

Highlands Borough Mayor & Council Special Meeting Agenda
Community Center
22 Snug Harbor Avenue, Highlands
Wednesday, February 20th 2019 at 6:30 p.m.

Call to Order
Meeting Statement
Roll Call

EXECUTIVE SESSION: 6:30PM

Attorney-Client Privilege: Snug Harbor Park Improvements
Form Based Code
Highlands Business Partnership
Litigation: COAH
Good Neighbors, LLC

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Approval of Minutes

July 18th 2018
July 30th 2018
August 15th 2018
September 20th 2018
October 3rd 2018
October 17th 2018
December 5th 2018

Consent Agenda

R-19-074 Approve Payment of the Bills
R-19-075 Approve Refund of Taxes
R-19-076 Setting Forth the Reasons for Adopting Ordinance 19-01 Notwithstanding the LUB
Consistency Report
R-19-077 Amend Open Space Committee Membership

Resolutions

R-19-078 Authorize Execution of Monmouth County Open Space Grant for Snug Harbor Park
R-19-079 Authorize Award of Non-Fair & Open Contract to CME for
R-19-080 Authorize Renewal of Shared Service Agreement with Middletown for Animal Control
R-19-081 Introduce HBP's 2019 Budget & Set Hearing for Adoption

Ordinance: First Reading & Introduction

O-19-03 Amend Chapter 8-5 of Borough Code, Snow & Ice Removal
O-19-04 Amend Chapter 8-2 of Borough Code, Excavation in the Public Streets

Ordinance: Public Hearing & Possible Adoption

O-19-01 Amend Chapter 21, Article XIV, Section 74 – Prohibitive Uses
O-19-02 Amend Permit Parking for Residents

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Other Business

Administrator's Report

Police Chief's Report

Public Comments:

Adjourn

Highlands Borough Mayor & Council Special Meeting Agenda
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REGULAR MEETING:

The Meeting was called to order at 6:31 pm

Meeting Statement

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. Time maybe allotted for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or discipling of any specific or prospective or current employee.

Roll Call

 X Councilmember Braswell
 X Councilmember Broullon
 X* Councilmember Mazzola
 X Councilmember Ryan
 X Mayor O'Neil

Also Present:

 X Andrew Ball, Borough Attorney
 X Brian Chabarek, Borough Attorney
 X Kim Gonzales, Borough Administer
 X Rosa Pace, Deputy Clerk

*Councilmember Mazzola entered the meeting at 6:34pm.

Executive Session

Attorney-Client Privilege: Snug Harbor Park Improvements
Form Based Code
Highlands Business Partnership
Litigation: COAH
Good Neighbors, LLC

Motion to Approve the 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 into Executive Session was properly approved.

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Council entered Executive Session at 6:35pm.

Council exited Executive Session at 8:15 pm.

Regular Meeting

Council returned to the Public Session at 8:21 pm.

Meeting Statement

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. Time maybe allotted for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or discipling of any specific or prospective or current employee.

Pledge of Allegiance

Led by Mayor O'Neil.

Roll Call

 X Councilmember Braswell
 X Councilmember Broullon
 X* Councilmember Mazzola
 X Councilmember Ryan
 X Mayor O'Neil

Also Present:

 X Brian Chabarek, Borough Attorney
 X Patrick DeBlasio, CFO
 X Kim Gonzales, Borough Administer
 X Rosa Pace, Deputy Clerk
 X Douglass Rohmeyer, Borough Engineer

Approval of Minutes

July 18th 2018

Motion to Approve the July 18th 2018 Minutes:

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

The July 18th Minutes were properly approved.

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July 30th 2018

Motion to Approve the July 30th 2018 Minutes:

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

The July 30th 2018 Minutes were properly approved.

August 15th 2018

Motion to Approve the August 15th 2018 Minutes:

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

The August 15th 2018 Minutes were properly approved.

September 20th 2018

Motion to Approve the September 20th 2018 Minutes:

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

The September 20th 2018 Minutes were properly approved.

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October 3rd 2018

Motion to Approve the October 3rd 2018 Minutes:

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

The October 3rd 2018 Minutes were properly approved.

October 17th 2018

Motion to Approve the October 17th 2018 Minutes:

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

The October 17th 2018 Minutes were properly approved.

