



# REORGANIZATION MEETING

## JANUARY 1, 2006

The Reorganization Meeting of the Mayor and Council of the Borough of Atlantic Highlands will be held January 1, 2006 at Noon in the Borough Hall, 100 First Avenue Atlantic Highlands NJ. This agenda is complete to the extent known.

This meeting is in compliance with the Open Public Meetings Act. Adequate notice has been provided by transmitting the Notice of Meeting to the Courier and the Asbury Park Press on December 20, 2005, by posting it in the Borough Hall on a bulletin board reserved for such announcements and by filing it with the Municipal Clerk of Atlantic Highlands, on 12/20/2005. Formal action will be taken.

Invocation by Pastor George Hancock-Stephan, Central Baptist Church

Pledge of allegiance

Roll call

1) Council member John Archibald is sworn in by Assemblyman Steven Corodemus.

2) Council member elect Peter Doyle is sworn in by Father Robert Tynski

3) Motion to certify and accept the results of the Fire Department elections.

Mayor Donoghue swears in Fire Chief Paul Eremus III, Deputy Chief James Phillips and Captain Beau Marios.

4) Resolution 1-2006, Election of Council President

Swearing in of Council President

5) Resolution 2-2006, Resolution Continuing the Appointment of the Administrator

6) Resolution 03-2006, Appointment-Municipal Attorney

7) Resolution 04-2006, Appointment-Municipal Engineer

8) Resolution 05-2006, Appointment-Auditor

9) Resolution 06-2006, Appointment-Bond Counsel

10) Resolution 07-2006, Appointment-Prosecutor and Alternate Prosecutor

11) Resolution 08-2006, Appointment-Public Defender

12) Resolution 09-2006, Appointment-Police Physician

13) Resolution 10-2006, Appointment-Director of Public Works

14) Resolution 11-2006, Appointment-Code Enforcement Officer

15) Resolution 12-2006, Appointment of Municipal Officials

16) Resolution 13-2006, Appointment- Authorities, Boards Commissions

17) Mayoral Appointments

18) Consent Agenda: Other Council Business

These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.

Resolution 14-2006, Setting Meeting Dates for 2006

Resolution 15-2006, Designating Official Newspapers

Resolution 16-2006, Setting Grace Period, Tax Interest Rates and Policy for 2006

Resolution 17-2006, Approving the Borough's Cash Management Plan

Resolution 18-2006, Approving the Temporary Budget for 2006

Resolution 19-2009, Appointing Sub-Code Officials and Deputy Court Administrator

19) Ordinance 1-2006, Salaries for 2006

Introduction and First Reading (Second reading, possible adoption 1/11/2006)

20) Mayor's Message

Closing Prayer/Benediction- Offered by Rev. Joyce Smothers, First Presbyterian Church

Adjourn



## MINUTES OF THE MAYOR & COUNCIL REORGANIZATION MEETING OF JANUARY 1, 2006

The Reorganization Meeting of the Mayor and Council, of the Borough of Atlantic Highlands was held on January 1, 2006 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor Donoghue called the meeting to order at 1:00 PM.

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 12/20/2005. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

Pastor George Hancock - Stephan of the Central Baptist Church offered the Invocation.

After the Pledge of Allegiance, Mayor Donoghue read the Proclamation honoring Stephan Noonan for his service on the Borough Council.

WHEREAS, Stephan Noonan had served the Borough of Atlantic Highlands as Councilman in the mid 1980's and again in 2005; and,

WHEREAS, Stephan, as Councilman, has served as the Police Commissioner, as a member of the Buildings and Grounds Committee, on the Water and Sewer Committee and prior to his appointment to the Governing Body, he had served admirably on the Planning Board; and,

WHEREAS, Stephan has selflessly contributed his time, effort and energy to benefit the people of Atlantic Highlands and has made a positive impact on our community and this Council; and,

WHEREAS, this Council has unanimously voiced its thanks and gratitude to Stephan and feel it is appropriate for the people of Atlantic Highlands to know of his contributions to our town,

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor of the Borough of Atlantic Highlands, in the County of Monmouth, that tomorrow, January 2nd, 2006 shall be known as Stephan Noonan Day in the Borough of Atlantic Highlands.

Assemblyman Steve Corodemus greeted the Mayor and Council and members of the community and expressed his well wishes for 2006, hoping a healthier, happier and prosperous year.

Council member Archibald was joined by his wife and children and after introducing his parents, was administered the Oath of Office by Assemblyman Corodemus.

Council member Archibald remarked on the privilege of being reelected back to the Borough Council and he is honored to serve everyone, not only in this room but also in the entire town. He commented that today marks the return of bi-partisan government to Atlantic Highlands. He acknowledged that there will be times when we disagree, but assures all that he will continue to work hard for the Borough and serve you [the public] as best he can.

Mayor Donoghue acknowledges Assemblyman's Corodemus' reelection to the State Assembly, after which he called upon Councilman elect, Peter Doyle, to be sworn in by Father Robert Tynski, of the Saint Agnes Church.

Mr. Doyle was joined by his father Norbert and administered the Oath of Office.

Mayor Donoghue administered the Oath of Office to the reelected Fire Chief Paul Eremus III and Captain Beau Morris. Deputy Chief Phillips was not able to attend because he was handling a situation at the Water Department.

At this time the following roll call was taken: Council members Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola and Mayor Donoghue. Administrator Hubeny and Municipal Clerk Harris were also present.

**RESOLUTION 01-2006, ELECTION OF COUNCIL PRESIDENT**

This resolution, appointing Louis Fligor was offered and moved for adoption by Council member Archibald and seconded by Council member Ladiana.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle Ladiana, Nolan and Spatola

NAYS:

ABSTAIN: Council member Fligor

His wife and her sister joined council member Fligor, and Mayor Donoghue administered the Oath of Office.

**RESOLUTION 02-2006, CONTINUING THE APPOINTMENT OF BOROUGH ADMINISTRATOR**

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

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

**RESOLUTION 03-2006, APPOINTMENT OF MUNICIPAL ATTORNEY**

This resolution appointing Janice Miller was offered and moved for adoption by Council member Ladiana and seconded by Council member Nolan.

Mayor Donoghue expressed his feelings that Janice Davis Miller has faithfully and efficiently worked on behalf of the Borough.

This resolution was defeated by the following vote:

AYES: Council members Ladiana and Nolan

NAYS: Council members Archibald, Doyle, Fligor and Spatola

**RESOLUTION 20-2006, APPOINTMENT OF BERNARD REILLY AS MUNICIPAL ATTORNEY**

Council member Fligor offered and moved for adoption, the name of Bernard Reilly, from Dowd & Reilly, for appointment as Borough Attorney. Council member Spatola seconded it.

Councilmember Ladiana asked if Mr. Reilly was present. He was not. Mrs. Ladiana commented that she did not receive a resume. Council member Archibald spoke on the qualifications of Mr. Reilly, being the attorney prior to Mrs. Miller. Council member Spatola commented that if they were allowed to have a fair and open process, a resume would have been available. Council member Ladiana asked to interview Mr. Leahy. Mr. Leahy stated that if she [Council member Ladiana] wished to interview the firm he would be happy to discuss their qualification, being 17 years of municipal representation that includes this Borough. We are aware of the issues facing this town and feels they [Dowd & Reilly] can do capable, reasonably priced, fair job for the town. Council member Ladiana asked about properties acquired in 2001 and 2002 and stated that the Borough is in the process of acquiring properties through Green Acres. She commented that his firm represented the town and Mr. Reilly specifically, filed deeds, surveys and titles without the Green Acres language on behalf of the Borough, resulting in the reimbursement being held up for two years. She commented that the experience this Borough has had with Dowd & Reilly is that they failed to file the documents properly costing us over \$60,000 in interest charges because the debt was refinanced early because they did not file the documents properly. She wanted to know how she and this council could have the faith in his firm, to handle this process properly. Mr. Leahy explained that his firm has purchased many properties through Green Acres that have been done successfully and cited examples of such acquisitions.

Council member Ladiana asked if he and his firm would be willing to attend Green Acres Roundtables that are offered from time to time.

Mr. Leahy stated that they are familiar with Green Acres process. They educate themselves through the Continuing Legal Education Program and will attend any workshop the Council deems fit.

