

**Borough of Highlands
Mayor & Council
Regular Meeting
April 6, 2016**

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

Mayor Nolan called the meeting to order at 7:01 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, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

Absent: Mr. Card

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

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: Baymens Assoc., NJ Natural Gas**
- 2. Contract: Cross River Fiber Right-of-Way Agreement**
- 3. Real Estate:**
- 4. Personnel Matters: Administrator's Update on Personnel Matters**
- 5. Investigation:**
- 6. Attorney-Client Privilege: Property Assessment Demo Program – Cliff Moore
Tax Abatement Application
Zoning/Construction Issue
Borough Facility Update
Tilt-Up Survey Results**

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.

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

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

Seconded by Mrs. Wells and adopted on the following roll call vote:

ROLL CALL:

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

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:52 p.m.

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

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Mayor Nolan asked for a moment of silence for former Councilwoman Tara Ryan and a great friend of the Borough. May she rest in peace.

ROLL CALL:

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

NAYS: None

ABSENT: Mr. Card

ABSTAIN: None

JCP&L Update:

Mayor Nolan stated that a representative from JCP&L is here to give us updates on a few items.

Kieran Tintle, Area Manager from JCP&L, explained that he met with Mr. Hill a few weeks ago and discussed the elevation process. Some of the issues that were discussed were that Code Enforcement Officials will require a written letter from the local electric utility to the homeowner or contractor to indicate that the electric company has informed the customer of hazards of building up into our power lines. They have a minimum clearance per National Electric Safety Code. The range varies depending on where the home is situated. This is not meant to hold up construction. We would submit a letter to the applicant. The applicant would get the verification letter by calling their 1-800 number. He further explained the process.

Mr. Hill added that copies of the letter are available at the construction office. He reminded the public that this is a very serious issue. He further described past scenarios.

Mayor Nolan asked what the turnaround time is.

Mr. Tintle explained it is quick as long as there are no issues. The applicant should notify them before going for a construction permit.

Chris Francy of 36 Fifth Street asked what happens if there are issues.

Mr. Tintle replied that they would work with the professionals to come up with solutions.

Rob Burton of Atlantic Street asked if the meter pan can be below flood elevations.

Mr. Tintle explained that per DCA guidelines - no. The guidelines are listed on their website.

Greg Wells of 246 Bayside Drive asked if they are requiring a site plan.

Mr. Tintle replied that it is on a case by case basis.

Andrew Stockton of 31 Grand Tour stated that there are different definitions of a site plan. He also asked if there will be cases where JCP&L will move power lines for a house.

Mr. Tintle replied that we try to work with customers. We would rather move the house than move power lines.

Mayor Nolan stated that the document says the customer will be responsible for the cost of correcting the compromising condition. He repeated that this is very important to do before construction.

Mr. Tintle added that the purpose of this is to avoid that.

Mayor Nolan thanked Mr. Tintle for his time.

Public Comment Period on Consent Agenda Resolutions Only:

Mayor Nolan opened the public comment period.

Kim Skorka of 315 Shore Drive questioned an item on the payment of bills. There is a \$5400 bill for rock salt. Why are we buying it in the spring? She also questioned that cold patch is being paid out of the snow removal budget. Also, Councilwoman Wells is being reimbursed \$90 for cell phone use. Does she qualify for the entire \$90?

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Mr. Hill responded that the rock salt was already encumbered and this is the payment. The cold patch may have been a clerical error or we did not have enough money in the line item. He will verify it. As far as the cellphone bill, the ordinance has not been adopted yet.

Carol Bucco of 330 Shore Drive stated that she noticed that a lot of veterans are getting the tax deduction. She added that it is not always the owner of the apartment. She asked how it is checked.

Mr. DeBlasio explained the review process. It does have to be owner occupied.

Mr. Chabarek stated that there is a typographical error in Resolution R-16-102. The name should read as Juana Rodriquez.

Neal Taber of 4 Fay Street asked if Resolution R-16-96 included Willow and Fay Street or is a separate change order.

Ms. Broullon replied not in this particular resolution. The engineering has gone over the scope of work. They are checking to see if those streets can be added without adding to the cost.

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

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.

Mrs. Wells requested to pull the payment of bills for discussion.

**R-16-94
RESOLUTION APPROVING APPLICATIONS FOR RED LIGHT SIREN PERMIT
AND OR BLUE LIGHT PERMITS**

WHEREAS, the following applicants are Volunteers for the Highlands First Aide Squad and have submitted applications for authorization for Red Light Siren and Blue Light Permits:

Warren Terwilliger, Jr.	Blue Light Permit
Bryan Fentiman	Blue Light Permit
Geraldine Franklin	Blue Light Permit
Mariah Parker	Blue Light Permit
Chris Dos Santos	Blue Light Permit
Stephen Travers	Blue Light Permit
Noelle Dacunzi	Blue Light Permit
Ryan Kreuz	Blue Light Permit
Katie Mason	Blue Light Permit

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the above permits are hereby approved and the Mayor and or Borough Administrator are authorized to sign each permit.

	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	

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**R-16-95
RESOLUTION APPROVING CHANGE ORDERS 1 & 2
LUCAS CONSTRUCTION GROUP
-\$2.50 DECREASE
SHREWSBURY AVE & NORTH STREET ROADWAY IMPROVEMENTS PROJECT**

WHEREAS, Resolution R-15-231 was adopted on December 2, 2015 awarding a contract to Lucas Construction Group for the Shrewsbury Ave & North Street Roadway Improvements Project for the amount of \$859,232.50; and

WHEREAS, change order # 1 dated March 4, 2016 prepared by T & M Associates, professional engineers, sets forth reasons for said change order (change in completion date revised to May 20, 2016) which results in \$0.00 in contract amount; and

WHEREAS, change order #2 dated March 28, 2016 prepared by T & M Associates sets forth reasons for said change order (Item A-15 reduced to reflect current as-built quantity and items A32 & A33 are increased to reflect current as-built quantities).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that change orders #1 & #2 are hereby approved changing the original contract amount by - \$2.50 is hereby authorized for the Shrewsbury Ave & North Street Roadway Improvements Project. The contract amount is hereby amended from \$859,232.50 to \$859,230.00.

