

**Borough of Highlands
Planning Board
Regular Meeting
January 13, 2011**

The meeting was called to order at 7:43 P.M.

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

Mayor Nolan swears in Richard O'Neil.

Mrs. Cummins 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 Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

Roll Call:

Present: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts, Ms. Peterson, Mayor Nolan, Mr. Stockton, Mr. Shields

Late Arrival: Ms. Ruby arrived at 7:54 P.M.

Absent: None

Also Present: Carolyn Cummins, Board Secretary
Jack Serpico, Esq., Board Attorney
Robert Keady, P.E., Board Engineer

Reorganization:

Mayor Nolan offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS
PLANNING BOARD RESOLUTION
DESIGNATING CHAIRPERSON
FOR THE YEAR 2011**

BE IT RESOLVED by the Borough of Highlands Planning Board that **Andrew Stockton** be appointed Chairperson of the Planning Board for a term of one (1) year expiring December 31, 2011.

Seconded by Mr. Mullen and adopted on the following Roll Call Vote:

ROLL CALL:

AYES: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla,
Mr. Roberts, Ms. Peterson, Mayor Nolan, Mr. Stockton

NAYES: None

ABSTAIN: None

Mr. Mullen offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS
PLANNING BOARD RESOLUTION
DESIGNATING VICE CHAIRPERSON
FOR THE YEAR 2011**

BE IT RESOLVED by the Borough of Highlands Planning Board that **Roderic Schoellner** be appointed Vice Chairperson of the Planning Board for a term of one (1) year expiring December 31, 2011.

Seconded by Mr. O'Neil and adopted on the following Roll Call Vote:

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ROLL CALL:

AYES: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mayor Nolan, Mr. Stockton

NAYES: None

ABSTAIN: None

Mr. Mullen offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS
PLANNING BOARD RESOLUTION
APPOINTING BOARD SECRETARY
FOR THE YEAR 2011**

BE IT RESOLVED by the Borough of Highlands Planning Board of the Borough of Highlands that **Carolyn Cummins** be appointed Secretary of the Planning Board for a term of one (1) year expiring December 31, 2011.

Seconded by Mayor Nolan and adopted on the following Roll Call Vote:

ROLL CALL:

AYES: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mayor Nolan, Mr. Shields

NAYES: None

ABSTAIN: None

Mayor Nolan offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS PLANNING BOARD
RESOLUTION APPOINTING BOARD ATTORNEY
FOR THE YEAR 2011**

WHEREAS, there exists the need for the professional legal services to be provided to the Planning Board of the Borough of Highlands for the calendar year 2011; and

WHEREAS, such professional legal services can only be provided by a licensed professional and Jack Serpico, ESQ of the law office of Jack Serpico, Esq., is so recognized;

WHEREAS, the determination of value has been placed on file with the resolution with the Board Secretary; and

WHEREAS, the Local Public Contract Law N.J.S.A. 40A:11-1 et. seq., requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised; and

WHEREAS, the Local Public Contracts Law, NJSA 40A:11-1 et. seq., requires that notice with respect to contract for professional services awarded without competitive bids must state the circulation not more than (10) days after the passage of the Resolution is an official newspaper;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Highlands that Jack Serpico, Esq., from the firm of Jack Serpico, Esq., be appointed Planning Board Attorney for the term of one (1) year expiring December 31, 2011. The person appointed is a member of a recognized profession and it is not possible to obtain competitive bids; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published in an official newspaper of the Borough within ten (10) days of its passage.

Seconded by Mr. O'Neil and adopted on the following Roll Call Vote:

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ROLL CALL:

AYES: Mr. Mullen, Mr. O’Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mayor Nolan, Mr. Shields, Mr. Stockton
NAYES: None
ABSTAIN: None

Mayor Nolan offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES AND APPOINTING
PLANNING BOARD ENGINEER**

WHEREAS, the Borough of Highlands Planning Board has a need for professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and Robert Keady, P.E. of the firm T & M Associates, 11 Tindal Road, Middletown, N.J. is so recognized; and

WHEREAS, the Board Secretary has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, T & M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T & M Associates has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit & M Associates, . from making any reportable contributions through the term of the contract, and

WHEREAS, T & M Associates Inc. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough of the Highlands Planning Board as follows:

1. Robert Keady, P.E. of T & M Associates is hereby retained to provide professional engineering services as described above for a one year term to expire on 12/31/11.
2. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary of the Borough of Highlands.
4. The Board Secretary is hereby directed to publish notice of this award as required by law.

Seconded by Mr. Roberts and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Mullen, Mr. O’Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mayor Nolan, Mr. Shields, Mr. Stockton
NAYES: None
ABSTAIN: None

Mayor Nolan offered the following Resolution be memorialized and moved on its adoption:

**Borough of Highlands
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**RESOLUTION SETTING THE SCHEDULE FOR REGULAR
MEETINGS OF THE BOROUGH OF HIGHLANDS
PLANNING BOARD
FOR THE YEAR 2011**

BE IT RESOLVED by the Borough of Highlands Planning Board that the following schedule is hereby designated as the official Regular Meeting Calendar of the Planning Board for the year 2011. The official meeting days shall be the second Thursday of each month unless otherwise noted.

February 10, 2011
March 10, 2011
April 14, 2011
May 12, 2011
June 9, 2011
July 14, 2011
August 11, 2011
September 8, 2011
October 13, 2011
November 10, 2011
December 8, 2011
January 12, 2012 Regular/Reorganization Meeting

BE IT FURTHER RESOLVED that all meetings will be held at the Highlands Municipal Building, Council Chambers, 171 Bay Avenue, Highlands, NJ at 7:30 p.m.

Seconded by Mr. Roberts and adopted on the following Roll Call Vote:

ROLL CALL

AYES: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mayor Nolan, Mr. Shields, Mr. Stockton
NAYES: None
ABSTAIN: None

Mayor Nolan offered the following Resolution be memorialized and moved on its adoption:

**BOROUGH OF HIGHLANDS
PLANNING BOARD RESOLUTION
DESIGNATING THE OFFICIAL NEWSPAPER
FOR THE YEAR 2011**

BE IT RESOLVED by the Borough of Highlands Planning Board that the **Asbury Park Press and the Two River Times**, are hereby designated as the official Newspaper for the Borough of Highlands Planning Board publications which are required by law for the year 2011.

Seconded by Mr. Schoellner and adopted on the following Roll Call Vote:

ROLL CALL:

AYES: Mr. Mullen, Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts,
Ms. Peterson, Mr. Shields, Mr. Stockton
NAYES: None
ABSTAIN: None

Approval of Minutes:

Mr. Mullen offered a motion to approve the October 14, 2010 Planning Board Minutes, seconded by Mr. Parla and all eligible members were in favor Mr. O'Neil, Mr. Schoellner, Mr. Parla, Mr. Roberts. Ms. Peterson, Mayor Nolan and Mr. Shields all abstained.

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Mr. Parla offered a motion to adjourn the Meeting, Seconded by Mr. Roberts and all were in favor.

Ms. Ruby arrived to the meeting.

The Meeting adjourned at 7:54 p.m.

Carolyn Cummins, Board Secretary