Mr. Archibald asked if he was confident that his firm could provide legal services to this Borough, at the approximate rate they did in 2003, because the 2004 and 2005 council cost us 50% more than his did.

Council member Ladiana explained that the prior attorney [Miller] did a lot of work correcting issues and does not feel confident in his firm's ability to do this properly. She further asked Mr. Leahy about his recommendation in a matter during his time as attorney for the Harbor Commission and how certain members of the governing body rejected his recommendations. After brief further discussion, Mayor Donoghue thanked Mr. Leahy and asked for a roll call.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council members Ladiana and Nolan

Mr. Leahy joined the Governing Body on the dais.

#### **RESOLUTION 04-2006, APPOINTMENT OF ROBERT BUCCO, MUNICIPAL ENGINEER**

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

Council member Ladiana commented that she did not receive a resume' and requested to interview Mr. Bucco.

Councilmember Archibald and Fligor expressed their displeasure with the need to "turn this into a circus". Mayor Donoghue allowed the questioning.

Council member Ladiana asked if Mr. Bucco had worked previously for the Borough.

Mr. Bucco responded yes but while employed with another firm.

Council member Ladiana asked if his firm T&M was the firm responsible for the Harbor dredging and asked if it was true that the job was shut down and the Borough was then slapped with a potential \$30,000 fine from the DEP.

Mr. Bucco responded that that was not from the results of T&M's efforts.

Council member Ladiana asked if he represented any neighboring communities or authorities.

Mr. Bucco commented that they represent Hazlet, Highlands, the Sewerage Authority and Middletown Twsp.

Council member Ladiana commented that there seems to be several conflicts of interest, particular to plans currently before the Highland's Planning Board and quoted an alleged statement that "T&M would get Atlantic Highlands to waive their right to review any plans". She is uncomfortable in appointing an engineer or firm who has their hand in every single piece of the pie in this region, and cannot see how we can avoid a conflict of interest.

Council member Archibald asked Mr. Bucco if he was aware of an agreement to develop ball fields on highway 36 and asked if it would be cost effective to have one firm coordinating this effort. He also asked about assistance he has already provided to the Administrator, in regards to Sears Ave, and the possibility of the Borough incurring more costs.

Mayor Donoghue asked for a status report on Sears Ave. He also commented that he too sees potential conflicts, with their all-inclusive coverage in the area, but maybe they would be able to help solve the problem for the Hunt family.

Council member Nolan commented that there are a lot of different companies out there. He said "We seem to keep picking the same guys we've used for 20, 30 years. We are not getting fresh eyes on the situation. We are getting people who are working for other Boroughs, for the same Boroughs and would appreciate new perspective on the matters that are at hand in this Borough".

Council member Archibald commented that the point is that we are getting qualified professional, that have delivered excellent service in the past, at rates far lower than our professionals did for the last two years.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council members Ladiana and Nolan

Bernard Reilly arrived and replaced Mr. Leahy on the dais.

#### **RESOLUTION 05-2006, APPOINTMENT OF BOROUGH AUDITOR**

This resolution naming Tomas Fallon was offered and moved for adoption by Council member Ladiana and seconded by Council member Nolan.

Mayor Donoghue offered the name of Thomas Fallon as Borough auditor, because he has been pleased with his professional performance and abilities.

This resolution was defeated by the following vote.  
AYES: Council members Ladiana and Nolan  
NAYS: Council members Archibald, Doyle, Fligor and Spatola

**RESOLUTION 21-2006, APPOINT EUGENE FARRELL BOROUGH AUDITOR**

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

Council member Ladiana stated she had not received a resume and asked if Mr. Farrell was here. He was not. Council member Ladiana stated she thinks Tom Fallon did an enormous job, taking a fresh look at what was possible with the Borough's finances, uncovering dormant funds that were utilized to improve the water system.

This resolution was adopted by the following vote.  
AYES: Council members Archibald, Doyle, Fligor and Spatola  
NAYS: Council members Ladiana and Nolan

**RESOLUTION 06-2006, APPOINTMENT OF BOND COUNSEL**

This resolution appoint John Drakowicz was offered and moved for adoption by Council member Archibald and seconded by Council member Doyle.

Council member Ladiana asked if he was here because she did not see a resume. Council member Archibald explained that Mr. Drakowicz and his firm have performed as Bond Counsel for the Borough in previous years.

This resolution was adopted by the following vote.  
AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola  
NAYS: Council members Ladiana

**RESOLUTION 07-2006, APPOINTMENT OF PROSECUTOR AND ALTERNATE**

This resolution appointing Sean Byrnes and Jonathan Tenenbaum was offered and moved for adoption by Council member Nolan and seconded by Council member Fligor.

Attorney Reilly explained that the Prosecutor and Alternate are covered under the new State Pay to play law.

Council member Archibald introduced Mr. Byrnes who was present in the audience.

This resolution was adopted by the following vote.  
AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola  
NAYS:

**RESOLUTION 08-2006, APPOINTMENT OF PUBLIC DEFENDER**

This resolution naming Raymond Raya was offered and moved for adoption by Council member Nolan and seconded by Council member Ladiana.

Council member Archibald asked if Mr. Raya was present and if anyone had gotten his resume.

This resolution was defeated by the following vote.  
AYES: Council members Ladiana and Nolan  
NAYS: Council members Archibald, Doyle, Fligor and Spatola

**RESOLUTION 22-2006, APPOINT ARTHUR SORENSEN AS PUBLIC DEFENDER**

This resolution naming Arthur Sorensen was offered and moved for adoption by Council member Fligor and seconded by Council member Archibald.

Attorney Reilly explained that the Public Defender is only making \$4,000.00 in salary and is not covered under the new State Pay to play law.

This resolution was adopted by the following vote.  
AYES: Council members Archibald, Doyle, Fligor, and Spatola  
NAYS: Council members Ladiana and Nolan

**RESOLUTION 09-2006, APPOINTMENT OF POLICE PHYSICIAN**

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

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

**RESOLUTION 10-2006, APPOINTMENT OF PUBLICS WORKS DIRECTOR**

This resolution was offered and moved for adoption by Council member Ladiana and seconded by Council member Fligor.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

**RESOLUTION 11-2006, APPOINTMENT OF CODE ENFORCEMENT OFFICER**

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

Council member Nolan commented that Theresa is doing a great job..

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

**RESOLUTION 12-2006, APPOINTMENT OF MUNICIPAL OFFICIALS**

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

Mayor Donoghue stated that it his continued belief that as this Borough's Chief Executive Officer, it is his prerogative, duty and responsibility to make the Council committee assignments without the need for confirmation of the Governing Body. Nonetheless since the law is not clear on the subject, he is submitting his assignment list for consideration.

This resolution was defeated by the following vote.

AYES: Council members Ladiana and Nolan

NAYS: Council members Archibald, Doyle, Fligor and Spatola

Council member Archibald asked to vote on the first two pages, of the defeated resolution 12-2006, and amend the Deputy Tax Collector to a six-month term. Clerk Harris explained that this would be known as Resolution 23-2006.

**RESOLUTION 23-2006, APPOINTMENT OF MUNICIPAL OFFICIALS**

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

Clean Communities Development Coordinator Joe Reynolds

Community Development Coordinator Adam Hubeny

Alternate Dwayne M. Harris

Fire Marshal Martin Hawley

Deputy Fire Marshall Paul Murphy

Geographic Information Systems Coordinator Dwayne M. Harris

Grant Coordinator Adam Hubeny

JIF Insurance Commissioner Elizabeth Merkel

JIF Safety Coordinator Capt. John Amici

Public Agency Compliance Officer Adam Hubeny

Recycling Coordinator David Hurley

Searcher of Assessments:(41)

For Municipal Improvements Dwayne M. Harris

For Municipal Taxes Catherine Hendrickson

Special Police Officer Type I Paul Eremus III  
John Wankle III  
Daniel Stokes  
Tomas King  
Nicholas Rybakowski

Deputy Tax Collector (6 month term) Catherine Hendrickson

Treasurer Dawn Babcock

Designated Purchasing Agent Dwayne M. Harris

This resolution was approved by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

### RESOLUTION 24-2006, ASSIGNMENT OF DUTIES

Council member Fligor offered the following:

*Buildings & Grounds:* ..... Stephanie Ladiana, Chair  
..... Peter Doyle

*Finance, Personnel & Insurance:* ..... Peter Doyle, Chair  
..... Carl Nolan  
..... Kim Spatola

