

Mayor & Borough Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
Thursday, September 20th 2018 at 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: Shadowlawn Development
Form Based Code
COAH Update
Use of Community Center
Contract Negotiations: Atlantic Highlands Grant
Architectural Services – New Borough Hall

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Consent Agenda

R-18-193 Approve Payment of the Bills
R-18-194 Authorize Refund of Tax Overpayment
R-18-195 Confirm the Highlands Fire Department Membership for 2018
R-18-196 Approving Fire Department Membership Application
R-18-200 Appoint Part-Time Fill-In Crossing Guard
R-18-202 Authorize Refund of Sewer Fees

Resolutions

R-18-197 Approve Request for Waiver of Alcohol Ban for Community Center Rental
R-18-198 Authorize Award of Non-Fair & Open Contract for Professional Services to CME Associates for Snug Harbor Park Improvements
R-18-199 Appoint Two Alternate Land Use Board Members
R-18-201 Authorize Execution of Encroachment Agreement for Block 119, Lot 11
R-18-203 Provide Consent to Assignment of Contract for Solid Waste & Recycling

Ordinances: Second Reading & Possible Adoption

O-18-17 Renaming Paradise Lane to Lighthouse Point Road
O-18-18 Amend Chapter 16-3.5 Concerning Regulation of Grease Traps
O-18-19 Amend Salary Ordinance
O-18-20 Authorizing Tax Agreement with Sandy Hook Developers, LLC for B101, L27.03

Other Business:

Engineer's Report
Administrator's Report

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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

Executive Session

Attorney-Client Privilege: Shadowlawn Development
 Form Based Code
 COAH Update
 Use of Community Center
 Contract Negotiations: Atlantic Highlands Grant
 Architectural Services – New Borough Hall

Motion to Approve Resolution to Enter into Executive Session:

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

The Resolution to enter executive session was properly approved.

Council entered Executive Session at 7:05pm.

Council exited Executive Session at 8:23pm.

Regular Meeting

Council returned to Public Session at 8:28pm.

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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 Kim Gonzales, Borough Administrator
 X Rosa Pace, Deputy Clerk

Consent Agenda

- R-18-193 Approve Payment of the Bills
- R-18-194 Authorize Refund of Tax Overpayment
- R-18-195 Confirm the Highlands Fire Department Membership for 2018
- R-18-196 Approving Fire Department Membership Application
- R-18-200 Appoint Part-Time Fill-In Crossing Guard
- R-18-202 Authorize Refund of Sewer Fees

Motion to Approve the Consent Agenda:

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

The Resolution to approve the consent agenda was properly approved.

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Resolutions

R-18-197 Approve Request for Waiver of Alcohol Ban for Community Center Rental

Motion to Approve Resolution 18-197:

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

Resolution 18-197 was properly approved.

R-18-198 Authorize Award of Non-Fair & Open Contract for Professional Services to CME Associates for Snug Harbor Park Improvements

Motion to Approve Resolution 18-198:

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

Resolution 18-198 was properly approved.

R-18-199 Appoint Two Alternate Land Use Board Members

Mayor O'Neil confirmed the Mayoral Appointment of Bruce Kudos and Jennifer Compagni and noted their qualifications.

R-18-201 Authorize Execution of Encroachment Agreement for Block 119, Lot 11

Motion to Approve Resolution 18-201:

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

Resolution 18-201 was properly approved.

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R-18-203 Provide Consent to Assignment of Contract for Solid Waste & Recycling

Motion to Approve Resolution 18-203:

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

Resolution 18-203 was properly approved.

Ordinance: Public Hearing & Possible Adoption

O-18-17 Renaming Paradise Lane to Lighthouse Point Road

Mayor O'Neil opened the meeting to discuss Ordinance 18-17. Seeing no one from the public wishing to speak, the meeting was closed to the public.

Motion to Adopt Ordinance 18-17:

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

Ordinance 18-17 was properly adopted.

O-18-18 Amend Chapter 16-3.5 Concerning Regulation of Grease Traps

Mayor O'Neil opened the meeting to discuss Ordinance 18-18. Seeing no one from the public wishing to speak, the meeting was closed to the public.

Motion to Adopt Ordinance 18-18:

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

Ordinance 18-18 was properly adopted.

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O-18-19 Amend Salary Ordinance

Mayor O’Neil opened the meeting to discuss Ordinance 18-19.

