

**Borough of Highlands
Planning Board
Regular Meeting
December 13, 2007**

Mr. Stockton called the Planning Board Meeting to order at 7:45 P.M.

Mr. Stockton asked all to stand for the Pledge of Allegiance.

Mr. Stockton made the following statement: As per requirement of P.L. 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Planning Board and all requirements have been met. Notice has been transmitted to the Courier, the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Manrodt, Mr. Mullen, Mayor O'Neil, Mr. Bahrs, Mr. Nolan,
Mr. Stockton, Mr. Harrison

Absent: Mr. Kovic, Mr. Schoellner, Mr. Cefalo

Also Present: Carolyn Cummins, Board Secretary
Jack Serpico, Esq., Board Attorney
Catherine Britell, P.E., Acting Board Engineer

**PB# 2007-4 Knox 400, LLC – Request for Postponement to Jan. 10th Meeting
Without the Need for Further Public Notice
Block 108 Lot 2.01 – 460 Hwy 36**

Mr. Serpico explained that there were discussions that there was a letter requesting a postponement and then there was a letter from Mr. Leckstein responding to the postponement and indicating that he would not be available for the January 10th Meeting. Mr. Serpico stated that he spoke with Mr. Wolffe and advised him that we will carry this matter to the January 10th meeting subject to the two attorneys getting together to resolve their differences between date conflicts between now and then. He advised the Board to carry this matter to the January 10th meeting subject to it being carried again depending on the outcome of the two attorney's discussions and that there be no further public notice required.

Mr. Manrodt offered a motion to carry the Knox 400 matter to the January 10th, 2008 meeting without the need for further notice and subject to it being carried again, seconded by Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mr. Mullen, Mayor O'Neil, Mr. Nolan, Mr. Harrison
NAYES: None
ABSTAIN: None

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Mr. Stockton informed the public that this matter has been carried to the January 10, 2008 meeting and that it is most likely to be carried again without the need for further notice.

**PB#2007-5 Balland, Thomas
Block 91 Lot 1 – 14 Huddy Avenue
Hearing on New Business**

**Present: Paul D’Apolito, Esq.
 Thomas Balland
 Catherine Franco, A.I.A., P.P.
 Calher Frane**

Conflict of Interest – Mr. Mullen stepped down for this meeting.

Mr. D’Apolito stated that he represents both the contract purchaser Brian Owens, co applicant and the property owner, co applicant Mr. Thomas Balland. The applicants are proposing to create two single family residential lots. The new proposed lots would be known as lots 1.01 and 1.02 in Block 91.

Mr. Stockton questioned who the applicant was because Mr. Balland stated that he was the applicant.

Mr. D’Apolito stated that he is representing both Mr. Owens and Mr. Balland. He stated that Mr. Owens is the contract purchaser for the entire property not just one lot.

The following documents were marked into evidence:

- A-1: An 8 by 10 Photo
- A-2: An 8 by 10 Photo
- A-3: An 8 by 10 Photo
- A-4: An 8 by 10 Photo
- A-5: An 8 by 10 Photo
- A-6: An 8 by 10 Photo
- A-7: Minor Subdivision Plan dated 8/10/07 prepared by Charles Surmonte
- A-8: Franco Exhibit of setback from inside edge of sidewalk map
- A-9: Franco Exhibit of a lot area map
- A-10: Franco Exhibit of lot width.

Mr. Stockton advised the applicant that the board will not vote this evening because they would need the testimony of Mr. Surmonte who is not present this evening.

Mr. D’Apolito requested a brief moment to speak to his client.

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Mr. Serpico swears in Thomas Balland and Mr. Balland stated the following during his testimony and response to questions from the board:

1. He is the applicant and he has lived at 14 Huddy Avenue for the past forty years.
2. He and his wife are retiring and moving to Florida and selling the property.
3. He has a contract to sell the property to Mr. Owens which is contingent upon this application being approved.
4. He described the photographs that were marked into evidence as A-4, A-3 and A-6..
5. He has never tried to subdivide this property in the past.
6. The existing house has four bedrooms and he parks on the street. He also stated that 90% of the people that live in this area park on the street.
7. Mr. Mintzer previously received subdivision approval for the property behind the subject property.

Mr. Stockton asked if there were any questions from the public but there were none.

Catherine Franco, A.I.A., P.P. was sworn in.

Mr. D'Apolito requested that Ms. Franco be accepted as an Expert Professional Planner and the board accepted her as an expert witness.

