



MAYOR AND COUNCIL MEETING SEPTEMBER 13, 2006

A Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands will be held September 13, 2006 at 7:30 PM in the Borough Hall, 100 First Avenue Atlantic Highlands NJ. This meeting is in compliance with the Open Public Meetings Act. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Courier, 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 1/04/2006. This agenda is complete to the extent known and formal action will be taken.

1. Silent prayer
2. Pledge of allegiance
3. Roll call
4. Mayoral Proclamation- Recognizing *THE ATLANTIC HIGHLANDS PUBLIC LIBRARY 80th Anniversary*
5. Approval of previous meeting minutes – Regular meetings of:
August 16, 2006
6. Reports – Council, Administrator, Professional, Other
7. Comments from the Public
8. Unfinished Business:
 - a. Ordinance 11-2006, Bond Ordinance - \$440,000 Water & Sewer Improvements
Second Reading and Possible Adoption
 - b. Ordinance 12-2006, Bond Ordinance - \$1,705,000 Multi-Purpose
Second Reading and Possible Adoption
 - c. Ordinance 13-2006, Bond Ordinance – \$840,000- Harbor Improvements
Second Reading and Possible Adoption
 - d. Ordinance 15-2006, Amending the Development Regulations of the Borough
Second Reading and Possible Adoption
 - e. Ordinance 16-2006, Amending the Development Regulations of the Borough - Affordable
Housing
Second Reading and Possible Adoption
 - f. Public Hearing - Endorsing Open Space Grant Application
9. New Business:
 - a. **Consent Agenda**- These items are considered to be routine by the governing body and will be enacted by one motion. If detailed deliberation is desired on any item, the Council may remove that item from the consent agenda and consider it separately:
 01. Resolution 170-2006, Approval of Change Order- Water Meter Replacement Program
 02. Resolution 171-2006, Approval of Change Order- Water Meter Replacement Program
 03. Resolution 172-2006, Approval of Change Order- Water Meter Replacement Program
 04. Resolution 173-2006, Approval of Change Order- Water Meter Replacement Program
 05. Approval of Raffle License #3356-2006 - Casino Night-Rainbow Foundation Inc.
October 21, 2006, Shore Casino
 06. Approval of Raffle License #3357-2006 - Off Premise 50/50-Rainbow Foundation
Inc. October 21, 2006, Shore Casino
 07. Approval of Raffle License #3358-2006 - Casino Night-Mother Teresa Regional
School PTA. October 20, 2006, Shore Casino
 08. Approval of Raffle License #3359-2006 – On Premise 50/50-Mother Teresa
Regional School PTA. October 20, 2006, Shore Casino
 - b. Resolution 174 -2006, Payment of Bills
10. Comments from the Public
11. Executive Session
12. Adjourn



MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF SEPTEMBER 13, 2006

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on September 13, 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.

Mayor Donoghue encouraged everyone, as we observe the Moment of Silence, to remember the losses of September 11, 2001. The rallying around in crisis exhibited by volunteers in Atlantic Highlands and thorough out the country. It is appropriate to remember with pride, the individuals and the businesses that gave of their time and good to make life easier for the evacuees from Manhattan. Many of whom fled the city, not knowing where they would end up. We continue to have great sympathy for those who lost loved ones. We pray for them as they put their lives together. At the same time we vow to never forget and to work together to prevent such a tragedy from ever happening again. Clearly the price of liberty is eternal vigilance.

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.

Mayor Donoghue read the following Proclamation recognizing the library on its 80th anniversary:

P R O C L A M A T I O N
Of the Mayor and Council of Atlantic Highlands
RECOGNIZING THE ATLANTIC HIGHLANDS PUBLIC LIBRARY'S
80th Anniversary

WHEREAS, In November 1891, eight young women set up a free public library and reading room in rented space in the former J. M. Johnson Drug Store at 14 Third Avenue, near Bay View (now Ocean Boulevard). They secured some 250 books and many free local and state newspapers, but were forced to close in about a year when expenses exceeded receipts; and

WHEREAS, in 1887, the second attempt was backed by Miss Emma Hatfield, a resident who built a large Queen Anne style house that still stands at 78 Eighth Avenue, who interested several wealthy people from New York. The library was supplied with 600 or 700 volumes and, beside this liberal donation, Mrs. Hatfield had been guaranteed a subscription of \$100 from a New York lady. A room was secured in the Bartleson Building on First Avenue and was called the Forrest Library and Reading Room and placed under the supervision of Miss Emma Crate. Its location, on the third floor, and the stringency of its time, financially caused its discontinuance; and

WHEREAS, in 1919, a third and successful effort, was begun after World War I, wherein several young ladies established the Community Club of Atlantic Highlands, whose activities included a library. It had over 3,000 volumes and a reading room with current periodicals; and

WHEREAS, on August 17, 1926, the Community Club passed a resolution to transform the library into a Borough Public Library and in September 1926 the Atlantic Highlands Public Library was officially organized, as recorded in Trenton; and

WHEREAS, the library now has nearly 2,000 members and houses approximately 21,000 volumes, and the Friends of the Atlantic Highlands Library, organized in 2004, have added many new interest groups, including the Book-Lovers Discussion Group, 'Books Sandwiched In' with speakers on various topics and a chess club for children.

NOW, THEREFORE BE IT PROCLAIMED by Mayor PETER E. DONOGHUE that the Mayor and Council marks the library's 80 continuous years of community service and designates September 2006 as **ATLANTIC HIGHLANDS PUBLIC LIBRARY MONTH** in an effort to promote its mission of encouraging reading and providing access to information for all adults and children.

FURTHERMORE, officials and other residents are encouraged to acknowledge, celebrate and participate in the observation of this monumental birthday celebration.

APPROVAL OF MINUTES

Regular Meeting – August 16, 2006

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

Councilwoman Ladiana noted a correction to the vote on Resolution 166-2006, that she had actually voted no.

This motion passed by the following vote.

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

NAYS:

ABSTAIN:

REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL

Mayor Donoghue commented on Councilwoman Stephanie Ladiana's decision not to run for reelection, as Council member in the Borough, in his opinion is a major loss to all of the people in Atlantic Highlands. During three years in office, she has demonstrated incredible grasp for Borough issues, impressive initiative and tireless energy. Few people have devoted so many quality hours to their town, despite considerable family responsibilities. He is certain that join him in wishing her success and a speedy return to Atlantic Highlands.

Council member Ladiana reported she had been working with the Environmental Commission on the Green Space Community Kayak challenge to take place on Ave A beach from 10:00am-3:00pm. They will have an organization called Kayak East that will be providing the kayaking and community challenge. They will also be providing echo tours along the bay and up along Manymind Creek. On 09/26 she will attend the Monmouth County Green table meeting with the Mayor and the Administrator and encouraged anyone else available to attend. She reported that the Regional Storm Water Management Committee would be meeting also that day. On the 27th buildings and grounds will be meeting with Eli Goldstein to review some plans for the library. It is actually a workshop meeting, but she mentioned additional mandates coming down regarding the safety of the Court Room and would like them to be considered with the renovations of Borough Hall. She noted that these mandates coming down from the courts, that the Borough will be forced to comply with. A plan needs to be submitted to the Assignment Court Judge by Feb 27, 2007. She mentioned that tomorrow is back to school night at the AH Elementary School. They're a lot of new teachers there due to some retirements and other departures. She added that at the last meeting she asked Mr. Reilly about his disclosure forms. She had received a copy of them today and asked if anyone that appointed him questioned him about his contributions and if he violated the Pay to play laws.

Mr. Reilly explained that he had previously explained that the State law supercedes the local Ordinances, and in fact, neither one of them regulate contributions during 2005.

Councilmember Ladiana disagreed with his position.

Attorney Reilly countered that he explained previously that State law superceded the Borough Ordinances. The State law did not regulate contributions for 2005. After the law went into effect Governor Cody signed a law allowing local Ordinances but they did not regulate the year 2006 and they did not vacate the rule that said contributions in 2005 were not regulated.

Council member Ladiana commented that she finds it ridiculous that we have an attorney who has violated the local pay to play ordinance, and he is the one giving us the opinion about the ordinance. When he (Mr. Reilly) did his presentation, he didn't even cover this and he clearly didn't understand the local pay to play ordinance. She questioned if any of the Republicans, that appointed him in January, asked him if he had made contributions that would have been in violation.

Mr. Reilly commented that they had, and he had told them no, because he believes that he had not.

