



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF JUNE 27, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on June 27, 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:

Present: Councilman John Archibald Jr., Councilman Roy Dellosso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton, Mayor Frederick J. Rast III.

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, JUNE 13, 2012

Motion: Approve Minutes, **Moved by** Councilman John Archibald Jr., **Seconded by** Councilman Jacob Hoffmann.

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

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

Abstain: Councilman Peter T. Doyle.

WORKSHOP DISCUSSION:

None

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Dellosso reported on the dissolution of the AH/HRSA. The committee has been meeting about once a month feels that they are about 12-16 months from having it finalized. He mentioned the Finance Committee has met regarding the proposed fee ordinance. He gave acknowledgements the Henry Hudson Girls softball team who had a no hitter. Mr. Dellosso mentioned that has been some issue with the fireman's fair flier advertising the Casino Boat as

coming soon. The owner made a donation as did a lot of people, and you get your name on the flier. It does not mean it is coming soon. He did report that the casino boat is still being discussed in committee and has not been finalized as of yet.

Councilman Sutton reported that the Water/Sewer committee had met. Mr. Hawley and Mr. Dougherty brought the committee up to date on the projects to be completed this year. They did receive some pricing for the roof work but they are still waiting for some other pricing to come in. They have come across a little problem with the roof that needs to be addressed before the roofing contract can be awarded. A lot of the work being planned is contingent upon how competitive the bids are for well #1 replacement. Which that bid is in we will be able to determine how much can be spent on some of these other projects.

Councilman Fligor received a ground water monitoring report from NJNG which he has to review. He mentioned Adam is looking into a few issues regarding the paper work for a grant for Many Mind Creek, getting the benches for the Hesse parking lot and getting the beach at the end of Avenue A cleaned and possibly mulched to encourage public use, along with a few other things about the Harbor and fishing pier.

Councilman Doyle read a thank you letter from a resident regarding his treatment from the water department. He mentioned Carton Brewing Co will be going before the Planning Board on July 2nd looking to amend their hours for brewing in the evenings and encouraged everyone to attend and express their views. He thanked everyone for their support at the Memorial Day parade.

Councilman Hoffmann reported that the fair will begin on July 3rd and the fireworks will be on the 6th. The department will begin setting up on Sunday evening for next week. He mentioned the Harbor is busy and thriving and there is a lot of activity going on.

Councilman Archibald reported on the night of the fireworks and that he and the Chief Vasto met to make plans to manage an above normal crowd for that evening. The Fire Dept. and First Aid have coordinated plans as well being coordinated through the office of Emergency Management. He mentioned there will be 8 additional officers, from neighboring towns, in place. They have rented some stanton lights so once the fireworks are over, there will be substantial lighting in the harbor area. Since parking will be at a premium, the Chief will also be sending out a reverse 911 message advising residents of the need to walk to the harbor if possible and lock their doors, as there will be a lot of visitors in town. There will be some restriction on parking to make streets accessible for emergency vehicles. He reported that in San Jose, CA the Gluckstein boys will be battling for a spot on the US Olympic team. Only one of them will make it in the trampoline competition.

Administrator Hubeny reported additional speed limit signs have been installed on Avenue D and East Washington Avenue. He reported the gas company has moved the meters on First Ave and hopefully within the next few weeks we will have the covers on the remaining regulators. The Finance Committee has met and has given approval to move forward with the filing system downstairs and he will also be holding off on the landscaping and the sprinkler system until the fall.

Municipal Clerk had no report

Attorney Reilly had no report.

Engineer Marks reported the 2009-2010 Road Program is just about complete. They have one additional punch list item and additional work is being evaluated in an effort to close out that contract. He is working with the contractor for the Streetscape program, to get some of the lights that are on 24 hours a day taken care of. The West Avenue Resurfacing Project is ready to go bid and needs authorization from the Department of Transportation before they can advertise. He went over the Complete Streets policy [Resolution 104-2012] explaining it to the governing body and the public. The benefit is that it will get us 1 additional point on our DOT applications and could be a determining factor between getting a project funded or not. We will also receive 30 additional points on our Sustainable NJ grant applications. The DOT, The County of Monmouth, Red Bank and Point Pleasant are the only entities related to Monmouth County that have adopted these policies.

James Krauss of the Environmental Commission reported Mr. Weinberg has planted the shrubs at Hudson Springs and it looks great. The handrails along the wall and along the creek need to be completed. Our challenge is to keep it looking nice on that side and resolve the planting issues on the street side.

PUBLIC COMMENTS:

Carl Nolan - 125 Center Ave let the Council know about the bus stop at the end of Avenue D, by the highway. A couple of weeks ago a sign showed up on the Middletown side of Highway 36 that stated there would no longer be a bus stop at that location. People either get dropped at Hosford Avenue or First Avenue. They were told Mike's Bikes found out there was no right of way or memorialization of that spot as a bus stop and by petitioning Middletown and subsequently the DOT, had the spot removed. He would like the governing body to send a resolution supporting the move of the bus stop to the other side of the Highway 36 or in an area close to there.

Administrator Hubeny explained that he has already looked into this situation and arrangements are being looked at by NJ DOT, to either relocate it to the opposite corner or in front of the McDonalds.