Ms. Franco stated the following during her testimony and response to questions from the board:

1. There are numerous variances required for this subdivision and she stated that she will provide testimony as to how this is not an unusual subdivision and how this goes with fabric of the existing area.
2. She then described her lot area map that was marked into evidence as Exhibit A-9. She stated that she took all of the lots within the 200 foot area but did not count the subject lot and there are 37 lots within a 200 foot radius of the subject lot. Out of the 37 lots not including the subject lot there are 17 conforming lots and 29 that are non-conforming lots, which is more than fifty percent of the lots that do not conform with the lot area requirements. Out of the lots, 15 of them are 3,000 square feet which is what we are asking for in lot 1.01. Lot 1.02 we will be asking for 3,666 square feet, which is 34 feet shy of the require 3, 700 requirement. There smallest lot will be 37 ½ feet by 80 feet.
3. She then described her lot width area map that was marked into evidence as Exhibit A-10. She stated that properties marked within the dark purple line are within lots within 200 feet. The 12 grey lots are conforming lots in lot width. The 13 purple lots are non conforming lots in lot width, they have 37 1/2 foot frontage or less. The green lots are lots with widths between 37.5 and 45.83 feet. So there is a total of 27 lots are non conforming out of 37 lots in terms of lot width.
4. She then described her front yard setback map that was marked into Evidence as Exhibit A-8. She stated that since she didn't have everyone's surveys to take the dimensions

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from the property lines they instead they took measurements from the inside edge of sidewalk to the building. There are only 3 lots that meet the 20-foot front yard setback out of the 37 lots. The rest of the lots which is 34 lots do not meet the front yard setback. She then described some of the front yard measurements that are on the Exhibit.

She stated that she does not know what the average front yard setback is for the 200 foot radius in the same block and in the same zone but that she would provide it for the next hearing, it would be a calculation to the edge of the sidewalk because she does not have all of the surveys.

5. She then stated the next item is lot depth which states that 75 is required and the proposed is 80 feet, so they are fine.
6. The next item is side yard setbacks and here we have an existing house and to try to conform as much as possible to the bulk area we will have to have our side yard setbacks for proposed lot 1.01 at 3 ½ and 10 feet and for lot 1.02 we will have 3 feet and 7.2 feet.
7. The rear setback requirement is 20-feet and on lot 1.01 we will meet that setback and for lot 1.02 which is preexisting is at 17 feet.
8. When it comes to parking with regard to the proposed new structure they will have parking under the building.
9. Building Coverage, because of the size of the lot and the average size of the lots down there it tends to have higher lot coverage. They are proposing to have 40 % (lot 1.01) for the new building and then because of the pre-existing structure that will raise it to 47.3% (lot 1.02).

Ms. Britell with regard to lot building coverage the ordinance prohibits more than 30% so a variance will be required for both lots.

10. **Lot Coverage, 75% is permitted and when they do the house it will be under. The proposed lot will be under at 50.7. We will clarify this by the next meeting.**
11. Building Height, they will conform to the ordinance for both proposed lots.
12. Per the RSIS 2.5 parking spaces would be required for a single family dwelling. Usually we will put two parking spaces under the structure and also count on using the driveway. Ms. Britell noted that there is no **driveway** provided and **Ms. Franco stated that it would be included in the coverage.** The total project would require 5 off street parking spaces so they would need a variance on the existing house lot.
13. She stated that the new house has not been designed yet.

Mr. Serpico stated that that board will require more detail so that they can better understand the parking, so the board will have to know where exactly the parking will be and if the driveway will be long enough, so all of that detail must be known in order for the board to come up with what the scope of the variance is.

Ms. Britell stated that she believes that if the number of bedrooms is not specified than the required number of parking spaces is 2.5 and for a four bedroom 2.5 spaces is required but she believes that for a three bedroom 2 spaces would be required. She will look this up and verify if this information is correct and she then requested that the applicant identify the correct number of bedrooms.

Robert B. Owens was sworn in and stated the following during his testimony and response to questions from the board:

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1. He is the contract purchaser of the subject property.
2. It would most likely be a three bedroom home.
3. He has not designed the house yet because he wasn't sure of what variances would be granted.
4. On Exhibit A-6, it refers to the width of the house to be 24-feet wide. It would be about 2,400 square feet of living space.

Mr. Stockton asked the public if they had any questions for Mr. Owens for his testimony but there were none, so the board closed the public portion for Mr. Owens.