	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

**R-16-96
RESOLUTION APPROVING CHANGE ORDER #2
FIORE PAVING COMPANY, INC.
INCREASE OF \$29,552.00
SHORE DRIVE PHASE II PROJECT**

WHEREAS, Resolution R-15-138 was adopted on June 25, 2015 awarding a contract to Fiore Paving Company for the Shore Drive Phase II Project as follows:

R-15-138 June 25, 2015 \$233,000.07 - Award
R-16-41 January 20, 2016 Increase \$ 17,000.00 –Change Order 1

WHEREAS, change order # 2 dated March 4, 2016 prepared by T & M Associates, professional engineers, sets forth reasons for said change order (Item 18 reduced and items 24 & 27 are increased to reflect current asphalt as-built quantities, S-2 Huddy Park & Shore Drive Drainage Upgrades and Contract completion date revised to May 20, 2016),

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that change order #2 increasing the original contract amount by

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\$29,552.00 is hereby authorized for the Shore Drive Phase II Project. The contract amount is hereby amended to \$279,552.07.

Certification of Funds:

I hereby certify that funds are available for this contract from Bond Ordinance # _____.

Patrick DeBlasio
Chief Financial Officer

	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-16-98
RESOLUTION
AUTHORIZING REDUCTION NUMBER 1 OF PERFORMANCE GUARANTEES
FOR NAVESINK SHORE SANDY HOOK BAY MARINA
FOR PROPERTY LOCATED
AT BLOCK 101, LOT 27.03**

WHEREAS, the original Guarantee was in the amount of \$3,221,750.00, but was not posted.

WHEREAS, upon agreement between the Borough and the applicant an original reduced Performance Guarantee of \$1,216,670 was posted.

WHEREAS, the applicant has requested the reduction of the initial reduced Performance Guarantee in the amount of \$1,216,670.00 ((\$1,095,003.00, 90% Performance Bond Amount posted by a surety bond) and \$121,667.00 (10% Cash Portion)) for Block 101, Lot 27.03.

WHEREAS, this request was forwarded to the Borough Engineer and an inspection was performed by T&M Associates and a report dated March 18, 2016 was provided by the Borough Engineer, and he has recommended the reduction of said Performance Guarantees as follows:

	Original Guarantee	Original Reduced Guarantee Posted	Current Reduced Performance Guarantee
Original Guarantee	<u>\$3,221,750.00</u>	<u>\$1,216,670.00</u>	<u>\$481,140.00</u>
Cash Portion:		\$ 121,667.00	\$ 48,000.00
Bonded Amount Bond 5042224:		\$1,095,003.00	\$433,026.00

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the Performance Bond Number 5042224 for Sandy Hook Developers is hereby reduced to \$481,140.00 and the Chief Financial Officer, Borough Clerk and Borough Administrator are hereby authorized to execute the reduction of said Performance Guarantees.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			

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CARD						X
D'ARRIGO			X			
WELLS			X			
NOLAN	X		X			
ON CONSENT AGENDA	X	YES		NO		

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COUNTY OF MONMOUTH**

R-16-99

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

WHEREAS, the Borough of Highlands has a need for professional Engineering services for the Bay Avenue Streetscape Phase II Improvements Project, 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 \$92,550.00 plus reimbursable expenses for Professional Engineering Services as stated on the T & M Associates proposal dated March 30, 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

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the Bond Ordinance O - _____:

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 \$92,550.00 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

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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	

R-16-101

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:

BLOCK LOT YEAR AMOUNT NAME

102 3.01 2015 \$1,494.52 BOROUGH OF HIGHLANDS

	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-16-102

**RESOLUTION GRANTING TAX EXEMPTION
TO DISABLED VETERAN
FOR BLOCK 100.8. LOT 45**

WHEREAS, Juana Rodriquez is a 100% disabled veteran and is the owner and resident of 329-330 Shore Drive, Unit B-5, Highlands (Block 100.8 Lot 45). A 100% service connected

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disability having been awarded to Juana Rodriquez by the Veteran Administration for medical conditions arising from his military service; and

WHEREAS, the petitioner has applied for exemption of the taxes assessed for his property located at 329-330 Shore Drive, Unit B-5, Highlands, as a 100% disabled veteran pursuant to N.J.S.A. 54:4-3.30(A), and the Rodriquez residence is exempt for its tax assessment commencing on April 1, 2016 as the residence of a 100% disabled veteran; and

WHEREAS, the Governing Body of the Borough of Highlands, upon recommendation of the Tax Assessor, has determined that Juana Rodriquez is entitled to a tax exemption as a 100% disabled veteran for conditions received in the honorable service of his county and his fellow citizens, and the effectuating the policy of tax exemption as of the appropriate date is proper.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that pursuant to the authority of N.J.S.A. 54:4-3(A) the Tax Assessor is hereby authorized to exempt Block 100.8 Lot 45, 329-330 Shore Drive, Unit B-5, Highlands, the residence of Juana Rodriquez, a 100% disabled veteran, from the prorated assessment of property effective April 1, 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-16-103
RESOLUTION
APPROVING RAFFLE LICENSE APPLICATION**

WHEREAS, the Hi-Mar Striper Club, Inc. has submitted a Raffle License Application No. RA1317-16-06 for a drawing to be held on June 3, 2016; and

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 Application RA#1317-16-06 and the Borough Clerk is authorized to sign off on licenses.

	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	

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**R-16-104
RESOLUTION APPROVING FIRE DEPARTMENT
MEMBERSHIP APPLICATION**

WHEREAS, Bonnie Burton of Highlands has submitted a Membership Application to the Highlands Fire Department; and

WHEREAS, Matthew Mezey, Fire Chief has approved the membership application.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the Fire Department Membership Application of Bonnie Burton is hereby approved.

	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		

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the March 2nd, 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, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAYES: None

ABSTAIN: None

ABSENT: Mr. Card

Payments of Bills:

Mrs. Wells questioned the bill for Bachman and Newman for Borough Attorney. She asked if council representation was covered in this.

Council reviewed the bill and discussed.

**RECAP OF PAYMENT OF BILLS
04/06/2016**

CURRENT:		\$	798,603.09
Payroll	(03/15/2016)	\$	101,303.31
Manual Checks		\$	
Voided Checks		\$	
 SEWER ACCOUNT:		\$	31,378.17
Payroll	(03/15/2016)	\$	3,589.74
Manual Checks		\$	
Voided Checks		\$	

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CAPITAL/GENERAL	\$	363,428.25
CAPITAL-MANUAL CHECKS	\$	
Voided Checks	\$	
WATER CAPITAL ACCOUNT	\$	
TRUST FUND	\$	34,656.08
Payroll (03/15/2016)	\$	1,942.50
Manual Checks	\$	
Voided Checks	\$	
UNEMPLOYMENT ACCT-MANUALS	\$	
DOG FUND	\$	
GRANT FUND	\$	5,840.49
Payroll (03/15/2016)	\$	1,091.33
Manual Checks	\$	
Voided Checks	\$	
DEVELOPER'S TRUST	\$	
Manual Checks	\$	
Voided Checks	\$	

REMOVED FROM PAYMENT OF BILLS

1. Bachman & Newman, LLC – Professional Legal \$3,940.00

**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		X			
ON CONSENT AGENDA		X	YES		NO	

Other Resolutions:

R-16-97 – Resolution Introducing 2016 Municipal Budget – Set P.H. Date:

Mrs. Cummins read the title of Resolution R-16-97.

