#### REGULAR MEETING: 8:00PM - MEETING STATEMENT:

## TO ATTEND THIS MEETING PLEASE FOLLOW THE LINK BELOW

For instructions and a link to join this meeting from your mobile device or computer please copy and paste the following URL into your browser:

https://zoom.us/j/97392648861?pwd=bjhIdEtMazRmR0xvZjdlN1p1Mkd6Zz09

To call into the meeting dial: 1-929-436-2866. Enter Meeting ID: 973 9264 8861

Passcode: 2021

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

#### **EXECUTIVE SESSION 6:30PM**

BE IT RESOLVED that the following portion of this meeting shall not be open to the public,

BE FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

1. Pending or Anticipated Litigation: - None

2. Contract Negotiations: - Shared Services

3. Purchase, Lease or Sale of Real Estate: - None

4. Matters of Personnel: - None

. Attorney/Client Privilege: - None

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists.

Mayor Broullon motioned to adjourn to Executive Session, seconded by Council President Olszewski. Motion was carried to move to executive session.

#### **REGULAR MEETING 8:00PM**

The Borough Clerk read the public meetings statement.

This is a meeting of the Borough Council March 3, 2021. The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

Please be advised that due to the current state of emergency and public health emergency declared by Governor Phil Murphy and pursuant to executive order in an effort to prevent further spread of COVID-19, the general public will be excluded from Borough Council meetings until further notice. The public will be able to participate in all Borough Council meetings by video conference. Members of the public will be able to give public comment during relevant portions of the meeting.

If you want to ask a question or make a statement to the Governing Body, please press the "raise hand" button then wait to be acknowledged by the Clerk before speaking. If you are calling in, please use \*9 to "raise hand". Please state your name and address for the record before making your statement. There is a three-minute time limit for your comments. The Clerk will inform you when you are near the end of your time and ask you to finish up. Thank you.

## PLEDGE OF ALLEGIANCE

#### ROLL CALI

Councilmember Martin, Councilmember Mazzola, Councilmember Melnyk, Councilmember Olszewski, and Mayor Broullon were all Present.

Absent: None

Also in attendance were Administrator Michael Muscillo, Borough Attorney Brian Chabarek, Esq., Borough Engineer Bennet Matlack, and Acting Municipal Clerk Michelle Hutchinson

### **Approval of Minutes**

1. February 3, 2021-Regular Meeting Minutes

2. February 3, 2021-Executive Session Meeting Minutes

Mayor Broullon motioned to approve minutes, seconded by Councilmember Mazzola.

Ayes: Martin, Melnyk, Mazzola, Olszewski, Mayor Broullon

Nays: None Abstain: None Absent:

Motion was carried to move to approve minutes.

#### PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES:

## Acting Borough Clerk Michelle Hutchinson read the following ordinance by title:

O-21-09 An Ordinance Amending Chapter 25 Of Borough Code with Regard to Stormwater Management and Control

Attorney Chabarek explained minor corrections that were suggested by the County

It was moved by Mayor Broullon and seconded by Council President Olszewski to approve as amended.

Mayor Broullon opened the meeting for council comments.

Seeing none.

Mayor Broullon opened the meeting for public comments.

Seeing none.

It was moved by Mayor Broullon and seconded by Councilmember Mazzola to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None Abstention: None

Absent:

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

#### INTRODUCTION OF PROPOSED ORDINANCES:

## Acting Borough Clerk Michelle Hutchinson read the following ordinance by title:

O-21-13 Refunding Bond Ordinance of The Borough Of Highlands, In The County Of Monmouth, New Jersey, Providing For The Conversion Of A Short Term Debt Obligation Of The Borough Into A Long Term Debt Obligation By Appropriating An Amount Not Exceeding \$2,400,000 Therefor And Authorizing The Issuance Of Not To Exceed \$2,400,000 General Obligation Refunding Bonds Of The Borough Of Highlands To Accomplish The Conversion

CFO DeBlasio explained ordinance.

Mayor explained ordinance.

It was moved by Mayor Broullon and seconded by Councilmember Mazzola to pass this ordinance on first reading.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk. Olszewski, Mayor Broullon

Nays: None Abstention: None

Absent: None

Acting Borough Clerk Hutchinson stated motion carried to pass this ordinance on first reading with a public hearing to be held on March 17, 2021.

