

Mayor & Borough Council Meeting Minutes
Community Center – 22 Snug Harbor – Highlands
Wednesday, April 1st 2018
6:00pm

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

Call to Order
Meeting Statement
Roll Call

WORKSHOP: 6:00PM

Borough Projects to Date
NJ FRAMES
Offshore Drilling Presentation
Paint the Town Pink

Executive Session Resolution

EXECUTIVE SESSION: 7:00PM

Litigation: NJNG
Contract Negotiations: Shared Service Middletown
Middletown Shared Services Feasibility
Attorney-Client Privilege: Rental of Community Center

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Public Comment on Resolutions

Consent Agenda

R-18-082 Authorize Payment of the Bills
R-18-083 Opting Back into the County Demonstration Program
R-18-084 Renewal of 2017/2018 Liquor License for Waz Two, LLC
R-18-085 Appoint Part-Time Building Maintenance Worker
R-18-086 Appoint Full-Time Account Clerk

Resolutions

R-18-087 Reject Bid for Lease of Municipal Property and Authorize Re-Advertisement of Solicitation of Sealed Bids
R-18-088 Authorize Shared Service with Sea Bright for Life Guard Services
R-18-089 Authorize Award of Non-Fair & Open Contract for Engineering Services to CME Assoc.
R-18-090 Rescind R-17-083 which Declined to Issue a Letter of Support to the Army Corp of Engineers & Rejected the Coastal Storm Risk Management Project
R-18-091 Authorize Award of Non-Fair & Open Contract for Storm Sewer Installation on Shore Drive
R-18-092 Authorize Advertisement for RFP for Licensed Planner for B 105.107 L1.1
R-18-093 Authorize Award of Non-Fair & Open Contract for a Licensed Planner to Prepare a Redevelopment Plan for B84 L2.01
R-18-094 Authorize Advertisement and Solicitation of Bids for Sanitary Sewer Rehabilitation

Ordinances: Introduction & First Reading

O-18-08 Add Chapters 4-14 AND 4-15 Concerning Short Term Rentals & Bonds for Damage
O-18-09 Amend Section 7-3.5 to Restrict Parking Near Municipal Buildings on Shore Drive
O-18-10 Amend Schedule A of the 2018 Salary Ordinance

Ordinances: Public Hearing & Possible Adoption

O-18-07 Exceed the Municipal Budget Appropriation Limits & Establish a CAP Bank for 2018

Other Business:

Administrator's Report
Police Chief's Report

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Public Comments:

Adjourn

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The Meeting was called to order at 6:10pm.

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

Pledge of Allegiance was led Mayor O'Neil.

ROLL CALL:

Present: Councilmembers Braswell, Broullon, Ryan & Mayor O'Neil

Absent: Councilmember D'Arrigo*

Also Present: Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney
Kim Gonzales, Borough Administer

Workshop

Borough Projects to Date

Councilmember Broullon had created a spread sheet of all the things the Borough had accomplished and was in the process of completing including but not limited to, rezoning Bay Avenue, commercial tax abatement, correcting elementary school drainage, Veterans' Park electric and authorizing redevelopment studies for Shadowlawn & Captain's Cove. Mr. Chabarek updated the Council on the status of the contract with Our Lady of Perpetual Help (OLPH) Church. Ms. Gonzales discussed the status of the duckbill valves and removal of fuel tanks from the DPW yard.

NJ Frames

Kelly Pflicke of the New Jersey Department of Environmental Protection briefed the Council on the NJ FRAMES project explaining that the goal is to work with regional coastal communities to better plan for the risk of sea level rise and reduce flooding. She discussed the other municipalities involved, community partners and other agencies involved with this project and the community outreach that they have been conducting. Another representative that attended with Ms. Pflicke explained the possible grant opportunities that could arise from this project. Ms. Pflicke informed the Council on the status of the project and answered their questions.

Borough Attorney Andrew Ball arrived at 6:45pm.

*Councilmember D'Arrigo arrived at 6:48pm.

