



MINUTES OF THE MAYOR & COUNCIL WORKSHOP MEETING OF FEBRUARY 13, 2008

A Workshop Meeting of the Mayor and Council of the Borough of Atlantic Highlands was held on February 13, 2008 in the public meeting room of Borough Hall, 100 First Avenue, Atlantic Highlands, NJ.

Mayor Rast called the meeting to order at 7:00 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Dellosa, Doyle, Fligor, Hoffmann and Sutton were present. Administrator Hubeny, Borough Attorney Reilly, David Marks, representing Borough Engineer Robert Bucco, and Municipal Clerk Harris were also present.

Municipal Clerk 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 1/2/2008. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

WORKSHOP ITEMS DISCUSSED

HARBOR SKATE BOARD PARK – Administrator Hubeny commented that he had sent a request to change the location of the Skate Park to Monmouth County Parks and Recreation. The request was evaluated and we received a letter stating they would not authorize a change in location. It is considered a major change going from one Block and Lot to another. One particular item sited dealt with the public hearing we had regarding Block 95 Lot 5. The options are to 1> proceed with the park. There are funds in place from the Harbor budget. 2> we can pre-file a 2008 application, which would be considered if it were submitted prior to awarding a contract. The Borough would have to spend the money even if we had the grant because it is a reimbursable grant. With permission he will pre-file a 2008 application. Council member Archibald suggested that we apply for a \$200,000 grant and make it a larger skate park. Many members expressed desire to have the park built and functioning by June/July of this year.

Jane Frotton – Harbor Commission commented that Mrs. Howe has been working with the youngsters and request the Mayor appoint her as the chairperson of the committee charged with putting together the rules and regulations.

HIRING PROCESS OF THE NEW POLICE OFFICER - Chief Vasto made handed out a report to the Governing Body on the candidate he wishes to hire. He made a report

of the process utilized by him and his department, to select and interview candidates. They advertised in the Asbury Park Press for the position. We received over 40 applications and 34 were scheduled for interviews. The first round of interviews was held on December 20th followed by the 27th, January 3rd 4th and the 8th. He, the Captain and Lieutenant interviewed resulting in eleven candidates being granted a second interview. Included in the interview was an exercise involving two essays and writing an investigation report using a lap top computer. After completion we narrowed the candidates to five. The final interview was completed with the Borough Administrator present and the five candidates were then ranked in order. The individual that came out number one is being presented to you for appointment.

GREEN ACRES – Administrator Hubeny commented that they had met with our Green Acres representative, Bill Kastening. Recently the Borough received notification that we were the recipients of an additional \$300,000 Green Acres grant. The Borough is one of several that is a part of the Green Acres Incentive Plan which is for Municipalities who can submit a letter to green Acres for a specific amount of money for property/properties. With this additional grant the Borough has approximately 1.7 million dollars. We learned that Green Acres does provide low interest improvement loans, and Mr. Kastening did discuss property acquisition. The money is out there and is available to the town.

BIKE TRAIL – Administrator Hubeny reported that the Borough received another \$300,000 on a Bikeway Grant applied for last year. The money will go towards the completion of the Bayshore Trail. We have received our last permit and are waiting for the final design of the trail and the release of the money from Trenton. He also received correspondence from Spence Wickum regarding the trail maintenance. Monmouth County will accept the trail maintenance once the trail has been completed and will work with the Borough in establishing an agreement.

WATER/SEWER WELL #6 – Mayor Rast commented that this is the well that needs the pump replaced to circulate the water. While the pump was off we checked the condition of the hole and found a problem with screens being clogged. It makes sense, while the heads are off, to provide the maintenance than to wait for two years.

Council member Fligor commented that the amount of iron in the water clogged the screens and scaled the sides of the well. We can decide to just fix the pump, but in two years we will be pulling the pumps out to go back and maintain what we could do now. It would cost an additional \$8,000 to complete this work.

PROPOSED ORDINANCE/CAMPING IN LENAPE WOODS - Mayor Rast commented that we have brought a lot of people in the mill and talked to them. So far

everything is to the positive in accomplishing what we want to do here. We can utilize the property for camping. We have plans to allow boy and girl scouts to be authorized to camp in the Lenape Woods area. The ordinance will only identify authorized scout groups. We have a whole host of restriction regarding supervision and the requirements involved. The clerk will be responsible for permitting. The scout groups will have a host of responsibilities to include group identification, contact with the Police and Fire Marshall, requirements for the Scout Master to have an active cell phone, a fire watch detail at night to be maintained among other things. This will all come into play after we have an identified campsite cleared and made available. Contrary to misleading comments made, there will only be onsite available for a campsite. There will only be one location available for a fire pit. Currently no one is allowed in Lenape Woods after dark. That will be maintained. The only change would allow scouts in there after dark with a permit. During the day it will be available to the general public just as it is now.

ORDINANCE REGULATING BODY ART FACILITIES – Administrator Hubeny commented that there are two body art facilities in town with a third making an application with the Planning Board. We have no Ordinance to regulate the Body Art facilities or tattoo parlors; not in the sense of banning them but to regulate their operations. The reason for bringing this up is because the Monmouth County Health inspector became concerned. The Administrator would like Mr. Reilly to look at this and make a recommendation to the group regarding an ordinance regulating these types of facilities. It is not the intent to drive anyone out or unwelcome anyone, but is the belief that these facilities should be regulated and some form of enforcement mechanism be in place.

PARIS – Clerk Harris explained to the Governing Body, that Monmouth County, through a grant from the Division of Archives and Records Management [D.A.R.M.] has made available 10 cubic feet of storage, for each municipality in Monmouth County, at their archival facility in Marlboro. There will be a resolution required authorizing the transfer of custody from the Borough to the County, however the Borough does not relinquish ownership of the documents.