Mr. DeBlasio explained that this is an introduction of the budget on May 4th. We will also be able to apply for grants. He thanked all of the Finance Committee members for working with him.

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INSERT BUDGET NOTICE AND BUDGET

R-16-97

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INSERT BUDGET NOTICE AND BUDGET

ENLARGE COPIES ON TO LEGAL SIZE PAPER.

R-16-97

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R-16-100 – Resolution Appointing Communication Committee Members:

Mrs. Cummins read the title of Resolution R-16-100.

R-16-100

RESOLUTION APPOINTING COMMUNICATION COMMITTEE MEMBERS

WHEREAS, Resolution R-16-74 was duly adopted by the governing body of the Borough of Highlands on March 2, 2016;

WHEREAS, Resolution R-16-74 created a temporary Communications Committee to advise the governing body as to e-mail, website, social media and re-branding in order to provide a consistent message by and for the Borough of Highlands;

WHEREAS, the Communications Committee is advisory in nature and shall consist of not less than five (5) and not more than nine (9) resident members in order to streamline Borough messages to residents, businesses and investors;

WHEREAS, all appointments shall be for a one-year term to expire on December 31, 2016 and all members shall serve until their respective successors are duly appointed and qualified;

WHEREAS, in accordance with Resolution R-16-74, the following appointments are being made by the Mayor with the advice and consent of the Council;

1. Jen Olsen
2. Al Pritchard
3. Greg Wells
4. Sarah Seiboldt
5. Jo-Anne Olszewski
6. _____
7. _____
8. _____
9. _____

WHEREAS, Carolyn Broullon, Council President, shall serve as Council Liaison to the Communications Committee.

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

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

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R-16-105 – Resolution Awarding Professional Engineer Services – Resiliency Grant:
Mrs. Cummins read the title of Resolution R-16-105.

Mayor Nolan explained that this resolution is for pump station on Linden and Waterwitch Avenues.

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COUNTY OF MONMOUTH**

**R-16-105
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES
T & M ASSOCIATES**

WHEREAS, the Borough of Highlands has a need for professional Engineering services for the Hazard Mitigation Grant Program 2014 – Pump Station Flood proof and Linden Ave & Waterwitch Ave Supplemental Drainage Route 36 Project 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 \$11,000.00 plus reimbursable expenses for Professional Engineering Services as stated on the T & M Associates proposal dated April 5, 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

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the Bond Ordinance O - _____:

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:

5. Robert Keady, P.E. T & M Associates are hereby retained to provide professional engineering as described above for an amount not to exceed \$11,000.00 plus reimbursable expenses.

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6. 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.
7. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
8. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

Ordinances: Introduction & Setting of a Public Hearing Date for May 4th :

O-16-10 CAP Bank Ordinance

Mrs. Cummins read the title of Ordinance O-16-10 on for introduction and setting of a public hearing date of May 4th, 2016.

Mr. DeBlasio explained that this is an important part of the municipal budget. This does not affect taxation at all. It's for all operation bills.

Mayor Nolan offered the following Ordinance and moved on its introduction and setting of a public hearing date of May 4, 2016 at 8:00 P.M.

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH, NEW JERSEY
O-16-10
CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Highlands, in the County of Monmouth, finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$214,729.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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WHEREAS the Mayor and Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Highlands, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Highlands shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$214,729.29, and that the CY 2016 municipal budget for the Borough of Highlands be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Seconded by Ms. D'Arrigo and introduced on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAY: None

ABSENT: Mr. Card

ABSTAIN: None

Ordinances: Public Hearing & Adoption:

Mrs. Cummins explained that this is a review of the Planning Boards recommendations for ordinances.

Ordinance O-16-4 – Zoning Ordinance Amendment – Amending Section 21-55

Mrs. Cummins read the title of Ordinance O-16-4 on for 2nd reading and public hearing.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-16-4 on for 3rd and final reading and adoption.

Mayor Nolan offered the following Ordinance pass final reading and moved on its adoption and authorized its publication according to law:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

ORDINANCE O-16-4

**AN ORDINANCE AMENDING SECTION 21-55 OF THE BOROUGH CODE TO
ELIMINATE THE REQUIREMENT FOR SITE PLAN APPROVAL IF A BUILDING
ADDITION DOES NOT REDUCE OFF-STREET PARKING, DOES NOT REQUIRE A
VARIANCE NOR RESULT IN A VIOLATION OF THE BOROUGH'S CURRENT
LAND USE ORDINANCES.**

WHEREAS, N.J.S.A. 40:48-1, et seq. authorizes local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

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WHEREAS, the changes contained in this ordinance have been recommended by the Zoning Officer and Borough Engineer; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-124.5 to provide for the within changes; and

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

NOTE: All additions are shown in **bold italics with underlines**. The deletions are shown as ~~**strikeovers in bold italics**~~. Sections of Chapter 21 that will remain unchanged are shown in normal type.

Section 1. Chapter 21, Section 55, "Filing Procedures" (Paragraph 1, Line 6) shall be amended as follows:

21-55 FILING PROCEDURES.

An application for development shall be submitted (1) prior to the subdivision or resubdivision of land or (2) prior to the issuance of a building permit or certificate of occupancy for any development for which site plan approval is required. Application for subdivision or site plan, as the case may be, shall be submitted to and approved by the Planning Board in accordance with the requirements of this chapter. Site plan approval shall be required for any new building, any addition to an existing building **that reduces or requires additional off-street parking, adversely impacts drainage on surrounding properties, requires a variance and/or is otherwise inconsistent with the Borough's Land Use ordinances,** any change in use of an existing building, any off-street parking area or alteration of said parking area or any other site improvement. Application for seasonal uses may either be included in a site plan application for the year-round use or be subject to an annual review for a temporary use permit. Application for detached one- or two-family dwelling unit buildings shall be exempt from site plan review and approval. For any application **requiring site plan approval** involving less than a ten (10%) percent increase in floor area and/or five (5) new parking spaces, the Planning Board may permit the submission of a minor site plan containing such information as will make it possible to determine whether or not such site plan meets all of the requirements of this chapter. The Planning Board may also permit the submission of a combined preliminary and final site plan application when, due to conditions relating to the nature of the development, separate preliminary and final site plan applications would not be necessary to meet the purposes of this chapter. In such instances, all procedures and requirements applicable to preliminary site plans, unless otherwise waived by the Planning Board, shall be followed.

