

**Borough of Highlands
Mayor & Council
Regular Meeting
April 15, 2015**

Mayor Nolan called the meeting to order at 7:08 p.m.

Mrs. Cummins read through the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Work Shop/Regular Meeting of the Mayor & Council of the Borough of Highlands and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Card, Mr. Redmond, Ms. Ryan, Mayor Nolan
Absent: Ms. Kane
Also Present: Carolyn Cummins, Municipal Clerk
Tim Hill, Borough Administrator
Bruce Padula, Borough Attorney
Dale Leubner, Borough Engineer

Executive Session Resolution

Mayor Nolan offered the following Resolution and moved its adoption:

**RESOLUTION
EXECUTIVE SESSION**

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

- 1. Litigation:** Retiree Health Benefit Arbitration
NJNG Litigation
- 2. Contract:** Clam Plant RFP Interview
Hazard Mitigation RFP's
- 3. Real Estate:** Potential Property Location for Municipal Facility
- 4. Personnel Matters:**
- 5. Investigation:**
- 6. Attorney-Client Privilege:**

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

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

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

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

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(or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. Any collective bargaining agreement, or the terms and the conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

5. **Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investments of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.**

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of law

7. **Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.**

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124, NJ 478 (1991).

9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

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

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

ROLL CALL:

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

The Governing Body then entered into Executive Session.

Mayor Nolan called the Regular Meeting to order at 8:04 p.m.

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

ROLL CALL:

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

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Consent Agenda:

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

Mr. Redmond will abstain on the April 1st minutes.

R-15-99

RESOLUTION APPROVING LIST OF VOLUNTEER FIRST AIDE MEMBERS WHO QUALIFY FOR THE BOROUGH OF HIGHLANDS LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR THE YEAR 2014

WHEREAS, the Borough of Highlands (Sponsoring Agency) has a Length of Service Award Program which provides tax-deferred income benefits to active members of the Borough's volunteer fire company and first aid squad; and

WHEREAS, the Highlands First Aid Squad is required, pursuant to N.J.S.A. 40A:14-191, to annually certify to the Sponsoring Agency a list of all volunteer members who have qualified for credit under the LOSAP for the previous year; and

WHEREAS, the Highlands First Aide have submitted certified lists of qualified volunteers for the year 2014; and

WHEREAS, the First Aide Department list has been posted on the public bulletin board for 30-days and the Chief Financial Officer has reviewed the list and found it to be accurate;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the certified lists provided by the Highlands First Aide Department of qualified volunteers for the year 2014 are hereby approved and payment is subject to final review and approval of the Chief Financial Officer.

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

R-15-100

**RESOLUTION
APPROVING RAFFLE LICENSE**

WHEREAS, the Highlands Business Partnership has submitted a Raffle License Application No. RA1317-15-12; 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#1317-15-12 and the Borough Clerk is authorized to sign off on licenses.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT

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

Minutes Approved on Consent Agenda:

Mayor Nolan offered a motion to approve the April 1st, 2015 Regular and Executive Minutes, seconded by Ms. Kane and all were in favor on the following roll call vote:

ROLL CALL:

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

NAY: None

ABSENT: Ms. Kane

ABSTAIN: Mr. Redmond

Other Resolutions:

R-15-90 – Resolution – Approving Hazard Mitigation – County Plan:

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

Mr. Hill gave an update and explained the plan.

Mr. Card questioned OEM office being located in the Fire House. He feels that it is in harm's way. He further asked its location would affect funding.

Mayor Nolan stated that we could put their office in the new Borough Hall building.

Mr. Hill will follow up with the OEM Coordinator.

Mr. Leubner said we should get an elevation certificate on the fire house and if not compliant we can do a Project Worksheet to flood proof the fire house.

**R-15-90
Resolution Approving Hazard Mitigation
County Plan**

WHEREAS the Borough of Highlands NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

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WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management’s website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands:

1. The Monmouth County Multi-Jurisdictional *Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on March 16, 2015* by the Monmouth County Office of Emergency Management is hereby adopted as an official plan of the Borough of Highlands; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Highlands departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Highlands, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Monmouth County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

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

R-15-91 – Resolution – Authorizing Website RFP:

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

Ms. Ryan stated that all that worked on the RFP were very professional and did great work on this.