COUNCIL AGENDA/RESOLUTION DISTRIBUTION – Administrator Hubeny commented that this is a suggestion in an effort to reduce paper. The use of flash drives would allow us to put all of the documents on a zip drive and you would not necessarily receive all of this paper. You could print it out or have us print out individual items if you choose. The cost would be about \$22.00 per drive.

KIRKWOOD MISSOURI – Council member Dellosso offered a resolution offering condolences to the City of Kirkwood, Missouri in light of the tragedy suffered when two

February 13, 2008

members of the city Council, two Police officers, The Public Works Director were murdered and the Mayor was critically shot during a Governing Body meeting:

WHEREAS, the Borough of Atlantic Highlands, Monmouth County New Jersey has read of the tragedy suffered by the City of Kirkwood, Missouri, on Thursday, February 7, 2008, when two members of the City Council, two Police Officers and the Public Works Director were murdered and the Mayor was shot and critically injured at a meeting of the City Council; and,

WHEREAS, the tragedy is of great concern to all who serve their communities in public office,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, assembled in public session on the 13th day of February, 2008 that the Mayor and Council express, on behalf of the Borough of Atlantic Highlands, its condolences to the City of Kirkwood on the loss of its dedicated public officials and sends its best wishes for the recovery of the Mayor.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the City Council of the City of Kirkwood, Missouri.

This Resolution was offered and moved by Council member Dellosso, seconded by Council member Fligor and adopted on February 13, 2008 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Mayor and Council may go into Executive Session to discuss matters that may be confidential or listed in N.J.S.A. 10:4-12; and, WHEREAS, it is recommended by the Borough Attorney and Administrator that the Mayor and Council go into Executive Session at this time to discuss matters set forth hereinafter which are permissible for discussion in Executive Session;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Atlantic Highlands to go into Executive Session to discuss the following item: Potential Litigation associated with condition in Borough Hall. Minutes will be kept and once the matter above no longer requires confidentiality the minutes will be made public.

This resolution was offered and moved for adoption by Councilmember Dellosso at 8:29 PM, seconded by Councilmember Sutton and adopted by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann, and Sutton

NAYS:

RECONVENE - At 8:59 PM the meeting was resumed.

T&M ASSOCIATES – made a report on the situation and costs associated with repair to the HVAC here at Borough Hall. It appears that the insulation wrapped around the piping is a big factor. It appears that it had not been correctly done, causing excess

condensation on the piping and the inefficient operation of the system as a whole. There was some discussion regarding other moisture access points, primarily under the flooring in the library and the potential for a leak in the piping running from the building to the compressor. T&M will be contacting contractors and putting together a cost proposal that you will have to consider at a later time.

Mayor Rast asked a Motion to move from the Workshop and go into a formal meeting for some formal action. Council member Sutton made the motion. It was seconded by Fligor and carried by unanimous consent.

RESOLUTION 035-2008, PAYMENT OF BILLS

This Resolution was offered and moved by Council member Archibald, seconded by Council member Sutton and adopted on February 13, 2008 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

RESOLUTION 036-2008, AWARD CONTRACT – WELL #6 CLEANING

This Resolution was offered and moved by Council member Fligor, seconded by Council member Sutton and adopted on February 13, 2008 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

RESOLUTION 037-2008, CERTIFYING 2006 AUDIT

This Resolution was offered and moved by Council member Doyle, seconded by Council member Archibald and adopted on February 13, 2008 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

ORDINANCE 02-2008, \$900,000.00 BOND ORDINANCE

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

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

The Second Reading, Public Hearing and possible adoption is scheduled for February 27, 2008.

PUBLIC COMMENT SESSION

Jackie Jones – Keystone Drive commented that as girl scouts they were not allowed to pick wood up off the forest floors because it was apart of the echo system. They were required to carry their own wood in. She was also hoping item 10 would be a discussion bout expanding the agenda and bough an example of the agenda she was hoping to have. She is also working on the amount of grant money generated by Paul Boyd while Chairman of the Environmental Commission.

Laura DuBois – Thanked the Governing Body for their interest in bringing children into the woods and is heartened to hear about the interest in their environmental education and would be willing to help with that. She did have a question regarding the boy scouts excluding certain people from membership and leadership, which they can do because they are a private organization.

Elaine Egidio – W. highland Ave. commented that she too did not feel a camp in the Lenape Woods was a good place to create for scouts. It is small and we would have to create a canopy. They could camp on the beach where the hobie cats are and she does not agree that this is the best place for them to be.

Margie Stone – questioned if he property was in Middletown, who would respond to a fire?

Sean Fritgerald – 8 4th Street, Highlands feels the concept is phenomenal.

Randi Iglise - wanted to know how many kids in troop 22 would be taking advantage of camping in the woods.

William Phillips – Memorial Pkwy asked if the wetland credits are transferable amd if they can be transferred from Wagner creek to Many Mind creek?

Kate Wigginton – Ave. D asked where the parking for the campers would be [along Ocean Blvd].

Albert Stone – asked what the maximum capacity of the campsite would be. He also asked if there would be provisions that would restrict noise after a certain hour.

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- Personnel – Hiring Police Dispatcher

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 is excluded from this meeting.

This resolution was offered and moved for adoption by Council member Sutton at 9:58 PM, seconded by Council member Fligor and adopted by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann, and Sutton

NAYS:

RECONVENE - At 10:54 PM the meeting was resumed.

ADJOURN - There being no further business before the Mayor & Council, Councilmember Fligor moved to adjourn the meeting at 10:54 PM; the motion was seconded by Councilmember Hoffmann, and was unanimously approved.