



## MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF FEBRUARY 22, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on February 22, 2012 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: Councilman Archibald, Councilman Dellosso, Councilman Doyle, Councilman Fligor, Councilman Hoffman and Mayor Rast. Also present were Administrator Adam Hubeny, Municipal Clerk Dwayne Harris, Engineer David Marks and Attorney Richard Leahey who was sitting in for attorney Bernard Reilly.

Municipal Clerk 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 in the office of the Municipal Clerk of Atlantic Highlands, on 1/03/2012. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

### APPROVAL OF PREVIOUS MEETING MINUTES: REGULAR MEETING, FEBRUARY 08, 2012

**Motion: Action:** Approve Minutes, **Moved by** Councilman Jacob Hoffmann, **Seconded by** Councilman Roy Dellosso.

**Vote:** Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

**Yes:** Councilman John Archibald Jr., Councilman Roy Dellosso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann.

**Abstain:** Councilman Robert Sutton.

### WORKSHOP DISCUSSION: NONE

### REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Archibald reported on Police activity for the month of January. He mentioned the heightened Police presence in the neighborhoods and feels they are doing a good job. He noted Mr. Leahey's presence and feels the Council should appoint a Conflict Attorney in the event the Borough Attorney cannot be present or needs to be recused. After brief discussion Mayor Rast asked the Clerk to prepare a resolution for the next meeting.

Councilman Hoffmann reported the Fire Dept. is getting ready for the fair and noted that Red Bank cancelled their Fireworks for this year. He just wants to be certain that the Borough is alright financially in that regard. He finally mentioned that the Harbor Commission is still looking into placing wind turbines in the Harbor.

Councilman Doyle had no report but asked if the Fire Dept. has tried to max it resources by having two nights of fireworks. He also asked for a three year budget from the Harbor and if it is possible, when would it be available.

Councilman Dellosso reported we are still working on the punch list for the Borough Hall construction project. The Harbor hired the new Client Services Rep and she began last week.

Councilman Sutton reported that the paperwork for well #7 is complete and should be sent to the DEP on Friday. He thanked everyone for their condolences on the passing of his mother last week.

Councilman Fligor reported on the Environmental Commission meeting. They are looking into some storm water runoff issues from Gate Cottage. He reported FEMA has some Blue Acres and Green Acres mitigation money available. He mentioned that Greg Grecco will be doing a bridge project in the Lenape Woods as part of an Eagle Scout project. There will also be trail maintenance after April 18<sup>th</sup> in the Lenape Woods and April 21<sup>st</sup> & 22<sup>nd</sup> will be the Environmental Commission's Green Weekend.

Administrator Hubeny reported on two employees that have reached 25 years of service, Martin Hawley and Jeff Merker. The governing body has been discussing utilizing technology to reduce paper usage in the Borough and he would like to move forward in implementing these systems. We are also discussed with our financial software people and we are going to institute a paperless requisition system which is a well-rounded system for finances. We are also looking at backing up our e-mails on "the cloud" and unless there are any objections he also would like to move forward with this.

**Motion:** To approve the acquisition of I-pads, and move forward with the implementation of proposed technological applications **Action:** Approve Motion,

**Moved by:** Councilman Roy Dellosso **Seconded by** Councilman Lou Fligor

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Councilman John Archibald Jr., Councilman Roy Dellosso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

Attorney Leahey had no report

Clerk Harris read a thank you note sent from the Paint the Town Pink organizers.

Mr. Marks reported on well number #7 replacements. They [T&M] will continuous communication with the DEP to make sure this project continues to move forward. He reported the road program has a few minor punch list items to be addressed by JADS. He reported Streetscape Phase IV in the Harbor has been completed. There is a change order representing a \$30,000 reduction in the contract price. That Project has been wholly paid for by the NJDOT Center's of Place program.

Chief Vasto reported that the Kaboom Fireworks cancellation in Red Bank will have an impact here. Rumson has cancelled as well so we will be the only town around with fireworks. There was some supplemental discussion on the performance of the Police Department during that period. He reported the department is diligently working on the burglaries that have been happening around town. He stated that there has not been a burglary in town that the department has not solved.