#### **RESOLUTIONS:**

## RESOLUTION 21-66 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated January 15, 2021, which totals as follows:

Current Fund	\$ 771,642.26
Sewer Account	\$ 8,323.97
Capital Fund	\$ 38,729.21
Trust-Other	\$ 4,334.96

Federal/State Grants

\$ 3,306.00

Total

\$ 826,336.40

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$826,336.40 to be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at <a href="www.highlandsborough.org">www.highlandsborough.org</a> and on file in the Municipal Clerk's office for reference.

Motion to Approve R-21-66:

	INTRODUCED	XSECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA	X		X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON			X			
The state of the s	l	l		l		l

#### **RESOLUTION 21-67**

# A RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE BOROUGH OF SEA BRIGHT FOR THE PROVISION OF LIFEGUARD OPERATIONS FROM THE BOROUGH OF SEA BRIGHT

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

WHEREAS, the Borough of Highlands and the Borough of Sea Bright wish to encourage intermunicipal cooperation; and

WHEREAS, the Borough of Sea Bright has the necessary staffing and certifications to provide Lifeguard Operations by and through Sea Bright Ocean Rescue which is a nationally certified ocean rescue agency; and

WHEREAS, the Borough of Sea Bright has the staffing and personnel to provide Lifeguard Operations to the Borough of Highlands at two (2) beaches, commonly referred to as Snug Harbor and Miller Street, for the period of June 19, 2021 through and including September 6, 2021; and

WHEREAS, a total of four (4) Lifeguards will be assigned to the Highlands beaches (with a roving supervisor) for the aforesaid period; and

WHEREAS, Snug Harbor Beach will be assigned two (2) USLA qualified open water beach lifeguards and the Miller Street Beach will be assigned two (2) USLA qualified open water beach lifeguards, however, between August 17<sup>th</sup> through Labor Day, staffing may drop to one (1) lifeguard per beach during the weekdays depending upon available personnel; and

WHEREAS, the Borough of Highlands and the Borough of Sea Bright have reached an agreement for which the cost to provide such services to the Borough of Highlands will equate to \$51,972 consisting of the following:

- Lifeguard Rescue Equipment and Medical Supplies \$6,047.
- Beach Maintenance \$2,025.
- Rescue Personnel \$38,400.
- Borough of Sea Bright Administrative Fee \$5,500.

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands:

I hereby certify that funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the Mayor be and is hereby authorized to execute a Shared Services Agreement with the Borough of Sea Bright for the provision of Life Guard Services for the period between June 19, 2021 through September 6, 2021, wherein the cost for the said services will equate to \$51,972.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

**BE IT FURTHER RESOLVED,** that certified copies of this Resolution be forwarded to the Chief Financial Officer, the Borough of Highlands Administrator and the Borough of Sea Bright Administrator.

Motion to Approve R-21-67:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

## RESOLUTION 21-68 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR 2021 IRRIGATION SYSTEM MAINTENANCE

WHEREAS, the Borough of Highlands has a need for irrigation system services which includes seasonal activation, system inspections, system maintenance and winterization services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Growing Concern, Inc. has set forth its proposed services in a written proposal dated February 5, 2021, a copy of which is available at the Office of the Borough Clerk; and

WHEREAS, said proposal will not exceed the Borough's bid threshold; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$5,000.00 for the aforesaid irrigation system maintenance services; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Growing Concerns, Inc. for the 2021 irrigation system maintenance at Huddy Park, Cornwall Park, Veterans Park and Ederle Park; and

WHEREAS, Growing Concerns, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that it 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 Growing Concerns, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, Growing Concerns, Inc. has completed and submitted a Political Contribution form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands:

I hereby certify that funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands

- Growing Concerns, Inc. is hereby retained to provide irrigation system services which includes seasonal activation, system inspections, system maintenance and winterization services at Huddy Park, Cornwall Park, Veterans Park and Ederle Park for an amount not to exceed \$5,000.00.
- 2. The Mayor and Borough Clerk are hereby authorized to sign said contract.
- 3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

#### Motion to Approve R-21-68:

country; and

that:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			•
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

# RESOLUTION 21-69 RESOLUTION OF PROCLAMATION IN SUPPORT OF ASSEMBLY JOINT RESOLUTION-197 DESIGNATING THE MONTH OF MAY AS LAW ENFORCEMENT AND CORRECTIONAL POLICE OFFICER APPRECIATION MONTH

WHEREAS, law enforcement and correctional police officers in this State and throughout the nation are routinely called upon to serve and protect their fellow citizens; and