Mr. Serpico then advised Mr. D'Apolito that the variances needs some sort of proof, the positive criteria needs to outweigh the negative criteria. He then requested that Ms. Franco elaborate on this matter.

Ms. Franco continued her testimony as follows:

1. Right now the fabric of the area is approximately 40 foot wide by 80 so you are keeping in character of with the lot size and the buildings which is part of the positive criteria. If we were to build a house on a huge lot like this, that house would be so large that it would stand out and that would be a negative thing for that area. Also in the construction of the new house, the positive criteria would be meeting with the flood elevation.
2. No, she does not see any detriment to the zone plan and there is a visual consistency with the area.

Mr. Serpico – Mr. D'Apolito, are you going to recall Ms. Franco at the next meeting.

Mr. D'Apolito, - that's correct.

Mr. Stockton asked if there were any questions from the public for Ms. Franco on her testimony.

Peter Mullen of 11 Marine Place – just as a point of order I think that the Planning testimony has to be more detailed.

There were no further questions from the public; therefore the public portion of questioning Ms. Franco was closed at this time. The Chairman advised the public that she will be back next time.

Ms. Britell stated that she wants grading plan and survey plan ahead of time before the next meeting.

Mr. D'Apolito stated that he is finished for the evening and that Mr. Surmonte will be here for the next meeting. He also stated that he waives any time restraints for the board to act on this matter.

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Mr. Manrodt offered a motion to carry this matter to the January 10, 2008 meeting and that no further public notice would be required, seconded by Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mayor O'Neil, Mr. Nolan, Mr. Harrison, Mr. Stockton

NAYES: None

ABSENT: None

Mr. Stockton advised the public that this matter has been carried to the January 10, 2008 Meeting without the need for further notice.

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**Public Hearing & Approval of Master Plan Amendment
Open Space & Recreation Plan
9:31 P.M.**

Present: Tim Hill, Recreation Director
Paul Ricci, P.P. of T & M Associates

Mr. Serpico stated that he has reviewed the public notice on this matter and everything is in order, there for the board has jurisdiction to proceed.

Tim Hill and Paul Ricci were both sworn in.

Mr. Hill stated that the Open Space document is a long time document that the Borough wanted to prepare. It really dates back prior to the Master Plan in 2004 but one of the critical elements in that plan was for us to come up with a municipal open space and recreation plan which is priority number one. He is happy to be here tonight based on the hard work of Paul Ricci and based on various meetings over the years to present this plan for review and hopefully adoption. This is a plan and is a working document and from it some of the elements of this plan have already been accomplished.

The following documents were marked into evidence:

- B-1: Recreation and Open Space Plan prepared by T & M Associates
Dated November 2007
- B-2: Exhibit 15 of the Plan on a large board

Mr. Ricci stated the following:

1. This plan was funded through a grant from the Department of Community Affairs.
2. He assisted in the preparation of the Highlands Master Plan.

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3. Many of the goals and objective from this plan are from Mr. Hill, he provided technical assistance and placed this plan within a format that was created by the NJDEP Green Acres Program. So we followed the methodology recommended by the Green Acres. The reason that this is important is because if the Borough wants to use this plan as a potential to obtaining money from Green Acres, they followed the framework and in his Professional Opinion this document could be used in leverage in obtaining monies.
4. This plan calls for the creation of an Open Space and Advisory Committee which he further explained.
5. The Plan consists of an inventory of all borough parks and it identifies the facilities in each park and list of activities and recommendations for improvements, it provides the three needs analysis. In all cases the plan shows a short fall in recreation and open space land.
6. We do have to acknowledge that many of the methodologies by the state and federal government do not acknowledge that Highlands is a waterfront community. The waterfront in itself provides the natural amenities and recreation opportunities that may be considered a flaw in some of the state and federal standards.
7. The greatest deficit shown in the methodology is the need for active recreation fields. Fields for soccer, football, lacrosse.
8. He then read through the Objectives of the plan starting on page 25 and further described each of the follow and discussed them with the board:
 - Designate and set aside a minimum of 4 additional acres of land for development of dedicated community park and recreation areas.
 - Develop at least one new large neighborhood park and recreation area.
 - Create a boat ramp (car launch only).
 - Our Lady of Perpetual Help Church (OLPH) – borough should consider strategies to include it within the system of recreation facilities primarily for additional indoor recreation and meeting space.
 - Create a public view or waterfront promenade – they want to encourage activities along the water front.
 - Use of Shore Drive as a “shared road” bike path – the County does not acknowledge the portion of the Henry Hudson Trail from Pompamora Park to the Highlands Bridge and that is because we allow parking on the trail. So in the plan we recommend to encourage that connection to occur.
 - Link the Henry Hudson trail to Pompamora Park in Atlantic Highlands.
 - Pedestrian/public walkway improvements on Marine Place – he spoke about the desire for the lights to either be removed or replaced and the desire to keep the pedestrian components of that area.
 - Plant additional shade trees.
 - Investigate with Borough Council increased police surveillance and enforcement at parks.
 - Create a Recreation and Open Space Advisory Committee. Their first purpose would be to formulate some of these concepts and have more engineering detail.

