

**Mayor & Borough Council Meeting Minutes**  
Community Center, 22 Snug Harbor Avenue, Highlands  
Thursday, August 15<sup>th</sup> 2018 at 6:30pm

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

Call to Order  
Meeting Statement  
Roll Call

**WORKSHOP: 6:30PM**

SBP Presentation  
DEP & USACE: Feasibility Study

**EXECUTIVE SESSION: 7:00PM**

Attorney-Client Privilege:      Taxi License  
   Captains Cove  
   Form Based Code  
Contract Negotiations:      Solid Waste & Recycling

**REGULAR MEETING: 8:00PM**

Call to Order  
Pledge of Allegiance  
Roll Call

**Presentation**

Outstanding Citizenship Award

**Approval of Minutes**

March 21<sup>st</sup> 2018

**Consent Agenda**

R-18-170      Approve Payment of the Bills  
R-18-171      Approve Participation in Cooperative Purchasing System  
R-18-172      Approve Property Tax Cancellation & Refund  
R-18-173      Appoint Recycling Coordinator  
R-18-174      Appoint Clean Communities Coordinator  
R-18-175      Authorize Payment for Professional Services for LUB Attorney

**Resolutions**

R-18-176      Recommendations of the Audit  
R-18-177      Certifying Review of the Audit Report for 2017

**Ordinances: Public Hearing & Possible Adoption**

O-18-16      Renaming Paradise Lane to Harbor Side Pointe Road

**Other Business:**

Engineer's Report

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Administrator's Report  
Police Chief's Report

**Public Comments:**

**Adjourn**

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**Regular Meeting**

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Call to Order  
Meeting Statement  
Roll Call

**Roll Call:**

  X   Councilmember Braswell  
  X   Councilmember Broullon  
 X\*\* Councilmember D'Arrigo  
  X   Councilmember Ryan  
  X   Mayor O'Neil

**Also Present:**

  X   Bonnie Brookes, Clerk  
  X   Andrew Ball, Borough Attorney  
 X\* Brian Chabarek, Borough Attorney  
  X   Kim Gonzales, Borough Administer  
  X   Rosa Pace, Deputy Clerk

**Workshop**

**SBP Presentation**

Christine D'Auria of SBP explained that their organization provides disaster relief and assistance and noted that they have completed ten (10) projects in the Borough. She stated that they would be providing training for residents on September 24<sup>th</sup> 2018 and reviewed what would be taught. Ms. Gonzales pointe about the training would be at the Community Center.

**DEP & USACE: Feasibility Study**

Bill Dickson of the NJ Department of Environmental Protection (DEP) stated that the Army Corp of Engineers (USACE) was requesting a resolution of support from the Borough for their feasibility study and for them to rescind the previous resolution in opposition. Mayor O'Neil questioned what the Borough's financial obligations would be. Mr. Dickson said that there is no cost for the study itself but if they decide to move forward with the project 65% would be covered by the federal government, 26.25% by the State, and 8.75% by the Borough, some of which may be covered by the County.

\*Mr. Chabarek entered the meeting at 6:40pm.

Mr. Dickson informed the Council that if the Borough doesn't move forward with the study they may not have an opportunity to do so in the future. Councilmember Ryan questioned if this would include more than a wall and would assist with the normal flooding the Borough experiences. Mr. Dickson stated that it can assist with tidal flooding through various methods including pump stations and flood basins. Dave Ginyili and Jason Shea, Project Engineers with USACE, explained the interior drainage plan envisioned for the Borough.

Mr. Dickson explained what could and could not be changed in the plan if the Borough decided to move past the study and allow the project. He also noted that the height of the sea wall would be two (2) feet taller then the wall currently at Snug Harbor. Councilmember Braswell questioned who would be

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responsible for the maintenance of the wall. Mr. Dickson stated that he cannot provide a solid answer but did note it was negotiable. He also listed other municipalities whose wall is maintained by the State.

\*\*Councilmember D’Arrigo entered the meeting at 6:55pm.

Ms. Gonzales inquired if the Borough agreed to the study would they be required to complete the project. Mr. Dickson stated that they are not required to move forward until a PPA is signed. Councilmember Ryan asked when the study would be completed, to which Mr. Shea responded that it would be done by the end of September noting what was left to be finished. Councilmember Braswell questioned how it would impact the residents flood insurance and Mr. Dickson explained the process to have that changed if and once the project is complete. Mr. Dickson reviewed various details including the life of the wall and the impact of flooding on the Borough’s infrastructure.

Council discussed and agreed that they needed to get all the information prior to a decision being made. Mr. Chabarek stated that the Borough has not received an estimate on the cost of the project in writing. Mr. Dickson stated that he would be able to provide that letter to the Borough. Mayor O’Neil requested the letter also note that agreeing to this study would not require the Borough to move forward on the project or require any financial obligations. Mr. Dickson stated that a decision was needed within thirty (30) days by the Borough.