*Fire, Emergency Services:* ..... Kim Spatola, Chair  
..... Peter Doyle

Police: ..... John Archibald, Commissioner  
..... Carl Nolan

*Public Works, Streets and Sanitation:* ..... Peter Doyle, Chair  
..... Stephanie Ladiana

*Water & Sewer:* ..... Carl Nolan, Chair  
..... Louis Fligor

### COUNCIL REPRESENTATIVES

*Cable TV Advisory Committee:* Peter Donoghue, Mayor,

*Emergency Management:* ..... Peter Donoghue, Mayor

*Environmental Commission:* ..... Stephanie Ladiana  
..... John Archibald

*Library Board:* ..... Carl Nolan  
..... Kimberly Spatola

*Recreation Committee Rep:* ..... Kim Spatola, Chair  
*(Includes Youth Committee)* ..... Jack Archibald

*Route 36 Fields Committee:* ..... Peter Donoghue, Mayor  
..... Jack Archibald

*Senior Citizens Recreation Board:* ..... Jack Archibald

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

Council member Ladiana stated that her understanding was that her republican colleagues did not want her on the Finance and Personnel Committee and that is the main reasons for these changes. She stated it is less work for her and she has done a lot more work than anyone has ever done on the Finance and Personnel Committee. Unfortunately with Peter not having any experience, it would be helpful, she doesn't know how much time Carl will have and offered the information she had found out over the last two years.

Mayor Donoghue commented that he feels Mrs. Ladiana was a tremendous asset tot his committee and was one of the hardest working Council people, particularly in the area of finance, that we have ever had.

This resolution was approved by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

#### **RESOLUTION 13-2006, APPOINT AUTHORITIES, BOARDS, AND COMMISSIONS**

This resolution was moved for adoption by Council member Archibald and offered with amended names. Council member Fligor seconded.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola

NAYS: Council members Ladiana

#### **MAYOR DONOGHUE ANNOUNCED HIS MAYORAL APPOINTMENTS.**

##### ENVIRONMENTAL COMMISSION:

CHAIR: Paul Boyd - 1 year, ending 12/31/06

REGULAR MEMBERS: - 3 years ending 12/31/08

Ara Jamgochian-Planning Board Representative

Doreen Sitakowski

Kenneth Kociela

REGULAR MEMBER - 1 year (Unexpired Term), ending 12/31/06

Linda Ellis

ALTERNATE #2- Gregory Pollack - 2 years, ending 12/31/07

ASSOCIATE MEMBERS: 1 year, ending 12/31/06

Bill Kuzman

Fran Hogan

Carolyn Campo

William Robertson IV

Margaret Moro

Tara L. Vent

Todd Magee

##### SHADE TREE COMMISSION:

REGULAR MEMBER: 5 years ending 12/31/10

Gerald Thomas

Laura Murray

ALTERNATE #2, Kathleen Wigginton- 2 years, ending 12/31/07

##### PLANNING BOARD

CLASS II MEMBER, BOROUGH EMPLOYEE:

Robert J. Dougherty - 1 year, ending 12/31/06

CLASS IV MEMBERS: 4 years, ending 12/31/09

Benson Chiles

CLASS IV MEMBER Environmental Commission: 3 years, ending 12/31/08

Ara Jamgochian

ALTERNATE #2, Michelle Rast - 2 years, ending 12/31/07

ALTERNATE #4, Suzanne Caffrey - 2 years, 12/31/07

CABLE TV CONTRACT ADVISORY COMMITTEE: 1-year terms, ending 12/31/06

Roy Delloso, Chair, Wilbur Bishof, Jackie Jones

##### MAYOR'S COUNCIL ON THE ARTS:

REGULAR MEMBERS: 1 year, ending 12/31/06

Virginia-Hart Leppala, Chair



Eli Huson  
Virginia Lofos  
Sarah Chiles  
Janice Kollar  
Jane Grant  
Dirouhi Krikorian  
Alice Kupper  
Margaret Peabody  
Mimi Cross Smiga  
Tami Wilbourne

MAYOR'S ROUTE 36 ATHLETIC FIELDS ADVISORY COMMITTEE:

1 year, ending 12/31/06  
Arthur J. Weimer, Chair  
John C. Archibald  
Donna Balon  
Louise I. Donoghue  
Patricia S. Murray  
Frederick Rast

MAYOR'S FERRY TERMINAL ADVISORY COMMITTEE:

REGULAR MEMBERS: 1 year, ending 12/31/06  
Jacob Hoffman  
Stephan Noonan  
Helen Marchetti  
Paul Boyd  
Edward Kelly

Council member Archibald asked to consider Resolution 14 separate from the consent agenda. He asked that in regards to resolution 14 paragraph two be eliminated, not scheduling Workshop sessions, but having them on as needed basis.

**RESOLUTION 14-2006, SETTING MEETING DATES FOR 2006**

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

Council member Ladiana expressed her confusion because she though this council had talked about this, and the workshops would alleviate discussions that should have been hashed out in a workshop.

Council member Doyle commented that one issue is the 6:30 time being difficult for him personally. He suggested having a 7:30 Workshop and a meeting at 8:00.

Council Member Fligor asked Clerk Harris if it would hurt, to designate the first part of each meeting as a workshop. Mr. Harris commented that as long as they are advertised as such you could do that.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

**CONSENT AGENDA**

Resolution 16-2006 – Setting Grace Period, Tax Interest Rates and Policy for 2006  
Resolution 17-2006 – Approving Borough's Cash Management Plan  
Resolution 18-2006- Approving the Temporary Budget for 2006  
Resolution 19-2006 – Appointing Sub-Code Officials and Deputy Court Administrator

These were offered and moved for adoption by Council member Nolan, seconded by Council member Fligor and was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

**RESOLUTION 15-2006, DESIGNATING OFFICIAL NEWSPAPERS**

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

Council member Ladiana stated she could not support the Herald because of its inability to maintain a non-partisan representation of the Borough and does not believe it is a newspaper.

Council member Spatola offered her support as a hometown newspaper for this Borough.

Council member Fligor stated that he supports it because it is local business and we need to support our local businesses.

Council member Archibald feels they all have done an excellent job for the Borough and deserve to be our designated newspapers, and sees no reason to single out any individual business.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola

NAYS: Council members Ladiana

There was discussion on proposed Ordinance 1-2006, setting the salary ranges for Borough employees. Mayor Donoghue called for a motion to introduce this Ordinance and none came forth. It was agreed that members of the Governing Body would consider this at a future meeting after further review.

**ANNUAL MAYOR'S MESSAGE PRESENTED BY ATLANTIC HIGHLANDS**

**MAYOR PETER E. DONOGHUE**

I would like to reiterate my congratulations to the two men who were sworn in today to terms on this Council -- Jack Archibald and Peter Doyle. I trust they will throw themselves into the continuing effort to make our town a better place.

At the same time, I would like to publicly thank outgoing Councilman Steve Noonan for his hard work over the last eight months.

As you know, the change in the political majority at this table has resulted in some contentious discussions over appointments. These political debates are to be expected ... but not necessarily welcomed.

As a result of this political change, several highly qualified and experienced professionals such as our attorney, our engineer, our auditor and our compassionate public defender will not be with us in 2006. I congratulate and thank Janice Miller, Kathy Elliott, Tom Fallon and Ray Raya for their dedicated, productive -- and moderately priced -- work on behalf of the borough. Their departures constitute a great loss for our town.

At the same time, I welcome their successors and look forward to working with them.

Regrettably, politics has from time to time inhibited the conduct of the town's business. I hope there will be less of it this year in the service of the family that is our borough.

It is time for all of us here to pledge to work together. We must continue what has been a very productive and promising past two years. It is essential that all members of this Council pull together starting now.

I am happy to say that the year 2005 produced considerable progress despite the stress caused by the illness and subsequent death of Borough Administrator John Phair, and the resignation of our chief financial officer.

Perhaps the most important appointment I have made since taking office was the hiring of Adam Hubeny, a dedicated and hard-working local resident, as our new borough administrator. Already Adam has accomplished a lot by devoting his wealth of experience -- and untold hours -- to his new job.

Also a big plus has been the hiring of Dawn Babcock as our CFO, who has brought a heightened professionalism to the job.

As they say, progress has been our most important product. And in 2005 we made plenty.