There is an outburst from a member of the audience directed towards council member Ladiana, and an exchange between he and the Mayor occurred, with the Mayor asking him to leave the room. Attorney Reilly advised Mr. Hawley to restrain himself or else he would have to be removed from the room.

Council member Archibald commented that there is a fair amount of people in the audience that have not come to listen to some political discussion. There is a very real issue they want to listen to tonight and we can argue about pay to play at the next meeting.

At this point there is commotion from the audience and the Mayor asked the Chief of Police to remove Mr. Hawley. The Chief asked the Mayor if he would sign a complaint and he stated he would. The Mayor stated that he refuses to follow the rules of procedure in this room. The Chief asked Mr. Reilly to advise the Mayor, and Attorney Reilly commented that right now he was not disrupting and if he does it again he should be removed. The Mayor Stated that he wants it now. The Chief advised Mr. Hawley that if there were any more disruptions, he would be removed.

Council Member Ladiana continued reporting that she had received a letter from a Harbor employee and she would like that include in the Executive Session.

Administrator Hubeny advised her that the Personnel committee had resolved matter.

Councilmember Fligor reported on the Clean Marina ordinance. The attorney is reviewing and it will be presented to this Council for final approval. It is basically saying the Harbor is doing everything to keep the Harbor clean. Atlantic Highlands will be one of 4 Harbors in the State to have a "Clean Marina". He also reported that the Planning Board members have received updates of Master Plan update. He reported on the NJNG public meeting and they have heard from the residents about a lot of issues, one of them being the affordable housing and the other the buffer

along Leonard Avenue. The tree buffer will be planted by the end of the fall [this growing season] and they will be between 12-15 foot Evergreens or Weeping Willows. They also collected sample on three properties that look good. They are still resolving issues on the Sodon property. On November 1st two residents will be moving over from South Ave and Highland Ave in preparation for their properties being cleaned on South and Highland Avenue.

Council member Nolan reported that they met with the Library Board. They had a few programs over the summer and he discussed them individually. The library circulated 3739 items last year, more than they ever have before. He noted that it was a very active library, on its 80th anniversary so people should get involved and participate. He told the bunch of people in the audience that anyone can be up here [on the dais]. Anyone can get their name on a ballot and they don't even have to be a part of a [political] party. He challenged them that if they have an inclination that things should be being done better, has a particular need or want to perform a civic duty, anyone can get involved and be up here.

Council member Doyle reported had a briefing by the accountant for the 2005 audit. He commented on a need for improvements to the internal processes and the harbor being a jewel to the town, and the need to keep funds from the Harbor, going strong for us.

Council member Spatola reported commented on the annual Antique Car show on Saturday October 7th. The Chamber of Commerce will be teaming up with recreation to place the corn stalks on First Ave for the fall.

Mayor Donoghue mentioned that next year is the 125th anniversary of the Fire Department.

Council member Archibald reported recreation would meet tomorrow. He asked for ideas, from the audience, on recreation programs and invited all to attend the meetings. Summer Recreation has concluded and soccer is underway. Sunday is the last band concert at the gazebo. For the month of August there were 987 Police calls, 25 arrest and 122 MV summonses. Steven Doherty will be returning to duty on September 25th.

Administrator Hubeny reported commented that the PEOSH violations from last year, which we were fined \$10,750.00. Because of the Borough's agreement to have all of our buildings inspected and because of employee compliance, the fine has been reduced 75% to \$2,675.00. We are still awaiting the lights for First Avenue Streetscape. Bucco is still designing 2006 Road Project. He and Mr. Bucco made a Community Block Development presentation and they wait to hear how much money they will give us on n East Ave upgrade. Regarding Bayside Drive, the county awarded a contract but the bid was deficient and the contract was re-awarded to the next bidder. There is still a question regarding the split of the cost. He reported that Mr. Frotton had approached the Fire Dept regarding the banners up on the Victorian lights. Mr. Frotton had idea with the American Legion to celebrate and honor the Fire Dept on their 125th Anniversary. The American Legion would like to pursue selling the banners along First Ave with the Fire Dept 125th Anniversary logo in support of their birthday. Those banners would be sold to groups, individuals and businesses that would stay up for 2007. He is trying to put together the same type of banner with the chamber for a holiday themed banners in December. He complimented the Harbor, Street, Water and Sewer and Fire Dept who did a tremendous job during hurricane Ernesto. He commented on four resolutions they would have the opportunity to vote on.

Engineer Bucco reported that the county sent out contracts for today for signatures. They plan to start in the second week of October to begin in October for a 30-day construction.

Attorney Reilly had no report.

PUBLIC COMMENT SESSION

Mayor Donoghue introduced the Borough Planner, Steve Lydon who has been working with the town in an effort to meet our affordable housing obligations, to have him give a relatively brief run down of where we are, how the proposed sites for affordable housing were arrived at and other ways, under our plan, are going to fulfill our obligations.

Mr. Lydon gave a brief background on the Mount Laurel decision of 1975 and the introduction of COAH. He commented on the two prior rounds from 1987-1999. During that period Atlantic Highlands put into motion the construction of Portland Point. We are now in the Third Round, which will run through 2014. The Borough has proposed a plan, which if COAH approves it, will run through 2014. The most important benefit in participating in the COAH process is that it puts the town in control. If not, the builders tend to have control on where, how and what get constructed. He has been authorized by the Mayor and Council to develop a Fair Share plan that had a few important caveats, one being, that any plan they came up with had to be extremely responsive to maintaining the integrity of the community construction is going to take place. Another goal was not to "break the bank". Another goal was to minimize the number of units that had to be built in town. In the first two rounds the goal set by COAH was 87 housing units. For the third cycle, which runs through 2014, the Borough's will be obligated for an additional eight, which is a total of 95 housing units. Based on that, they looked at every vacant lot in town to see if it was available, suitable, approvable or developable. The plan, which will be submitted to COAH for approval, will call for the building of 12 affordable housing units. The number COAH has established is 95. By using advantages to the COAH regulations, they have reduced that number to 12. We are proposing that those 12 units being constructed in four buildings. Three of those buildings will be on Leonard Ave and the other one on Simpson Avenue. He commented that everyone who lives in these units must be gainfully employed. People who typically move into these units have jobs, and are people from or around the host community.

Mayor Donoghue commented that when we are certified by COAH, this would make the argument, that the Borough is not fulfilling its affordable housing obligation, very shallow.

ORDINANCE 16-2006, AMENDING THE DEVELOPMENTAL REGULATIONS OF THE BOROUGH OF ATLANTIC HIGHLANDS-ADDING AFFORDABLE HOUSING ZONE

After a second reading, a motion to open the Public Hearing was made by Council member Archibald; it was seconded by Council member Ladiana and was unanimously approved.

Attorney Reilly mentioned the petition, submitted by the residents and the need to pass the Ordinance by 2/3 votes of the members. Council member Fligor recused himself because he lives within 200' of the Leonard Ave properties.

PUBLIC HEARING

Donna King- 51 Ocean Blvd asked what if the town is built out? She does not understand why we have to build. Why do we have to comply with these regulations?

Council member Archibald commented that if we do nothing, we could get it jammed down our throat, so we need to head it off at the pass. COAH does not focus on a small town like Atlantic Highlands their focus is broad.

Council member Ladiana explained that we are responsible for 95 units. We received credits for 57 units and the State allows you to transfer a certain percentage to other communities and we have done that.

Mayor Donoghue commented on our arrangement with Monmouth Housing Alliance who has a good reputation with building affordable housing units in different communities. They have been deputized to administer the program here in town.

Angela Cook commented that you could use ten existing units called buy down- rent down. She spoke to COAH, but does not think the town has considered that.

Steve Lydon explained that the Borough does not have a Rehabilitation Component and has a 95% obligation for new construction.

Council member Archibald questioned the cost of our RCA's being \$35,000.00.

Mike Hotchkiss 72 Ave D asked if any other property in town was available for this, and asked if traffic studies had been completed.

The Mayor explained that the Borough owns Simpson Ave and plans to purchase Leonard Ave from the gas company. Other properties were not available or committed to other purposes.

Kim Maxson 111 Grand Ave asked about the goal being 8 units and questioned why we were going for 12.

Steve Lydon clarified that we have put together a plan for 12 and explained where the others out of 95 came from.

Kim Maxson - 111 Grand Ave asked if we could be assured that 4 units would not be put there.

Steve Lydon commented that 2 units would be there and that would be memorialized, as part of an agreement with the Monmouth Housing Alliance. He also went on to explain that they would be two or three bedrooms resulting at worse case scenario, 6 bedrooms. COAH regulations dictate the sleeping arrangements between adults and children and male and female children.