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- Create a DPW park and beach maintenance plan.
- Incorporate in lieu payments into redevelopment planning projects.
- Optimize the use of existing facilities – the borough should consider utilizing man-made surfaces such as artificial turf to maximize activity play time on fields.
- Evaluate the existing recreation organizational structure.
- Continue a vigorous program of improving and maintaining Borough Park and Recreation facilities.
- Provide a stable source of funding for local open space and recreation and supplement those funds with other revenue sources.
- Solicit grant monies to supplement local expenditures to satisfy Highlands's Local recreation and open space needs.
- Improve signs at parks in the community – it was thought to make it clear as to what the rules are for the parks and also the hours.
- Continue to monitor user fees for programs.

Mr. Bahrs questioned the needs for active recreation fields

Mr. Mullen questioned if the needs for active recreation space was based on a study and Mr. Ricci explained how they determined this.

Mr. Bahrs asked if there was any talk about regionalizing facilities and Mr. Hill explained how Highlands programs use other fields in other towns and school fields. Mr. Hill also described the over use of Kavookjian field for the sports programs. Mr. Hill also stated that if the two fields go in at the old Clear Water track, there is an agreement with Atlantic Highlands for the youth sports programs to have fifty percent use of those fields and we are included in that use.

Mr. Bahrs stated that he supports athletics for children

Mr. Manrodt questioned the recommendation for a boat launch ramp.

Mr. Hill explained that what was discussed is a car type launch to create a facility for a car type end ever.

Mr. Manrodt stated that the Waterwitch Beach Association is a Trust and they lease it to the town for a dollar per year and this would be a good place for it but you would have to have a lease.

Mayor O'Neil – we have businesses in the Borough that launch boats and he questioned why we would we want to compete with them.

Mr. Nolan – would the adoption of the Open Space Plan help us obtain grants?

Mr. Ricci – yes it would.

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Mr. Stockton questioned if there is any possibility of making the South Bay Avenue Beach into a fisherman's beach.

Mr. Hill explained that during the bridge planning process that was part of the discussions at the time that improvements would be made there and he is not sure if that plan has changed.

Mr. Ricci stated that he would check on that.

Mayor O'Neil spoke about the problems with the Marina Place project and the problem with the lights.

Mr. Hill explained that he would like to see the Marine Place area improved and perhaps elevated.

Mr. Hill also spoke about the need to have a more comprehensive seasonal maintenance plan in place with the DPW.

Mr. Hill spoke about turfing our fields.

Mr. Ricci spoke about the lack of ability for maintenance of our fields.

Mr. Harrison spoke about Hartshorne Woods for fields.

Mr. Ricci –as a policy question you would have to evaluate if you want to take away one of the last remaining wooded properties and develop it into a field or would you want to consider other properties.

Mr. Hill spoke about Open Space tax.

Mr. Ricci explained that for such a tax to be implemented it would require voter referendum. Fifty percent of the public would have to vote for the tax and when the public votes for the tax it has to be specifically identified what the tax is for.

Mr. Hill stated that with regard to recommendation 18 he suggested that old signs be taken down that are not appropriate.

Mr. Ricci stated that he did receive some comments from the County and they are on page 26 and we need to clarify that the intent is to encourage the use of the Henry Hudson trail through Highlands to the Highlands Bridge to connect with other trails.

Mr. Mullen spoke about his disappointment that there are not more marine based recreational opportunities in town. It seems that we have this waterfront and it should be part of our recreational element for swimming, boating and fishing.

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Mr. Ricci – we do recommend a boat launch but he thinks that there could be as part of the development conflict on page 24, he believes that would be the logical place to work in a paragraph discussing that in more detail.

Mr. Ricci – with regard to a fishing pier he was under the understanding that they were going to build a fishing pier as part of the bridge project and if that bridge isn't developed there is still an opportunity to the existing park at the base of the bridge for a fishing opportunity.