**RESOLUTION R-15-91
RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS (RFP)
FOR WEBSITE DESIGN AND HOSTING SERVICES**

WHEREAS, the Borough of Highlands desires to seek proposals from qualified Vendors ; and

WHEREAS, it is deemed in the best interests of the Borough of Highlands that proposals be obtained through a Request for Proposals process

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, that the attached invitation, instructions and specifications for the Request for Proposals concerning Website Design and Hosting Services are hereby authorized,

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and that the Clerk shall further publish such Request for Proposals in accordance with the Specifications forthwith upon the adoption hereof.

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

R-15-96 – Resolution – Approving Title 39 Agreement – Bayview Condo:

Mrs. Cummins read the title of R-15-96.

**RESOLUTION R-15-96
Approving Title 39 Agreement – Bayview Condo**

A RESOLUTION MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 APPLICABLE TO BAYVIEW CONDOMINIUMS LOCATED AT 329-330 SHORE DRIVE ALSO KNOWN AS BLOCK 100.7, LOTS 1 AND BLOCK 100.13, LOTS 16, PURSUANT TO N.J.S.A. 39:5A-1

WHEREAS, Bayview Condominium Homeowners Association (the “Association”) has filed written consent in accordance with N.J.S.A. 39:5A-1 with the Borough of Highlands asking that the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey be made applicable to the semipublic or private roads, streets, driveways, trails, terraces, bridle paths, parkways, parking areas, or other roadways open to or used by the public, tenants, employees, and the members of such institutions for purposes of vehicular travel by permission of such persons, corporations, or institutions and not as matter of public right; and

WHEREAS, by instrument dated _____, 2015, the Association consented to the Borough’s enforcement of Title 39, Subtitle One, of the Statutes of the State of New Jersey within Block 100.7, Lots 1 and Block 100.13, Lots 16; and

WHEREAS, the Borough agrees to such consent.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Highlands hereby consents, in relation to the Association and the aforementioned parcels, to the enforcement of Subtitle One of Title 39 of the Statutes of the State of New Jersey upon the semipublic or private roads, streets, driveways, trails, terraces, bridle paths, parkways, parking areas, or other roadways open to or used by the public, tenants, employees, and the members of such institutions for purposes of vehicular travel by permission of such persons, corporations, or institutions and not as matter of public right.

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

R-15-97 – Resolution – Approving Person to Person Transfer of Liquor License:

Mrs. Cummins read the title of R-15-97.

Mr. Padula stated that this is a standard transfer of liquor license.

R-15-97

RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL

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**CONSUMPTION LICENSE NO. 1317-33-019-010 HELD BY TRIPLE BETA, LLC TO
ATLANTIC STREET INNKEEPERS, LIMITED LIABILITY COMPANY**

WHEREAS, an application has been filed for the person-to-person transfer of the Borough of Highlands Plenary Retail Consumption License No. 1317-33-019-010 from Triple Beta, LLC d/b/a The Clam Hut to Atlantic Street Innkeepers LLC.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license; and

WHEREAS, the applicant has indicated that it intends to make application to the Highlands Planning Board for an expansion of the premises for the service of licensed beverages; and

WHEREAS, this Resolution should in no way whatsoever be construed to approve the to-be-applied-for expansion; and

WHEREAS, the intent of this Resolution is to approve the person-to-person transfer only.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Highlands does hereby approve effective April 15, 2015, the person-to-person transfer of he aforesaid Plenary Retail Consumption License to Atlantic Street Innkeepers, LLC. and does hereby direct the Borough Clerk to endorse the license certificate.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

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

R-15-98 – Resolution – Appointing Shade Tree Commission/Commissioner:

Mrs. Cummins read the title of R-15-98.

**R-15-98
RESOLUTION APPOINTING MEMBER
OF THE SHADE TREE COMMISSION
& TREE COMMISSIONER**

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made to the Shade Tree Commission:

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Chris Francy

Member

BE IT FURTHER RESOLVED that Chris Francy be appointed Tree Commissioner for the Borough of Highlands.

BE IT FURTHER RESOLVED that said appointments shall expire one December 31, 2015.

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

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

O-15-17 – Ordinance Amending Drug Free School Zone Map:

Mrs. Cummins read the title of O-15-17 on for introduction and setting of a public hearing date for May 20th, 2015.