Bobbie Simpson - 30 Leonard Ave asked how would you know how many people were in the unit

Steve Lydon - explained that there are monitoring forms that the Borough is responsible to see that they get filed. He further commented the Monmouth Housing Alliance would be monitoring this as well as managing and running the units.

Kim Maxson- asked about the integrity of the neighborhood being kept in tact.

Steve Lydon- commented the architectural plans are not in place, but the Ordinance regulates two stories, so he does not see more than two stories being there.

Mary Monar - Ave D 67 Ave D asked if anyone visited or monitored a current low-income housing project to see the conditions there.

Mayor Donoghue again reiterated the Monmouth Housing Alliance would be monitoring this, and if you are anyone finds this to be unsatisfactory, you are encourage to contact Borough Hall, and we will be taking this very seriously.

Administrator Hubeny - gave a history of Monmouth Housing Alliance being recognized by COAH as one of the most reputable housing agencies out there. The fees charged by Monmouth Housing alliance are reasonable and affordable. There was a lot of homework done in regards to hiring Monmouth Housing Alliance and entering into a contract with them.

Janice Scoffly- 11 Simpson Ave asked if they are going to build sideways on that very small lot.

Jeff Bennet - 42 Leonard Ave asked about the narrow street and if there have been impact studies done on the traffic or with the fire department, to see if they could get their equipment up the street. He is concerned that this ordinance being passed tonight is being done without a [traffic] study. He is at lost at how they can vote on an ordinance to make this acceptable.

Steve Lydon - commented again that there was a suitability study done on the Leonard Ave property.

Jeff Bennet - asked if the COAH standards met the AH standards if we wanted to build on that property. He asked about the McConnell property, and to squeeze housing in our little area and not desiring to build on the McConnell property is unfair.

Bill Eaton - 84 Bay Ave appreciates Mr. Archibald's description and commented that if we pass the Ordinance, it will calm the "lion" for a while and does not stop of from looking at other properties.

Council member Ladiana - commented on this Ordinance as not saying how many units we will put there but it addresses the zoning, designating that area as an affordable housing area.

Bill Eaton - asked since we don't own the land what we do with the zoning is not in play right now.

Paul Barbado - 22 Lawrie Road asked if this gets off the ground, what are the residency requirements. Do you have to be a NJ resident or a US citizen?

Carol Wright - 75 W. Washington Ave asked what if they were rentals how would it affect property values.

Mayor Donoghue commented that the Housing Alliance would require them [rental units] to be well maintained.

Bernard Frotton - 12 Memorial Pkwy has looked into this and thinks this situation could be remedied in a simple way. On the data sheet supplied it is showing the lot size being 30 feet and the large one being 40 feet. The set backs are only 5 feet, which is what concerns him.. The standard for R-1 should d be ten feet for the set backs and the lot size should be 75 feet. Leonard Ave is not the right place for this. He suggests West Ave, and the vacant car wash property to develop housing.

Mayor Donoghue mentioned that this property was looked at and a proposal was brought to the Borough regarding this.

Council member Archibald commented he thinks Mr. Frotton point is viable but commented that we are under a deadline.

Steve Lydon commented that the option was explored but if the changes to the plan were substantial, the Borough would need to repetition COAH.

Council member Nolan commented at the time we put developed this plan, the [car wash] property was not available.

Thomas J. Hirsch - an attorney from Ocean Twsp, representing several of the residents. His clients have not retained him to advocate there should be no affordable housing on their block. You have heard the comments. Unfortunately, the residents have not had an opportunity to review the work Mr. Lydon and other professionals have done. His clients feel that they do not have time to review the plans and present another side. The Ordinance is for the zoning, but the plan is to put ten units there and the odds, if this Ordinance is passed, that you would not put ten units there is slim. This Ordinance is part of your plan to put ten units on Leonard Ave. You cannot sacrifice your people, who live in that area because your back is up against a wall with COAH. All Municipalities go through this. This is not new stuff, this is round three, and you have had years and years to plan for this. You cannot say as a justification that we have to stick it there because we are out of time. You have already acknowledge that you have done no traffic studies, no impact studies and one of the main criteria Mr. Lydon said that you had was to maintain the integrity of the community. Laudable, but none can sit here tonight and say this proposal will maintain the integrity of Leonard Ave. You are not talking about three units, three buildings, and three lots. You are talking about ten living units. You need 20 parking spaces. There is nothing here about buffering. You have nothing in your Ordinance about lot coverage for building coverage. You have nothing restricting accessory structures. You are talking about extremely intense development on three lots, which is totally out of character with what is in that neighborhood.

Steve Lydon commented that we filed a plan with COAH last December. Hovnanian challenged that plan and they were given objector's status. COAH has given us until September 28 to respond to a laundry list of items, this being one of the. If we do not check off each of the laundry list items, we believe Hovnanian will use this to their advantage and encourage COAH not to approve the plan. If there is not substantial compliance with their laundry list, their next step is to write a denial letter and deny the plan. In which case we are back to square one and COAH would be receptive to receiving a Builders Remedy lawsuit against the Borough.

Thomas Hirsch asked if this were not adopted tonight COAH would reject the plan because the Ordinance is pending.

Matt Winters - 38 Leonard Ave asked that if the gas company is renting those properties, does this not delay the plan for 18 months. If those units go in, is there a possibility for the whole street could be rezoned for two family homes, so we could turn around and make all of the homes two-family homes so we could rent them out.

Donna Hill - 30 South Ave if you changed the zone what would stop Hovnanian from using it as multi-family.

Kate Wigginton - Avenue D asked what other lots have been considered. She suggested that this be carried for two weeks to see if the car wash property is available.

Steve Lydon explained we [the Borough], the [Mt. Laurel] committee, Hovnanian and COAH, have reviewed every vacant lot in the Borough.

Joe Hawley - 25 Ocean Blvd - asked about a traffic study and commented that the safety of the citizens of this town should be taken into consideration. He asked about sending units to the Township of Lakewood, and why can't we farm out these units as well. He also questioned about the potential of using the Hennessey property to build housing

Steve Lydon explained you can only send out a percentage of your obligation and we have maxed out on that. The Hennessey property goes to meeting our unmet need.

Council member Archibald thinks that tonight we need options. Passing the ordinance gives us options without Hovnanian breathing down our neck.

Mary Monar - mentioned that the land has not received a No further Action letter, and there is no point in sending a package to COAH until you have that letter. It makes no sense in voting on a zoning ordinance if the land may not even be clean.

Jody Rockefeller believes we are making a big mistake.

Marla Witt 26 Leonard Ave respectfully asked the Borough not to do this.

Mike Rybeck - North Ave asked about the air rights over the municipal parking lot and putting a structure by the post office.

Council member Ladiana asked if it was possible to have a special meeting within the next two weeks.

Council member Doyle suggested we have a special meeting next week to give the professionals time to see if COAH would grant us an extension. He asked the administrator to again, speak to the owners of Navesink Cove and also see if the car wash property is available. Unfortunately we are up against a deadline, but we should take a week to have our professionals get an extension from COAH.

Council member Nolan asked if we could table the ordinance.

Attorney Reilly recommended that the public hearing be continued to a further date instead of tabling the ordinance.

Peter Abitanto Ave C cannot understand why we are putting so much on such small lots.

Eugene Simpson - 30 Leonard Ave asked if the mayor knows Leonard Ave and asked what he thinks about Leonard Ave. He wanted to know how many people does the mayor think could live there without the rest of us having a problem. He has lived there for 33 years and he can barely back out of his driveway, and wants to know what the mayor thinks will happen there.

Julie Williamson - Leonard Ave asked if there was a chance to get any of this on the McConnell property to relieve some of the burden on us [Leonard Ave residents].

Chris Hohenleitner - 57 Avenue C has no experience with the town or the council. Her neighbors have, who have been promised a lot of things by the town and the gas company. You must understand when you ask us to "trust us" why we all have a problem. They have been lied to and want to know why we should believe you?

Joe Hohenleitner - 57 Avenue C asked if they could contact the clerk with other ideas, helpful ideas they could offer. They are not upset about affordable housing. They just want it more in keeping with our neighborhood.

Council member Archibald made a motion to adjourn the public hearing until September 20th. It was seconded by council member Nolan and carried by the following vote:

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

NAYS:

Mayor Donoghue called for a brief recess.