Section 2. 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 3. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

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Seconded by Mrs. Wells and adopted on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAY: None

ABSENT: Mr. Card

ABSTAIN: None

Ordinance O-16-5 – Zoning Ordinance Amendment – Amending O-16-1

Mrs. Cummins read the title of Ordinance O-16-5 on for 2nd reading and public hearing.

Mayor Nolan added that this ordinance was also sent to the Planning Board for recommendations.

Mayor Nolan opened the public hearing.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-16-5 on for 3rd and final reading and adoption.

Mayor Nolan offered the following Ordinance pass final reading and moved on its adoption and authorized its publication according to law:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
O-16-5
AN ORDINANCE AMENDING ORDINANCE O-16-1,
SPECIFICALLY BOROUGH CODE SECTION 21-17A.8, TO
PROVIDE FOR THE STATUTORY MINIMUM NOTICE OF
TEN (10) DAYS**

WHEREAS, the Borough adopted O-16-1, which combined the functions of the Planning Board and Zoning Board; and

WHEREAS, part of Section One of that Ordinance, codified at Section 21-17A.8 of the Borough Code, provides:

§ 21-17A.8. Notice. All applications or matters which come before the Borough of Highlands Land Use Board shall be subject to the notice requirements of N.J.S.A. 40:55D-12 et seq. and shall be submitted not later than 21 days prior to the next hearing date; and

WHEREAS, the Municipal Land Use Law, specifically, N.J.S.A. 40:55D-12, "Notice of Applications," establishes *minimum* requirements for notice of applications, and reads, "Notice... shall be given *at least* 10 days prior to the date of the hearing" (emphasis added); and

WHEREAS, in an effort to provide added transparency to land use applications, O-16-01 provided for twenty-one (21) days notice; and

WHEREAS, counsel for the Planning Board requested that such notice requirement be reduced to the statutory minimum notice requirement of ten (10) days; and

WHEREAS, the governing body wishes to amend O-16-01 to conform to that request.

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

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SECTION ONE. Ordinance O-16-01 and Borough Code Section 21-17A.8 shall be amended as follows (strikethrough represent deletions; underscore represents additions):

§ 21-17A.8. Notice. All applications or matters which come before the Borough of Highlands Land Use Board shall be subject to the notice requirements of N.J.S.A. 40:55D-12 et seq. and shall be submitted not later than ~~21~~ 10 days prior to the next hearing date; and

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 and publication, *nunc pro tunc* February 8, 2016 or as soon thereafter as provided by law.

Seconded by Ms. D'Arrigo and adopted on the following roll call vote:

ROLL CALL:

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

Ordinance O-16-6 – Snow Removal Ordinance

Mrs. Cummins read the title of Ordinance O-16-6 on for 2nd reading and public hearing.

Mayor Nolan opened the public hearing.

Christian Lee of 2 Navesink Avenue stated that he has serious concerns with this ordinance. He feels that it is unworkable. The snow gets plowed onto the sidewalks. He doesn't want to get fines because of that.

Chris Francy of 36 Fifth Street feels that the town would be better off clearing the sidewalks and bill into the tax rate. A snow ordinance has never worked in any town.

Kim Skorka of 315 Shore Drive added that some people can't shovel. She recommends putting it out on Facebook if you need help shoveling snow.

Rafael Lee of 2 Navesink Avenue spoke of the County and the State dumps the snow on the sidewalks.

Kim Skorka feels that Hwy. #36 should be removed from the ordinance.

Mayor Nolan stated that he feels there is a need for a snow ordinance but this does not solve the issues that were brought up tonight.

Mrs. Wells agreed. She added that code enforcement will work with people.

Greg Wells of 246 Bayside Drive spoke of the need to get sidewalks cleared.

Don Ryan of 67 Fifth Street stated that it's not just clearing the snow but it is also the snow from the plows.

Neal Taber of 4 Fay Street would like the town to reconsider adopting this. It could create a duty for property owners. If someone gets hurt, it forces civil liabilities.

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Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-16-6 on for 3rd and final reading and adoption.

Ms. Broullon asked Mr. Chabarek if there is a State Ordinance on snow removal from sidewalks.

Mr. Chabarek stated that it depends on the owner of the property. After the ordinance is adopted it goes to the ownership of the sidewalk. Currently it is the Borough's property. If the sidewalk is next to a commercial business then the business would be responsible. He further explained various issues.

Discussion continued.

Ms. Broullon offered a motion to table Ordinance O-16-6 indefinitely, and seconded by Mayor Nolan and all were in favor on the following roll call vote:

ROLL CALL:

AYE: Ms. Broullon, Ms. D'Arrigo, Mrs. Wells, Mayor Nolan

NAY: None

ABSENT: Mr. Card

ABSTAIN: None

Ordinance O-16-7 – Bond Ordinance – Construction of New Borough Hall Phase I

Mrs. Cummins read the title of Ordinance O-16-7 on for 2nd reading and public hearing.

Mr. DeBlasio explained that this Bond Ordinance is a partial funding for the new Borough Hall land acquisition. He further explained.

Mayor Nolan opened the public hearing.

There were no questions.

Andrew Stockton asked if we picked a spot for the new Borough Hall.

Mayor Nolan stated that we are considering various locations. He added that the property has to be out of the 500 year flood plan. It will be above Miller Hill. It is listed in the Bond Ordinance.

Ms. Broullon stated that we are not held to this particular parcel.

Mr. Hill added that the location could potentially change. The property needed to be listed for the Bond Ordinance. It is on the list of considered properties.

Gregs Wells of Bayside Drive asked if we are considering the Shadow Lawn Property.

Mayor Nolan replied that many properties are being considered.

Mr. DeBlasio explained the bond payments.

Mayor Nolan stated that we are anticipating paying 10% and 90% reimbursement from FEMA.

There were no questions.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-16-5 on for 3rd and final reading and adoption.