First and foremost, we got state commitments to provide us with the necessary money to prevent condominiums on the waterfront Giuliani and McConnell properties and to preserve the land for public use.

And since these promises some months ago, I am happy to say that even more money has been pledged from other sources.

Acquiring these waterfront treasures for our town is a major undertaking and there will be bumps in the road along the way. But we are proceeding speedily to acquire those two tracts as soon as possible.

Connected to this effort, you should know that we have completed and submitted on time our plan to meet our state affordable housing obligations ... without having to allow waterfront building.

Furthermore, in 2005:

- \* We increased the harbor's return to the town to its highest level ever -- about \$1 million -- to offset property taxes.

- \* We got \$300,000 more from the state to continue the First Avenue Streetscape program.

- \* We got almost \$150,000 from the state to upgrade electrical service at the harbor.

- \* We voted to replace outdated and inaccurate water meters.

- \* We received a large grant to help fund our fight against storm water infiltration into our sewer system.

- \* We put in place the Length of Service Awards Program for emergency volunteers.

- \* We initiated a spatial needs study of our aging Borough Hall with the goal of providing additional needed space for our police department and library.

- \* We budgeted \$500,000 toward a new library.

- \* We put in place pay-to-play ordinances as evidence of our commitment to maintaining the highest ethical standards in our borough.

Rest assured that as a result of these activities -- and many more -- the State of the Borough is excellent.

These accomplishments are evidence of an administration working for the people. And I can guarantee you that this hard work on your behalf will continue ... through the efforts of our administrator, this Council, many volunteers and all your borough employees.

Sadly, we have not made the kind of progress we all want to reduce political bickering -- and to increase civility at this table, in the audience and at election time. Horrible things have been said about our neighbors -- which is no way to strengthen this community family -- and it needs to stop.

It has been said that three of the most important things in life are Love, Hope and Charity.

Although politics and government don't always lend themselves to Love, it is worth a try. And certainly

Hope for a better life for the citizens of our town is something we all want.

Charity should be an easy goal to achieve ... if we devote ourselves to doing what it takes ... and what is right.

Charity, of course, doesn't just mean giving to those in need, although that is extremely important.

Charity does mean giving those we disagree with the benefit of the doubt, and not jumping to criticize everything we don't endorse.

Charity means exhibiting patience even in the face of annoyance.

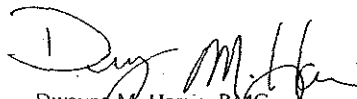
Charity means acting maturely and civilly even in the face of provocation, real or imagined.

Charity means love for our fellow man.

**ADJOURN** - There being no further business before the Mayor & Council Rev. Joyce Smothers of the First Presbyterian Church delivered the Closing Prayer and Benediction.

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The Mayor and Council approved these Minutes on February 08, 2006.



Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 1-2006

### ELECTION OF COUNCIL PRESIDENT

WHEREAS, it is necessary that a member of the Council be elected President of said Council, to fulfill the duties of the Mayor during his absence, for the year ending December 31, 2006, and until his successor is appointed and confirmed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that Louis Fligor is hereby elected Council President.

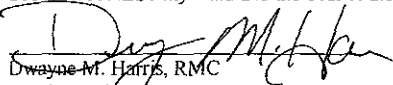
This Resolution was offered and moved by Council member Archibald, seconded by Council member Ladiana and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 02-2006

### RESOLUTION CONTINUING APPOINTMENT OF ADMINISTRATOR

WHEREAS, Borough Administrator Adam Hubeny was appointed pursuant to N.J.S.A. 40A: 9-137 by Resolution 162-2005, and pursuant to said statute this appointment is without a specific term and serves at the pleasure of the Borough Governing Body, and

WHEREAS, it is recommended by the Borough Attorney that this resolution be adopted to continue the appointment of Adam Hubeny as Borough Administrator to serve as per N.J.S.A. 40A: 9-137.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands that the appointment of Adam Hubeny as Borough Administrator as per N.J.S.A. 40A: 9-137 is continued.

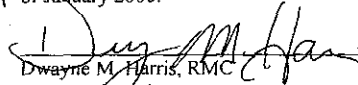
This Resolution was offered and moved by Council member Nolan, seconded by Council member Ladiana and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 03-2006

### APPOINTMENT OF MUNICIPAL ATTORNEY

WHEREAS, N.J.S.A 40A: 9-139 requires the appointment of a Municipal Attorney; and,

WHEREAS, Janice Davis Miller, ESQ., is an attorney licensed by the State of New Jersey who is experienced with municipal law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Janice Davis Miller, Esq. has filed the requisite Business Entity Disclosure Certification attesting that Miller, Gaudio, Bowden & Arnett, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Janice Davis Miller or Miller, Gaudio, Bowden & Arnett make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Janice Davis Miller, Esq. for Professional services as Municipal Attorney for the one-year term of January 1, 2006 to December 31, 2006, and until her successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.


This Resolution was offered and moved by Council member Ladiana, seconded by Council member Nolan and was defeated on January 1, 2006 as follows:

AYES: Council members Ladiana and Nolan

NAYS: Council members Archibald, Doyle, Fligor and Spatola

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 20-2006

## APPOINTMENT OF MUNICIPAL ATTORNEY

WHEREAS, N.J.S.A 40A: 9-139 requires the appointment of a Municipal Attorney; and,

WHEREAS, Bernard Reilly, ESQ., is an attorney licensed by the State of New Jersey who is experienced with municipal law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Bernard Reilly, Esq. has filed the requisite Business Entity Disclosure Certification attesting that Dowd & Reilly, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Bernard Reilly or Dowd & Reilly make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Bernard Reilly, Esq. for Professional services as Municipal Attorney for the one-year term of January 1, 2006 to December 31, 2006, and until her successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

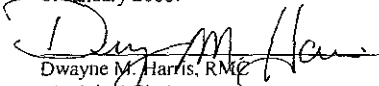
This Resolution was offered and moved by Council member Fligor, seconded by Council member Spatola and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council members Ladiana and Nolan

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 4-2006 APPOINTMENT OF MUNICIPAL ENGINEER

WHEREAS the resignation of Katherine Elliot, PE, CME, PP, and Birdsall Engineering Inc, as Engineers for the Borough of Atlantic Highlands has created a vacancy; and,

WHEREAS, N.J.S.A 40A:9-140 requires the appointment of a Municipal Engineer for the Borough of Atlantic Highlands and N.J.S.A 40A:11-15 provides for a contract term of three years; and,

WHEREAS, Robert Bucco, is an engineer licensed by the State of New Jersey who is experienced with municipal engineering; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Robert Bucco, has filed the requisite Business Entity Disclosure Certification attesting that T & M Associates, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Robert Bucco and T & M Associates, make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Robert Bucco, Esq. for Professional services as Municipal Attorney for the one-year term of January 1, 2006 to December 31, 2006, and until her successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

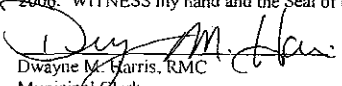
This Resolution was offered and moved by Council member Spatola, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council member Ladiana and Nolan

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk





## RESOLUTION 05-2006 APPOINTMENT OF AUDITOR

WHEREAS, there exists a need for the service of an Registered Municipal Accountant, to serve as the Auditor for the Borough of Atlantic Highlands; and,

WHEREAS, Thomas Fallon, a Registered Municipal Accountant licensed by the State of New Jersey is experienced with municipal accounting; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Thomas Fallon has filed the requisite Business Entity Disclosure Certification attesting that Fallon & Fallon, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Thomas Fallon or Fallon & Fallon make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office, of the Borough of Atlantic Highlands, when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Thomas Fallon for services as Auditor for the one-year term of January 1, 2006 to December 31, 2006, and until his successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

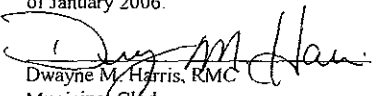
This Resolution was offered and moved by Council member Ladiana, seconded by Council member Nolan and was defeated on January 1, 2006 as follows:

AYES: Council members, Ladiana and Nolan

NAYS: Council members Archibald, Doyle, Fligor and Spatola

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 21-2006 APPOINTMENT OF AUDITOR

WHEREAS, there exists a need for the service of an Registered Municipal Accountant, to serve as the Auditor for the Borough of Atlantic Highlands; and,

WHEREAS, Eugene Farrell, a Registered Municipal Accountant licensed by the State of New Jersey is experienced with municipal accounting; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Eugene Farrell has filed the requisite Business Entity Disclosure Certification attesting that Hutchinson, Farrell, Meyer & Allison, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Eugene Farrell or his firm Hutchinson, Farrell, Meyer & Allison make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office, of the Borough of Atlantic Highlands, when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Eugene Farrell for services as Auditor for the one-year term of January 1, 2006 to December 31, 2006, and until his successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

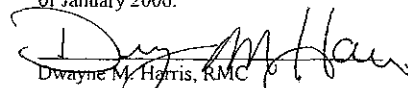
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor and Spatoia.