Jane Frotton, Harbor Chair reported that she had been accosted by people regarding the noise that the proposed turbines make. She emphasized that the proposal is just in preliminary discussion and feels it would be about five years before they materialized.

James Krauss reported that Greg Pollack talked about the wind spire in Long Branch, at the Environmental Commission meeting, and noted that it is nothing like what would be in Atlantic Highlands. They also talked about the turbine concept and they feel the idea of renewable energy is a great idea, but there are some concerns about the environmental impact, in regards to birds and noise. He also inquired about e-mails with volunteers and under OPRA; he recommends volunteers get set up on the Borough e-mail server.

## **PUBLIC COMMENTS**

Frank Grecco, Leonard Ave commented that the wind turbines do make a noise and although it is not audible to the human ear, can have an effect on individuals depending on their proximity and length of exposure to the device. He was thinking of nestling them along the shore line that runs along the waterway for the length of Ocean Blvd although he is more of an advocate for Solar Panels. In regards to the Harbor, most of the electricity is used in the summer months and asked if they have looked into sub-metering and having the boat owners pay for the electricity that they use. He also feels the fireworks are a great opportunity for the Borough to shine. To offset the cost, the Harbor should put up partitions along the entry and charge admission for access to the Harbor on

fireworks night. Another way is to have people pay for parking around the Harbor area as well as charge for shuttle bus transportation.

**UNFINISHED BUSINESS:**

NONE

**NEW BUSINESS:**

1. **Consent Agenda:** These items will be enacted by one motion. Detailed deliberation was desired on Resolution 052-2012, so it was removed from the consent agenda and considered separately.
  - a. Resolution 048-2012, Approving Change Order #03/Final – Precise Construction
  - b. Resolution 049-2012, Approving Change Order #03 – Jads Construction
  - c. Resolution 050-2012, Approving Change Order #78 – Santorini Construction
  - d. Resolution 051-2012, Approving Change Order #79 – Santorini Construction
  - e. Resolution 053-2012, Authorizing “Paint the Town Pink”
  - f. Resolution 054-2012, Payment of Bills = \$1,159,637.17
  - g. Resolution 055-2012, Appointment to the AH/HRSA

**Motion:** Approve Consent Agenda, **Action:** Approve Resolution, **Moved by** Councilman Roy Dellosso, **Seconded by** Councilman Robert Sutton.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Councilman John Archibald Jr., Councilman Roy Dellosso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

**RESOLUTION 052-2012, AUTHORIZING EXECUTION OF DEED NOTICE**

**Motion:** **Action:** To Table, **Moved by** Councilman Peter T. Doyle, **Seconded by** Councilman John Archibald Jr.

**Vote:** Motion failed (**summary:** Yes = 1, No = 5, Abstain = 0).

**Yes:** Councilman Peter T. Doyle.

**No:** Councilman John Archibald Jr., Councilman Roy Dellosso, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

**Motion:** **Action:** Approve Resolution, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman Roy Dellosso.

**Vote:** Motion passed (**summary:** Yes = 3, No = 3, Abstain = 0).

**Yes:** Councilman Roy Dellosso, Councilman Lou Fligor, Councilman Jacob Hoffmann.

**No:** Councilman John Archibald Jr., Councilman Peter T. Doyle, Councilman Robert Sutton.

Mayor Rast voted in the affirmative and the resolution passed.

**PUBLIC COMMENT SESSION –**

February 22, 2012

Frank Grecco, Leonard Ave., asked if the Ipads would have security devices built in or installed, to protect them from loss and theft.

In the absence of attorney Reilly the Executive Session was cancelled.

There being no further business before the Mayor and Council:

**Motion:** Adjourn, [8:55pm] **Moved by:** Councilman Fligor, **Seconded by** Councilman Robert Sutton.

Motion carried by unanimous acclamation.

**Motion:** Approve Minutes, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman Robert Sutton.

Motion passed unanimously.

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 March 14, 2012.



Dwayne M. Harris, RMC, CMR  
Municipal Clerk