PUBLIC COMMENT SESSION CONTINUES:

Laura Saunders- 20 Highland Place spoke on problems with her and her neighbor, in that there is a tree the neighbor wants to remove. This removal would potentially cause excessive erosion and damage to her property and the

retaining wall. This situation has been going on for three years. She would like the Borough to put a stay on the tree removal permit until she has had an opportunity to have a NJ licensed arborist come and give a position on the vitality of the tree.

Jackie Jones - 22 Keystone Dr was real pleased about recognizing the library, but has been concerned about the slabs outside, and asked if this could be the month that it was addressed. She also questioned the road project and asked for some attention to Keystone Drive, they need stones.

Paul Barbado - Lawrie Rd- passed around a letter dated January 07, 2005. He commented on the Royce's pipe that was polluting his property. This is his 45th meeting since he resided in October 2001 and he will deal with the issues of the mulch and retaining wall at the next meeting. He also explained his encounter with the reporter from the NY Times regarding their article on Atlantic Highlands.

Joseph Hawley - 25 Ocean Blvd asked if the skateboard park was on the agenda and if Council member Ladiana commented that Council member Fligor was not properly representing the town in the gas company negotiations.

UNFINISHED BUSINESS

ORDINANCE 11-2006, BOND ORDINANCE - \$440,000 WATER AND SEWER IMPROVEMENTS

After a second reading, a motion to open the Public Hearing was made by Council member Nolan; it was seconded by Council member Spatola and was unanimously approved.

PUBLIC HEARING

No member of the public came forward.

A motion to close the Public Hearing was made by Council member Nolan seconded by Council member Spatola, and was unanimously approved.

A motion to adopt Ordinance 11-2006 was made by Council member Nolan and seconded by Council member Archibald.

It was adopted by the following roll call vote.

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

NAYS:

This Ordinance will become effective after being signed by the mayor and published in full or by summary together with the estoppel statement, which permits anyone aggrieved of the passage of this ordinance to file a petition with the Municipal Clerk questioning its validity within twenty (20) days of publication of adoption of the ordinance.

ORDINANCE 12 -2006, BOND ORDINANCE - \$1,705,000 MULTI PURPOSE BOND

After a second reading, a motion to open the Public Hearing was made by Council member Nolan; it was seconded by Council member Spatola and was unanimously approved.

PUBLIC HEARING

No member of the public came forward.

A motion to close the Public Hearing was made by Council member Spatola seconded by Council member Fligor, and was unanimously approved.

A motion to adopt Ordinance 12-2006 was made by Council member Nolan and seconded by Council member Spatola.

It was adopted by the following roll call vote.

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

NAYS:

This Ordinance will become effective after being signed by the mayor and published in full or by summary together with the estoppel statement, which permits anyone aggrieved of the passage of this ordinance to file a petition with the Municipal Clerk questioning its validity within twenty (20) days of publication of adoption of the ordinance.

ORDINANCE 13 -2006, BOND ORDINANCE - \$840,000 HARBOR IMPROVEMENTS

After a second reading, a motion to open the Public Hearing was made by Council member Spatola; it was seconded by Council member Archibald and was unanimously approved.

PUBLIC HEARING

No member of the public came forward.

A motion to close the Public Hearing was made by Council member Nolan seconded by Council member Spatola, and was unanimously approved.

A motion to adopt Ordinance 13-2006 was made by Council member Nolan and seconded by Council member Fligor.

It was adopted by the following roll call vote.

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

NAYS:

This Ordinance will become effective after being signed by the mayor and published in full or by summary together with the estoppel statement, which permits anyone aggrieved of the passage of this ordinance to file a petition with the Municipal Clerk questioning its validity within twenty (20) days of publication of adoption of the ordinance.

ORDINANCE 15-2006, AMENDING THE DEVELOPMENTAL REGULATIONS OF THE BOROUGH OF ATLANTIC HIGHLANDS

After a second reading, a motion to open the Public Hearing was made by Council member Nolan; it was seconded by Council member Archibald and was unanimously approved.

PUBLIC HEARING

No member of the public came forward.

A motion to close the Public Hearing was made by Council member Spatola seconded by Council member Nolan, and was unanimously approved.

A motion to adopt Ordinance 15-2006 was made by Council member Fligor and seconded by Council member Spatola.

It was adopted by the following roll call vote.

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

NAYS:

Endorsing Open Space Grant Application

Mayor Donoghue called for the Public Hearing on the issue of applying for an Open Space Grant for the building of a skateboard park

A motion to open the Public Hearing was made by Council member Nolan; it was seconded by Council member Fligor and was unanimously approved.

Public Hearing -

Joseph Hawley - 25 Ocean Blvd asked that since no one is here to comment if the minutes of the last meeting could be attached the application.

Tara White- 41 Second Ave was at one of the earlier meetings but missed the last Council meeting. Her son is an avid skateboarder and would like to see this effort pushed as something for the kids. She is really happy that the Police get on them to not only move but to put on their helmets and strap up their helmets. She will volunteer her time and sit down there and do what she has to do. There is no reason why these kids should be on the streets, where there is traffic. It is constantly you can't be here; you can't be here; you can't be here, there is nowhere for these kids to go. If this does pass, she would like to see a time scheduled for the younger kids only, so the would not be intimidated by the older, more experienced kids. She would really like to be part of this and see this go through.

Mayor Donoghue remarked that the Harbor Commission is the body that has applied for the grant to build this, which has been endorsed by this Council. He is sure that any group would be receptive for suggestions and offers for help.

Council member Nolan commented that it was a good idea. He has seen some of the plans and it [the Harbor] is a good place for it.

Administrator Hubeny commented that there were some concerns about its location at the entrance to the Harbor. Mrs. Frotton, having communicated with the County, told him that as long as it stays within the confines of the Harbor, there would be no problem with relocating it on the map.

Council member Ladiana commented that she spoke to Green Acres and there will be no need to do a diversion. We will need to have a public notice and hearing because it would be a change of use.

Council member hopes that the skateboard park could be built somewhere in the Harbor, he just does not think the entrance is the best place.

With no further comments from the public, a motion to close the Public Hearing was made by Council member Nolan seconded by Council member Doyle, and was unanimously approved.

CONSENT AGENDA- was offered and moved for adoption by Council member Fligor and seconded by Council member Archibald. These items are considered to be routine by the governing body and were enacted by one motion.

- 01. Resolution 170-2006, Approval of Change Order- Water Meter Replacement Program
- 02. Resolution 171-2006, Approval of Change Order- Water Meter Replacement Program
- 03. Resolution 172-2006, Approval of Change Order- Water Meter Replacement Program
- 04. Resolution 173-2006, Approval of Change Order- Water Meter Replacement Program

- 05. Approval of Raffle License #3356-2006 - Casino Night-Rainbow Foundation Inc. October 21, 2006, Shore Casino
- 06. Approval of Raffle License #3357-2006 - Off Premise 50/50-Rainbow Foundation Inc. October 21, 2006, Shore Casino
- 07. Approval of Raffle License #3358-2006 - Casino Night-Mother Teresa Regional School PTA. October 20, 2006, Shore Casino
- 08. Approval of Raffle License #3359-2006 - On Premise 50/50-Mother Teresa Regional School PTA. October 20, 2006, Shore Casino

The Consent Agenda was adopted by the following roll call vote.

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

NAYS:

RESOLUTION 174 -2006, PAYMENT OF BILLS

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

This resolution was adopted by the following vote.

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

NAYS:

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/K Hovnanian
2. Item-Pending Litigation- COAH/ McConnell
3. Item- Police Personnel & Contract Negotiations
4. Item - Pending Litigation - Conifer / Edgewood Park
5. Item- Pending Litigation-DEP/Wickberg Marine

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 from this meeting.

Mayor Donoghue read this resolution in full. It was offered and moved for adoption by Council member Nolan at 11:39 PM, seconded by Council member Fligor and adopted by the following vote.


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

NAYS:

RECONVENE - At 12:14 AM on 09/14/2006 the meeting was resumed.

ADJOURN - There being no further business before the Mayor & Council, Council member Nolan moved to adjourn the meeting at 12:15 AM; the motion was seconded by Council member Spatola and unanimously approved.

The Governing Body approved these minutes at their meeting on September 27, 2006.


