



# MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF JUNE 22, 2005

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on June 22, 2005 in the public meeting room of Borough Hall, 100 First Avenue, Atlantic Highlands, and NJ.

Mayor Donoghue called the meeting to order at 7:30 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Nolan, Noonan, and Spatola. Temporary Administrator Jahn, Borough Attorney Miller, Borough Engineer Elliott, and Municipal Clerk Harris were also present. Council members Fligor and Ladiana were absent.

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Courier, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/5/2005. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

Mayor Donoghue mentioned that the Fireman's Fair start on June 29<sup>th</sup> and runs through the July 3<sup>rd</sup>. The fireworks will be on July 2<sup>nd</sup>.

## PUBLIC COMMENT SESSION

Edward Cetron-1 Auditorium Dr-mentioned that they are having problems with trees in the Borough, and the enforcement of not tearing them down. One of his neighbors took a massive tree down without properly securing the tree, almost taking out the power poles.. The Police were reluctant to go and rectify the situation. Another neighbor went and got permits to trim trees that were on his (Mr. Cetron's) property. He would like the Borough to make a statement to go back and start re-enforcing the steep slope permits and the shade tree permits. He suggested a mailing or a new resident packet informing them of what the Ordinances are.

Capt. Amici-AHPD-commented that if the Police get a complaint they respond. The Police always ask if they have a permit. If they do fine, if not they have them stop working and come down and to Borough Hall and get a permit. Whenever they get a complaint, they act on it.

Council member Archibald suggested that the chairman of the Shade Tree Commission sit down with the Code Enforcement Officer and the Chief of Police so they are all on the same page and have the right dialogue going.

Mike Rybeck-North Ave- asked if the smoke testing is complete at this time and if those residents found in violation have been contacted yet. He also questioned the DOT being connected to our sewer lines via one of the boxes on First Ave.

## RESOLUTION 119-2005, RENEWAL OF LIQUOR LICENSES

This resolution was offered and moved for adoption by Council member Nolan and seconded by Council member Archibald.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan and Spatola

NAYS:

ABSTAIN: Council member Noonan

**RESOLUTION 120-2005, PERSON TO PERSON TRANSFER**

This resolution was offered and moved for adoption by Council member Archibald and seconded by Council member Nolan.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan and Spatola

NAYS:

ABSTAIN: Council member Noonan

**RESOLUTION 121-2005, SUPPORT 2006 MUNICIPAL ALLIANCE PROGRAM**

This resolution was offered and moved for adoption by Council member Nolan and seconded by Council member Spatola.

Mayor Donoghue explained that this is a matching fund that is split between Highlands and Atlantic Highlands.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan, Noonan and Spatola

NAYS:

**RESOLUTION 122-2005, RELEASE OF PERFORMANCE BOND–HESSE BLDG**

This resolution was offered and moved for adoption by Council member Archibald and seconded by Council member Spatola.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan, Noonan and Spatola

NAYS:

**RESOLUTION 123-2005, CANCELLATION OF TAX BALANCE**

This resolution was offered and moved for adoption by Council member Spatola and seconded by Council member Noonan.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan, Noonan and Spatola

NAYS:

**RESOLUTION 124-2005, AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS**

This resolution was offered and moved for adoption by Council member Spatola and seconded by Council member Noonan.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Nolan, Noonan and Spatola

NAYS:

**RESOLUTION 114-2005, WAS NOT INTRODUCED**

**CONSENT AGENDA**

- 1) Approval of Minutes: May 25, 2005 Regular Meeting
- 2) Approval of request to utilize Veteran's Park for a concert on July 3, 2005

The above items were moved as one motion by Council member Nolan, seconded by Council member Spatola and adopted by the following vote.

AYES: Council members Archibald, Noonan, Nolan and Spatola

NAYS:

ABSTAIN:

The Executive Session minutes for June 8, 2005 were approved by a yes vote by a majority of Council members as indicated by the signatures on those minutes.

**REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL**

Mayor Donoghue commented that the Bayshore Regional Strategic Plan study would be meeting at Borough Hall on Wednesday June 29<sup>th</sup>. This is primarily dealing with environment, park and open space issues being discussed by the Bayshore Regional Strategic Plan committee. There will be a meeting following that, which will deal primarily with Atlantic Highlands.

Council member Spatola reported on the Fourth of July Fireworks being held on July 2<sup>nd</sup> at 9:30. The brochure will be sent out to residents tomorrow, entailing the whole five days activities. On Thursday the Fireworks Committee had a fundraising Cocktail Party that went well.

Council member Archibald reported that he had followed up with the DOT and Assemblyman Corodemus' office regarding the proposed bike lane on Memorial Parkway. The DOT will not be going forward with the bike lane until they meet and consult with the Borough. They meeting is scheduled for July 6<sup>th</sup> with himself, the Mayor and the Administrator, at which time the DOT will present their plans regarding the proposed bike lane. He will make those plans available for the Council's review.

Council member Nolan reported that the drainage study on the Fireman's field, that was started back in November has been completed, and we have finally received the report. It outlines some of the issues and offers recommendations. He will give any one that desires a copy of the report.

Council member Noonan reported that Administrator Jahn had informed him that he had been thorough in researching people about gutters and leaders on the Borough Hall. Once these are installed they will reduce some of the leakage into the building and alleviate some of our difficulties.

Administrator Jahn recommended that the Council consider approving bills on a twice a month basis instead of monthly. This would decrease vendor inquiries into the office and decrease the workload on the staff.

Engineer Elliott reported the Route 36 and 7<sup>th</sup> Ave inlet is currently under construction.

Council member Nolan asked if the bids were going out on the tennis court resurfacing. The funds needed to be certified as available, prior to that. Councilmember Archibald feels that the costs should come out of the Harbor budget. We would be able to use the Borough's funds on other parks and the Harbor could take it out of their existing revenue. He feels this should be investigated.

## **PUBLIC COMMENT SESSION**

Mickey Rast- 49 Eight Ave- commented on the magazine titled The Captain's Guide. Atlantic Highlands was advertised in the magazine. It will be distributed along the eastern seaboard from Maryland to New York. It was funded by a joint venture between the Chamber of Commerce and the Harbor Commission. She also displayed a copy for the council to see.

Jane Frotton-Harbor Commission-feels Council member Archibald's comments regarding the tennis court resurfacing, was a great idea. It has always been the responsibility to resurface the tennis courts and put up new fencing out of Harbor funds, as was the construction of the new basketball courts. They have always tried to keep that recreation going with Harbor funds so it would not affect the tax dollar.

William Eaton-asked if the plans for the bike lane on Memorial Pkwy would be available prior to the meeting on the 6<sup>th</sup>. He asked if it would be possible to have them available at Borough Hall.

## **RESOLUTION TO ENTER EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act provides that the Mayor and Council may go into Executive Session to discuss matters that may be confidential or listed in N.J.S.A. 10:4-12; and,

WHEREAS, it is recommended by the Borough Attorney and Administrator that the Mayor and Council go into Executive Session at this time to discuss matters set forth below which are permissible for discussion in Executive Session;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Atlantic Highlands to go into Executive Session to discuss the following items. Minutes will be kept and once the matter above no longer requires confidentiality the minutes will be made public.

- 1) Possible land acquisitions

Mr. Harris read this resolution in full. It was offered and moved for adoption by Council member Nolan at 8:15 PM, seconded by Council member Noonan and adopted by the following vote.

AYES: Council members Archibald, Nolan, Noonan and Spatola

NAYS:

**RECONVENE** - At 9:30 PM the meeting was resumed.

**ADJOURN** - There being no further business before the Mayor & Council, Council member Nolan moved to adjourn the meeting at 9:31 PM, the motion was seconded by Council member Noonan and unanimously approved.

June 22, 2005

The Governing Body approved these minutes at their Regular Meeting on July 13, 2005.

Dwayne M. Harris, RMC  
Municipal Clerk