Name: Carol Bucco

Address: Shore Drive

Expressed concern over some of the absorbent raises including for the Land Use Board (LUB). Ms. Gonzales noted that LUB work load has greatly increased and Mayor O’Neil noted the Atlantic Highlands LUB Secretary was filling in for the Borough. Ms. Bucco pointed out that the QPA salary also went up significantly. Mayor O’Neil stated that it is now a full-time position.

Name: Kim Skorka

Address: Shore Drive

Inquired why the Borough needed a full time QPA when Ms. Gonzales could do it as part-time.

Motion to Adopt Ordinance 18-19:

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

Ordinance 18-19 was properly adopted.

O-18-20 Authorizing Tax Agreement with Sandy Hook Developers, LLC for B101, L27.03

Mayor O’Neil opened the meeting to discuss Ordinance 18-20.

Name: Kim Skorka

Address: Shore Drive

Requested the ordinance be explained. Mr. Chabarek explained how the tax abatement worked.

Motion to Adopt Ordinance 18-20:

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

Ordinance 18-20 was properly adopted.

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Other Business

Administrator's Report

Ms. Gonzales reported on the Valley Street pre-construction meeting, Borough preparations for the upcoming Bay Avenue paving, in addition to, discussing Highlands Day.

Ms. Gonzales read the Engineer's Report into the records in his absence. The report included updates on the capital improvements which were being closed out from 2017, updates on the various paving projects, the Shore Drive pump station, Veterans' Park electric, and the Police Department sewer connection. The Mayor explained the new type of pump that the Borough had purchased for the Shore Drive pump station and Councilmember Braswell noted the benefits of such. The report also discussed the grant projects and their status.

Mayor O'Neil explained the delay to the Portland Road repaving and Ms. Gonzales noted that NJNG will assist with the paving costs.

Police Chief's Report

Chief Burton announced that the intersection of Waterwitch Avenue and Route 36 would be closed a few days for repairs.

Public Comments:

Mayor O'Neil opened the meeting to the public.

Name: Carol Bucco

Address: Shore Drive

Questioned Councilmembers Braswell, Broullon, and Ryan if they were for or against the Army Corp of Engineers (USACE) wall. Councilmember Braswell stated that he was anti wall but for the study as it may provide the Borough with valuable information. Councilmember Broullon stated that she is also against the wall but will accept the study for free.

Ms. Bucco stated that she saw an ad for a costume party at the Feed & Seed and questioned if it was a private event or being ran by the Highlands Business Partnership (HBP). Councilmember Broullon replied it was a private event not being paid for by the HBP.

Ms. Bucco commented that in the Borough ordinance a detox center is not a permitted use and shared with the Council what the LUB attorney had said about it at their meeting. She noted that the LUB Chair decided to hear the case anyway. Mr. Chabarek stated that the Council cannot discuss this issue.

Ms. Bucco stated, regarding resolution 18-197, that she was correct and everyone was now going to request an alcohol ban for their events at the Community Center.

Name: Trish Rivera

Address: Waterwitch Avenue

Stated that she did not think alcohol at the Community Center was a bad idea but rather something the Borough could profit from. She asked if the Borough could pass an ordinance to prohibit people from buying businesses and keeping them vacant. Mr. Chabarek said that Council will take it under advisement.

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Ms. Rivera clarified the referendum that was that is part of the USACE resolution and asked Council to look at all the bulk heads in the Borough. She also asked the Council to advise the public of the bacteria levels of the water at the Borough Beaches so residents can protect their health.

Name: Greg Wells

Address: Bayside Drive

Inquired where the money for the Snug Harbor improvements were coming from. Mr. DeBlasio explained that Borough has the funding which is not from the Open Space Fund. Mr. Wells ask if the application can be placed on the Borough website to which Ms. Gonzales said It could.

Name: Kim Skorka

Address: Shore Drive

Stated that she is disappointed that we are now trying to fix the courts after Tim Hill had received a grant for it in the past that was not taken advantage of. She also noted that we should be focusing on fixing Marine Park. Ms. Gonzales stated that the Borough is currently getting quotes for those repairs and updated the public on the status

Name: Tina Kaemmerer

Address: Linden Avenue

Informed the Council that the water company had marked the water lines at her condo complex and told the residents that they were replacing metal lines with PVC.

Name: Trish Rivera

Address: Waterwich Avenue

Commented that South Bay and Veteran’s Park are cute areas, but this part of the Borough is sad.

The meeting was closed to the public.

Motion to Adjourn the meeting:

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

The meeting was adjourned at 9:12pm.