Dwayne M. Harris, RMC
Municipal Clerk



ORDINANCE 11-2006

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$440,000 FOR WATER/SEWER IMPROVEMENTS FOR AND BY THE BOROUGH OF ATLANTIC HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$418,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Atlantic Highlands, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$440,000 such sum includes \$22,000 received from the capital improvement fund. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$418,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$418,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
Various water system infrastructure improvements within the Borough, including but not limited to water main replacement, water and rebuild drywell #4, water clarifier, and including all work or materials necessary therefor or incidental thereto and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	\$340,000	\$323,000	40
Various sewer system infrastructure improvements within the Borough including but not limited to relining sewer lines and inflow and infrastructure upgrades, including all work or materials necessary therefor or incidental thereto and all as shown on and in accordance with	100,000	95,000	40

the plans and specifications on file in the office of the Clerk and hereby approved.

TOTAL	\$440,000	\$418,000
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$418,000.

(c) The estimated cost of the Improvements is \$440,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$418,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$110,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements

or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$418,000.

SECTION 10:

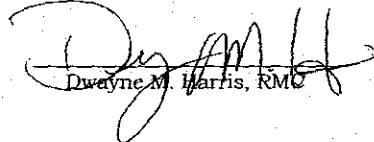
This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council member Nolan introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Doyle and approved by the following vote.

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

The Second Reading, Public Hearing and possible adoption is scheduled for September 13, 2006.

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 August 16, 2006.
WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 17th day of August 2006.

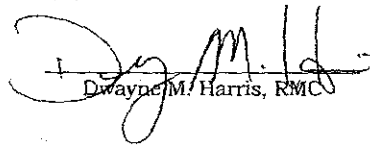

Dwayne M. Harris, RMC

SECOND READING AND FINAL ADOPTION: PASSED September 13, 2006

After a Public Hearing and Second Reading, Councilmember Nolan moved for Final Adoption of this Ordinance. It was seconded by Councilmember Archibald and adopted by the following vote.

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

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 September 13, 2006.
WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 14th day of September 2006.


Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 14, 2006


Peter E. Donoghue, Mayor



ORDINANCE 12-2006

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,705,000 FOR VARIOUS IMPROVEMENTS FOR AND BY THE BOROUGH OF ATLANTIC HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,619,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Atlantic Highlands, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,705,000, such sum includes the sum of \$85,250 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,619,750 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$1,619,750 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
Improvements to various roadways in the Borough, including but not limited to Avenue C between South Avenue and Highland Avenue, Scenic Court between Highland Place and Ocean Boulevard and Seventh Avenue between Wesley Avenue and Highway 36; including, as required, roadway excavation, concrete curbing, milling and drainage structures, and including all	\$310,000	\$294,500	20

resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 17.57 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,619,750 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$351,250 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,619,750.

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
work or materials necessary therefor or incidental thereto, and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.			
Acquisition of property located at 13 Leonard Avenue, 21 Leonard Avenue and 25 Leonard Avenue.	265,000	251,750	40
Regional Contribution Agreement with Township of Lakewood for twelve affordable housing units.	420,000	399,950	6
Improvements to Bayshore Bike Trail/Wagner Creek, and including all work or materials necessary therefor or incidental thereto, and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	710,000	674,500	15
TOTAL	\$1,705,000	\$1,619,750	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,619,750.

(c) The estimated cost of the Improvements is \$1,705,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The

SECTION 10:

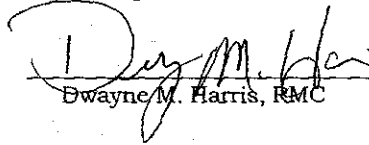
This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council member Nolan introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Doyle and approved by the following vote.

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

The Second Reading, Public Hearing and possible adoption is scheduled for September 13, 2006.

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 August 16, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 17th day of August 2006.

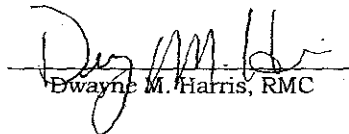

Dwayne M. Harris, RMC

SECOND READING AND FINAL ADOPTION: PASSED September 13, 2006

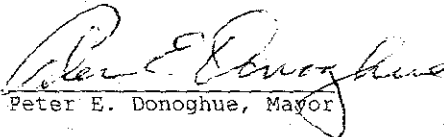
After a Public Hearing and Second Reading, Councilmember Nolan moved for Final Adoption of this Ordinance. It was seconded by Councilmember Spatola and adopted by the following vote.

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

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 14th day of September 2006.


Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 14, 2006


Peter E. Donoghue, Mayor



ORDINANCE 13-2006

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$840,000 FOR HARBOR IMPROVEMENTS FOR AND BY THE BOROUGH OF ATLANTIC HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$820,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Atlantic Highlands, New Jersey (the "Borough") as general improvements. For the said improvements there is hereby appropriated the amount of \$840,000, such sum includes the sum of \$20,000 received from the capital improvement fund. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$820,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$820,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
Harbor dredging, and including all work or materials necessary therefore or incidental thereto and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	\$840,000	\$820,000	15
TOTAL	\$840,000	\$820,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$820,000.

(c) The estimated cost of the Improvements is \$840,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes

shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$820,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds

of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$820,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council member Nolan introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Doyle and approved by the following vote.

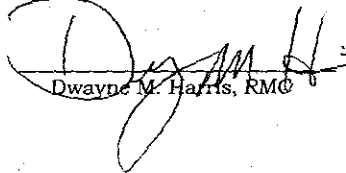
AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

The Second Reading, Public Hearing and possible adoption is scheduled for September 13, 2006.

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 August 16, 2006.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 17th day of August 2006.


Dwayne M. Harris, RMC

SECOND READING AND FINAL ADOPTION: PASSED September 13, 2006

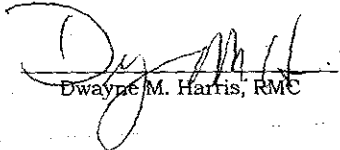
After a Public Hearing and Second Reading, Councilmember Nolan moved for Final Adoption of this Ordinance. It was seconded by Councilmember Fligor and adopted by the following vote.

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

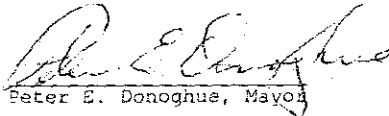
NAYS:

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 September 13, 2006.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 14th day of September 2006.


Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 14, 2006


Peter E. Donoghue, Mayor



ORDINANCE 15-2006

ORDINANCE AMENDING AND SUPPLEMENTING THE DEVELOPMENT REGULATIONS OF THE BOROUGH OF ATLANTIC HIGHLANDS

WHEREAS, the Code Enforcement Officer of the Borough of Atlantic Highlands having conducted a review of the Development Regulations and Zoning Ordinances of the Borough, recommends changes to the current Ordinances; and,

WHEREAS these recommended Ordinance revisions are appropriate in order to clarify, correct or otherwise improve the Ordinance and are in the best interest of preserving the health, safety and welfare of the residents of the Borough,

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Atlantic Highlands that the Development Regulations of the Borough of Atlantic Highlands be and are hereby amended and supplemented as follows:

Article 3, Administration, Title 3.4, Certificates and Permits, Section 3.4.D Certificates of Occupancy, Item 3.4.D.2 is hereby amended to read as follows:

3.4.D. Certificate of Occupancy

3.4.D.2. Uses & Occupancies after the Effective Date of this Chapter: No building, structure or land shall be occupied or used until such time as a Certificate of Occupancy is issued by the Code Enforcement Officer.

Such certificates shall be issued upon application by the owner, prospective occupant, or purchaser only after the Code Enforcement Officer determines that the facts represented on the application are correct and that the building, structure or use is in conformance with the provisions of the Uniform Construction Code and other codes and ordinances affecting construction and occupancy.

Temporary Certificate of Occupancy may be issued pursuant to the provisions of this Chapter for any structure or use for which site plan approval has been secured, but not all conditions of approval have been complied with.

Article 7, General Zoning Provisions, Title 7.23, Property Maintenance, is hereby amended to read as follows:

7.23 PROPERTY MAINTENANCE

It is the intent of this section to assure that the public health, safety, and welfare is not impaired by the neglected maintenance of the buildings and property. It is further intended to assure that site improvements required by a Planning Board are properly maintained and operable. It shall be the Code Enforcement Officer responsibility to enforce this section where property conditions pose a hazard to the public or where a property owner fails to maintain a required site improvement.

It shall be the responsibility of every property owner, tenant, developer and applicant to maintain in a safe and orderly condition, all buildings and land in the municipality which they own, use, occupy or have maintenance responsibility for in accordance with the following regulations...

Repealer: All prior Ordinances, or portions thereof, inconsistent with this Ordinance are hereby repealed.

This Ordinance shall take effect immediately upon its final passage and publication as required by law.