December 5th 2018

Motion to Approve the December 5th 2018 Minutes:

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

The December 5th 2018 Minutes was properly approved.

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Consent Agenda

R-19-074 Approve Payment of the Bills

R-19-075 Approve Refund of Taxes

R-19-077 Amend Open Space Committee Membership

Councilmember Mazzola thanked Vin Desantis, the new Open Space Committee member, who was present in the audience.

Motion to Approve the Consent Agenda:

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

The Consent Agenda was properly approved.

Resolutions

**R-19-076 Setting Forth the Reasons for Adopting Ordinance 19-01 Notwithstanding the LUB
Consistency Report**

Motion to Approve Resolution 19-076:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			x			
BROULLON			x			
MAZZOLA			x			
RYAN	x		x			
O'NEIL		x	x			

Resolution 19-076 has been properly approved.

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R-19-078 Authorize Execution of Monmouth County Open Space Grant for Snug Harbor Park
Motion to Approve Resolution 19-078:

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

Resolution 19-078 has been properly approved.

R-19-079 Authorize Award of Non-Fair & Open Contract for Professional Services to CME Associates for Preliminary Assessment Services for Snug Harbor Park Improvements
Motion to Approve Resolution 19-079:

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

Resolution 19-079 has been properly approved.

R-19-080 Authorize Renewal of Shared Service Agreement with Middletown for Animal Control
Motion to Approve Resolution 19-080:

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

Resolution 19-080 has been properly approved.

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R-19-081 Introduce HBP's 2019 Budget & Set Hearing for Adoption

Motion to Approve Resolution 19-081:

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

Resolution 19-081 has been properly introduced. The public hearing will be held on March 20th, 2019.

Ordinance: First Reading & Introduction

O-19-03 Amend Chapter 8-5 of Borough Code, Snow & Ice Removal

Councilmember Broullon and Mayor O'Neil explained why they were voting the way they were.

Motion to Introduce Ordinance 19-03:

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

Ordinance 19-03 has been properly introduced. The public hearing will be held on March 6th, 2019.

O-19-04 Amend Chapter 8-2 of Borough Code, Excavation in the Public Streets

Motion to Introduce Ordinance 19-04:

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

Ordinance 19-04 has been properly introduced. The public hearing will be held on March 6th 2019.

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Ordinance: Public Hearing & Possible Adoption

O-19-01 Amend Chapter 21, Article XIV, Section 74 – Prohibitive Uses

Mayor O'Neil opened the meeting to the public on Ordinance 19-01.

Name: Kim Skorka

Address: Shore Drive

Discussed reasons why she felt this ordinance would be beneficial to the Borough.

Name: Trisha Rivera

Address: Waterwitch Avenue

Agreed with Ms. Skorka and asked the Council to consider the benefits and opportunities this ordinance would bring to the Borough.

Mayor O'Neil closed the meeting to the public.

Councilmember Broullon, Mazzola, and Ryan addressed the audience to explain their votes on this Ordinance.

Motion to Adopt Ordinance 19-01:

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

Ordinance 19-01 has been properly adopted.

O-19-02 Amend Permit Parking for Residents

Mayor O'Neil opened the meeting to the public on Ordinance 19-02.

Name: Trish Rivera

Address: Waterwitch Avenue

Addressed the Council and stated how she felt the parking Ordinance would impact those on Shore Drive.

Mayor O'Neil closed the meeting to the public.

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Motion to Adopt Ordinance 19-02:

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

Ordinance 19-02 has been properly adopted.

Other Business

Engineer's Report

Mr. Rohmeyer discussed various projects throughout the Borough. A copy of report that was given to the Mayor and Council is attached.

Mayor O'Neil asked Mr. Rohmeyer about the timeline of the storm sewer on Valley Street. Mr. Rohmeyer provided the following time line: 6 weeks to get storm sewer compartment complete, 3 weeks for concrete, 2 weeks to pave, and 1 week to restore. He estimated the project will wrap up mid-June. Councilmember Broullon explained the delays in the project due to the water table in that area.

Police Chief's Report

Chief Burton discussed grants and programs that the Borough's Police Department are involved in.