WHEREAS, law enforcement officers protect the community by responding to horrendous events and acting heroically to save the lives of others; and

WHEREAS, correctional police officers provide public safety and security through the custody and management of those individuals incarcerated within the criminal justice system; and

WHEREAS, it is increasingly dangerous to perform these jobs in a world where law enforcement and correctional police officers are targeted for the uniforms they wear and the duties they perform in service to their community; and

WHEREAS, law enforcement and correctional police officers in this State and throughout the nation serve with valor, dignity, and integrity; and

WHEREAS, as of October 2020, 235 law enforcement officers died in the line of duty in the United States in less than one year, including nine officers in New Jersey; and

WHEREAS, as COVID-19 continues to spread around the country, the first responders on the front lines are increasingly vulnerable to contracting the virus and at least eight correctional police officers have died resulting from this pandemic; and

resulting from this pandemic; and

WHEREAS, these officer's deaths are a sober reminder that our nation's law enforcement and correctional police officers face danger every day they carry out their sworn duty to protect the citizens of this

WHEREAS, countless other law enforcement and correctional police officers are injured and disabled each year while performing their duties; and

WHEREAS, these burdens are carried not only by law enforcement and correctional police officers, but also by their families who make personal sacrifices in order for these officers to carry out their duties; and

WHEREAS, in light of recent negativity directed toward law enforcement nationally, there is a need to show law enforcement and correctional police officers that our citizens recognize the difficult career these officers have chosen; and

WHEREAS, these men and women, by their distinctive service and dedicated efforts as law enforcement and correctional police officers, have earned our highest respect and deepest gratitude; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Highlands hereby support Assembly Joint Resolution-197 which designates the month of May of each year being "Law Enforcement and Correctional Police Officer Appreciation Month" in New Jersey and further encourages the citizens of the Borough of Highlands and this State to join in the observance of this month and provide appreciation for the law enforcement and correctional police officers who serve and protect them.

### Motion to Approve R-21-69:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X		_	
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

## RESOLUTION 21-70 RESOLUTION OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW

JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26

WHEREAS, THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (the "Borough"), desires to make application to the Local Finance Board for its review and consent of a proposed debt issuance of general obligation refunding bonds in an amount not to exceed \$2,400,000;

WHEREAS, the Borough Council of the Borough believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows:

**Section 1.** The application to the Local Finance Board is hereby approved, and the Borough's Chief Financial Officer, Auditor, Municipal Advisor and Bond Counsel, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

**Section 2.** The Clerk of the Borough is hereby directed to file a copy of this Resolution with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes.

Motion to Approve R-21-70:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X	,	X			

## RESOLUTION 21-71 AUTHORIZING PURCHASE OF ELECTRONIC DOCUMENT MANAGEMENT SERVICES

WHEREAS, pursuant to N.J.S.A. 40A:11-12 and N.J.S.A. 52:34-6.2, the Borough may by resolution and without advertising for bids, purchase any goods or services using a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit; and

WHEREAS, the Borough of Highlands has the need for document management services; and

WHEREAS, the Borough of Highlands wishes to authorize a Contract with FileBank, Inc., Contract No. KPN IFB #201701-01for document management services; and

WHEREAS, FileBank, Inc. is an authorized vendor under Contract No. KPN IFB #201701-01; and

WHEREAS, FileBank, Inc. has submitted a proposal dated March 1,2021 in the amount of \$16,182.50 for the document management services; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available using budget # 1-01-26-310-000-123 in an amount not to exceed \$16,182.50.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Highlands authorizes the purchase of document management services with FileBank, Inc. and that the Borough Administrator is authorized to execute an Agreement in a form to be reviewed and approved by the Borough Attorney in an amount not to exceed \$16,182.50.

Motion to Approve R-21-71:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

#### RESOLUTION 21-72 APPROVING PLANT SALE AT HUDDY PARK

WHEREAS, the Garden Club has requested the use of Huddy Park on Saturday, May 8, 2021 from 8:00 a.m. until sellout to hold a plant sale.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Highlands hereby approve the request of the Garden Club to hold a plant sale at Huddy Park on Saturday, May 8, 2021 from 9:00 a.m. to sellout.