NAYS: Council members Ladiana and Nolan

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 06-2006 APPOINTMENT OF BOND COUNSEL

WHEREAS, there exists a need for the service of Bond Counsel for the Borough of Atlantic Highlands; and,

WHEREAS, John Drakowicz, Esq., an attorney licensed by the State of New Jersey who is experienced with municipal bond law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, John Drakowicz has filed the requisite Business Entity Disclosure Certification attesting that Gibbons, Del Deo, Dolan, Griffinger & Vecchione, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will John Drakowicz or his firm, Gibbons, Del Deo, Dolan, Griffinger & Vecchione make a reportable contribution, during the term of the contract, to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with John Drakowicz, Esq. for services as Bond Counsel for the one-year term of January 1, 2006 to December 31, 2006, and until his successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

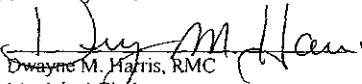
This Resolution was offered and moved by Council member Archibald, seconded by Council member Doyle and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola

NAYS: Council member Ladiana

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 07-2006

### APPOINTMENT OF MUNICIPAL PROSECUTOR AND ALTERNATE

WHEREAS, there exists a need for the service of a Municipal Prosecutor and Alternate for the Borough of Atlantic Highlands; and,

WHEREAS, Sean F. Byrnes, Esq. and Jonathan Tenenbaum, Esq. are attorneys licensed by the State of New Jersey who are experienced with municipal law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Sean F. Byrnes, Esq. has filed the requisite Business Entity Disclosure Certification attesting that Sean F. Byrnes, Esq., their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Sean F. Byrnes, Esq. or Jonathan Tenenbaum make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Sean F. Byrnes, Esq., for services as Municipal Prosecutor, and Jonathan Tenenbaum, Esq., as Alternate, for the one year term of January 1, 2006 to December 31, 2006, and until their successors are appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

This Resolution was offered and moved by Council member Nolan, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council member

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 08-2006 APPOINTMENT OF PUBLIC DEFENDER

WHEREAS, there exists a need for the service of a Public Defender for the Borough of Atlantic Highlands; and,

WHEREAS, Raymond Raya, Esq., an attorney licensed by the State of New Jersey who is familiar and experienced with municipal defense law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Raymond Raya, Esq. has filed the requisite Business Entity Disclosure Certification attesting that Raymond Raya, Esq., their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Raymond Raya, Esq. make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

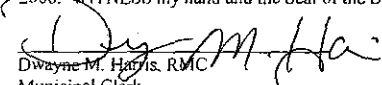
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Raymond Raya, Esq., for services as Public Defender for the one-year term of January 1, 2006 to December 31, 2006, and until his successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

This Resolution was offered and moved by Council member Nolan, seconded by Council member Ladiana and was defeated on January 1, 2006 as follows:

AYES: Council members Ladiana and Nolan  
NAYS: Council members Archibald, Doyle, Fligor and Spatola  
ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 22-2006 APPOINTMENT OF PUBLIC DEFENDER

WHEREAS, there exists a need for the service of a Public Defender for the Borough of Atlantic Highlands; and,

WHEREAS, Arthur Sorensen, Esq. is an attorneys licensed by the State of New Jersey who is familiar and experienced with municipal defense law; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Arthur Sorensen, Esq., and have filed the requisite Business Entity Disclosure Certification attesting that Arthur Sorensen, Esq., his subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Arthur Sorensen, Esq., make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Arthur Sorensen, Esq., for services as Public Defender to December 31, 2006, and until his successor is appointed and confirmed.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

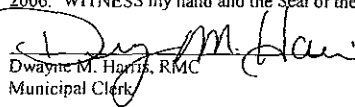
This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council members Ladiana and Nolan

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 09-2006 APPOINTMENT OF POLICE PHYSICIAN

WHEREAS, there exists a need for the service of a Police Physician for the Borough of Atlantic Highlands; and,

WHEREAS, Dr. Srinivasa Movva is a physician licensed by the State of New Jersey familiar with this Borough; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Dr. Srinivasa Movva has filed the requisite Business Entity Disclosure Certification attesting that Dr. Srinivasa Movva, their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Dr. Srinivasa Movva make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, funds are or will be available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Dr. Srinivasa Movva for services as Police Physician for the one-year term of January 1, 2006 to December 31, 2006, and until his successor is appointed and confirmed.

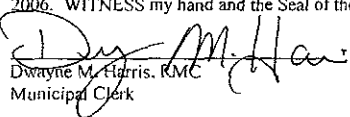
This Resolution was offered and moved by Council member Doyle, seconded by Council member Spatola and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council member

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 10-2006

### APPOINTMENT OF PUBLIC WORKS DIRECTOR

WHEREAS, N.J.S.A 40A:9-154.6a, et seq., requires the appointment of a Principal Public Works Manager for the Borough of Atlantic Highlands and that the person appointed shall hold a state issued Public Works Manager Certificate; and,

WHEREAS, it also provides that the designation of Principal Public Works Manager shall designate the performance of duties and not be considered a separate position or title; and,

WHEREAS, Robert J. Dougherty has been a public works manager for the Borough for over eleven years and holds NJ Certified Public Works Manager Certificate M0603.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that the appointment of Robert J. Dougherty as Public Works Director is made for the term of January 1, 2006 through December 31, 2006.

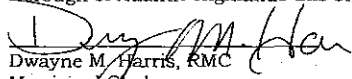
This Resolution was offered and moved by Council member Ladiana, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council member

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk





## RESOLUTION 11-2006

### APPOINTMENT OF THERESA RADIGAN CODE ENFORCEMENT OFFICER

WHEREAS, Ordinance #45-94 of the Borough of Atlantic Highlands has established the position of Code Enforcement Officer, to perform all of the duties set forth in the Development Regulations of the Borough of Atlantic Highlands; and,

WHEREAS, Theresa Radigan had been appointed under Resolution 165-2005 to act in the capacity of Code Enforcement Officer until December 31, 2005; and,

WHEREAS, N.J.S.A 40A: 60-5 provides that the Mayor nominate, and with the advice and consent of Council, appoint all subordinate officers of the Borough; and,

WHEREAS, the Mayor has offered the nomination of Theresa Radigan as Code Enforcement Officer for the Borough of Atlantic Highlands,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey that the appointment of Theresa Radigan as the Borough Code Enforcement Officer for the four-year term of January 1, 2006 to December 31, 2009, and until her successor is appointed, is hereby confirmed.

