drive spoke of paying T&M by the hour and hoped we are not paying him for tonight.

Mr. Leubner explained that he is not being paid to be at the meeting.

Table had discussion about the T&M team.

Kim Skorka asked about the Mosquito Control. She wanted to know what type of chemicals they are using and when they will be spraying.

Mr. Card recommended that we do a reverse 911 for aerial spraying.

Stacey Pritchard of 130 Bay Avenue expressed concern with mosquito spraying.

Mr. Hill stated that he will follow up with the Regional Health Commission.

Gerry Feliciano of 14 N. Peak Street asked about an update on the one way on Valley St.

Ms. Ryan stated that several months ago, she sent out a letter to the affected residents. She received 16 responses back. There were 15 responses that were against the one way and only one was for it. She will continue to discuss this and possible solutions with Gerry Feliciano. She will report back to the table by the first meeting in May.

Katie Reed of 7 Snug Harbor would like to see a playground on the beach and bathrooms as well.

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Ms. Ryan will get in touch with her to discuss this further.

Barry from Tri-Bar spoke of his concerns with delays in permits without a Building Department Secretary.

Mayor Nolan stated that a replacement is being sought. Civil Service received 176 applicants. He further discussed the process.

Mr. Hill said they have been working on this since they found out about her resignation on Monday.

Mr. Card will speak with Barry after the meeting.

Trisha Rivera of 31 Waterwitch Avenue asked about the Mosquito spraying and Hazard Mitigation.

Mr. Hill explained that this is part of the County Plan.

Discussion continued.

Trisha Rivera asked if the garbage collectors can put the cans back on the curb. She is also concerned with wires close to trees on private property. Some of these houses are vacant.

Mr. Card recommended that she contacts JCP&L to report the trees close to wires. She will need the pole number.

There were no further questions.

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

The Meeting adjourned at 10:33 p.m.

Debby Dailey, Deputy Clerk