Motion to Approve R-21-72:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
Martin			X			
Mazzola			X X X			
Melnyk			X			
Olszewski		X	X			
Broullon	X	· .	X			

## RESOLUTION 21-73 RESCINDING RESOLUTION 21-035 AUTHORIZING THE PURCHASE OF EMERGENCY EQUIPMENT

WHEREAS, Resolution No. 21-035, adopted by the Borough Council at its meeting of January 1, 2021 authorized the purchase of emergency equipment from Emergency Equipment Sales & Services, LLC through the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, subsequent to the adoption of the above Resolution, it was determined that Emergency Equipment Sales & Services, LLC is not an authorized dealer pursuant to the requirements of the State of New Jersey Cooperative Purchasing Program; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Highlands hereby rescinds Resolution No 21-035 adopted on January 1, 2021, authorizing the purchase of emergency equipment.

Motion to Approve R-21-73:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK	Ī .		X			
OLSZEWSKI			X			
BROULLON	X		X			

## RESOLUTION 21-74 AUTHORIZING PURCHASE OF EMERGENCY EQUIPMENT

WHEREAS, pursuant to N.J.S.A. 40A:11-12 and N.J.S.A. 52:34-6.2, the Borough may by resolution and without advertising for bids, purchase any goods or services using a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit; and

WHEREAS, the Borough of Highlands has the need to purchase emergency equipment and services from Stryker pursuant to Savvik Buying Group's Stretcher and Power Cots Contract No. 2019-05 in the total

amount of \$50,480.08; and

WHEREAS, Stryker is an authorized vender under Savvik Buying Group's Stretcher and Power Cots Contract No. 2019-05; and

WHEREAS, Stryker has submitted a proposal dated February 2, 2021 in the amount of \$50,580.08 for the emergency equipment and services; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available using budget # C-04-20-101-000-202 in an amount not to exceed \$50,480.08.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Highlands authorizes the purchase of emergency equipment and services from Stryker under Savvik Buying Group's Stretcher and Power Cots Contract No. 2019-05 as set forth in Stryker's proposal in the total amount of \$50,480.08.

Motion to Approve R-21-74:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA					X	
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

#### OTHER BUSINESS:

Playground and park updates- Engineer Bennett Matlack explained Open Space Grant. Mayor explained DPW Superintendent's efforts regarding outdated equipment. Councilmember Melnyk questioned if gate at Veteran's park was fixed. Mayor stated it is being addressed.

No dogs in parks ordinance-Mayor explained the enforcement of the Ordinance. Council President Olszewski questioned if there is a possibility of a dog park. Mayor stated it is being addressed.

Adopting a Commercial Film Making Ordinance and Permit-Mayor explained the possibility of generating revenue with a permit/ordinance. Councilmember Martin supports this idea.

Fees for Highlands Non-Profit Use of Borough Property-Mayor discussed the fee ordinance with regard to the possibility of waiving fees for nonprofit.

Merging of the Green Team with the Environmental Commission-Mayor explained the possibility of the merge. Councilmember Mazzola stated Council should do a better job of reaching out to gain members for committees.

#### **REPORTS:**

Engineer's Report- Engineer Bennett Matlack gave an update on soil testing.

Administrator's Report- Administrator Muscillo stated he is working on Shared Service with Freehold as well as completing the credit card module project.

Mayor opens meeting to council. Seeing no comment. Mayor opens public portion.

#### **PUBLIC PORTION:**

Chris Francy 36 5th Street-Questioned if there is a Flood Control Report available.

Jim Smith, Holly Springs, Mississippi-Support of meeting held on March 2, 2021. Questioned testing of spoils. Attorney Chabarek and Administrator answered.

Sheila Weinstock, 151 Highland Ave-Read letter addressed to council and Mayor from resident concerning snow removal ordnance. Mayor stated this issue will be addressed.

Kim Skorka, 315 Shore Drive- Supports the no dog in park ordinance. Questioned merging of Green Team with Environmental Commission. Mayor explained.

Tina Kemer,164 Linden Ave- Questioned if recycling pickup could be more frequent. Mayor explained.

Michele Pezullo, 115 Highland Ave-Questioned interest rate for Borough Hall Building Bond. CFO DeBlasio explained.

Tricia Rivera, 31 Waterwitch Ave-Questions for Engineer possibility of shared service for CRS project and Stormwater project valves for Waterwitch. Engineer and Mayor explained.

## ADJOURN:

Upon motion by Mayor Broullon, seconded by Councilmember Mazzola, motion carries to adjourn at 9:14PM.

Approve:

Carolyn Broullon

Attest:

Michelle Hutchinson, Acting Borough Clerk