

Mayor & Borough Council Reorganization Meeting Minutes
Community Center – 22 Snug Harbor – Highlands
Wednesday, June 20th 2018
7:00pm

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

Call to Order
Meeting Statement
Roll Call

EXECUTIVE SESSION: 7:00PM

Attorney-Client Privilege: Form Based Code
Sandy Hook Developers Tax Agreement
PBA Negotiations
Sewer

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Acknowledgement of Service

Barry McKellar, DPW Employee 1981-2018

Consent Agenda

R-18-138 Authorize Payment of the Bills
R-18-139 Approval of Insertion of Clean Communities Grant into the 2018 Budget
R-18-140 Approve Renewal of Liquor Licenses for the 2018-2019 Term
R-18-141 Appoint Public Officer

Resolutions

R-18-142 Amend Appointment of Special Counsel (COAH)
R-18-143 Authorize Award of Contract through NJ Cooperative Purchasing Program
R-18-144 Approve Amended 2018 Highlands Business Partnership Events Calendar
R-18-145 Award Non-Fair & Open Contract for Wireless Telecommunications Consulting Services to FSD Enterprises, LLC
R-18-146 Appoint Temporary Summer Seasonal Recreation Employees
R-18-147 Appoint Temporary Summer Seasonal Recreation Employees for Summer Food Service Program

Ordinances: Introduction & First Reading

O-18-14 Bond Ordinance Providing for Various Capital Improvements & Appropriating \$500,000
O-18-15 Capital Ordinance Providing for Various Capital Improvements & Appropriating \$500,000

Other Business:

Paradise Lane

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Recycle Coach App
Engineer's Report
Administrator's Report
Police Chief's Report

Public Comments:

Adjourn

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The Meeting was called to order at 7:00pm.

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ROLL CALL:

Present: Councilmembers Braswell, Broullon, D'Arrigo & Ryan

Absent: Mayor O'Neil

Also Present: Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney

Resolution to enter into Executive Session

A motion to enter Executive Session was offered by Councilmember Broullon and seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon & D'Arrigo (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

The Resolution to enter Executive Session was properly approved.

Executive Session was entered at 7:01pm.

REGULAR MEETING:

The Meeting was called to order at 8:00pm.

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

Pledge of Allegiance was led by Councilmember Broullon.

ROLL CALL

Present: Councilmembers Braswell, Broullon, D'Arrigo & Ryan

Absent: Councilmember O'Neil

Also Present: Bonnie Brookes, Borough Clerk
Brian Chabarek, Borough Attorney
Patrick DeBlasio, CFO
Kim Gonzales, Borough Administrator
Ed Herrman, T&M Associates

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Acknowledgement of Service

Barry McKellar, DPW Employee 1981-2018

Councilmember Broullon presented Mr. McKellar with a plaque and thanked him for his twenty-seven (27) years of service and wished him a happy retirement.

Councilmember Broullon informed the public that the new FEMA Flood Maps were officially adopted today and information is posted on the Borough's website. She thanked Councilmember D'Arrigo for all her work.

Councilmember Broullon announced that on the advice from Counsel the Mayor and Council cannot comment on any pending applications before the Land Use Board. Mr. Chabarek explained in greater detail.

Consent Agenda

- R-18-138 Authorize Payment of the Bills
- R-18-139 Approval of Insertion of Clean Communities Grant into the 2018 Budget
- R-18-140 Approve Renewal of Liquor Licenses for the 2018-2019 Term
- R-18-141 Appoint Public Officer

Councilmember Broullon motioned to approve the consent agenda which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

The consent agenda has been properly approved.

Resolutions

R-18-142 Amend Appointment of Special Counsel (COAH)

Councilmember Broullon motioned to approve Resolution 18-142 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Resolution 18-142 has been properly approved.

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R-18-143 Authorize Award of Contract through NJ Cooperative Purchasing Program

Councilmember Broullon motioned to approve Resolution 18-143 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Resolution 18-143 has been properly approved.

R-18-144 Approve Amended 2018 Highlands Business Partnership Events Calendar

Councilmember Ryan motioned to approve Resolution 18-144 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Broullon & Ryan (2)

NAY: Councilmember D'Arrigo (1)

ABSENT: Mayor O'Neil (1)

ABSTAIN: Councilmember Braswell (1)

Resolution 18-144 has been properly approved.