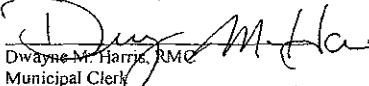
This Resolution was offered and moved by Council member Nolan, seconded by Council member Archibald and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatoia

NAYS: Council member

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 12-2006

### APPOINTMENT/ASSIGNMENT OF DUTIES- MUNICIPAL OFFICIALS

WHEREAS, N.J.S.A. 40A: 60-5 provides that the Mayor nominate, and with the advice and consent of Council, appoint all subordinate officers of the Borough; and,

WHEREAS, it is necessary to designate certain duties and assignments for 2005 to comply with the Statutes, Administrative Code and directives of the State of New Jersey, County and other requirements; and,

WHEREAS, the Mayor has offered the following nominations for the offices and assignment of duties,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following appointments and assignment of duties are hereby made and approved for the calendar year of 2006 or other term listed:

Clean Communities Development Coordinator	Joe Reynolds
Community Development Coordinator Alternate	Adam Hubeny Dwayne M. Harris
Fire Marshal Deputy Fire Marshal Deputy Fire Marshal	Martin Hawley Paul Murphy XXXXXXXXXX
Geographic Information Systems Coordinator	Dwayne M. Harris
Grant Coordinator	Adam Hubeny
JIF Insurance Commissioner	Elizabeth Merkel
JIF Safety Coordinator	Capt. John Amici
Public Agency Compliance Officer	Adam Hubeny
Recycling Coordinator	David Hurley
Searcher:[12] for Municipal Improvements for Municipal Taxes	Dwayne M. Harris Catherine Hendrickson
Special Police Officer Type 1	Paul Eremus III John Wankle III Daniel Stokes Tomas King Nicholas Rybakowski Catherine Hendrickson
Deputy Tax Collector	

[6-month term ending 06/30/2006]

Treasurer

Dawn Babcock

Designated Purchasing Agent

Dwayne M. Harris

**COUNCILMEMBER APPOINTMENTS (1-year term.)**

**Council Committees**

**Buildings & Grounds:** ..... Stephanie Ladiana, Chair  
..... Peter Doyle

**Finance, Personnel & Insurance:** ..... Peter Doyle, Chair  
..... Louis Fligor  
..... Stephanie Ladiana

**Fire, Emergency Services:** ..... Carl Nolan, Chair  
..... Kim Spatola

**Police:** John Archibald, Commissioner  
..... Kim Spatola

**Public Works, Streets and Sanitation:** ..... Kim Spatola, Chair  
..... John Archibald

**Water & Sewer:** Louis Fligor, Chair .....  
..... Carl Nolan

**Council Representatives**

**Cable TV Advisory Committee:** Peter Donoghue, Mayor,

**Emergency Management:** ..... Peter Donoghue, Mayor

**Environmental Commission:** ..... Stephanie Ladiana  
..... John Archibald

**Library Board:** Carl Nolan  
..... Kimberly Spatola

**Recreation Committee Rep:** ..... Kim Spatola, Chair  
**(Includes Youth Committee)** ..... Jack Archibald

**Route 36 Fields Committee:** ..... Peter Donoghue, Mayor  
..... Jack Archibald

**Senior Citizens Recreation Board:** ..... Jack Archibald

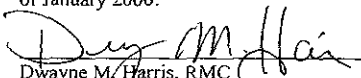
This Resolution was offered and moved by Council member Nolan, seconded by Council member Ladiana and was defeated on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council members Ladiana and Nolan

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 023-2006

## APPOINTMENT/ASSIGNMENT OF DUTIES- MUNICIPAL OFFICIALS

WHEREAS, N.J.S.A. 40A: 60-5 provides that the Mayor nominate, and with the advice and consent of Council, appoint all subordinate officers of the Borough; and,

WHEREAS, it is necessary to designate certain duties and assignments for 2005 to comply with the Statutes, Administrative Code and directives of the State of New Jersey, County and other requirements; and,

WHEREAS, the Mayor has offered the following nominations for the offices and assignment of duties,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following appointments and assignment of duties are hereby made and approved for the calendar year of 2006 or other term listed:

Clean Communities Development Coordinator	Joe Reynolds
Community Development Coordinator Alternate	Adam Hubeny Dwayne M. Harris
Fire Marshal Deputy Fire Marshal Deputy Fire Marshal	Martin Hawley Paul Murphy XXXXXXXXXX
Geographic Information Systems Coordinator	Dwayne M. Harris
Grant Coordinator	Adam Hubeny
JIF Insurance Commissioner	Elizabeth Merkel
JIF Safety Coordinator	Capt. John Amici
Public Agency Compliance Officer	Adam Hubeny
Recycling Coordinator	David Hurley
Searcher of Assessments:[d2] for Municipal Improvements for Municipal Taxes	Dwayne M. Harris Catherine Hendrickson
Special Police Officer Type 1	Paul Eremus III John Wankle III Daniel Stokes Tomas King Nicholas Rybakowski
Deputy Tax Collector	Catherine Hendrickson
Treasurer	Dawn Babcock
Designated Purchasing Agent	Dwayne M. Harris

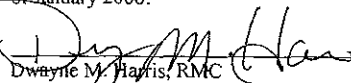
This Resolution was offered and moved by Council member Archibald, seconded by Council member Nolan and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council member

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



**RESOLUTION 024-2006**  
**COUNCILMEMBER APPOINTMENTS**  
 (1-year terms)

**Council Committees**

*Buildings & Grounds:* ..... Stephanie Ladiana, Chair  
 ..... Peter Doyle

*Finance, Personnel & Insurance:* ..... Peter Doyle, Chair  
 ..... Carl Nolan  
 ..... Kim Spatola

*Fire, Emergency Services:* ..... Kim Spatola, Chair  
 ..... Peter Doyle

*Police:* ..... John Archibald, Commissioner  
 ..... Carl Nolan

*Public Works, Streets and Sanitation:* ..... Peter Doyle, Chair  
 ..... Stephanie Ladiana

*Water & Sewer:* ..... Carl Nolan, Chair  
 ..... Louis Fligor

**Council Representatives**

*Cable TV Advisory Committee:* ..... Peter Donoghue, Mayor,

*Emergency Management:* ..... Peter Donoghue, Mayor

*Environmental Commission:* ..... Stephanie Ladiana  
 ..... John Archibald

*Library Board:* ..... Carl Nolan  
 ..... Kimberly Spatola

*Recreation Committee Rep:* ..... Kim Spatola, Chair  
 (*Includes Youth Committee*) ..... Jack Archibald

*Route 36 Fields Committee:* ..... Peter Donoghue, Mayor  
 ..... Jack Archibald

*Senior Citizens Recreation Board:* ..... Jack Archibald

This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola  
 NAYS: Council member  
 ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
 Dwayne M. Harris, RMC  
 Municipal Clerk



# RESOLUTION 13-2006

## APPOINTMENTS-AUTHORITY, BOARDS, COMMISSIONS, COMMITTEES

WHEREAS, N.J.S.A 40A:60-5 provides that the Mayor nominate, and with the advice and consent of Council, appoint all subordinate officers of the Borough; and,

WHEREAS, the Mayor has offered the following nominations for the offices and terms shown,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following appointments and terms are hereby confirmed.

### HARBOR COMMISSION

REGULAR MEMBER: Jacob Hoffman- 5 years, ending 12/31/10

Council Representatives- 1 year ending, 12/31/06

Louis Fligor

Peter Doyle

### PLANNING BOARD

CLASS III MEMBER, COUNCILMEMBER:

Louis Fligor – 1 year, ending 12/31/06

### RECREATION COMMITTEE: - (3 Regular Members)

REGULAR MEMBERS: 3 years, ending 12/31/08

John DeBoer

Mary Lynn Hughes

REGULAR MEMBER – 2 year (Unexpired Term), ending 12/31/07

Tracey Cavanaugh

ASSOCIATE MEMBER: – 1 year ending 12/31/06

Betsy Safara

Jacqui Hillman

Kelly Tomblin

STUDENT REPRESENTATIVES: 1 year, ending 12/31/06

Amy Grogan

Jay Engelken

### YOUTH COMMITTEE:

YOUTH COORDINATOR: 1 year, ending 12/31/06

Jacqui Hillman

YOUTH MEMBERS: 1 year, ending 12/31/06

Amy Grogan

Lisa McDonald

Jamie McDonald

Kaely Hall

R.J. Clawson

Jay Engelken

Erin Kennedy

Stephanie Hawley

Cathy Leshar

Jennifer Kelly

Christy Boyd

Nicole Kangos

Cristin Engelken

Justin DaConceocao

Ryann Lynch

### RENT LEVELING BOARD

REGULAR MEMBERS: 3 years, ending 12/31/08

Karen Duda

David Palamara

LANDLORD MEMBER- 3 Years, ending 12/31/08

Dina Rovere,

### ATLANTIC HIGHLANDS/ HIGHLANDS REGIONAL SEWERAGE AUTHORITY

No Appointments Due

SENIOR CITIZEN COMMITTEE

REGULAR MEMBERS: 1 year, ending 12/31/06

Lois Young	Muriel Ringhauser
Angie Castagnio	Dolores Vasto
Vera Jones	John Roma

EMERGENCY MANAGEMENT OFFICIALS

COORDINATOR- 3 years ending, December 31, 2008

Adam Hubeny

DEPUTY COORDINATORS- 3 years, ending December 31, 2008

Peter E. Donoghue, Mayor	Police Chief Vasto
Police Capt. John Amici	Martin Hawley, Fire Marshall
Russell Mount III	Jane Frotton
Richard Faller	Mark Orlando