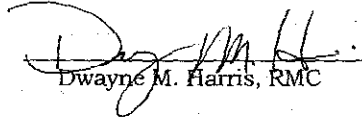
Council member Nolan introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Ladiana and approved by the following vote.

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

The Second Reading, Public Hearing and possible adoption is scheduled for September 13, 2006.

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 August 16, 2006.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 17th day of August 2006.


Dwayne M. Harris, RMC

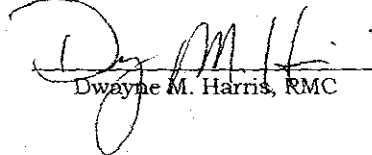
SECOND READING AND FINAL ADOPTION: PASSED September 13, 2006

After a Public Hearing and Second Reading, Councilmember Fligor moved for Final Adoption of this Ordinance. It was seconded by Councilmember Spatola and adopted by the following vote.

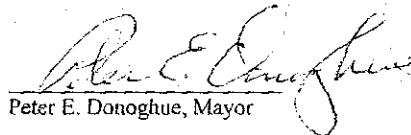
AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS:

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 September 13, 2006.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 14th day of September 2006.


Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 14, 2006


Peter E. Donoghue, Mayor



RESOLUTION 170-2006

APPROVAL OF CHANGE ORDER DECREASING THE COST OF THE WATER METER REPLACEMENT PROGRAM

WHEREAS, the Borough of Atlantic Highlands entered into a contract with National Metering, for the Atlantic Highlands Water Meter Replacement Program; and,

WHEREAS, cost reductions were incurred due to the Borough's request of the contractor to delete item number 11, Curb Valve and Box, from the listing of Basic Pay Items; and,

WHEREAS, the Borough's request resulted in changes to contract quantities as listed in Change Order No. 1 dated June 26, 2006; and,

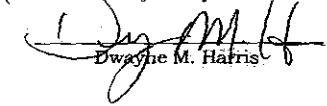
WHEREAS these changes will decrease the original contract price of \$494,740.50 by \$31,500.00, to a revised contract price \$463,240.50 as modified by Change Order #1,

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 Change Order #1 dated June 26, 2006, for the Water Meter Replacement Program, reflecting the above adjustment is approved.

This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on September 13, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: None

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 18th day of September 2006.


Dwayne M. Harris



RESOLUTION 171-2006

APPROVAL OF CHANGE ORDER INCREASING THE COST OF THE WATER METER REPLACEMENT PROGRAM

WHEREAS, the Borough of Atlantic Highlands entered into a contract with National Metering, for the Atlantic Highlands Water Meter Replacement Program; and,

WHEREAS, additional costs were incurred due to the Borough's request of the contractor to increase the quantities of item number 2, 5/8" Displacement Meter Including Radio Transponder, from the listing of Basic Pay Items; and,

WHEREAS, the Borough's request resulted in changes to contract quantities as listed in Change Order No.2 dated June 26, 2006; and,

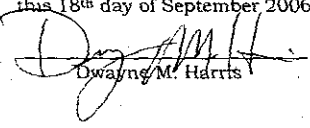
WHEREAS these changes will increase the contract price, modified by change order No.1, of \$463,240.50 by \$15,000.00, to a revised contract price \$478,240.50 as modified by Change Order No.2,

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 Change Order No.2 dated June 26, 2006, for the Water Meter Replacement Program, reflecting the above adjustment is approved.

This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on September 13, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: None

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 18th day of September 2006.


Dwayne M. Harris



RESOLUTION 172-2006

APPROVAL OF CHANGE ORDER INCREASING THE COST OF THE WATER METER REPLACEMENT PROGRAM

WHEREAS, the Borough of Atlantic Highlands entered into a contract with National Metering, for the Atlantic Highlands Water Meter Replacement Program; and,

WHEREAS, additional costs were incurred due to the Borough's request of the contractor to increase the quantities of item number 3, 1" Displacement Meter Including Radio Transponder, from the listing of Basic Pay Items; and,

WHEREAS, the Borough's request resulted in changes to contract quantities as listed in Change Order No.3 dated June 26, 2006; and,

WHEREAS these changes will increase the contract price, modified by change order No.2, of \$478,240.50 by \$4,660.00, to a revised contract price \$482,900.50 as modified by Change Order No.3,

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 Change Order No.3 dated June 26, 2006, for the Water Meter Replacement Program, reflecting the above adjustment is approved.

This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on September 13, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: None

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 18th day of September 2006.


Dwayne M. Harris



RESOLUTION 173-2006

APPROVAL OF CHANGE ORDER INCREASING THE COST OF THE WATER METER REPLACEMENT PROGRAM

WHEREAS, the Borough of Atlantic Highlands entered into a contract with National Metering, for the Atlantic Highlands Water Meter Replacement Program; and,

WHEREAS, additional costs were incurred due to the Borough's request of the contractor to perform Certified Meter Testing of all 5/8"-2" meters removed; and,

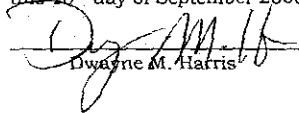
WHEREAS this change will increase the contract price, modified by change order No.3, of \$482,900.50 by \$3,345.00, to a revised contract price \$486,245.50 as modified by Change Order No.4,

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 Change Order No.4 dated June 26, 2006, for the Water Meter Replacement Program, reflecting the above adjustment is approved.

This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on September 13, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: None

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 18th day of September 2006.


Dwayne M. Harris



RESOLUTION 174-2006 AMENDED PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated September 08, 2006 which totals as follows:

Current Fund	\$668,552.70
Capital Fund	\$7,974.17
Trust-Other	\$5,393.75
Water/Sewer Operating Fund	\$90,551.97
Water /Sewer Utility Capital	\$9,295.50
Harbor Operating Fund	\$301,413.73
Harbor Utility Capital Fund	\$3,521.78
Federal/State Grants	\$0
LOSAP	\$200.00
Animal	\$506.20
MCIA	\$730.00
TOTAL	\$1,088,139.80

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 these vouchers, totaling **\$1,088,139.80** be paid to the persons named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers. An individual listing of all bills submitted has been posted on the bulletin board and is also on file in the Municipal Clerk's office for reference.

This Resolution was offered and moved by Council member Nolan, seconded by Council member Archibald and adopted on September 13, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: None

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 September 13, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 18th day of September 2006.