R-18-145 Award Non-Fair & Open Contract for Wireless Telecommunications Consulting Services to FSD Enterprises, LLC

Councilmember Ryan motioned to approve Resolution 18-145 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Resolution 18-145 has been properly approved.

R-18-146 Appoint Temporary Summer Seasonal Recreation Employees

Councilmember Broullon motioned to approve Resolution 18-146 which was seconded by Councilmember Braswell.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon & Ryan (3)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: Councilmember D'Arrigo (1)

Resolution 18-146 has been properly approved.

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R-18-147 Appoint Temporary Summer Seasonal Recreation Employees for Summer Food Service Program

Councilmember Ryan motioned to approve Resolution 18-147 which was seconded by Councilmember Broullon.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon & Ryan (3)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: Councilmember D'Arrigo (1)

Resolution 18-147 has been properly approved.

Ordinances: Introduction & First Reading

O-18-14 Bond Ordinance Providing for Various Capital Improvements & Appropriating \$500,000

Councilmember Broullon motioned to introduce Ordinance 18-14 which was seconded by Councilmember Braswell.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Ordinance 18-14 has been properly introduced. A public hearing will be on July 18th 2018.

O-18-15 Capital Ordinance Providing for Various Capital Improvements & Appropriating \$500,000

Councilmember Broullon motioned to introduce Ordinance 18-15 which was seconded by Councilmember Ryan.

ROLL CALL:

AYE: Councilmembers Braswell, Broullon, D'Arrigo & Ryan (4)

NAY: None (0)

ABSENT: Mayor O'Neil (1)

ABSTAIN: None (0)

Ordinance 18-15 has been properly introduced. A public hearing will be on July 18th 2018.

Other Business

Paradise Lane

Mr. Chabarek explained the history of how the name of the street was changed to Paradise Lane by Ordinance 18-11 and the process that is required to change a street name. Ms. Gonzales stated that she had been in contact with Pulte during this process. Councilmember Broullon invited the interested parties to speak.

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Sean Morning, Pulte Group, stated that is an Pulte Trustee for the Harborside at the Hudson. He asked that the name could be changed to “Harborside Point” and added that they agreed to pay all expenses to change the street name again. Mr. Chabarek noted some of the costs associated with amending the ordinance. Councilmember Broullon stated that they would look into the coats and be in touch.

Recycling Coach App

Councilmember Broullon noted that the NJ DEP now has a phone application for recycling to help remind residents of what days to put out their trash and recycling. She explained the app and how it would benefit the Borough’s residents.

Engineers Report

Mr. Herrman announced that the 2017 Road Improvement Project was complete. He updated the Council on the Shore Drive pump replacement, Veterans’ Park electric, the sewer connection for the Police Department, and the Valley Street storm water designs. Mr. Herrman advised residents to contact their insurance companies now that the new FEMA maps were adopted.

Councilmember D’Arrigo noted that there would be more movie nights this summer and the concert nights that Recreation is sponsoring.

Mr. Chabarek informed the public that there was an inaccurate flyer being spread around the Borough concerning the upcoming Land Use Board (LUB) meeting. He noted the correct time, date, and location of the next meeting. Councilmember Braswell noted that the next LUB meeting would be a Completeness Hearing for the application many are interested in. Councilmember Ryan explained the process of the LUB to the public, so they would better understand how an application is handled.

Police Chief Report

Chief Burton explained that there had been some recent vandalism and that the juvenile responsible had been apprehended. He announced that people should call the Police not post on Facebook if there is a police matter. Additionally, Chief Burton noted that there would be an officer directing traffic at the Seastreak at their expense.

Councilmember Broullon provided an update to the residents on various issues including but not limited to sprinklers, the tax abatement ordinance, Highlands Elementary drainage, mowing, and paving.

Public Comment

Councilmember Broullon opened the meeting to the public.

Scott Breslow, Paradise Lane, inquired if the ordinance changing the name of Lighthouse Point Road to Paradise Lane could be appealed. Councilmember Broullon explained why it was changed originally. Mr. Breslow commented that changing the name was very disruptive to the residents, the communication with Pulte was lacking, and the residents were not informed of the change. Council agreed to discuss it.

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Greg Wells, Bayside Drive, stated that the group opposed to the detox center on Bay Avenue had obtained legal counsel, will have expert testimony, and have an established a non-profit. He noted that they would be holding meetings and requesting donations.

Kim Skorka, Shore Drive, asked that yellow curbs are painted, and Ms. Gonzales ensured they would be.

