



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF FEBRUARY 09, 2011

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on February 09, 2011 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:

Roll Call of Atlantic Highlands Governing Body:

Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton

ABSENT: None.

OTHERS PRESENT: Borough Administrator A Hubeny, Borough Engineer D Marks, Mayor F Rast, Borough Attorney B Reilly and Municipal Clerk D Harris.

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/03/2011. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

APPROVAL OF MINUTES:

JANUARY 26, 2011, REGULAR MEETING

A motion offered by Councilman J Archibald, duly seconded by Councilman J Hoffmann

This motion was passed by the following vote:

Ayes:	Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays:	None (0)
Abstain:	None (0)
Absent:	None (0)

Mayor Rast acknowledged Mrs. Kingsmore, Principal of Henry Hudson who came by to introduce herself and ask for support of the school. Many changes have been happening which include opening lines of communications, a newsletter including news from the PTO and herself. She has been an educator for 26 years and is thrilled to be here in the Highlands/Atlantic Highlands.

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Delloso –reported the AH Elementary School thanks the Mayor for his assistance in getting the solar project ready to go. The PTO had their annual dinner dance fund raiser about \$15,000.00 last Friday with over 200 people in attendance. The Harbor has contracted with an Insurance broker and a Collections Attorney. He briefly reported that the Borough Hall building project was coming along, and you can begin to really see a lot of progress. He mentioned the Finance Committee has met once and they will be meeting again to work on the 2011 Municipal Budget. On May 3rd the County will officially take over Library operations.

Councilman Sutton passed around a proposal presented by Mr. Jack Burns who had met with the Borough regarding the flow coming from Highlands through Atlantic Highlands. It is a proposal to perform metering to see if the Borough is truly being charged what they should be charged. He is suspicious that there might be some infiltration in the piping, after it is metered in Highlands but before it gets to the Atlantic Highlands meter. Even though we have seen 20% reductions, we feel there should still be further reductions. One meter will be directly outside of Highlands and one meter just before our pumping station. This will hopefully validate that the Highlands are correct or there is infiltration between the two facilities that Atlantic Highlands is paying for.

Councilman Fligor reported that he had called the new DEP case manager for the NJNG cleanup and talked to her about the project. He offered to walk her around the project sight so she could see the whole project. The NJNG is still working with Sodon in the cleaning of his property. He did a show and tell on what the operators have been pulling out of the pumps downtown, 1-3 times a day. [A bag packed with handy wipes towels and other disgusting, smelly items]. He reported the sewer authority is being updated with a Scada system, which would allow the plants to be operated remotely, and will be a benefit to the Borough if the Authority is dissolved. He also reported that the Atlantic Highlands Community Events Committee has met and the group is doing well.

Councilman Doyle had no report.

Councilman Hoffmann reported on the underwriter the Harbor Commission went with is York Jersey in Tinton Falls. He mentioned the Fireworks will be July 1st and the firemen are cranking up the preparation of their Fair. He commented that he would like to collect donations and the donor would get recognition in the newsletter. He reported the Firemen's Dinner is on February 25 and the council members have been cordially invited. They will be holding the Deck the Dock competition again and they are trying to change it around to encourage more participation.

Councilman Archibald asked if it is possible to go after the contractor for the improper helix installation. He commented that Recreation will meet tomorrow. The Environmental Commission met a week ago and they still have concerns about adverse property legislation that will be coming to pass. There may be between 6-12 properties at the most, that would be affected, however, this needs to be addressed sooner than later. He gave a report on Police activity and overtime for the month of January.

Administrator Hubeny –reported Borough Hall is finally moving along and the elevator shaft is in and will be installed. ADAMS ramp is poured, windows are in and Verizon is here working on the box. He reported the snow storms have generated some calls regarding the snow and sidewalks. If we get a complaint we will respond to the complaint. The Borough is reactive to what it gets in regards to complaints, but there have been no summons issued. We have received 75% of the funding for Streetscape Phase IV. The Mayor received notice that the Borough has been granted \$200,000 for Municipal Aid. He mentioned Eldo Magnani, the Tax Assessor, has changed his day and will be here on Tuesday during the same hours. The Tax office will be available by appointment only at night. He commented that the staff has been working 10 hour shifts so the Borough Hall will be closed on Fridays, due to construction needs. A lot of people are taking advantage of the late night hours. The JIF seminar is April 28 at 6:00 right here. There will be budget cutting seminar on April 2nd which will be sponsored by Jersey Professionals. The feedback has been good, from other Municipalities who have attended the seminar. We are the 23rd town they have presented this in. Also at the Harbor meeting they discussed a parking proposal with Sea Streak who would like to make their 7:30am run permanent. The east side of the Many Mind creek will be turned into parking and leased to Sea Streak for the 7:30 run. He would like some feedback on this. The lot will be available to the harbor during the weekend.

Municipal Clerk Harris reported that we will be trying a new company for the newsletter that will save the Borough approximately \$250.00 per issue. He also informed the Governing Body that he had been appointed to the NJ League of Municipalities Legislative Review Committee, representing the NJ Municipal Clerks Association.

Attorney Reilly had no report

Borough Engineer, David Marks reported things are quiet.

Harbor Commissioner, Jane Frotton had no additional comments.

James Krauss of the Environmental Commission had no comment.

Chief Vasto had no report.