Dwayne M. Harris

List of Bills - CLAIMS

Meeting Date: 09/13/2006 For bills from 08/17/2006 to 09/08/2006

Vendor	Description	Payment	Check Total
66 - A.C. SCHULTES, INC.	PO 57217 SERVICE SLUDGE PUMPS	3,601.00	3,601.00
1370 - ALLIED OIL COMPANY, L.L.C.	PO 91784 HARBOR GASOLINE	13,280.61	
	PO 91785 HARBOR GASOLINE	5,666.96	
	PO 91852 HARBOR GASOLINE & DIESEL	17,822.44	
	PO 91773 HARBOR - GASOLINE & DIESEL	44,849.25	81,619.26
1370 - ALLIED OIL COMPANY, L.L.C.	PO 91851 HARBOR DIESEL FUEL	19,248.34	
	PO 91740 HARBOR - GASOLINE & DIESEL	25,173.12	
	PO 91849 HARBOR DIESEL FUEL	12,343.79	
	PO 91850 HARBOR GASOLINE & DIESEL	45,692.86	
	PO 91786 HARBOR DIESEL FUEL	11,525.62	
	PO 91747 HARBOR - DIESEL	14,837.60	
	PO 91848 HARBOR GASOLINE	11,966.79	
	PO 91739 HARBOR - GASOLINE AND DIESEL	19,863.13	160,651.25
3001 - AMERICAN MESSAGING	PO 91860 POLICE PAGERS	17.20	17.20
1175 - AMERICANWEAR INDUSTRIAL	PO 91647 VEHICLE MAINTENANCE	120.00	
	PO 91500 VEHICLE MAINTENANCE - UNIFORMS	96.00	216.00
59 - AQUATIC SERVICES	PO 91105 WATER TESTS	540.00	540.00
1599 - ATLANTIC HIGHLANDS CHAMBER OF	PO 91292 RECREATION - AD	275.00	275.00
478 - ATLANTIC HIGHLANDS ELEMENTARY	PO 91760 SCHOOL TAX	300,897.92	300,897.92
758 - ATLANTIC HIGHLANDS HARBOR	PO 91842 FUEL USAGE	5,683.57	
	PO 91842 FUEL USAGE	522.85	6,206.42
126 - ATLANTIC HIGHLANDS PUBLIC	PO 91854 REIMBURSEMENT LEASE PAYMENTS	450.32	450.32
65 - ATLANTIC HIGHLANDS/HIGHLANDS	PO 91766 SEWERAGE TREATMENT FEES	65,257.08	65,257.00
2247 - ATX TELECOMMUNICATIONS	PO 91696 HARBOR TELEPHONE	541.00	541.00
514 - AVAYA, INC.	PO 91699 HARBOR - SERVICE AGREEMENT	343.26	343.26
100111 - AVON ELECTRIC DOOR CO., INC	PO 91703 FIRE DEPT	161.00	161.00
100103 - AZMI KARAOGU	PO 91486 HARBOR - BERTH REFUND	1,102.00	1,102.00
91 - BAYSHORE PRESS T/A THE COURIER	PO 91757 AUGUST PRINTING	29.61	
	PO 91667 LEGAL NOTICE	7.99	
	PO 91832 NEWSLETTER	975.00	1,012.60
2815 - BIRDSALL ENGINEERING, INC.	PO 90920 ADMIN INSPECT STREETScape PHASE II	2,965.00	2,965.00
135 - BITTNER & CARTON INS. AGENCY	PO 91775 BOND	533.75	533.75
2909 - BLAKE SPATOLA	PO 91744 RECREATION - TENNIS	690.00	690.00
99999 - BOROUGH OF ATLANTIC HIGHLANDS	PO 91800 HARBOR TAX PAYMENT	2,042.81	2,042.81
229 - C. J. HESSE, INC.	PO 56459 BAY AVENUE RECONSTRUCTION	1,323.65	1,323.65
100109 - CAROL INADOLI	PO 91676 HARBOR - BERTH REFUND	861.10	861.10
109 - CAVANAUGH'S, INC.	PO 91720 B&G - PEST CONTROL SERVICE	71.00	71.00
597 - CENTRAL JERSEY HEALTH INS.FUND	PO 91777 HEALTH INS	19,995.86	
	PO 91777 HEALTH INS	35,917.88	
	PO 91777 HEALTH INS	6,918.26	62,832.00
232 - CERTIFIED LABORATORIES	PO 91672 HARBOR - SUPPLIES	221.34	
	PO 91719 SANITATION - SUPPLIES	631.50	852.84
3004 - CERTIFIED TRANSPORTATION	PO 91809 VEHICLE MAINTENANCE 605	475.00	475.00

List of Bills - CLAIMS

Meeting Date: 09/13/2006 For bills from 08/17/2006 to 09/08/2006

Vendor	Description	Payment	Check Total
2796 - CHIEF COMMUNICATIONS	PO 91299 MCIA SWEEPER	730.00	730.00
100088 - CHRIS MORRISY	PO 91326 RECREATION	100.00	100.00
2181 - COMCAST PROCESSING CENTER	PO 91859 INTERNET SERVICE	180.00	180.00
2713 - COOPER ELECTRIC SUPPLY COMPANY	PO 91648 BORO HALL - MAINT	376.30	376.30
100083 - CREBONE	PO 91713 HARBOR SIGNS	210.00	210.00
45 - CUSTOM TIRE ASSOCIATES	PO 91314 SANITATION 606-607	831.00	831.00
2223 - D & D UTILITY CONTRACTORS,	PO 56787 R#177-2005 WATER MAIN IMP	95.50	
	PO 56787 R#177-2005 WATER MAIN IMP	3,685.52	3,781.02
1957 - DEPARTMENT OF HEALTH	PO 91857 DOG REPORT	1.20	1.20
2556 - DEPTCOR	PO 91369 POLICE - OFFICE SUPPLIES	395.00	395.00
160 - DICK'S AUTO ELECTRIC, INC.	PO 91243 #407	195.00	195.00
3053 - DUNLAP LOCKSMITH	PO 91677 HARBOR SERVICE CALL & REPAIR	218.00	218.00
1527 - E.J. SCHUSTER'S	PO 91727 OFFICE SUPPLIES	70.00	
	PO 91795 OFFICE SUPPLIES	461.07	
	PO 91768 OFFICE SUPPLIES	7.42	
	PO 91727 OFFICE SUPPLIES	370.59	
	PO 91611 POLICE - SUPPLIES	137.30	1,046.38
1702 - ELECTRONIC SERVICE SOLUTIONS,	PO 91862 POLICE SERVICE AGREEMENT	2,374.80	2,374.80
100104 - ENFORSYS FIRE SYSTEMS, INC	PO 91541 UNIFORM FIRE SAFETY ACT/ANNUAL MAIN	450.00	450.00
763 - FEDEX	PO 91540 FIRE MARSHALL	17.31	17.31
234 - FOODTOWN OF ATLANTIC HIGHLANDS	PO 91746 RECREATION	241.02	241.02
1716 - FRENCH & PARRELLO ASSOCIATES	PO 91714 HARBOR ENGINEERING	1,445.00	
	PO 91714 HARBOR ENGINEERING	3,521.78	
	PO 91683 ENG WORK - RESOLUTION 148-2006	5,940.00	
	PO 91621 HARBOR - REIMBURSEMENT	370.20	11,276.98
1049 - GARDEN STATE HIGHWAY PRODUCTS,	PO 91149 SIGNS	359.00	
	PO 91459 SIGNS	240.00	599.00
2614 - GATEWAY PRESS, LLC	PO 91626 HARBOR - PRINTING	630.00	
	PO 91761 OFFICE PRINTING	470.00	
	PO 91721 OFFICE SUPPLIES	212.50	1,312.50
2454 - GE CAPITAL	PO 91765 COPIER LEASE	529.40	529.40
2377 - GEORGE WALL LINCOLN-MERCURY	PO 91763 POLICE - REPAIRS	611.23	611.23
2163 - GLENN BENTSEN	PO 91063 RECREATION/SUMMER CONCERTS	300.00	300.00
2785 - GLOBAL EQUIPMENT COMPANY	PO 91244 POLICE	502.30	502.30
2787 - GOV CONNECTION, INC.	PO 91609 COMPUTER MONITORS	1,254.00	
	PO 91589 W/S - COMPUTER EQUIPMENT	849.00	2,103.00
2896 - GUARDIAN LIFE INSURANCE	PO 91738 INSURANCE 8/15-9/14	152.49	
	PO 91738 INSURANCE 8/15-9/14	738.94	
	PO 91738 INSURANCE 8/15-9/14	394.84	1,286.27
93 - HARRY DWIGHT AND SON PLUMBING	PO 91698 HARBOR - PLUMBING	294.00	294.00
127 - HENRY HUDSON REGIONAL	PO 91783 REGIONAL SCHOOL DISTRICT TAXES/SEPT	247,758.26	247,758.26
1537 - JAEGAR LUMBER & SUPPLY CO. INC	PO 91684 HARBOR LUMBER - AS PER BID	4,891.13	4,891.13
8 - JASPAN BROTHERS SOUTH, INC.	PO 91861 HARBOR - SUPPLIES	1,639.82	
	PO 91853 AUGUST SUPPLIES	278.77	