Carol Bucco, Shore Drive, inquired what a ‘Public Officer’ was. Councilmember Broullon explained that it was an annual requirement to appoint this position. Ms. Bucco asked if the Borough was being charged a ‘fuel charge’ by the trash hauler. Mr. DeBlasio stated that it would be investigated. Ms. Bucco stated that she objected to the name Paradise Lane.

Ms. Bucco informed the Council that she had sent correspondence to Ms. Gonzales concerning the use of the Community Center by various groups and she noted the response received. She followed up with various questions concerning the usage. Councilmember Broullon explained the process to approving the usage for these groups. Councilmember Braswell pointed out that there had been no issues and that the Borough has a one strike policy. Ms. Bucco continued to express her concerns.

Andy Danio, Miller Street, responded to some of Ms. Bucco’s concerns.

Chris Francy, Fifth Street, questioned if the Borough already had one of the bond ordinances that had been introduced tonight. Mr. Chabarek explained the need for the ordinance. Mr. Francy also expressed concern over Seastreak’s new larger boat and the safety of smaller boats in their immediate area.

Trisha Rivera, Waterwitch Avenue, said that the Council cannot stop or limit the public when they are speaking. Ms. Rivera noted her concern over the height and size of the homes being built and asked that this be looked at and addressed. Councilmember Braswell provided a history of the height requirements in the Borough. Ms. Rivera explained why she believed they were too high.

Ms. Rivera questioned what was being done concerning the flooding. Councilmember Broullon reviewed what the Borough was currently doing to address the issue. Ms. Rivera suggested an additional pump station was needed. Ms. Gonzales reviewed all the Borough was doing to fight flooding in the Borough and Council discussed the issue with Ms. Rivera.

Tom Reed, Snug Harbor Avenue, expressed his concern over the use of the Community Center by certain groups due to liability. He pointed out that he supports these groups’ missions but thought the location was a poor choice and affects the quality of life of the Borough’s residents.

Steve Solop, Bay Avenue, inquired on the status of officers on bikes and Chief Burton said he would speak to him after the meeting. Mr. Solop inquired if there was any progress on the recommendations from Councilmember D’Arrigo and himself concerning the Highlands Business Partnership (HBP). Some of the Council stated that they had not been provided the list which Councilmember D’Arrigo noted she had distributed it. Mr. Solop pointed out that the HBP doesn’t follow the Borough’s ordinance and are the only ones benefiting from their events. He noted that the businesses in the middle of the Borough are being ignored by the HBP.

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Linda Mazzola, Marina Drive, inquired who pays for the operation of the Community Center. Council explained that it is funded by taxes, but groups pay a fee for usage. Ms. Mazzola said that in her field any group is a liability and requires insurance. Ms. Gonzales noted that all groups provide liability insurance and sign a hold harmless. Ms. Mazzola announced that insurance will not cover a fight or harm to a child. She stated that the Community has the right to know who is using the Community Center and when.

Ms. Mazzola inquired the role of the HBP in the Borough's events. Councilmember Broullon listed the things HBP does not including the events which included providing grants, advertising, and hosting meetings. Ms. Mazzola noted that she sees the HBP as a positive thing. She questioned what the HBP s thought on the detox center and said that she was told they would have to poll the businesses to provide a response. Council explained that the HBP was a separate entity. Ms. Mazzola requested Councilmember Broullon if all the businesses were aware of the application for the detox center.

Mike Cannon, Central Avenue, noted his concern over the 'sunny day' flooding on Snug Harbor area. He noted that there are puddles and water bubbling out of the drains. He also added that the flood valve is not working at Jones Creek.

Steve Solop, Bay Avenue, provided a copy of the HBP ordinance to the Council.

Councilmember Broullon closed the meeting to the public.

Adjourn:

Councilmember Ryan motioned to adjourn the meeting which was seconded by Councilmember Broullon and approved by all present. The meeting was adjourned at 9:33 pm.

Approval of the Minutes

A motion to approve the Minutes of June 20th 2018 was made by Councilmember Ryan and seconded by Councilmember Broullon.

AYE: Councilmembers Braswell, Broullon & Ryan (3)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: Councilmember Mazzola & Mayor O'Neil (2)

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be the action of the Governing Body at its meeting held January 16, 2019.

Approve: 
Richard W. O'Neil, Mayor

Attest: 
Bonnie Brookes RMC, Deputy Clerk