WORKSHOP DISCUSSION:

Borough Hall Construction contracts – The Finance Committee met to discuss where we are with the building. At the time of the contract being awarded to Santorini Construction, the alternates' projects came to about \$119,000.00. He reviewed them all to see if the council is still on the same page and wants to move forward with them, because now is the time to make adjustments. He reviewed each of the alternates. He believes that there were three items the Borough could still decide to remove or to keep. One was stainless steel cabinets for \$19,000, the Sally Port was about \$18,000 and the brick pavers about \$18, 000.00 the discussion came up that some would be voted on as we went along, but he wanted to know where the council was on the issue..

Councilman Hoffmann suggested that some kind of ranking order be placed on them. If we decided not to complete them now, if we decide to complete them later we can do it later.

The Mayor does not see why we need stainless steel cabinets.

Councilman Dellosso commented that the difference in price, between stainless and the originally proposed was not that great.

Councilman Doyle commented that we have three final topics. We have the money, but the function is do we need to start clawing back expenses to counter act the other increases we have seen. We could also use the difference to pay for the wells that need repair. We should think about it and come back next week with a decision.

Chief Vasto commented the Sally Port is a safety issue with the police officer and expressed his disapproval that removal from the project would even be considered.

The Mayor also expressed his sentiment that he would rather see a Sally Port than stainless steel cabinets.

PUBLIC COMMENTS

Jane Frotton – 12 Memorial Pkwy attended a meeting and was shown a drawing presented to and was approved by the Planning Board, which she does not feel is reflective of the Historic Business District. She took the liberty and emailed all of her friends and encouraged them to show up at a meeting tomorrow night of the Planning Board and come down and express their concerns.

Joseph Hawley – 25 Ocean Blvd- commented that he was at the meeting when it [the building] as approved by the Planning Board. There were residents on Second Ave that came to express their approval of the project. The back of the building was beautiful and it was voted on unanimously by the board to approve that project. Everyone on Second and Third Avenues thought it was a good idea. He does not understand why, that after it was approved; now people

are against it. Not one person at the meeting got up and complained about it and it also brings affordable housing to this town. We should be encouraging developers to come in and build beautiful buildings.

William Phillips Memorial Parkway thanked Councilman Sutton for his report. It has been long overdue and he means it from his heart. He believes the recent increase in the water sewer bills is not going to cover the expenses given to us from the Sewer Authority. He asked if we are confirmed on the water well repairs. He also asked how you can regulate no parking in the harbor. He asked if we have gone to the BPU about Verizon.

James Pasarro – 32 Navesink Ave – he commented on the flushable wipes, which are not flushable.

Frank Grecco – Leonard Ave asked if there is an option on having it [the newsletter] emailed instead of being mailed.

Loretta Gluckstein - Ocean Blvd asked if others could attend the “Cut the Budget” meeting.

Terry Meussing – 85 Center Ave asked what kind of cabinets are in the building now.

OLD BUSINESS:

None

NEW BUSINESS:

RESOLUTION 041-2011, RENEWAL OF POCKET LIQUOR LICENSE – SHORE CASINO CORPORATION

A motion offered by Councilman L Fligor, duly seconded by Councilman J Hoffmann

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)

Nays: None (0)

Abstain: None (0)

Absent: None (0)

RESOLUTION 042-2011, AUTHORIZING LICENSE AGREEMENT – HUDSON SPRING ALTERATIONS

A motion offered by Councilman J Hoffmann, duly seconded by Councilman R Sutton

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)

Nays: None (0)

Abstain: None (0)
Absent: None (0)

RESOLUTION 043-2011, PAYMENT OF BILLS

A motion offered by Councilman R Sutton, duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

RESOLUTION 044-2011, AUTHORIZING CONTRACT W/ JUNGLE LASER – NAT GEO3.0

A motion offered by Councilman R Dellosso, duly seconded by Councilman L Fligor

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

**ORDINANCE 04-2011 – AMENDING BOND ORDINANCE 11-2009
INTRODUCTION**

A motion offered by Councilman R Sutton, duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

Public Hearing and possible adoption will take place on February 23, 2011.

PUBLIC COMMENT SESSION –

James Passaro - 32 Navesink Ave asked about the sample mock up outside of Borough Hall.

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- Contract Negotiation – PBA
2. Item – Personnel - Police
3. Item - Property Acquisition – Giuliani/Sodon/Harbor

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.

A motion offered by Councilman L Fligor, duly seconded by Councilman R Sutton

This motion was passed by the following vote:

Ayes:	Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays:	None (0)
Abstain:	None (0)
Absent:	None (0)

Regular Meeting was resumed at 10:15pm

ADJOURN - There being no further business before the Mayor and Council, a motion to adjourn was offered by Councilman L Fligor, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

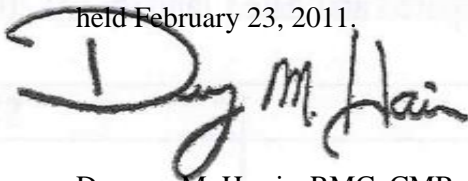
Ayes:	Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays:	None (0)
Abstain:	None (0)
Absent:	None (0)

A motion was offered by Councilman R Sutton to approve these minutes. It was duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes:	Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays:	None (0)
Abstain:	None (0)
Absent:	None (0)

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 the action of the Governing Body at its meeting held February 23, 2011.

A handwritten signature in black ink that reads "Dwayne M. Harris". The signature is written in a cursive style with a large initial "D".

Dwayne M. Harris, RMC, CMR
Municipal Clerk