Motion: To send a resolution, to be drafted by Attorney Reilly, to Middletown, supporting the move of the bus stop to across the highway. **Moved by** Councilman John Archibald Jr, **Seconded by** Councilman Lou Fligor

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

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

Benson Chiles - Third Ave - asked if he could see the letter being sent to the proposed Casino Boat operator. He was wondering if the answers to the questions will be mandatory for him to answer. He mentioned toward the end of the last meeting it was mentioned that maybe the proposal could go to ballot or referendum and wanted to know what the council has decided on that matter.

Jason Sanders - 23 E. Highland Ave - wanted to know a little more about the process for the approval of the Casino Boat. He feels it is really important for the audience to have a voice in this matter.

Donna King - 51 Ocean Blvd, mentioned the Harbor being a separate entity and what she does not understand is how the Harbor Commission gets appointed and how they get so much power. She also wanted to know who the committee people are and how you get appointed to these committees.

Councilman Doyle asked who the committee people were.

Jane Frotton – commented that Roy Dellosso stepped up to chair the committee, Jake Hoffman who is on the Harbor Operation Committee, the two Administrators, Mr. Hubeny and Mr. Amici, Al Thompson who is on the Harbor Finance Committee. She would serve as a fourth person if needed and the two at large people, Ed Cetron and Regina Keelen volunteered after they heard about what was happening.

Thomas King - 51 Ocean Blvd, commented that everything the Harbor does affects him and he mentioned that he heard people threatening legal suit if the council approved this. He feels that they should use the reverse 911 to notify residents of meetings about issues like this.

Raquel Sanders - 23 E. Highland- asked how the 60 people the Mayor referred earlier to found out about the Casino Boat. She asked what the time frame was from when the letter goes to the owner, to when a response is requested.

Mark Payne - 61 E. Washington commented that he has done about 20 minutes of due diligence on Diamond Casino who is the proprietor, and asked why the Council would entertain doing business with an individual like this, considering his background. He hopes the Council will do studies on what impact it will have on the community.

Pat Hackett - 14 E. Washington asked if the study is looking only at him, and his proposal specifically, as the only option or at the whole venture in the broader sense.

Corinna Thuss - Ocean Blvd commented about asking Sea Streak patrons why they use our town as a parking lot and why do they not stop and use our stores. She is not interested in seeing 50 more cars on First Ave and idling buses in the Harbor. She is also concerned that the gentleman paid \$5,000 for the fireworks and he is being considered for a lease in the Harbor.

Thomas King - 51 Ocean Blvd. asked about the boat having an 8' draft.

Michael Denzler - E. Washington Ave asked about a reverse 311 where people can opt in.

UNFINISHED BUSINESS:

ORDINANCE 07-2012, BOND ORDINANCE - AMENDING BOND ORDINANCE 18-2007

Motion: Open Public Hearing, **Moved by** Councilman Jacob Hoffmann, **Seconded by** Councilman Lou Fligor.

Motion passed unanimously.

Councilman Dellosso explained the Bonding in the Harbor and the repairs needed there.

No Comments from the public

Motion: Close Public Hearing, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman Roy Dellosso.

Motion passed unanimously.

Motion: Adopt Ordinance, **Moved by** Councilman Roy Dellosso, **Seconded by** Councilman Jacob Hoffmann.

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.

NEW BUSINESS:

Consent Agenda: These items will be enacted by one motion. If detailed deliberation was desired on any item, Council could have removed that item from the consent agenda and consider it separately.

- a. Resolution 099-2012, Authorizing "Make Some Noise" Pediatric Cancer Awareness Program
- b. Resolution 100-2012, Liquor License Renewal – 2012/2013 Term
- c. Resolution 101-2012, Approving Grant Application/Agreement – NJDOT TE Program
- d. Resolution 102-2012, Certifying Continual Ownership and Agreement to Maintain Commitment
- e. Resolution 103-2012, Authorizing The Refunding of Special Events Application Fee
- f. Resolution 104-2012, Establishing a Complete Streets Policy
- g. Resolution 105-2012, Payment of Bills

Motion: Approve Consent Agenda Items, **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.

PUBLIC COMMENT SESSION:

Heidi Hackett - 14 E. Washington is concerned with the wording that came through on the fireworks flier, and that was utilized on the advertising. She asked if there was anyone on the Council that looked at that and considered rewording the advertisement.

Pat Hackett - 14 E. Washington asked if there could be some kind of public information booth at the fireworks for anyone who has a question, might be able to get information.

Councilman Dellosso commented on the proposed fee ordinance. He asked that the Council take a few minutes to discuss it. The Council reviewed all of the current fees and subsequent proposed fees and made some recommendations to modify what was proposed. There were also some questions about the wording in some areas and feel that it needs to be clarified so people are clear on what the fees include and don't, and how they apply to homeowners in relation to a business.

Frank Grecco – Leonard Ave asked a question regarding the costs of a permit in regards to what is being inspected and how often.

ADJOURN [9:45pm] - There being no further business before the Mayor and Council,

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

Motion passed unanimously.

Motion: Approve Minutes of June 27, 2012, **Moved by** Councilman Jacob Hoffmann, **Seconded by** Councilman Roy Dellosso.

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 July 25, 2012.


Dwayne M. Harris, RMC, CMR
Municipal Clerk