Offshore Drilling Presentation

Councilmember Braswell explained that he was prompted to make this presentation after receiving a resolution from Clean Ocean Action asking the Borough to take a stand against off shore drilling. He took each sentence of the proposed resolution and explained why he through each statement was true or false with supporting documentation. With the Workshop ending, Councilmember Braswell agreed to e-mail the Council the presentation for further review.

Paint the Town Pink

Was moved to other business in the Regular Meeting.

Resolution to enter into Executive Session

A motion to enter Executive Session was offered by Councilmember Ryan and seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The Resolution to enter Executive Session was properly approved.

Executive Session was entered at 7:09pm.

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REGULAR MEETING:

The Meeting was called to order at 8:05pm.

As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

Pledge of Allegiance was led Mayor O'Neil.

ROLL CALL

Present: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil

Absent: None

Also Present: Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney
Kim Gonzales, Borough Administrator

Public Comment on Resolutions

Mayor O'Neil opened the meeting to the public.

Carol Bucco, Shore Drive, questioned the need for the positions listed on Resolution 18-065 and 18-068 which Mayor O'Neil responded that there was and explained the job titles. Ms. Bucco inquired if the entire Council was aware of the meeting that led to Resolution 18-090. She provided the Council a history of the Army Corp of Engineers' (ACE) project and her opinion on the project. Mayor O'Neil and Ms. Gonzales explained the resolution did not commit the Borough to the project or any expense, just authorizing the feasibility study. Ms. Bucco stated that most people in the Borough do not want this project and expressed her concerns for its success. Councilmember D'Arrigo expressed her opposition to the project. Council discussed the resolution.

Councilmember Ryan motioned to table Resolution 18-90 indefinitely which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: *Councilmembers Broullon, Ryan & Mayor O'Neil (3)*

NAY: *Councilmembers Braswell & D'Arrigo (2)*

ABSENT: *None (0)*

ABSTAIN: *None (0)*

Resolution 18-90 was properly tabled indefinitely.

Trish Uber, Beach Blvd, commented that Resolution 18-090 is vague and noted that most people do not want to ACE project. She noted that reasons she thought the project was wrong for the Borough including the tax burden it would create. Ms. Uber stated that until we correct our current problems the Borough shouldn't build something we don't need.

Mayor O'Neil closed the meeting to the public.

Consent Agenda

R-18-082 Authorize Payment of the Bills
R-18-083 Opting Back into the County Demonstration Program
R-18-084 Renewal of 2017/2018 Liquor License for Waz Two, LLC
R-18-085 Appoint Part-Time Building Maintenance Worker
R-18-086 Appoint Full-Time Account Clerk

Mayor O'Neil motioned to approve the consent agenda which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: **Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)**

NAY: **None (0)**

ABSENT: **None (0)**

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ABSTAIN: None (0)

The consent agenda has been properly approved.

Resolutions

R-18-087 Reject Bid for Lease of Municipal Property and Authorize Re-Advertisement of Solicitation of Sealed Bids

Councilmember Ryan motioned to approve Resolution 18-087 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-087 has been properly approved.

R-18-088 Authorize Shared Service with Sea Bright for Life Guard Services

Councilmember D'Arrigo motioned to approve Resolution 18-088 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-088 has been properly approved.

R-18-089 Authorize Award of Non-Fair & Open Contract for Engineering Services to CME Assoc.

Mayor O'Neil motioned to approve Resolution 18-089 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-089 has been properly approved.

R-18-091 Authorize Award of Non-Fair & Open Contract for Storm Sewer Installation on Shore Drive

Mayor O'Neil motioned to approve Resolution 18-091 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-091 has been properly approved.

R-18-092 Authorize Advertisement for RFP for Licensed Planner for B 105.107 L 1.1

Councilmember Ryan motioned to approve Resolution 18-092 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, Ryan & Mayor O'Neil (4)

NAY: Councilmember D'Arrigo (1)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-092 has been properly approved.

R-18-093 Authorize Award of Non-Fair & Open Contract for a Licensed Planner to Prepare a Redevelopment Plan for B84 L2.01

Councilmember Ryan motioned to approve Resolution 18-093 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

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Resolution 18-093 has been properly approved.

