



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF JANUARY 12, 2011

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on January 12, 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.

Deputy Clerk Merkel 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. She read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken. 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 Delloso, 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 Deputy Clerk E Merkel.

APPROVAL OF PREVIOUS MEETING MINUTES:

Approval of previous meeting minutes –

A motion 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 Delloso, 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 indicated that a nice letter was received from Charles Lentz who lives on Hook Harbor Road giving kudos to the sanitation department in the recent snow storm.

ADMINISTRATION, PROFESSIONAL, OTHER

Council member Delloso reported that the library will have a meeting on January 24, 2011 in the morning with the County and when they will be taking over. He indicated that the Seniors had their meeting on Monday January 10 and all were sworn in to office. It was a good time for all.

Council member Sutton had one item on Water & Sewer. He reported that Adam and Gerard Gagliano meet with them to discuss the upcoming budget for 2011. Flows for the month of December were down to 40-41%.

Council member Fligor reported that NJNG was in and they will be starting work tomorrow at Sodon's. They were in court to resolve an issue and judge indicated that it needs to start. He reported that there is another new case manager for NJNG and DEP. He will introduce himself to her tomorrow. This is number five for this matter. AHHRSA went out for Bonding worth \$7.9 million plus, and the interest rate is around 4.3% which reflects a savings of about \$483,000.00 over the life of the loan. This will be through the Monmouth County Improvement Authority.

Council member Archibald reported that recreation will have their meeting on January 13, 2011. Basketball has started and he thanked Mr. Rooney for letting us use the school. He also indicated that the recreation committee is looking for volunteers. He indicated that he met with the Environmental Commission. He reported they would like to discuss the adverse property that has been discussed before. Adam is putting together a list of that and there is a deadline of July 1, 2011. Adam indicated that the list is done and that he would get a copy to the Environmental Commission. He reported that Mr. Krauss and Mr. Weinberg are in the audience to discuss their concerns and will present their matter later in the meeting. He reported that the police report was on the dais and he discussed that briefly. He indicated that Patrolmen Doherty is back on duty. He also indicated that overtime for the year was down. He also wanted to give kudos to the road department for the great job that they have done with the snow storms as well.

Council member Hoffmann reported that the Harbor is covered in snow but they were able to clear the way for ferry riders. On the agenda there is a cancellation to do tonight. There will \$119,428.00 back in the account. Fire Department with recreation bathrooms has been settled. The locks have been changed on the bathrooms. The key will be signed out and whoever does that will be responsible. This key will be kept in the Police. Mr. Dellosso indicated that there was approval from FEMA for the bike trail.

Council member Doyle had nothing to report.

Administrator Hubeny reported that there is a recent COAH ruling that came out. The Governor is probably going to veto or conditionally veto most of that bill basically it is abolishing COAH and putting that requirement under the DCA. They still have not answered the question as to what happens to municipality who has no more land to build on and how do we arrive at the numbers we are going to need. It is important for everyone to read this and be up to date. Plowing was very good and there have been several emails received and shared with the workers. Tomorrow they guys will be going to Avaya Building in Middletown. We have rented a trailer and the guys will start to load the furniture we tagged. The road program is on hold due to weather. They were able to get the catch basins in on Cameron Circle. Borough hall has been busy and moving along.

Mrs. Merkel had nothing to report.

Borough Attorney Mr. Reilly had nothing to report.

Borough engineer Mr. Marks had nothing to report.

Chief Vasto indicated his monthly report was submitted and had nothing else to report.

Mrs. Frotton had nothing to report. She indicated that the Council covered everything. There was a discussion in regards to get the skating rink opened. The fire department offered to help clear it and get in going.

WORKSHOP:

Mr. Christopher Rooney-AH Elementary School Superintendent. Mayor Rast welcomed him. He thanked the DPW for their great work on the roads with these storms. He thanked the Police department for their most recent help with a crisis at the school as well. He updated the council with a few things such as the solar panels. They were installed in August but he is waiting for one paper from the State that has not been received yet. Everything is in order and as soon as they get that paperwork they can start using the panels. Adam asked that he email everything to him. They are bonding out for 490,000 based on the architect and engineers and going rate was at that point. There were 13 bids and awarded at 276,000 and couldn't be happier. \$116,000 total cost to the taxpayers. He reported that the AH Board of Education and Henry Hudson Board of Education as of Monday January 3 the AH Board of Ed is taking over the Business operations of Henry Hudson school system. The clerks will be maintained but payroll has been outsourced. There is an agreement for an 18 month contract. This would be a 2 cent tax savings. He reported that they will be taking some tuition students from surrounding areas that should help as well. He spoke about the Monmouth County Superintendent that was let go as of December 30, 2010. He indicated that they have requested that Carol Morris be re-appointed. He asked for support from the Council to get her back into office. He will come back once the budget is in place to discuss it with the council.