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

O-15-17

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

AN ORDINANCE AMENDING AND REVISING CHAPTER 3, SECTION 15, “DRUG-FREE SCHOOL ZONES; DRUG FREE PUBLIC AREAS,” SUBSECTION A, UPDATING THE DRUG-FREE PUBLIC BUILDING AND LAND ZONE MAP

WHEREAS, the purpose of this Ordinance is to amend the “Drug-Free Public Building and Land Zone Map” as previously adopted by the Borough of Highlands in 1998; and

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

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

3-15 Drug-Free School Zones; Drug-Free Public Areas.

- a. In accordance with and pursuant to the authority of L. 1997 C 327 and C.44 (C.2C:35-7), the Drug-Free School Zone and a subsection of N.J.S. 2C:35-5 Drug-Free Public Building and Land Zone Map ~~produced on or about April 27, 1998 by SchoorDePalma Municipal Engineers~~ produced on or about April 15, 2015 by T & M Associates, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for school and public purposes and which is owned by or leased to any elementary or secondary school or school board, or public

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organization and of the areas on or within 1,000 feet of such school property and on or within 500 feet to the real property comprising a public housing facility, a public park or a public building.

SECTION TWO. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION THREE. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

ROLL CALL:

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

Ordinances: 2nd Reading, P.H. & Adoption:

O-15-13 – CAP Ordinance – P.H. held on 4/1/15 – Vote Only:

Mrs. Cummins read the title of Ordinance O-15-13 on for final reading, 2nd Public Hearing and adoption.

Mayor Nolan opened the public hearing.

Noell Christianson of 164 Linden Avenue asked if copies were available.

Mrs. Cummins said a copy was in the public packets.

Mr. DeBlasio explained that the CAP base authorizes 2% extra to the budget and to authorize a CAP bank.

Mayor Nolan stated that a vote of four would still be needed to spend money.

Roger Clemente of 164 Linden Avenue asked where the funds come from.

Mr. DeBlasio explained.

Gert Sofman of 157 Bay Avenue questioned the prior year CAP money and what is the benefit to increase CAP.

Mr. DeBlasio explained the process and stated that this is necessary.

Kim Skorka of 315 Shore Drive added that this will allow us to increase the budget in the future if needed.

Tina Kraemer of 164 Linden Avenue wanted to know the source of the funding. She spoke against extra taxes for this.

Carl Rodriguez of 164 Linden Avenue stated that the taxes for his condo are over \$9,000.00 a year. He feels that he is being over taxed.

Mayor Nolan said to file a tax appeal.

Chris Francy of 36 5th Street asked the council to explain the four votes needed to spend this money.

Mr. Card said that Mr. DeBlasio did explain it to him. It takes four votes to spend the money. We need to have this piggy bank.

Ms. Ryan added that it can also be used for an emergency.

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Carl Rodriquez asked why we are raising the CAP and questioned the tax rate.

Mayor Nolan stated that we lost ratables in Sandy.

Carl Rodriquez said that we need to make cuts somewhere.

Chris Francy asked if this was to enhance grants from the State.

Mr. DeBlasio answered that it would help us get a grant.

Kevin Thompson of 8 Bay Street spoke of needing cut backs. He asked if Mr. Hill is receiving a 6% raise.

Mr. Hill said no.

Mr. DeBlasio explained that a public hearing will be held on the budget. In the municipal budget, we have the salary plus sick time buy back. It is not a 6% raise.

Kim Skorka added that by adopting this it does not mean we are raising taxes by 6%. It is a safety net.

Tina Kraemer asked if there was a plan to procure money.

Mayor Nolan explained that we have one project going out and project development in the marina. This will bring new revenue to the town.

Mayor Nolan closed the public hearing.

Mrs. Cummins read the title of O-15-13 for final reading and adoption.

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH, NEW JERSEY
O-15-13
CALENDAR YEAR 2015
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 1.5% 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 2015 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 \$138,737.83 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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 2015 budget year, the final appropriations of the Borough of Highlands shall, in accordance with this ordinance and N.J.S.A.

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40A: 4-45.14, be increased by 3.5%, amounting to \$242,791.20, and that the CY 2015 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 Mr. Redmond and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Card, Mr. Redmond, Ms. Ryan, Mayor Nolan

NAYES: None

ABSENT: Ms. Kane

ABSTAIN: None

Other Business:

Mr. Leubner read thru his report.