Open the Meeting to the Public for Comment

Name: Trish Rivera

Address: Waterwitch Avenue

Expressed her disappointment with Ordinance 19-01 and its prohibitive uses. Ms. Rivera addressed Mr. Rohmeyer about the Route 36 run off project. Mr. Rohmeyer explained that at the end of 2018 CME met with Middletown Township and Monmouth County to review the impact of the runoff to the Borough. Mr. Rohmeyer will be making a recommendation to the Mayor and Council to potentially add this project to the Waterwitch and Bay Avenue storm sewer project. Ms. Rivera asked about the other run off areas. Ms. Gonzales explained the work being done with the NJDOT. Ms. Rivera asked if there are plans available for the Snug Harbor area and Councilmember Braswell stated that they are in the surveying stage. Ms. Rivera expressed concerns with the construction being done on Valley Street and the impact on the neighborhood, specifically a resident who reported a crack in her wall from the work being done. Mr. Rohmeyer explained the work activity and he crack had no correlation. Mr. Rohmeyer further explained that damage claims can be submitted after they are confirmed to be caused by the work being done.

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Name: Kim Skorka

Address: Shore Drive

Questioned the Snug Harbor grants. Ms. Gonzales explained the funds that would be used. Ms. Skorka addressed Councilmember Ryan and asked with the business vacancies in town what she would like in lieu of a cannabis shop. Councilmember Ryan stated other businesses that would be preferred in the Borough. Ms. Skorka asked how the vacancies will be filled and Councilmember Ryan stated that she is speaking with businesses and this will be discussed at the next Council meeting.

The meeting was closed to the public.

Motion to Adjourn the Meeting:

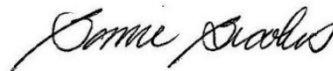
	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL	X		X			

The meeting was adjourned at 8:58 pm.

Motion to Approve the February 20th 2019 Meeting Minutes:

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

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held March 6, 2019. WITNESS my hand this 7th day of March 2019.



Bonnie Brookes, RMC
Municipal Clerk

Approve: _____

Richard W. O'Neil, Mayor

Attest: _____

Bonnie Brookes RMC, Deputy Clerk

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Borough of Highlands
Monthly Project Status Report
February 20, 2019



CONSTRUCTION

❑ **Drainage Improvements to Cedar Street**

Summary: Removal and replacement of storm sewer system and restoration of gravel portion Cedar St at northern end including repaving intersection with 5th St.

Awarded: May 2018 to DSC Construction for \$127,916

Status: Completed & closed out July 2018 for \$122,146. Maintenance bond expires July 2020

Limits: Cedar St from 5th St to clam plant

❑ **Improvements to Hillside Ave & Portland Road**

Summary: CME awarded design work to resurface Hillside Ave, Portland Rd, and Valley St in 2018. Valley St was removed to expedite other work & preserve NJDOT funding. Work on Hillside & Portland included removal & replacement of failing CMP storm system with reconstruction of both roads. Riker St, Oceanview Ave, and Thompson St added prior to bid.

Awarded: May 2018 to Shore Top Construction for \$498,615

Status: Completed & close out documents sent to Borough in January 2019 for \$504,622 including additional paving work on Oceanview & Lighthouse/Ocean intersection. Maintenance bond expires November 2020.

Limits: Hillside Ave from Hillside Ct to Portland Rd
Portland Rd from Riker St to Highlands Ave
Thompson St, Oceanview Ave & Riker St
Lighthouse St/Ocean St/Highland Ave intersection

❑ **Improvements to Valley Street**

Summary: Valley Street was originally intended to be included in a larger resurfacing project along with Hillside and Portland. The Valley St portion was partially funded by a \$250,000 grant through the FY2016 NJDOT MA program and this road was separated out as a stand-alone project to preserve funding. Scope was expanded to include sanitary sewer replacement & significant stormwater upgrades as designed by others.

Awarded: September 2018 to Underground Utilities Corp for \$1,288,310

Status: Construction commenced as scheduled during the week of January 14, 2019. Contractor installed dewatering, and has completed all sanitary sewer replacement. At this time, the Contractor is preparing to initiate the storm sewer installation.

Limits: Valley St from Shore Dr to pump station at north end

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Highlands Borough
2019 Capital Status Report

February 20, 2019
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DESIGN

❑ **Miscellaneous Sanitary Sewer Repairs**

Summary: Contract to have an on-call contractor for emergency sanitary sewer repairs throughout the Borough.