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

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BOROUGH OF HIGHLANDS
BOND ORDINANCE NUMBER O-16-7**

BOND ORDINANCE PROVIDING FOR THE PRELIMINARY AND OTHER COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW BOROUGH HALL – PHASE I, BY AND IN THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$3,000,000 (INCLUDING A \$1,200,000 REIMBURSEMENT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Highlands, in the County of Monmouth, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$3,000,000, said sum being inclusive of a reimbursement expected to be received from the Federal Emergency Management Agency in the amount of \$1,200,000 (the “FEMA Reimbursement”) and a down payment in the amount of \$90,000 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. 40A:2-1 et seq.) (the “Local Bond Law”). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,000,000 appropriation not provided for by application of said down payment and the FEMA Reimbursement, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,710,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a

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principal amount not exceeding \$1,710,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are the Preliminary and Other Costs Associated with the Construction of a New Borough Hall – Phase I, such improvements shall include, but are not limited to, the acquisition and the payment of the purchase price of all or any portion of real property, a lawful public purpose, such real property currently anticipated to be the real property designated as Block 37, Lot 12.01 and Block 37, Lot 13 on the Official Tax Map of the Borough, and being commonly known as 159 Navesink Avenue, Highlands, New Jersey, and all improvements and buildings thereon (the “Property”), the demolition of all or any portion of the Property and debris removal and disposal associated therewith, environmental work, grading work, utility work, the construction of all or any portion of the New Borough Hall building and any other improvements on said Property, also including, but not limited to, surveying, title searches, engineering and design work, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,710,000.

(c) The estimated cost of said improvements or purposes is \$3,000,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the FEMA Reimbursement for said purpose in the amount of \$1,200,000 and the down payment for said purpose in the amount of \$90,000.

SECTION 4. Except for the FEMA Reimbursement, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Except for the FEMA

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Reimbursement, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

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(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is thirty (30) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, 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 or notes provided for in this bond ordinance by \$1,710,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

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 bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to payor reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of

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intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough is hereby authorized to acquire the Property and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Administrator, Chief Financial Officer, Borough Attorney, Borough Clerk and Governing Body are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said Property.

SECTION 12. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

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

ROLL CALL:

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

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Ordinance O-16-8 – Cat Ordinance Amendment

Mrs. Cummins read the title of Ordinance O-16-8 on for 2nd reading and public hearing.

Mayor Nolan opened the public hearing.

Unidentified Man spoke of his concerns that we are allowing the feeding of cats outdoors. He spoke of property damage. He doesn't feel that setting certain hours will resolve anything.

Ms. Broullon explained that this will cut down on various critters eating the food at night. She further stated that this is also a TNR Program. She will speak about it under Other Business.

Carol Bucco of 330 Shore Drive added that this was tried before. She inquired as to who will enforce this ordinance.

Ms. Broullon stated that this is more about education and awareness.

Carol Bucco added that there will be people who won't follow the rules.

Dale – last name unclear – explained that she was involved in the previous program and a lot of cats were done. She further spoke of directions for caregivers.

Chris Francy of 36 Fifth Street thanked Ms. Broullon for her efforts to get this restarted.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-16-8 on for 3rd and final reading and adoption.

Ms. Broullon offered the following Ordinance pass final reading and moved on its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

0-16-08

**AN ORDINANCE AMENDING AND SUPPLEMENTING
SECTION 5-16.3, "FERAL CAT COLONIES," OF THE
CODE OF THE BOROUGH OF HIGHLANDS TO
PROHIBIT FOOD LEFT OUTSIDE FOR FREE-ROAMING
CATS AFTER 9:00 P.M. OR BEFORE 5:00 A.M. AND TO
REQUIRE THE PROVISION OF LITTER BOXES BY
FERAL CAT CAREGIVERS AND AMENDING THE TITLE
OF SECTION 5-16.3 TO "FERAL CAT COLONY
TRAP/NEUTER/RELEASE (TNR) PROGRAM"**

WHEREAS, the Borough of Highlands has enacted ordinances to provide for the managed care of feral cats, codified at Section 5-16 of the Code of the Borough of Highlands; and

WHEREAS, the Borough wishes to amend and supplement Section 5-16(d) to prohibit providing open containers of food for free-roaming cats after 9:00 p.m. or before 5:00 a.m. and to require feral cat caregivers to provide litter boxes for such cats under their care.

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

SECTION ONE. Section 5-16.3(d)(11) shall be amended to read as follows: "Taking reasonable steps to prevent cats from creating a nuisance in adjacent properties, which includes, but is not limited to, providing litter boxes for feral cats."

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SECTION TWO. Section 5-16.3(d) shall be supplemented by the addition of a paragraph (12), which shall read: “Feral cat caregivers shall not leave open containers of food for such cats outdoors after 9:00 p.m. nor before 5:00 a.m.

SECTION THREE. Section 5-16.3 shall be amended to be entitled “Feral Cat Colony Trap/Neuter/Release (TNR) Program.”

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

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

Seconded by Mayor Nolan and adopted on the following roll call vote:

Roll Call:

Aye: Ms. Broullon, Ms. D’Arrigo, Mrs. Wells, Mayor Nolan
Nay: None
Absent: Mr. Card
Abstain: None

Other Business:

Finance

Mr. DeBlasio spoke about refinancing an old debt. We refinanced \$1.9 million which saved us \$211,000.00.

Public Safety - Fire, OEM, Fire Prevention, First Aid, Police

Ms. D’Arrigo read thru all reports listed below.

Fire Dept.

Calls: 10 total calls

In the month for March the Highlands Fire Department responded to 10 calls. These calls ranged from structure fires, smoke detector and CO alarm activations, broken utility poles mutual aid and assisting the Highlands First Aid Squad.

Training: The members of the Highlands Fire Department finished their Fit Test Training for the 2016 year. The members did driver training refresher for the month of March.

Notable Calls: Late in the morning of 3-13-16 the Highlands Fire Department responded to Atlantic Highlands for mutual aid for a structure fire. Members assisted in overhaul and clean up with station 85 Atlantic Highlands.

On 3-13-16 Highlands Fire Police assisted the Borough of Rumson with 6 members from the Highlands Fire Department for traffic control during the Rumson St. Patrick’s Day Parade.

On 3-19-16 the Highlands Fire Police along with members from 7 other surrounding towns, assisted with traffic control during the Highlands St. Patrick’s Day Parade. A total of 22 Fire Police members were in attendance.

Highlands OEM

- 1) Swift 911 training and new testing to expand system being conducted.
- 2) Jonas (Blizzard) Presidential Declaration – Information being gathered for Borough Reimbursement.

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Highlands Fire Prevention Bureau

- 3) PTAK Towers fire safety training conducted on a revised Emergency Evacuation Plan for the residents
- 4) Insurance service office – ISO revalidation being conducted for the entire Borough Fire Insurance. Information provided to insurance agent.