Mr. Hill stated that on page 22 it does reference some of the items that we want to pursue.

Mr. Stockton asked if there were any questions from the public.

Jim Parla of 16 Portland Road – the plan is very ambitious but there are 20 things that are old and he wanted to know if there are any priorities or is that something that the Committee does.

Mr. Ricci explained that the Committee as a whole would work on that.

Jim Parla – on page 14 is talks about historic sites and it refers to things as of the status of 2004 and we are one of the few borough's in the state that has a national land mark. The Twin Lights was declared a nation historic land mark back in 2006. So he believes that the wording should be cleaned up in the plan.

Mr. Ricci – we can add “ they are eligible for historic status” in the first paragraph on page 14.

Jim Parla identified other places in Highlands that are identified as historic places and they are listed on the state and national register of historic site, being eligible for land mark status, that's what has changed.

Lori Dibble of 32 Paradise Park stated that we need to emphasize the public access to the waterfront and have pedestrian waterfront walkways and this be a biker friendly town. She also spoke about there being no signage standards for public access to waterfront so that the public knows that they have a right to walk down by the water. The town has an opportunity to acquire some public access for some view sheds and put walk paths up in the area of Shadow Lawn Mobile Park.

Mr. Ricci – if something is CAFRA regulated they will have to require some view sheds.

Lori Dibble explained that we need to have public access for view shed.

Mr. Ricci – If the board agrees then I will amend and add those points in with the comments that Mr. Mullen made regarding the desire for the borough to be a marine oriented active place on the waterfront also to encourage public access to waterfront and the preservation of view sheds.

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Mr. Manrodt stated that back in the 90's when we talked about the bicycle trail, we were going to have a side trail go up Snug Harbor, go along the waterfront and then come back down Barberie Avenue.

Mr. Hill – that could be revisited.

Mr. Stockton – having bike path or pedestrian path connections to Henry Hudson Trail to other public places in town is not a bad thing.

Lori Dibble – you mentioned some improvement to Shore Drive near Pompamora Park but you don't really say what improvements you are talking about.

Mr. Ricci – the intention was to implement the County's Plan of providing access through Highlands and Pompamora Park for the Henry Hudson Trail up on Shore Drive.

Lori Dibble – as far a boat launch she heard that the Atlantic Highlands Harbor Commission would be willing to consider their resident access for their boat launch to Highlands residents.

Mr. Hill – there is one Commissioner that has stated that they would provide some type of residency reduction on boat launching but he has not seen anything come through on this.

Chris Francy of 36 Fifth Street – with regard to the bike path, we put the striping in and the County gave us the \$22,000. We need to emphasize that shore drive is the connection between Pompamora Park to Sandy Hook and it needs to show up on a map as a path. He would also like to see some planning out of the box for the bike path. Are there any other solutions to creating a biking system to allow for cars, biking and pedestrians to cohabit.

Mr. Ricci explained that a bike path is a six foot wide area and so if you wanted to have a dedicated bike path lane you would have to an additional six feet of lane or narrow the sidewalks.

Chris Francy – there must be expert bike people to come up with something. He would like to see some thinking about.

Steve _____ of 116 Highland Avenue stated that a there should be bike racks and some thinking where they should be placed and there should be some thinking of how to tie in Seastreak and Hartshorne woods into this larger scheme. If it were publicized that there is a bike system as soon as you get off the ferry then people from the city would come down.

Mr. Bahrs – he knows someone who wants to open up a bike rental facility, so bikes are big.

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Mr. Ricci – he believes that this is an excellent point and if the board is willing he would add some language and we could encourage some decorative racks as part of the design element and street scape.

Steve _____ of 116 Highland Avenue – he also wanted to state that on page 7 in exhibit 2 it talks about the inventory of public parks and recreation facilities and its items 9 and 10 it list Open Space, he then went to the exhibit 14 & 15 to see the open space area as being near the Eastpointe and Shadow lawn area and he wanted Mr. Ricci to describe where they are and wanted to know if there was any usefulness to them.

Mr. Ricci explained his understanding that there are wooded areas, steep slope areas that shouldn't be encouraged to be disturbed in any way. They are dedicated for the purpose of being undisturbed.

Steve _____ of 116 Highland Ave questioned the calculation made to determine the deficient amount of acres for recreation on page 16 at the bottom, he was curious why we didn't take credit for the Twin Lights State Park in that calculation and whether Route 36 being as wide and as long as it is whether that should have been part of the calculation as well, since it is the use that it is.