**Executive Session**

Attorney-Client Privilege:      Taxi License  
    Captains Cove  
    Form Based Code  
 Contract Negotiations:         Solid Waste & Recycling

**Motion** to Approve Resolution to Enter into Executive Session:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
D’ARIGGO			X			
RYAN	X		X			
O’NEIL		X	X			

The Resolution to enter executive session was properly approved.

Council entered Executive Session at 7:07pm.

Council exited Executive Session at 7:58pm.

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**Regular Meeting**

Council returned to Public Session at 8:00pm.

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**Pledge of Allegiance**

Lead by Mayor O'Neil

**Roll Call**

  X   Councilmember Braswell  
  X   Councilmember Broullon  
  X   Councilmember D'Arrigo  
  X   Councilmember Ryan  
  X   Mayor O'Neil

**Also Present:**

  X   Bonnie Brookes, Clerk  
  X   Brian Chabarek, Borough Attorney  
  X   Pat DiBlasio, CMR  
  X   Kim Gonzales, Borough Administrator  
  X   Ed Herrman, T&M Associates  
  X   Rosa Pace, Deputy Clerk

**Presentation: Outstanding Citizenship Award**

Mayor O'Neil read the award into the record and presented it to Jennifer Vaz for saving the life of a dog who was left in the river in a locked cage on July 30<sup>th</sup> 2018. Ms. Vaz said a few words and stated that Highlands is an amazing town she is happy to be a part of.

**Other Businesses**

**Engineers Report**

Mr. Herrman stated that there was a delay in receiving the pump for the Shore Drive pump station. He provided an update on Veterans' Park electric, Police Department sewer connection, CDBG, and additional flat valves.

**Name:** Greg Wells

**Address:** Bayside Drive

Requested an update on the headwall and Ms. Gonzales stated that the Borough would be meeting with a marine engineer.

Mayor O'Neil explained why the Police Department was being connected to the sewer.

**Name:** Trish Rivera

**Address:** Marina Place

Inquired where the flat valves would be placed which Mr. Herrman clarified.

**Name:** Martian Kiely

**Address:** Fifth Street/Shore Drive

Noted that the asphalt on the bridge is degrading and water is coming up through potholes on other streets. Mayor O'Neil stated that they would have someone look at it the next day.

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**Name:** Tina Kaemmerer

**Address:** Linden Avenue

Questioned who was responsible for the storm drain on the service road for Hilltop at Highlands. Ms. Gonzales stated that she would research it.

**Administrator's Report**

Mr. Gonzales reported that the bids for Valley Street came in, utilities are doing work on Forth and Fifth Streets, and the damage from the recent storm in the Borough. She stated that the new Superintendent starts the following day and old gas tanks were being removed from the DPW lot. Ms. Gonzales announced upcoming community evets.

Mayor O'Neil commented on the quality of the summer concerts. He also noted that the duckbills were working well.

**Approval of Minutes**

**March 21<sup>st</sup> 2018**

**Motion** to approve the May 21<sup>st</sup> 2018 Council Minutes:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
D'ARRIGO			X			
RYAN		X	X			
O'NEIL			X			

The March 21<sup>st</sup> 2018 Minutes have been properly approved.

Mr. Herrman left the meeting at 8:36pm.

**Consent Agenda**

- R-18-170 Approve Payment of the Bills
- R-18-171 Approve Participation in Cooperative Purchasing System
- R-18-172 Approve Property Tax Cancellation & Refund
- R-18-173 Appoint Recycling Coordinator
- R-18-174 Appoint Clean Communities Coordinator
- R-18-175 Authorize Payment for Professional Services for LUB Attorney

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**Motion** to Approve the Consent Agenda:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN			X			
O'NEIL	X		X			

The Resolution to approve the consent agenda was properly approved.

**Resolutions**

**R-18-176 Recommendations of the Audit**

**Motion** to Approve Resolution 18-176:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
D'ARRIGO			X			
RYAN		X	X			
O'NEIL			X			

Resolution 18-176 was properly approved.

**R-18-177 Certifying Review of the Audit Report for 2017**

**Motion** to Approve Resolution 18-177:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
BROULLON	X		X			
D'ARRIGO			X			
RYAN			X			
O'NEIL			X			

Resolution 18-177 was properly approved.

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**Ordinance: Public Hearing & Possible Adoption**

**O-18-16          Renaming Paradise Lane to Harbor Side Pointe Road**

Mayor O'Neil opened the meeting to the public on Ordinance 18-16.

**Name:** Steve Unknown

**Address:** Unknown

Stated that it was horrible for the Borough to ask the residents to change everything. Mayor O'Neil provided a history of this issue.