First Aid

Calls answered	35	call man hours: 211	Mutual Aid: 4
Training		3/2 CPR/AED for 1 st responder recert	
		3/16 Driver Training/Rig review at Sandy Hook	
		2 members successfully certified as EMT	
		O2 refill training	
Fundraising		Coin bank collection	
Borough events		St. Patrick's Day Parade	
Duty Clean up		Monthly rig, wash down and disinfect, stock	
		Squad building inventory	
Special detail		Oxygen refill	
Recruitment		1 new member app for review	
		Contact with Henry Hudson for cadet recruitment visit	

*Please note that this is a general overview of monthly squad activity and does not include all meetings or hours put in for the squad by individual members. In addition to monthly squad, officer and committee meetings, tasks are performed as needed at the convenience of our members work and family schedules.

Police Department

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 2016***

- * As the result of officers investigating a suspicious vehicle on February 20, 2016; Stephen Provenzano, 28 years old, of Highlands, was arrested and charged with possession of a controlled dangerous substance (heroin) and possession of paraphernalia
- * On February 20, 2016, officers were investigating a possible burglary to a motor vehicle when they detained three juveniles in the area matching a witnesses description. The

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juveniles were later released to guardians and the matter was referred to the juvenile officer.

- * While investigating a harassment complaint at a local school, a male juvenile was placed into protective custody for possession of a weapon; specifically a knife, pending charges from the Monmouth County Prosecutor's Office.
- * During a routine motor vehicle stop on March 5, 2016; Ralph Granite, 19 years of age, of Atlantic Highlands, was arrested and charged with possession of a controlled dangerous substance (marijuana) and possession of drug paraphernalia.
- * Joseph Jacob, 24 years of age, of Long Branch, and Thomas Rehders, 26 years of age, of Sea Bright were arrested and charged with possession of a controlled dangerous substance; specifically heroin on March 13, 2016.
- * On March 13, 2016, during a motor vehicle stop officers observed a clear plastic bag containing a large quantity of hard rolls and bagels, as well as, a bundle of newspapers that are consistent with those delivered to stores overnight and subsequently arrested and charged William Madero, 22 years of age, of Belford, and Hiram Polanco, 19 years of age, of Keansburg, with receiving stolen property.
- * John Warden, 52 years of age, of Highlands, was arrested and charged with aggravated assault on March 14, 2016 following a domestic dispute. Mr. Warden was processed and later released on \$50,000.00 bail pending future court appearances.
- * As the result of motor vehicle stops, the following individuals were arrested and charged with driving while intoxicated. James P. Moran, 72 years old, of Highlands, on February 21, 2016, Tiffany C. Elmquist, 32 years old, of Tobyhanna, PA, on February 27, 2016. Kyle E. McGuigan, 31 years old, of Highlands, on March 12, 2016 and John P. Flood, 37 years old, of Atlantic Highlands, on March 13, 2016.
- * **Administration:**
 - Bail/Speedy Trial Reform Act
 - Substantial statutory changes were made to the existing law impacting the manner in which pretrial incarcerations are made and how criminal cases are processed.
 - Becomes effective January 1, 2017 and there are four pilot counties that have implemented the changes this year.
 - Monmouth County is slowly implementing them throughout 2016 and have already implemented two new procedural changes.
 - My concern right now is that these changes will have an impact on the department's 2017 budget mostly in respect to overtime.
 - Monmouth County Special Needs Registry
 - Is a voluntary and free program that allows families of persons with special needs to provide vital information about the registrant, emergency contact information, a physical description and current photograph that would be available to police officers and first responders only and is designed to help emergency personnel to better assist those residents with special needs in the event of an emergency.
 - The program is a joint collaboration between the Monmouth County Prosecutor's Office, Monmouth County Chiefs of Police Association, Monmouth County Sheriff's Office and local law enforcement agencies.
 - Capt Robert Burton has been assigned to be the department's liaison officer
 - More information about the program and how to register will be made available through the Highlands Police Department Facebook page and website later this month.

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- Equipment
 - Body Worn Cameras
 - Recently ordered (15) BWC's
 - The department was awarded \$7,000.00 through a State grant and the Monmouth County Prosecutor's Office approved the expenditure of \$6,000.00 of forfeited funds from the department's Law Enforcement Trust Account towards the purchase.
 - CAD/Record Management System
 - Equipment order has been received, but it is still being programmed for this department's customization.
 - SwiftReach Alert System
 - We have an upcoming meeting scheduled with OEM and Council representatives regarding access and dissemination of information through the system.

- Homeland Security
 - Heightened Security
 - Seastreak Ferry Terminal
 - As requested by the NJSP, officers conducting foot patrols at the terminal during ferry arrivals/departures focusing on suspicious person(s)/activity

- Ordinances
 - Traffic
 - Currently working with the new borough attorney to amend parking and traffic ordinances.
 - Liquor Licenses
 - As you may not already be aware, soon after being appointed as Chief of Police recommendations were made to previous Councils to change the liquor license ordinance to restrict the opening times of licensed establishments.
 - After recently meeting with the Police Committee Chairperson, I am currently working on recommending a change in opening times for liquor licensed establishments.

- Policies
 - Cell Block Management
 - Updated policy to include the use of the newly installed temporary processing enclosure.

- Hiring
 - Candidate: Ronald Osadacz
 - Ocean County Police Academy
 - Class: March 14, 2016 – August 18, 2016

- Events
 - Guinness Run
 - March 12, 2016
 - Event went well with no reported incidents.
 - St. Patrick's Day
 - March 19, 2016
 - I would like to thank the Mid-Monmouth Fire Police Association for their assistance again this year during the event. MMFPA provided (22) men to assist with traffic control.
 - Although, the department handled a few alcohol related incidents throughout the day there were no serious problems.

*

Patrol:

- First Aid
 - Narcan Administration

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On March 16, 2016, officers residence regarding a reported unconscious male. Upon arrival officers found a male unconscious, not breathing and without a pulse. Narcan and CPR was administered on scene with no immediate change in the patient's condition. The Highlands First Aid Squad along with MONOC paramedics transported the patient to Monmouth Medical Center, Long Branch.