R-18-094 Authorize Advertisement and Solicitation of Bids for Sanitary Sewer Rehabilitation

Councilmember Ryan motioned to approve Resolution 18-094 which was seconded by Mayor O'Neil.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, Ryan & Mayor O'Neil (4)

NAY: Councilmember D'Arrigo (1)

ABSENT: None (0)

ABSTAIN: None (0)

Resolution 18-094 has been properly approved.

Ordinance: Introduction & First Reading

O-18-08 Add Chapters 4-14 AND 4-15 Concerning Short Term Rentals & Bonds for Damage

Mayor O'Neil motioned to introduce Ordinance O-18-08 which was seconded by Councilmember Braswell.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Ordinance 18-08 has been properly introduced and a public hearing will be held on April 18th 2018.

O-18-09 Amend Section 7-3.5 to Restrict Parking Near Municipal Buildings on Shore Drive

Mayor O'Neil motioned to introduce Ordinance O-18-09 which was seconded by Councilmember Braswell.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Ordinance 18-09 has been properly introduced and a public hearing will be held on April 18th 2018.

O-18-10 Amend Schedule A of the 2018 Salary Ordinance

Mayor O'Neil motioned to introduce Ordinance O-18-10 which was seconded by Councilmember D'Arrigo.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Ordinance 18-10 has been properly introduced and a public hearing will be held on April 18th 2018.

Ordinances: Public Hearing & Possible Adoption

O-18-07 Exceed the Municipal Budget Appropriation Limits & Establish a CAP Bank for 2018

Mayor O'Neil opened the meeting to a public hearing on Ordinance 18-07. Seeing no one from the public wishing to speak, Mayor O'Neil closed the meeting to the public. Councilmember Broullon motioned to adopt Ordinance 18-07 which was seconded by Councilmember D'Arrigo.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

Ordinance 18-07 has been properly adopted.

Other Business

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Paint the Town Pink

The Council discussed where in the Borough they would like to hang the sign and decided on Linden Avenue.

Administrator's Report

Ms. Gonzales updated the public on various projects and events including the sewer cleaning and scoping, repairs to Jackson and John Streets, summer concerts, and Clean Ocean Action's upcoming Beach Sweep.

Police Chief's Report

Chief Burton informed the public it was distracted driver crack down month and encouraged everyone to drive safely.

Public Comment

Mayor O'Neil opened the meeting to the public.

Mark Zill, Portland Road, stated that he was here with neighbors tonight to make the Council aware of how dangerous the conditions are on their road. He expressed concern over the new construction on his road will impact the already poor conditions. Mr. Zill also wanted to ensure that the construction would be done to code, and the Borough stayed vigilant on it. He stated that he loves the Borough, but they need a plan for the road.

Mayor O'Neil stated that they would look at the situation and wanted to have the road's problems corrected.

John Heck, Portland Road, inquired if there was a developer's agreement for the new construction that could help with the improvements to the road. The Council discussed the property with Mr. Heck.

Steve Solop, Bay Avenue, requested an update on getting business into the center of the Borough and the status of the survey. Councilmember Broullon explained that only a few had been returned at that time. Mr. Solop asked for the HBP's liaison's job description which Councilmember Broullon and Mr. Chabarek provided.

Mayor O'Neil closed the meeting to the public.

Adjourn:

Mayor O'Neil motioned to adjourn the meeting which was seconded by Councilmember Broullon and approved by all present. The meeting was adjourned at 8:58 pm.

Approval of the Minutes

A motion to approve the Minutes of April 4th 2018 was made by Councilmember Broullon and seconded by Councilmember Ryan.

AYE: Councilmembers Braswell, Broullon, D'Arrigo, Ryan & Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

I, Bonnie Brookes, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be the action of the Governing Body at its meeting held September 5th 2018.

Approve: 
Richard W. O'Neil, Mayor

Attest: 
Bonnie Brookes RMC, Deputy Clerk