William Iler-11 Hillside Road-Gave a presentation to bring up the identity of Atlantic Highlands. He discussed possibly doing a project to improve the view coming into town. He brought a picture of the project he is suggesting for the area and shared it with all in the room. He asked if he could come back at a later date with a power point to look at this project further. Discussion followed with the Council with suggestions for the area. He did indicate that he believes the project would come in at \$10,000 per side of the street. He did ask for approval to move forward.

Jim Krauss & Max Weinberg presented their discussion between Mr. Weinberg's property and the Henry Hudson spring. There was concern where the wall ran along the property. Mr. Weinberg suggested putting in a footing wall to make it safer for traffic and pedestrians. They both discussed being out there and check the area together. Mr. Archibald asked about landscaping for the area. Mr. Weinberg did discuss his thoughts for what he would put in the area as far as landscaping. Discussion followed with all members of the council and Mr. Weinberg and Mr. Krauss. Mr. Hubeny said that he feels Mr. Weinberg touched on all area that the environmental commission has asked of him. He indicated that Mr. Reilly and Mr. McCann will draw up the papers and move forward with this matter.

Ordinance 03-2011-Borough Codification Mr. Reilly mentioned in looking at the Code Book regarding the Borough Administrator and appointment of one if the current administrator should leave it is stated that the person would need to live in town or move into town upon appointment. This wording has been in the old book for some time and thought the council would want to change that. Mayor Rast indicated that he would like it kept as is. Mr. Hoffmann also agrees to keep this position to someone living in town.

PUBLIC COMMENT

Bill Hughes-89 South Avenue-Asked if there is any more information in regards to the Bed & Breakfast. Mr. Fligor indicated that it is still with the Zoning board and the Planning Board. Tomorrow night is the planning board meeting and it will be discussed there if he would like to attend. Mr. Fligor indicated there is still some interpretation that needs to be worked out for this project to move forward. Mr. Hawley who is the Fire Marshall is working this matter out with the State.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

RESOLUTION 020-2011, APPOINTMENTS-RECREATION/EMERGENCY MGMT/ENVIRONMENTAL COMMISSION

A motion offered by Councilman J Archibald, 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 021-2011, AUTHORIZING PROFESSIONAL SERVICES CONTRACT-MICHAEL B STEIB, ESQ

A motion offered by Councilman J Hoffmann, 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)

CONCENT AGENDA:

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

Resolution 022-2011, Approving Change order #21-Santorini Construction
Resolution 023-2011, Approving Change order #22-Santorini Construction
Resolution 024-2011, Approving Change order #23-Santorini Construction
Resolution 025-2011, Approving Change order #24-Santorini Construction
Resolution 026-2011, Approving Change order #25-Santorini Construction
Resolution 027-2011, Approving Change order #26-Santorini Construction
Resolution 028-2011, Approving Change order #27-Santorini Construction

Resolution 029-2011, Approving Change order #28-Santorini Construction
Resolution 030-2011, Approving Change order #29-Santorini Construction
Resolution 031-2011, Authorizing RFP-Tree Trimming & Harbor Collection Atty

A motion offered by Councilman J Archibald, 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 032-2011, PAYMENT OF BILLS

A motion offered by Councilman J Archibald, 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)

RESOLUTION 033-2011, CANCELLATION OF CAPITAL APPROPRIATIONS

A motion offered by Councilman P Doyle, 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)

PUBLIC COMMENT

William Phillips-124 Memorial Parkway-Asked when minutes from previous meeting were going to be posted on the Website. Adam indicated that he will check with Dwayne and will get them posted on the website.

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. Personnel-Librarian
2. Contract Negotiation-AH PBA Local #242
3. Contract negotiation-MEA/MSA Unions

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 was offered by Councilman J Archibald, and was duly seconded by Councilman P Doyle

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)

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

At 10:00pm, 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 to approve these minutes was offered by Councilman J Archibald, and was 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)

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 December 22, 2010.

/s/ Dwayne M. Harris

Dwayne M. Harris, RMC, CMR
Municipal Clerk