* **Training:**

- L.E.A.D. (Law Enforcement Against Drugs) Conference
 - February 29, 2016 and March 1, 2016
 - Capt. Burton
- Bail Reform and Speedy Trail Act
 - March 1, 2016
 - Chief Blewett
 - Disp. Alvator
 - Ptl. Ruth
 - Ptl. Siegle
- Policy Updates
 - March 10, 2015
 - Sgt. Roxby
- Mental Health First Aid
 - March 14, 2016 & March 21, 2016
 - All regular officers
- Special Needs Registry
 - March 15, 2016
 - Capt. Burton

* **Community Policing:**

- “Pack the Pantry” Food Drive
 - The department donated over 200 items to the Our Lady of Perpetual Help Food Pantry as a result of the February Drive.
 - The Highlands Police Department continues to ask for donations and would like to remind the residents that the Our Lady of Perpetual Help Food Pantry provides food assistance to our neighbors serving over 100 local families a week.
- Explorers
 - Guinness Run – March 12, 2016
 - Participants assisted with traffic control by blocking the intersections.
 - St. Patrick's Day Parade – March 19, 2016
 - Participants of both the explorers and explorer cadets assisted with traffic/crowd control during the event.

* Total Calls for Service: 435

* Arrests: Adults: 16 (4 for possession of CDS)
JV: 4

* Summons: Total: 70

Moving Violations: 20
Non-Moving: 42
DWI: 4
Boro Ordinance: 4

Administration

Mr. Hill gave a brief summary of his report listed below.

1. DEPT. OF PUBLIC WORKS / SEWER / SANITATION

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- Removal of trash / debris from parks, roadways and right-of-ways
- Performed Bulk-pick-ups as scheduled (special permit)
- Brush pick-up scheduled for May (see web site for Zone)
- Cleared Storm drains as needed and requested
- Cleaned 15 catch basins
- Responded to sewer calls and follow up with homeowners.
- Assisted with Special Events
- Repairs and maintenance items completed at Shore Drive Pump Station.
- M&S Waste reports daily to Borough Hall on issues related to non-pick up of trash or recycling: (blocked dumpsters, non-placement of cans at curb line, etc.)
- Bulk Pick Up completed in March, next schedule is for June (see web site for Zone)

2. BUILDING AND HOUSING

Construction Office: February 2016

New Permits: 46 Permit Updates: 27 Technical sub-code inspections 154

Fees = \$66,454 Total Cost of Construction: \$3,569,999

Code Enforcement:

Inspections: 66 Passed: 15 Failed: 20 COs: 29

Summonses: 29 issued for property maintenance & Ordinance 10-12

Zoning Official:

Approvals: 17 Denials: 3 Mercantile: 1 Unauthorized Work Letters: 2

Flood Plain:

Approvals: 11 Letters of Comp: 6 Sub Damage / Elevation

Letters: 3

3. EMERGENCY SERVICES

Fire Department: (See Attached)

First Aid: (See Attached)

OEM: (See Attached)

4. COMMUNITY CENTER / RECREATION DEPT. (See Attached)

5. ADMINISTRATION

- Working with all council liaisons regarding specific departmental matters
- Compiling Information for updates to Right-To-Know compliance (due in July)
- Continue Budget review and input for Essential Services Grant funding
- Seasonal Employment opportunities – DPW, Office, Recreation, Lifeguards – see web site for details or call (732) -872-1224 ext. 203
- Various meetings: Recreation Committee, Heyer/ Greul Associates COAH Plan, TOMSA, MEL/JIF Inspection, DEP on site review, Special Event Reviews, NJIT, Tax Assessment Demonstration Program, FEMA Updates, Summer Food Grant Meeting, Municipal Facility Pre-proposal meeting, and FEMA / OEM Jonas overview.
- Continue to review various Shared Service Agreements and outreach for additional opportunities.

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- JCP&L Transmission Line vegetation management – taking place in late May into June along route 36
- Requesting quotes for minor electrical, plumbing, sewer repair – hourly rates for regular and emergency work at various borough facilities – response date April 20th.
- Grant Writer RFP response date is April 22nd.

Recreation

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

- a. Kids on the Move Program – 41 registered
- b. Adult Open Gym Indoor Soccer – 35 registered
- c. High School Teen Night – 10 participants
- d. Senior Citizens St. Patrick's Day Luncheon – 21 participants
- e. Easter Egg Hunt – 115 participants
- f. Candy Bingo – 28 participants
- g. Community Center Group Usage – 4 new groups registered for various meeting purposes
- h. Attended NJ Dept. of Agriculture's Summer Food Service Program Training

Upcoming Recreation Programs and Events

Kids on the Move Program

The Highlands Recreation Dept. will be having it's Kids on the Move Program starting on January 4th at the Robert D. Wilson Memorial Community Center from 3:00 pm - 5:00 pm on Mondays, Tuesdays, and Wednesdays. This is a Drop In Recreation Program for Highlands children ages 8-14 and will include a variety of games, sports, arts & crafts, and lots of fun. Program ends on June 8, 2016.

Soccer Clinic

For children ages 3-12 on Tuesday evenings, from March 1st - April 26th. The Clinic will take place at the Highlands Elementary School Gym. Ages 3-5 will be from 6:00 pm - 6:40 pm; Ages 6-8 will be from 7:00 pm - 8:00 pm; and Ages 9-12 will be from 8:00 pm - 9:00 pm. The cost is \$20.00 per child. You will need to register online at the www.ahnj.com website, under RECREATION. Follow the link that says "Register Now" under Soccer Clinic.

Middle School Teen Nights

The Highlands / Atlantic Highlands Municipal Alliance and the Highlands Recreation Dept. will be having Middle School Teen Nights for grades 7&8 on Friday, April 8th and June 10th from 7:00 pm - 9:30 pm at the Robert D. Wilson Memorial Community Center.

High School Teen Nights

The Highlands / Atlantic Highlands Municipal Alliance and the Highlands Recreation Dept. will be having High School Teen Nights for Grades 9-12 on Friday, April 22nd, May 20th, and June 24th from 7:00 pm - 9:30 pm at the Robert D. Wilson Memorial Community Center.

Adult Open Gym Volleyball

The Borough of Highlands Recreation Dept. is offering Adult Open Gym Volleyball on Tuesday evenings from April 5th - May 24th at the Henry Hudson

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Regional School Gym from 7:30 pm - 9:00 pm. You must be at least 18 years old. You can register on-site the night you attend.

Lifeguard Positions Available

The Borough of Highlands Recreation Dept. is accepting applications for the following Full and Part Time Positions: Head Lifeguard / Lifeguard Trainer and Lifeguards (Open Water). Must possess current Lifeguard/CPR/First Aid certification. Applications are available at the Community Center, 22 Snug Harbor Avenue or download an application at www.highlandsnj.us. Please return applications to the Community Center by April 22nd.