List of Bills - CLAIMS

Meeting Date: 09/13/2006 For bills from 08/17/2006 to 09/08/2006

Vendor	Description	Payment	Check Total
	PO 91774 FIRE DEPT	173.56	
	PO 91736 POLICE - SUPPLIES	12.96	2,105.11
68 - JCP&L	PO 91758 JULY ELECTRIC SERVICE	7,426.67	
	PO 91762 HARBOR ELECTRIC	3,973.87	
	PO 91751 HARBOR - JULY ELECTRIC	110.13	
	PO 91741 ELECTRIC SERVICE JULY	94.80	
	PO 91758 JULY ELECTRIC SERVICE	12,767.36	
	PO 91741 ELECTRIC SERVICE JULY	523.95	
	PO 91722 HARBOR ELECTRIC	2,600.42	27,497.20
100075 - JOSEPH NIEDERBERGER	PO 91065 SUMMER CONCERT	200.00	200.00
331 - JULIAN'S BAIT	PO 91725 HARBOR - ICE	192.00	
	PO 91701 HARBOR - ICE	80.00	
	PO 91753 HARBOR - ICE	72.00	
	PO 91792 HARBOR ICE	312.00	
	PO 91735 HARBOR - ICE	144.00	800.00
3130 - KANSAS STATE BANK	PO 91198 LEASE PAYMENT FOR 85-74	14,998.99	14,998.99
1402 - KELLOGG MARINE INC.	PO 91716 HARBOR SUPPLIES	193.61	193.61
3003 - KERRY GOWAN	PO 91856 ANIMAL CONTROL	500.00	500.00
136 - LANIGAN ASSOCIATES	PO 91526 UNIFORMS	90.00	90.00
11 - M.G.L. FORMS - SYSTEMS	PO 91723 OFFICE SUPPLIES	1,103.70	1,103.70
1147 - MARINE DEVELOPMENT USA, INC.	PO 91734 HARBOR - PUMP OUT PARTS	268.00	
	PO 91625 HARBOR - REPAIRS	756.00	1,024.00
2829 - MARPAL COMPANY	PO 91845 DUMP FEES	857.72	
	PO 91782 DUMP FEES	699.46	
	PO 91858 DUMP FEES	495.28	
	PO 91781 DUMP FEES	821.64	
	PO 91742 DUMP FEES	747.02	
	PO 91743 DUMP FEES	891.34	4,512.46
100112 - MARY MONAR	PO 91730 REIMBURSEMENT	5.00	5.00
2981 - MCKENNA,DUPONT,HIGGINS & STONE	PO 91754 HARBOR - LEGAL	735.00	735.00
100114 - MCKIERNAN, TIM	PO 91793 FIRE DEPT	100.00	100.00
2630 - MERIDIAN HOSPITAL CORP.	PO 57223 SERIES OF HEEPATITIS B	68.00	68.00
150 - MIAMI SYSTEMS	PO 91478 DWI FUND	206.00	206.00
2084 - MICHAEL B. STEIB, P.A.	PO 91778 PLANNING BOARD LEGAL	572.00	
	PO 91841 PB ESCROW	247.00	
	PO 91778 PLANNING BOARD LEGAL	845.00	1,664.00
1741 - MICKEY BENOIT, INC.	PO 91694 BRUSH RECYCLING	1,240.00	1,240.00
22 - MIDDLETOWN FIRE & SAFETY, INC.	PO 91622 EMS	55.00	55.00
123 - MONMOUTH COUNTY TREASURER	PO 91756 RECLAMATION CENTER	12,899.04	12,899.04
1859 - MPH INDUSTRIES INC.	PO 91387 POLICE - RADAR	3,404.00	3,404.00
60 - N.J. NATURAL GAS COMPANY	PO 91702 HARBOR GAS SERVICE	70.60	70.60
18 - NAYLORS INC.	PO 91828 W/S	333.02	
	PO 91646 VEHICLE MAINT - SUPPLIES	1,157.50	
	PO 91770 FIRE DEPT	30.51	

List of Bills - CLAIMS

Meeting Date: 09/13/2006 For bills from 08/17/2006 to 09/08/2006

Vendor	Description	Payment	Check Total
	PO 91669 HARBOR PURCHASES	172.22	1,693.25
1831 - NEW JERSEY NATURAL GAS	PO 91752 HARBOR - GAS - JULY	40.12	40.12
2368 - NEXTEL COMMUNICATIONS	PO 91780 PHONE SERVICE 7/17-8/16	37.06	
	PO 91780 PHONE SERVICE 7/17-8/16	296.49	
	PO 91780 PHONE SERVICE 7/17-8/16	148.24	481.79
248 - OFFICE BUSINESS SYSTEMS, INC.	PO 91612 POLICE - SUPPLIES	375.36	375.36
1880 - ON-SITE TIRE SERVICE, INC.	PO 91469 SANITATION	113.50	
	PO 91501 FLAT REPAIR CAT 908 LOADER	80.00	193.50
1699 - ONE CALL SYSTEMS, INC.	PO 91668 W/S MESSAGES	42.70	
	PO 91686 W/S MESSAGES	45.14	87.84
51 - OSWALD ENTERPRISES, INC.	PO 91717 W/S CLEAN LINES	9,200.00	9,200.00
906 - PADDOCK UPHOLSTERY	PO 91587 TRUCK MAINT	175.00	
	PO 91468 POLICE CARS 4, 5 & 6	225.00	400.00
397 - PETEREIT, ANNE	PO 91787 GARDENING - AUGUST	650.00	650.00
141 - PETTY CASH	PO 91806 POLICE - REPLENISH PETTY CASH	96.07	96.07
50 - POSTMASTER ATLANTIC HIGHLANDS	PO 91840 NEWSLETTER POSTAGE	330.84	330.84
175 - R. HELFRICH & SON CORP., INC.	PO 91539 RECREATION - BUS	575.00	575.00
759 - RAY'S SPORT SHOP INC.	PO 91498 FIREARMS	692.12	692.12
149 - RECYCLING TECHNOLOGY CENTER,	PO 91693 RECYCLING	18.08	18.08
215 - RED BANK RECYCLING SERVICE INC	PO 91670 HARBOR - CONTAINER & DUMP FEES	759.00	759.00
2289 - ROSANO ASPHALT L.L.C.	PO 91750 STREETS	76.10	76.10
1982 - RUSSELL REID WASTE HAULING	PO 91352 W/S	3,176.82	3,176.82
1300 - SAMSON METAL SERVICE INC.	PO 91718 HARBOR - BENCH COVER	238.00	238.00
23 - SANITATION EQUIPMENT CORP.	PO 91348 SANITATION	515.93	515.93
41 - SCOLES FLOORSHINE INDUSTRIES	PO 91798 BORO HALL SUPPLIES	113.18	
	PO 91715 HARBOR - MISC SUPPLIES	699.63	812.81
816 - SEELY EQUIPMENT & SUPPLY	PO 91788 HARBOR	141.07	141.07
2905 - STERLING MARINE INC.	PO 91490 HARBOR - SUPPLIES	4,750.00	4,750.00
103 - T AND M ASSOCIATES	PO 91844 ENG ESCROW	298.75	
	PO 91847 PB - ENG - ESCROW	603.00	
	PO 91855 PB - ENG - ESCROW	740.50	
	PO 91846 PB - ENGINEERING - ESCROW	232.50	1,874.75
2861 - TERRI L. TURNER	PO 91745 COURT ASSISTANCE	70.00	70.00
2976 - THEATER DIRECT INTERNATIONAL	PO 91737 RECREATION - TICKETS - BROADWAY	2,125.00	2,125.00
743 - THOMAS J. PORTER	PO 91807 FIRE DEPT - STICKERS	100.00	100.00
2831 - TREASURER, COUNTY OF MONMOUTH	PO 91749 POLICE - MUNICIPAL ASSESSMENT	1,000.00	1,000.00
3079 - UPS	PO 91586 RETURN POSTAL SUPPLIES	10.43	10.43
2712 - VAN HYDRAULICS, INC.	PO 91620 FIRE DEPT	3,898.77	3,898.77
2265 - VERIZON CABS	PO 91779 POLICE MONTHLY PHONE CHARGE	183.40	183.40
100055 - VERIZON ONLINE	PO 91790 HARBOR - DSL LINE	143.21	143.21
3020 - VERIZON WIRELESS	PO 91776 POLICE PHONES	389.04	389.04
100006 - WARSHAUER ELECTRIC	PO 91624 HARBOR - MISC SUPPLIES	897.89	897.89
3098 - WATCHUNG COMPANIES	PO 91700 HARBOR - WATER COOLER	45.90	45.90
431 - WELCO-CGI GAS TECHNOLOGIES LLC	PO 91511 HARBOR CYLINDER RENTAL	37.38	37.38

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Vendor	Description	Payment	Check Total
2291 - YARD STUFF, LTD.	PO 91772 FIRE DEPT	119.16	119.16
7 - ZEP MANUFACTURING CO.	PO 91731 W/S - MISC SUPPLIES	119.90	119.90
TOTAL			1,087,939.80

Total to be paid from Fund 01 CURRENT FUND	668,552.70
Total to be paid from Fund 04 CAPITAL FUND	7,974.17✓
Total to be paid from Fund 06 MCIA 2005	730.00
Total to be paid from Fund 12 TRUST - OTHER	5,393.75✓
Total to be paid from Fund 13 ANIMAL CONTROL TRUST FUND	506.20✓
Total to be paid from Fund 28 WATER/SEWER OPERATING FUND	90,551.97✓
Total to be paid from Fund 29 WATER/SEWER UTILITY CAPITAL	9,295.50✓
Total to be paid from Fund 30 HARBOR OPERATING FUND	301,413.73✓
Total to be paid from Fund 31 HARBOR UTILITY CAPITAL FUND	3,521.78✓

1,087,939.80

669,282.70