Mr. Ricci – State and County Parks, he will have to check that number. He stated that his point is well taken. For Route 36 we are going to have to subtract that out.

Steve _____ - parks, we should think about how those places could be gathering places for the community for the kids and people of all ages and maybe encourage that more. The police would rather now where the kids are in one area rather than disbursing them when the sun goes down and telling them that the park is closed. We may want to think about people recreating in the park until 10: 00 in the evening.

Mr. Manrodt spoke about the goals for building Veterans Park. He also suggested that we get a sign showing where Sandy Hook and other locations are on a map and have Seastreak put a sign up, that would help us out and also give out maps to the people.

Mr. Mullen stated that the ferry currently does give out maps.

Connor Jennings of 37 Ralph Street supports encouragement of public beach access and public ownership of waterfront property. Biking – have Seastreak build a shelter with bike racks. Shore Drive is in shotty shape and we need to pave it for the biking. Fishing Pier and bulkhead are a mess. Artificial turf for Kavookjian field is a good idea. Park Hours – should be left open to have kids gather. Public Notice on this matter he feels is insufficient and that there should be a larger public meeting.

Mayor O'Neil – as far as public notice, it has been advertised and placed on our website and in the newspapers which he further explained.

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Mr. Hill stated that there has been about 23 opportunities over the past four years including the Master Plan and Open Space hearings, Community Development hearings and we have taken a lot of that information in from those meetings.

Maureen Kraemer of 200 Portland Road – wanted to know if this amendment to the Master Plan to fulfill the deficiencies in the application for designation of Transit Village Status?

Mr. Ricci – no, this would be a new element to the Master Plan which he further explained. He did explain the application of designation of Transit Village and stated that there really is no relationship between designation of Transit Village and Recreation and Open Space.

Maureen Kraemer stated that there was a letter in 2005 which tells the borough why it was turned down for designation as a Transit Village and a lot of these items were in that report which she further explained. She also spoke about Bahrs Landing being listed on the State Department of Transportation website for a \$75,000 grant for their marina, pending the adoption of the Transit Village designation of Highlands which she further elaborated on.

Mr. Ricci stated that he was part of the Transit Village application which he further described.

Mr. Ricci and Maureen Kraemer continued to discuss the Transit Village application deficiencies.

Mr. Stockton – I think that answer to your question Ms. Kraemer is that the Transit Village Application is not connected to this process.

Lori Dibble – are you going to revise it and bring the plan back or are you going to vote on it tonight?

Mr. Stockton – that will be up to the board but it appears that Mr. Ricci can make the discussed changes.

Mr. Ricci – I don't want the borough to feel that they are being rushed to adopt the plan. It is in the borough's interest to move quickly. Will one meeting make a difference, I don't know.

Mr. Serpico advised the board to vote on it with the changes and the comments that you want and bring it back to the next meeting when we do the resolution for the formal adoption. Make sure the copy of the changes is open to the public to review and if there are any further edits that have to be done we can do it at the next meeting.

Mr. Ricci – I can submit the revisions and submit them redlined and give the borough this document in a PDF file so the borough can put it on the website.

Mr. Serpico – the only thing that is going to change is one or two lines so we can then adopt it.

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There were no further questions from the public, therefore the public portion was closed.

Mr. Manrodt offered a motion to carry this to the January Meeting for adoption so that the board can review the amendments, seconded by seconded Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: **Mr. Manrodt, Mr. Mullen, Mayor O'Neil, Mr. Nolan, Mr. Harrison,
 Mr. Stockton**

NAYES: **None**

ABSTAIN: **None**

Approval of Minutes

Mr. Manrodt offered a motion to approve the October 11, 2007 and November 8, 2007, seconded by Mr. Mullen and all eligible board members were in favor.

Communications

O-07-01 Stormwater Ordinance

Mr. Stockton stated that the board received a copy that the County approved Ordinance O-07-01.

Litigation

Mr. Serpico explained that there was a lawsuit brought against the borough in an attempt to declare that Mr. Mullen is not a legal resident of the borough and therefore should not serve on the board. The case was decided and the judge ruled in favor of Mr. Mullen.

Mayor O'Neil thanked the Board Members for all of their years of service.

Mayor O'Neil offered a motion to adjourn, second by Mr. Manrodt and all were in favor.

The meeting adjourned at 10:20 P.M.

CAROLYN CUMMINS, BOARD SECRETARY

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