The following is the status of various projects in which we are involved as Borough Engineer:

Capital Improvement Projects

1. Stormwater System Improvements:

- We have requested to be included in the 2015 EIT funding cycle at this time.
- Plans have been submitted to the NJDEP as required for the EIT loan.
- Permit applications are currently being revised for resubmission.
- Construction is scheduled to commence later this year. Start date will vary based upon grant success or utilizing EIT loan.

2. The Replacement of the North Street Stormwater Pumpstation: The station was lost during Hurricane Sandy.

- Design is substantially complete.
 - Station has been redesigned higher to be out of the new floodplain per recent ABFE's.
 - Design has been revised to utilize electric pumps with a backup diesel generator due to the inability to satisfy NJDEP sound attenuation regulations.
- Access agreements are required from the adjacent property owners for construction purposes.
- Final project design has been authorized and has commenced.
- Permit applications are currently being prepared for submission.
- Construction is anticipated to commence later this year.

3. The Replacement of the Bay Street Retaining Wall: This project will replace the failing retaining wall on Bay Street along the frontage of house #8.

Bid Opening: October 31, 2014
Award: December 3, 2014
Contractor: Berto Construction Incorporated
Amount: \$271,303.00

- Pre-construction meeting held on January 21, 2015.
- Shop drawings for the wall panels were rejected and were delayed in being resubmitted. Revised shop drawings are now approved.
- As of March 18, 2015, precast manufacturer needs approximately three (3) weeks to cast the panels.

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- Wall replacement is tentatively scheduled to commence late April based upon precast manufacturer's schedule.
 - Curbing along the east side of the roadway to be added to this Contract.
4. **The Waterwitch Avenue & Linden Avenue Drainage Project:** The intent of this project is to capture sediment frequently received from Monmouth Hills and Route 36 to keep it from clogging the Borough's infrastructure and causing additional flooding.
- Design is substantially complete.
 - Project scope has been reduced as proposed to and discussed with Mayor and Council.
 - Anticipated cost savings to be between \$400,000 and \$500,000 based on the alternate design.
 - Replacement of failed pipe from the Waterwitch Avenue/Shore Drive intersection through Huddy Park to Jones Creek will be added to this project as requested by the Governing Body.
 - Plans have been submitted to the NJDOT and Monmouth County for review.
 - Review comments have been received. A meeting with the County is scheduled for next week to discuss their concerns.
 - Plans will be revised based upon any comments received by the reviewing agencies.
 - Project to be advertised this spring and advanced to construction late spring/early summer.
5. **Community Center ADA Walkway:** Project documents are advancing to completion. Project to be advertised by the end of April.
6. **NJEDA Streetscape Project:** This project adds streetscape improvements behind the curblines, plus crosswalks through both downtown business districts. Project involves a \$1.5 million grant from the NJEDA
- Survey is completed.
 - Design has commenced.
 - Meeting to be scheduled with Council Representatives and the Borough Administrator to review the project design and amenities.
 - Meeting to be scheduled and held with the affected business owners to present the proposed improvements.
7. **The Resurfacing of Shore Drive Phase II:** This project extends from Waterwitch Avenue to Locust Street. This project includes a \$200,000 grant from the NJDOT. A contract has to be awarded by July 2015 to avoid forfeiting the grant money.
- Design is substantially complete.
 - Project to be advertised in the spring with construction this summer.
8. **Shrewsbury Avenue Rehabilitation/North Street Stormsewer Inflow Pipe Replacement:** This project includes the entire length of Shrewsbury Avenue from Bay Avenue to Miller Street. It also includes replacing the stormsewer inflow pipe to the North Street Pumpstation from Bay Avenue to Shrewsbury Avenue and reconstructing the existing roadway. The projects have been combined due to proximity as well as anticipated better scheduling and pricing. This project includes a \$210,000 grant from the NJDOT for Shrewsbury Avenue as well as \$178,077.00 from the Monmouth County Community Development Block Grant program for North Street.
- Preliminary Design is underway.
 - Project to be advertised late spring/early summer with construction commencing this summer.

Grants and Loans

1. **FY 2015 NJDOT Local Aid Applications:** We submitted an application for Miller Street between Shore Drive and Bay Avenue as requested by the Governing Body. The Borough has been advised that they will receive \$83,000 towards this project.

Roger Clemente of 164 Linden Avenue asked about the Waterwitch & Shore Drive projects.

Mr. Leubner explained.