Status: Draft specifications sent to the Borough with request for authorization to bid.

❑ **2018 Road Inventory**

Summary: Review & inventory all Borough roads to create a database.

Status: Survey completed, database being finalized.

❑ **CDBG Improvements to Shore Dr, 2nd St & Cedar St**

Summary: CME applied for and obtained FY2019 CDBG funding to resurface 2nd St and Cedar St and upgrade handicap curb ramps on 2nd St, Cedar St, and Shore Dr.

Status: CDBG awarded \$130,926 for project. CME authorized 12/5 for survey, design, and bid phases. Design and bid documents are substantially complete. CME will review final bid documents with Borough and coordinate public advertisement of same.

Limits: Cedar St from 2nd St to Bay Ave
2nd St from Cedar St to Miller St
Shore Drive from Huddy Ave to Kielgart Ave

❑ **Bay/Waterwich Sanitary Sewer (NJDEP EIFP)**

Summary: Project intent is to correct sanitary sewer and storm sewer capacity issues in the area of Waterwich Ave & Bay Ave prior to Monmouth County paving project.

Status: CME has commenced investigation & analysis of sanitary sewer system along Bay Avenue. Associated sanitary sewer main has been surveyed and flow monitoring is being set up. Collected data will be retrieved and reviewed to complete the capacity study in this area. Next step will be to apply to the New Jersey Environmental Infrastructure Financing Program (NJEIFP) for financing through their "Coastal Community Water Quality Restoration Program"

Limits: Linden Ave from NJSH Route 36 to Bay Ave
Bay Ave from Gravelly Pt Rd to NJSH Route 36
Waterwich Ave from NJSH Route 36 to Marine Pl
Huddy Ave from Bay Ave to Marine Pl
Recreation Pl from Snug Harbor Ave to Washington Ave
Cheerful Pl from Snug Harbor Ave to Huddy Ave Ralph St
William St
Ocean Ave
Beach Blvd
Central Ave
Snug Harbor Ave
Bedle Pl

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Highlands Borough
2019 Capital Status Report

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POTENTIAL PROJECTS & PROPOSALS

❑ **Cedar Street Bulkhead**

Summary: Remove and replace failing bulkhead at north end of Cedar St and Borough-owned clam plant property.

Status: Proposal sent to Borough for bulkhead reconstruction. Work in this project included in FEMA grant application. FEMA award decision will determine if this can be stand-alone project or part of larger FEMA project.

❑ **Monmouth Hills Sediment Control**

Summary: Exploring options to prevent sediment from gravel roads in Monmouth Hills from washing down into Bay Ave/Waterwich area.

Status: Met with Middletown Twp & Monmouth County to explore options. Concept to create sediment basin at intersection of NJSH Route 36 and Serpentine Dr under development.

ACTIVE GRANT APPLICATIONS

❑ **2019 CDBG Application**

AWARDED - CME applied for and obtained \$130,926 for pedestrian improvements to Shore Drive and concrete and paving improvements to 2nd Ave and Cedar St. Design of improvements is underway.

❑ **2019 Monmouth County Open Space**

AWARDED - CME applied for and obtained funding through Monmouth County Open Space program to resurface parking lot, basketball court, and tennis court at Snug Harbor Park. Highlands awarded \$125,000 in matching funds in January 2019. Phase 1 site investigation is required prior to executing grant agreement (June deadline). CME will submit proposal for design, permit and bid phases upon completion of environmental investigation.

❑ **2019 NJDOT Municipal Aid Application**

PENDING - Application submitted 10/05 for \$469,918 for the reconstruction of Cornwell St & John St.

❑ **2019 NJDOT SRTS Application**

PENDING - Application submitted 9/18 for \$306,420 for sidewalk & curb improvements, striping, signage, speed bumps, etc.

❑ **2019 FEMA Pre-Disaster Mitigation**

PENDING - Application submitted 12/3 for bulkhead & seawall improvements to Veteran's Park, Cedar St, Clam Plant, and North Street including Jackson Street pump station. State deadline to forward to FEMA 1/31. Borough to consider resubmitting in fall of 2019 for design assistance funding.

❑ **2019 NJDOT LAIF Application**

PENDING - Application submitted jointly with Atlantic Highlands on 9/28 for \$2,040,000 for improvements to Bayside Dr.