Seasonal Positions Available

The Borough of Highlands Recreation Department is accepting applications for the following Seasonal Positions: Summer Recreation Supervisors, Programmers, Aides and Summer Food Program Food Preps. Applications are available at the Community Center, 22 Snug Harbor Ave. or online at www.highlandsnj.us. Application deadline is April 29, 2016. Please return completed applications to the Community Center.

Lego Club

Lego Club will be offered for children ages 5-8 on Thursday afternoons from 3:15 pm – 4:15 pm at the Robert D. Wilson Memorial Community Center. The program will run from April 14th – May 26th. Registration Forms are available at the Community Center and must be filled out in order for a child to participate.

Board of Education

Mrs. Wells congratulated Henry Hudson's Principal, Lenore Kingsmore who was voted NJ Principal of the Year. A ceremony was held for her at the High School last month. She further spoke of a dinner and chance auction for the HHRHS PTO on Saturday. She spoke of the students participating in the 180 Turning Lives Around Project. The students built bookshelves with the help of a local contractor, Char-Ron. Mrs. Wells thanked Ms. Broullon for attending the Student of the Month ceremony at Highlands Elementary School. She added that there was a reading celebration for Dr. Seuss. She further explained the reading program. She spoke highly of the programs held at the elementary school. She will also be meeting with Chief Blewett about adding a school zone district to Waterwitch and Linden.

Highlands Business Partnership

Ms. Broullon read thru their April report.

Marketing & Events

3rd Annual Guinness Run – The 3rd Annual Guinness Run took place on March 12th at Claddagh Irish Pub. We had a successful turnout with XX runners participating, the proceeds were \$XXXX

14th Annual St. Patrick's Day Parade – The 14th Annual St. Patrick's Day Parade took place March 19th. A great big thank you to the volunteers. The parade was well attended and we had over 100 units marching in our parade this year! The winner of the 50/50 was Grand Marshal, Joan Wicklund who won \$600. "Best of Show" Inlet Cafe "Nautical Float", "Most Original" Tribar Services Float, "Prettiest" NOAA's Irish I was a Fish Float, "Best Apparatus" Highlands First Aid.

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Pride in Highlands – Earth Day Community Clean-Up – Pride in Highlands is a community clean-up day that will take place on Saturday, April 23rd, 9AM, kicking off in Veterans Park. Residents and many local organizations are invited to participate and undertake various public area improvement projects. There are 13 projects to choose from and we encourage you to bring your own tools as rakes and brooms are limited. We will be supplying gloves and trash bags. A waiver must be signed by all participating volunteers. All children under the age 14 must be accompanied by an adult. Scout leaders may serve as a substitute guardian for their troop. Kids 14-17 must bring a signed permission slip and waiver completed by their parent/guardian. The PBA will be in the park serving hamburgers and hot dogs to the volunteers. To register online visit www.highlandsnj.com, the first 100 to register will receive a Pride in Highlands t-shirt.

Visual Improvement - We have worked with the Borough and created a Highlands Spring Clean-Up Request for Proposal. The scope of work includes cleaning services for the spring clean-up, mulch and herbicide application at various town parks and public spaces listed below:

Huddy Park

Cornwall Square

Veterans Park

Ederely Park

Marine Place - from Washington Ave. to Seadrift Ave.

Marine Place - from Snug Harbor Ave. to Huddy Ave.

Doughboy Monument – Portland Rd. and Hwy. 36, bridge ramp

We have sent the proposal to 10 landscaping contractors and the deadline to respond with a quote is April 15th, 2:00PM.

Economic Development - HBP is working with the Master Plan Sub-Committee for business recruitment and business retention. We are working with the Planning Liaison to implement a business friendly planning guide.

Grant Writing

Mr. Hill reported that Bruno Associates sent a report that he provided to the council table. He spoke of the second round of grants in the HUD Funded Flood Hazard Risk Reduction Program. Kavookjian Field may be eligible for a grant. He will be looking into it further. Recreational Trails Grant is potentially out there. Generally the County takes the lead and we piggyback if we have something going on. We applied for the Safer Grant which is staffing for adequate Fire Fighter Emergency Response. This is a recruitment effort and could potentially get turn out gear for any new members.

Other Business:

Monmouth County SPCA Memo of Understanding for TNR Program

Ms. Broullon explained that she has worked a great deal with MCSPCA to get them to sponsor us again. The SPCA was not sponsoring the program any more. She further explained the TNR Program and costs. They will do a limit of 100 cats per year if we share the cost. She is gathering the information to send out about the program.

Tilt-Up Survey Results

Ms. Broullon stated that she will leave the survey open until the end of April. She will post the results on our website. The survey is available on our website as well.

Mayor Nolan added that there will be a town hall meeting on Monday, April 18th at Henry Hudson Regional High School. It will be directly just for this.

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Ms. Broullon explained why she chose to have the resident put their sewer account # or voter registration # on the survey. It will prevent more than one person using the voter registration # and generally only few will single family homes will use a single sewer account #. She is happy to report that there were no problems. We have a total of 148 votes. 76 voted to remove the structure, 24 to keep. She further explained the survey and the number of votes.

Mrs. Wells added that doing a referendum is not off the table.

Valley Street Grant

Ms. Broullon spoke of a grant that we were awarded. It is a NJDOT Municipal Aid Program. The award is \$250,000.00. This will help us a great deal in getting Valley Street reconstructed.

Public Portion:

Kim Skorka of 315 Shore Drive questioned the Bachman bill on the payment of bills. She requested the court case bills thru OPRA. She understood that Mayor Nolan sued the Borough and who is paying for that. She then spoke of the Snow Removal Ordinance and that we should contact Atlantic Highlands and Sea Bright to see how they handle Highway #36. She then asked how we enforce the business owners under that ordinance. She added that she doesn't feel that the new snow blower was not used enough at various locations. She asked if this side of town will be addressed in the "Pride of Highlands."

Ms. Broullon stated yes. She explained that it is all listed on the website.

Chris Francy of 35 Fifth Street spoke of the April 18th town hall meeting and asked if the town attorney can be prepared to answer a question as to whether Tilt-Up has any claim on Highlands if we decide to remove it.

Mr. Chabarek stated that he will address it with the council in the Executive Session at the appropriate time.

Andrew Stockton of 31 Grand Tour questioned the accuracy of the budgeted amount of \$17,000.00 to remove the Tilt-Up. He feels it will be 3 times more and the cost of the demo will be higher. The permits will be lower. He added that the survey is inaccurate in that regard. It does not give the residents the full scope of work for both options.

There were no further questions.

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

The Meeting adjourned at 10:31 p.m.

Debby Dailey, Deputy Clerk