



MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF OCTOBER 25, 2006

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on October 25, 2006 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

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

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Courier, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/04/2006. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

APPROVAL OF MINUTES

Regular Meeting – October 11, 2006

This motion was offered and moved for passage by Council member Archibald and seconded by Council member Nolan.

This motion passed by the following vote.

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

NAYS:

ABSTAIN: Ladiana

Mayoral Appointment – Mayor's Council on The Arts

- a. Janice Kollar-Chair
- b. Laura DuBois- Regular Member ending 12/31/06
- c. Joel DeWitt- Regular Member ending 12/31/06

REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL

Mayor Donoghue announced that the Borough had received the infamous "No Further Action" letter from the Department of Environmental Protection. This is what had been holding up the acquiring of land on Leonard Ave for affordable housing. The DEP has determined that the gas company has completed the job satisfactorily and we will be engaging in negotiations with the gas company, at this point for one, of the three pieces of property.

Council member Ladiana reported she had missed the Lenape woods clean up, but understands it was a nice turn out. The Environmental Commission will meet tomorrow so there is no report. She commented that the group the Mayor just appointed, put in an application for a \$1700.00 grant from the Pennsylvania performing Arts Council for a concert in April, to be hosted at the elementary school. Hopefully the grant will help defer the cost. She, the Mayor and Adam had a meeting with the Mayor and the Administrator of Hazlet who are trying to increase the membership of the Hazlet Swim Club so it can stay afloat. They will guarantee the residents of Atlantic Highlands a discount if we promise a certain number of memberships. There would be no costs to the Borough. She further reported she would be meeting with Eldo tomorrow on the ROSI issues she has been working on for months.

Council member Fligor reported he had attended the Lenape woods clean up. It went well. They put up fencing by the Kara homes project. They also put a lot of wood chips on the trails. He reported the Historical Society's lantern tour is on Friday and Saturday, October 27 & 28 starting at 7:00pm. The house [Strauss Mansion] is decorated and ready to go. He reported that we are waiting for NJNG to sign off on the NFA letter we received. He reported he had spoken to Roche Outlaw who is the DEP manager overseeing the gas company site now. The DEP has a new program called *One Stop Shop* that would allow you to get all permits required at one time. She will be sending him the paperwork to get the Borough set up. He commented that the trees should be going in this week on Leonard Ave.

Council member Nolan had no report.

Council member Doyle had no report.

Council member Spatola reminded everyone that the Ladies Auxiliary would be holding a Steak Bake on the 28th.

Council member Archibald reported that the recreation Halloween Parade is Saturday beginning at 2:00pm. Recreation is looking for volunteers to help. There were still seats available for the Grinch bus trip. Recreation discussed the 2007 budget and they would meet to put together their wish list. Two 7th graders also approached recreation from Hudson who would like to put on a talent show in town. Mother Teresa Regional School is having a haunted school from 5-6:30 on Saturday. The soccer program is wrapping up and the town owes Kristin Heisey a round of applause. He reported that there were 976 Police calls for September. Chief Vasto has narrowed the search to hire a new patrolman and the Council could be swearing in an officer at the next Council meeting. He also commented that there s a letter from the DEP commending the Police Dept on their work and assistance.

Administrator Hubeny reported Bayside Drive is under construction. The details of the contract with the County still need to be agreed upon. He had contacted George Franko to clean the drain at W. Washington and First in response to comments from the last Council meeting. The resident on 8th Ave went back to the board of appeals and was given an additional 30 days to comply. Regarding the new water meters, we are still at about 60 shy from completing the town. Our guys are doing some installation and we will receive a credit for each one that Borough employees installs. The mold issues are back in the Police Dept and Library. He met with the Chief and Mrs. Scherfen and got pricing to put together a program to evaluate downstairs. He is sending a letter to Kara Homes regarding six outstanding issues when the constructed the north side of their buildings. The 2006 Road Project and Harbor hardware are out to bid and will be opened on October 30. He reviewed the agenda items to be considered.

Engineer Bucco had no report.

Council member Fligor mentioned the First Aid Open House to be held on November 4th from 10:00am –2:00pm. The will be having an art show and will be giving tours.

Attorney Reilly has items for discussion in Executive Session.

PUBLIC COMMENT SESSION

Kristin Heisey- 112 Center Ave wanted to know, that since there is money to build a soccer field what the time line for completion would be.

UNFINISHED BUSINESS

RESOLUTION 194-2006, EMERGENCY APPROPRIATION-HARBOR UTILITY - GAS,

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

This resolution was adopted by the following vote.

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

NAYS:

RESOLUTION 195-2006, PAYMENT OF BILLS,

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

This resolution was adopted by the following vote.

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

NAYS: Council member Ladiana

ABSTAIN:

RESOLUTION 196-2006, APPLICATION TO MONMOUTH COUNTY OPEN SPACE TRUST FUND,

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

This resolution was adopted by the following vote.

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

NAYS:

ORDINANCE 17-2006, Establishing Chapter X Article IV, Clean Marinas,

This Ordinance was read by title. A motion to introduce this ordinance was made by Council member Fligor and seconded by Council member Ladiana.

After some questions and concerns by the Governing Body members about wording that was unclear and contradictory, and questions about enforcement and penalties for violations, Council members Fligor and Ladiana withdrew their motion and this Ordinance received no further consideration.

PUBLIC COMMENT SESSION

No comments from member of the public.

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist; and,

WHEREAS, the Governing Body wishes to discuss:

1. Item-Property Acquisition-Giuliani
2. Item-Pending Litigation- COAH
3. Item – Pending Litigation – Conifer / Edgewood Park
4. Item-Property Acquisition- McConnell
5. Police Matters

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council to go into Executive Session to discuss the above items and the public are excluded form this meeting.

Mayor Donoghue read this resolution in full. It was offered and moved for adoption by Council member Ladiana at 8:14PM, seconded by Council member Fligor and adopted by the following vote.

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

NAYS:

RECONVENE - At 9:20 PM the meeting was resumed.

ADJOURN - There being no further business before the Mayor & Council, Council member Nolan moved to adjourn the meeting at 9:20 PM, the motion was seconded by Council member Spatola and was unanimously approved.

The Governing body approved these minutes at their meeting on November 08, 2006.

Dwayne M. Harris, RMC
Municipal Clerk