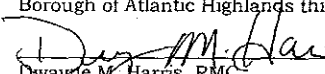
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola

NAYS: Council members Ladiana

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## Resolution 14-2006

### COUNCIL MEETING SCHEDULE - ANNUAL NOTICE

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) provides for the giving of annual notice by public bodies of the time, date and location of the meetings of such public body to be held during the succeeding year; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that Regular and Workshop meetings of the Borough Council will be held during the year 2006 at the Atlantic Highlands Municipal Building, 100 First Avenue, Atlantic Highlands, New Jersey 07716, on the following dates and times:

1. Regular meetings shall be held at 7:30 P.M. on the following dates:

January 11 & 25	July 12 & 26
February 8 & 22	August 16
March 8 & 22	September 13 & 27
April 12 & 26	October 11 & 25
May 10 & 24	November 8 & 29
June 14 & 28	December 13

Formal action will be taken at all Regular meetings. Public comment will be permitted at designated periods at the Regular meetings. Executive Sessions closed to the public may be held to discuss matters authorized for closed session under N.J.S.A. 10:4-12. Prior to each Executive Session, the Borough Council will convene in open session at which time a resolution will be adopted in accord with N.J.S.A. 10:4-13. Regular meetings may be adjourned, rescheduled, or held on different dates providing such are duly noticed as provided by law.

2. The Reorganization Meeting for 2007 shall be held at 12 noon on January 1, 2007 in the Municipal Building, 100 First Avenue, Atlantic Highlands, New Jersey
3. The Municipal Clerk shall post this "Annual Notice" on the official bulletin board in the Municipal Building, transmit it to the Asbury Park Press and the Courier, and file this notice in the Office of the Municipal Clerk of Atlantic Highlands, all in accordance with the "Open Public Meetings Law."

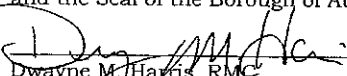
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatoia

NAYS: Council members

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk





## RESOLUTION 15-2006

### OFFICIAL NEWSPAPERS FOR ALL MUNICIPAL NOTICES AND ADVERTISING

WHEREAS, N.J.S.A 40:53-2 requires that all ordinances or other public notices which any municipality, except cities, may be required by any law to publish, where the manner of publication is not otherwise specifically provided for, shall be published in at least one newspaper published and circulating in the municipality; and,

WHEREAS, N.J.S.A 40:53-1 provides that the governing body of every municipality may designate an official newspaper or newspapers for the publication of all advertisements and notices required by law to be published by the municipality,

THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that the Asbury Park Press, The Courier, The Two River Times and the Atlantic Highlands Herald be designated as the official newspapers for the advertising of all ordinances and other public notices which the municipality may be required by any law to publish, for the year ending December 31, 2006.

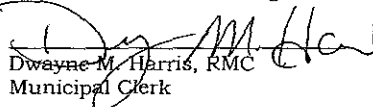
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Nolan and Spatola

NAYS: Council members Ladiana

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 16-2006

## SETTING GRACE PERIOD, INTEREST RATES AND POLICY FOR TAXES AND MUNICIPAL CHARGES FOR 2006

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes or assessments as provided by law; and,

WHEREAS, any unpaid taxes and municipal charges constitute an unfair burden on those taxpayers who pay their taxes and municipal charges in a timely manner and delinquent taxpayers should be required to carry their share of the tax burden; and,

WHEREAS, N.J.S.A. 40A:5-17.1 allows for the cancellation of property tax delinquent amounts or refunds in the amounts of less than \$10 and allows the Governing Body to authorize a municipal employee to process this cancellation at the end of the tax year,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the tax year 2005 is closed effective December 31, 2005 and that property taxes shall be due and payable quarterly on February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup> and November 1<sup>st</sup> for the year 2006, with a ten-day grace period, after which dates, if unpaid, shall become delinquent, with interest charged as set forth below and reverting back to the due date on any quarterly installment of taxes. The Tax Collector is hereby authorized and directed to charge, subject to any abatement or discount for the late payment of taxes as provided by law:

1. Eight percent (8%) per annum on the first \$1,500 of taxes delinquent after due date; and,
2. Eighteen percent (18%) per annum on any amount in excess of \$1,500 delinquent after due date; and,
3. An additional penalty of six percent (6%) shall be added to any taxes, interest and municipal charges in excess of \$10,000 that remain unpaid at the end of any calendar year. This shall be calculated on the sum of all taxes from year to year and not on an individual year basis.
- 4.

BE IT FURTHER RESOLVED that the tax collector is authorized and directed to hold a tax sale for any unpaid prior year taxes, interest and other municipal charges; and,

BE IT FURTHER RESOLVED that the Tax Collector is authorized to cancel said tax amounts as deemed necessary; and,

BE IT FINALLY RESOLVED that this Resolution shall be published in its entirety once in The Courier and that a certified copy of this Resolution shall be provided to the Tax Collector and Borough Auditor.

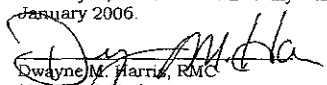
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 17-2006

## CASH MANAGEMENT PLAN

WHEREAS, it is in the best interest of the Borough of Atlantic Highlands to earn additional revenue through the investment and prudent management of its cash receipts; and,

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and,

WHEREAS, this law requires that each local unit shall adopt a Cash Management Plan,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey that the following shall constitute the Cash Management Plan for the Borough of Atlantic Highlands and the Borough of Atlantic Highlands shall deposit and manage its funds pursuant to this plan:

### DEFINITIONS

1. Chief Financial Officer shall mean the person appointed pursuant to section 5 of P.L.1988, c.110 (C. 40A: 9-140.10).
2. Fiscal Year shall mean the period for which a local unit adopts a budget, as required pursuant to the "Local Budget Law," N.J.S.40A:4-1 et seq.
3. Cash Management Plan, pursuant to N.J.S.A. 40A:5-14, each local unit shall adopt a cash management plan and shall deposit, or invest, or both deposit and invest, its funds pursuant to that plan.

### DESIGNATION OF DEPOSITORIES

The following financial institutions are designated official depositories:

Wachovia Bank  
Commerce National Bank  
Bank of America  
Valley National Bank  
Two River Community Bank

Designated official depositories are required to submit to the Chief Financial Officer of the Municipality a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said notices must be available for annual audit.

### DEPOSIT OF FUNDS

All funds shall be deposited within forty-eight hours of receipt to maximize interest earnings.

Operating funds shall be deposited into interest bearing accounts to maximize interest earnings. Capital and debt service funds may be deposited into interest bearing accounts. Trust Funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the Developer's Escrow deposits. Non-interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal Laws prohibit the earning of interest on such funds.

### AUTHORIZING SIGNATURES ON CHECKS

The following Borough Officials are hereby authorized to sign checks where a combination of three (3) principal signatures is required:

Mayor  
Council President  
Borough Administrator  
Municipal Clerk  
Chief Financial Officer  
Deputy Clerk

Peter E. Donoghue  
Louis Fligor  
Adam Hubeny  
Dwayne M. Harris  
Dawn Babcock  
Elizabeth Merkel

**AUDIT REQUIREMENT**

The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A.40A:5-4.

**AUTHORITY TO INVEST**

The Governing Body shall pass a resolution at its first meeting of the fiscal year designating the Chief Financial Officer who shall make and be responsible for the municipal deposits and investments.

**INVESTMENT INSTRUMENTS**

The Chief Financial Officer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

**REPORTING PROCEDURES**

The Chief Financial Officer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.

At a minimum the Chief Financial Officer shall:

Keep a record of all investments.

Keep a cash position record, which reveals, on a daily basis, the status of the cash in its bank accounts.

Confirm investments with the Governing Body at the next regularly scheduled meeting.

Report monthly to the Governing Body as to the status of cash balances in the bank accounts, revenue collection, interest rates and interest earned.

**CASH FLOW**

The Chief Financial Officer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.

All monies, shall be turned over to the Chief Financial Officer and deposited in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer is authorized and directed to invest surplus funds of the Borough of Atlantic Highlands as the availability of the funds permit. In addition, it shall be the responsibility of the Chief Financial Officer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Atlantic Highlands.