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Gert Sofman of 157 Bay Avenue asked if the Bay Avenue Streetscape has been designed yet.

Mr. Leubner explained what it would encompass, such as; sidewalks, crosswalks, street lamps, trees, garbage cans, benches and planters.

Gert Sofman asked about having underground wires.

Mr. Leubner explained the big expense.

Chris Francy of 36 5th Street asked for a timeline on the flooding project.

Mr. Leubner explained the funding.

Chris Francy asked when the project will start.

Mr. Leubner said in the fall.

Kevin Thompson of 8 Bay Street asked if we start construction without approval, do we lose funding.

Mr. Leubner replied yes.

Peter Mullen of 11 Marina Place asked about the Shore Drive Project and questioned the old Seastreak Site Plan. He would like to know if there was anything in their old approval for them to contribute.

Carol Broullon of Miller Street questioned the ADA ramps.

Mr. Leubner explained.

Carl Rodriquez of 164 Linden Avenue asked if the Shore Drive and Sandy Hook Marina projects are contributing to this.

Mr. Leubner said he was not sure if anything is in their approval.

Roger Clemente questioned the drainage project location.

Mr. Leubner said it would be by the VFW.

Roger Clemente asked if the hill by his condo would be improved.

Mr. Leubner said no, not with this project.

R-14-220 – Discuss Possible Amendments:

Ms. Ryan explained the changes in the resolution. She further explained the deletions and items to be included in the language of the resolution. She spoke of proposed language to be added to Personnel Handbook and that Board Members would have to comply but not committee members. She added that this would be available to the public. She feels that the council needs to discuss and to do a resolution at the next meeting.

Mr. Card – no.

Mr. Redmond – no.

Public Portion:

Kim Skorka of 315 Shore Drive would like to have notice when the street sweeper is going to come thru. There were a lot of cars parked on the street when the sweeper came thru.

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Mr. Hill responded that the county does this when available. It is not on a set schedule.

Roger Clemente of 164 Linden Avenue stated that the drainage ditch has been blocked for 5 years. It is going to cause problems. Can't we force the property owner to open it up?

Mr. Hill explained that we can't infringe on property owner.

Mr. Padula and Mr. Hill were directed to look into this and get the owner to open this up.

Carol Bucco of 330 Shore Drive asked about beach cleanup and Matthew Street beach blocked off.

Ms. Ryan said she would look into it.

Carol Bucco stated that they have had problems at Bayview Condo's with the Building Department inspections. They had three sewer pipe breaks in the last 4 weeks. The strapping was not done properly. The inspector never went under the building to inspect the pipes and some showers are not connected to the sewer.

Mr. Hill will follow up on this.

Carol Bucco said that they may have to sue everybody. The town is responsible for inspections. She further complained that the condo can't appeal the land value.

Kate Reed of 7 Snug Harbor stated that the cost of the Community Center improvements seem excessive. She also complained about high taxes, house raising compliance deadline and high cost of insurance. She continued to explain that it is hard to sell when there are many vacant houses.

Mayor Nolan explained the need for ratable.

Mr. Card added that we need to go after bank owned houses.

Gert Sofman of 157 Bay Avenue agreed with Mr. Card. She said she is walking away from her house on Sea Drift Avenue. The bank would not work with her on a short sale approval. She is getting foreclosed on.

Kate Reed asked about emanate domain.

Mayor Nolan explained the cost to demo a house.

Carl Rodriguez of 164 Linden Avenue also spoke of abandoned houses.

Mr. Card spoke of the cost estimate for the Community Center. He feels that if we spend over \$300,000.00, we will be paying too much.

Mr. Leubner stated that the repair cost is about \$315,000.00.

Mayor Nolan stated that we will have more on the Community Center by next month.

Nancy Burton of Atlantic Street asked if the vacant houses are still paying taxes.

Mr. Card said the new judge is enforcing the ordinances.

Nancy Burton feels we should make the properties available to neighboring properties.

Kate Reed said we could demo the houses and sell the lots.

Mr. Card commented that it takes money to do that.

Nancy Burton feels we should focus on vacant, abandoned houses on Bay Avenue.

Kim Skorka wants to be sure we have code enforcement.

There were no further questions.

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Mayor Nolan offered a motion to adjourn, seconded by Ms. Ryan and all were in favor.

The Meeting adjourned at 9:20 p.m.

Debby Dailey, Deputy Clerk