**Name:** John Connelly

**Address:** Paradise Lane

Said that he would like the name kept as Lighthouse Pointe Road. Mr. Chabarek explained that the name has already been changed once to Paradise Lane and why that change was made.

**Name:** Denise Whalen

**Address:** Paradise Lane

Informed Council that the residents were not aware of the original change and requested it be changed back. Mr. Chabarek explained the history of this change.

**Name:** Sean Unknown

**Address:** Pulte Homes

Explained that this name change was originally wanted by the homeowner's association (HOA) but at the last HOA meeting the residents requested it changed back to the original street name. He offered to pay any expenses associated with changing it back.

Councilmember Ryan questioned what the change would cost the residents. Ms. Gonzales explained the safety issues which caused the name to be changed initially. Mr. Chabarek explained the process to change the name back.

**Name:** John Mastracchio

**Address:** Paradise Lane

Expressed concern that when you google "Paradise Lane, Highlands" the results identify it as a trailer park.

**Name:** Craig Schoenrock

**Address:** Paradise Lane

Noted that all problems would be solved by adding "south" to the original name of the street.

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**Motion** to Introduce Ordinance 18-16:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL				X		
BROULLON		X		X		
D'ARRIGO				X		
RYAN	X			X		
O'NEIL				X		

Ordinance 18-16 was not properly approved and failed.

**Public Comments:**

**Name:** Carol Bucco

**Address:** Shore Drive

Stated that her condo association's dumpsters are broken and asked who to contact to correct this issue. She said that the association would purchase a new one if the Borough reimbursed them. Ms. Gonzales commented that she would reach out to the trash hauler.

**Name:** Tina Kaemmerer

**Address:** Linden Avenue

Inquired if the Borough could do a sanitation shared service. Ms. Gonzales explained why they could not do a shared service for this with Middletown. Mayor O'Neil stated that they would look at options.

**Name:** Chris Francy

**Address:** Fifth Street

Had questions concerning the upcoming shredding event which the Mayor explained.

**Name:** Kim Skorka

**Address:** Shore Drive

Requested that the Council move forward with revoking Captain's Cove mercantile license as the property is still a disaster. She stated that the Council should also be working on steep slope stabilization. Ms. Skorka questioned when the three million in cost saving for the sewer that Councilmember Braswell ran on would be seen.

Ms. Skorka asked the Borough to plant trees at the Shore Drive municipal parking lot which Mayor O'Neil agreed to. She explained to the Council the need for pervious coverage. Ms. Skorka asked if there was any discussion on opening the permit parking on Shore Drive since the road was stripped. She also pointed out the Highlands Borough Partnership's (HBP) events are should be held in the business district, not on Borough property, which also goes for holiday decorations.

**Name:** Carol Bucco

**Address:** Shore Drive

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Stated that she would be contacting the police if any car's wheels on Shore Drive crossed over into the yellow. She asked if the Council voted on the USACE project in the Workshop to which Mayor O'Neil explained that they would in the future and it would be recorded.

**Name:** Trish Rivera

**Address:** Waterwitch Avenue

Expressed her concern over the paving of the Shore Drive municipal parking lot stating that other materials could be used to assist with the flooding issue. Mayor O'Neil explained that other flood mitigation projects would assist in this issue. Ms. Rivera also noted her concern over Captain's Cove.

Ms. Rivera questioned what the status of the open space bathrooms and Ms. Gonzales stated that they had built one at Snug Harbor off the deck. Ms. Rivera expressed her disappointment in Councilmember Braswell about comments he had made on flooding to which Councilmember Braswell explained that it was a misunderstanding and clarified his comments. Ms. Rivera requested that the Council move forward with the study.

**Name:** Linda Mazzola

**Address:** Marina Place

Informed the Council of the issue a local restaurant dumpster was causing with both the smell and creatures. Councilmember Broullon asked her to come speak to her after the meeting and she would handle it as the business liaison.

**Name:** Scott Keller

**Address:** Huddy Avenue

Stated that the hole at Captain's Cove is getting larger and noted the Borough to do something. Councilmember Braswell advised him that the Council was working this issue.

**Name:** Martin Kiely

**Address:** Fifth Street

Explained that he researched rain gardens and noted that there is state funding for such. He asked the Council to install one around the Shore Drive parking lot. Ms. Gonzales stated that the new DPW Supervisor has experience with such and they plan to install them throughout the Borough.

Mr. Kiely stated that he volunteered at Clam Fest and was impressed by the Mayor, Council, Ms. Gonzales and her family also volunteering. He stated that he heard great feedback on the event and it is bringing people into the Borough.

**Name:** Steve Solop

**Address:** Bay Avenue

Commented that it would be nice if the Borough ran Clam Fest.

The meeting was closed to the public.

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**Motion** to Adjourn the meeting:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN			X			
O'NEIL	X		X			

The meeting was adjourned at 9:19pm.