The Chief Financial Officer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

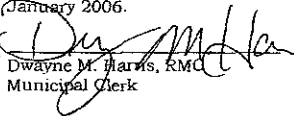
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 18-2006

### YEAR 2006 TEMPORARY MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2006 Municipal Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and,

WHEREAS, the date of this resolution is within the first thirty (30) days of January, 2006; and,

WHEREAS, the total appropriations in the 2005 Municipal Budget, exclusive of any appropriations made for Public Assistance, Municipal Debt Service and Capital Improvement Fund is \$9,969,883.55; and,

WHEREAS, 26.25% of the total appropriations in the 2005 Municipal Budget, exclusive of any appropriations made for Public Assistance, Municipal Debt Service and Capital Improvement Fund is \$2,617,094.43;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that in the following temporary appropriations be made and that a certified copy of this resolution be sent to the Chief Financial Officer:

#### GENERAL GOVERNMENT

Administrative and Executive	
Salaries and Wages	\$ 11,000.00
Other Expenses	10,000.00
Human Resources	
Salaries and Wages	2,000.00
Mayor and Council	
Salaries and Wages	5,625.00
Other Expenses	1,000.00
Municipal Clerk	
Salaries and Wages	19,000.00
Other Expenses	2,500.00
Financial Administration	
Salaries and Wages	14,000.00
Other Expenses	5,000.00
Computerized Data Processing	
Other Expenses	9,000.00
Revenue Administration	
Salaries and Wages	18,000.00
Other Expenses	3,000.00
Tax Assessment Administration	
Salaries and Wages	10,000.00
Other Expenses	1,000.00
Legal Fees	
Salaries and Wages	8,000.00
Other Expenses	10,000.00
Engineering Fees	
Other Expenses	3,000.00
Planning Board	
Salaries and Wages	2,500.00
Other Expenses	5,000.00
Master Plan	5,000.00
C.O.A.H. Planner	
Other Expenses	4,000.00
Affordable Housing	
Other Expenses	4,000.00
Police	
Salaries and Wages	380,000.00
Other Expenses	25,000.00
Emergency Management	
Other Expenses	1,000.00
Aid to Volunteer Fire Department	

Other Expenses	20,000.00
Uniform Fire Safety Act	
Other Expenses	300.00
Municipal Prosecutor's Office	
Salaries and Wages	5,000.00
Municipal Court	
Salaries and Wages	24,000.00
Other Expenses	3,000.00
Public Defender	
Salaries and Wages	1,000.00
Other Expenses	100.00
Streets and Road Maintenance	
Salaries and Wages	56,000.00
Other Expenses	9,000.00
Other Public Works Functions	
Other Expenses	3,125.00
Solid Waste Collection	
Salaries and Wages	40,000.00
Other Expenses	10,000.00
Buildings and Grounds	
Salaries and Wages	12,000.00
Other Expenses	15,000.00
Vehicle Maintenance	
Salaries and Wages	18,000.00
Other Expenses	5,000.00
Animal Control	
Other Expenses	1,000.00
Recreation Services and Programs	
Other Expenses	10,000.00
Municipal Library	
Salaries and Wages	20,000.00
Other Expenses	1,100.00
Safety/Right to Know	
Other Expenses	500.00
Hepatitis "B" Shots	1,000.00
Environmental Commission	
Other Expenses	500.00
Electricity	
Other Expenses	21,000.00
Street Lighting	
Other Expenses	26,000.00
Telephone	
Other Expenses	7,500.00
Telecommunications Expense	
Other Expenses	4,300.00
Gas	
Other Expenses	6,000.00
Gasoline	
Other Expenses	10,000.00
Landfill/Solid Waste Disposal Costs	
Other Expenses	76,000.00
Uniform Construction Code Enforcement	
Salaries and Wages	21,000.00
Other Expenses	1,000.00
Other Code Enforcement Functions	
Salaries and Wages	6,000.00
Other Expenses	3,000.00
Contingent	10,700.00

**STATUTORY EXPENDITURES**

Contributions to:	
Social Security System (OASI)	30,000.00
Public Employees' Retirement System	3,683.67
Police and Firemen's Retirement System	60,000.00
Consolidated Police and Firemen's Pension Fund	106.00

**GENERAL GOVERNMENT outside "CAPS"**

Fire Department (Uniform Fire Safety)	1,500.00
Other Insurance - Surety Bonds	
Other Expenses	2,300.00
Liability Insurance	
Other Expenses	13,500.00
Workers Compensation Insurance	
Other Expenses	44,500.00
Employee Group Insurance	
Other Expenses	134,000.00
NJDEPE Stormwater	
Other Expenses	4,000.00
Gasoline - HHRSD	
Other Expenses	6,000.00
<b>TOTAL CURRENT FUND</b>	<b>\$1,306,339.67</b>

**WATER and SEWER UTILITY:**

Operating	
Salaries and Wages	\$115,000.00
Other Expenses	45,000.00
Bank Fees	1,200.00
Insurance	
Workers' Compensation Insurance	13,400.00
Insurance Other	4,050.00
Group Insurance	18,000.00
Surety Bond	500.00
Treatment Costs	
Atlantic Highlands/Highlands	
Sewerage Authority	210,000.00
Statutory Expenditures	
Contributions to:	
Social Security System (OASI)	9,000.00
Public Employees' Retirement System	2,100.00
<b>TOTAL WATER-SEWER UTILITY</b>	<b>\$418,250.00</b>

**HARBOR UTILITY:**

Operating	
Salaries and Wages	\$360,000.00
Other Expenses	100,000.00
Bank Fees	1,200.00
Gas Station Operations	
Other Expenses	200,000.00
Insurance	
Workers' Compensation Insurance	32,000.00
Other Liability Insurance	48,000.00
Group Insurance	80,000.00
Statutory Expenditures	
Contributions to:	
Social Security System (OASI)	30,000.00
Public Employees' Retirement System	6,000.00
Police and Firemen's Retirement System	11,800.00
<b>TOTAL HARBOR UTILITY</b>	<b>\$869,000.00</b>

**TOTAL ALL TEMPORARY APPROPRIATIONS**  
**SUBJECT TO PROVISION OF N.J.S.A. 40A:4-20 \$ 2,593,589.67**

**TEMPORARY APPROPRIATIONS NOT SUBJECT TO N.J.S.A. 40A:4-20**

**CURRENT FUND BUDGET**

Debt Service	
Interest on Bonds	\$10,000.00
Interest on Notes	70,200.00

018-2006 2006 Temporary Budget

Green Trust Loan Program 5,000.00

**WATER and SEWER UTILITY BUDGET**

Debt Service	
Interest on Bonds	\$21,000.00
Interest on Notes	15,150.00
Principal on Bonds	5,000.00

**HARBOR UTILITY BUDGET**

Debt Service	
Interest on Bonds	\$17,000.00
Interest on Notes	6,300.00
Capital Outlay	50,000.00

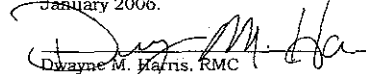
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 1, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic 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 meeting held January 1, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 3rd day of January 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk





## RESOLUTION 019-2006

### APPOINTING SUB-CODE OFFICIALS AND DEPUTY COURT ADMINISTRATOR

WHEREAS, the Borough of Atlantic Highlands is in need of a Electrical Sub-Code Official and a Plumbing Sub-Code Official; and

WHEREAS, the Business Administrator has interviewed all applicants and has recommended John Sodon and Erroll Lamberson to fill the Sub-Code Officials position; and,

WHEREAS, the Mayor and Council have previously appointed Deputy Municipal Court Administrators to serve in the absence of the Borough Court Administrator and to provide other assistance to the Court as may be required; and,

WHEREAS Wendy Patrovich is fully qualified to perform the duties of Deputy Court Administrator for the Borough of Atlantic Highlands,

WHEREAS, N.J.S.A. 40A: 60-5 provides that all subordinate officers, of the Borough, be appointed with the advice and consent of Council,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the appointment of John Sodon as Electrical Sub-Code Official and Erroll Lamberson as Plumbing Sub-Code Official, is hereby confirmed.

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, Wendy Patrovich is hereby appointed to serve as Deputy Court Administrators for the Borough of Atlantic Highlands and shall serve until removed.

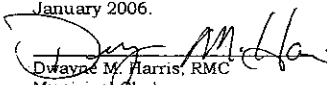
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Dwayne M. Harris, RMC  
Municipal Clerk