



## MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF MARCH 28, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on March 28, 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 (Not voting).

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

### **APPROVAL OF PREVIOUS MEETING MINUTES:**

Regular Meeting, March 14, 2012

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

Motion passed unanimously.

### **WORKSHOP DISCUSSION:**

None

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

Councilman Hoffmann nothing

Councilman Sutton spoke on the flow reports.

Councilman Fligor spoke of complaints of the regulators and problems with the gas company. Mr. Reilly indicated that he spoke with Red Bank regarding their issues on the same matter. Mr Hubeny indicated that two are taken care of. Mr. Doyle does not want to spend any money regarding this matter. He spoke of habitat for humanity to use the property. Mr. Archibald asked where this issue stands with the county. Mr. Hubeny reported that we have no money to spend

on this issue. We pay \$250,000 on the property. Mr. Hubeny asked if the planning board would consider an empty lot. Mr. Doyle asked if there was any pressure on us to do something with the property. Discussion followed among all members. Mr. Fligor indicated that we are putting out a lot and getting nothing.

Councilman Archibald police report for February. Letter of commendation for Stephen Vogt for a hit and run incident. Recreation basketball finished up and Allyson did a great job. Easter egg hunt on April 1, 2012 at 11am. The borough awarded the bans for the water project.

Councilman Hoffmann reported that the harbor will present the winning towers and this company did the research. April 10<sup>th</sup> is the next harbor meeting. Jack asked if they were going to come to the mayor and council meeting to do a presentation and Jane Frotton indicated that she just invited the council to go to the harbor meeting. Mr. Archibald would prefer that they come and present to the council. Mr. Hoffmann indicated that this is one product and asked that they come here and present to everyone. Mr. Hubeny thought the April 25<sup>th</sup> meeting would be better this way everyone could be here. The harbor and the events committee are soliciting for the fireworks. The fire department is printing tickets for the motorcycle and the fair. Firemen's fair is the 3<sup>rd</sup> through the 6<sup>th</sup>. Mr. Archibald asked about the vacancy in the harbor. The bait and tackle shop will open April 1<sup>st</sup>.

Councilman Doyle deals with the American legion. Foodtown is running the support the military this year it will come to Atlantic Highlands American legion. There was discussion regarding the library and putting names to each room. Mr. Hubeny spoke of the shade tree wanting to plant trees for two people who passed and they wanted to plant a tree in their honor.

Mayor Rast asked that the council back the dispatch proposal with Highlands. He indicated that this will be in executive session but briefly described the situation. He also discussed the next step with dispatch and all the money that was spent on borough hall he feels and would like to strongly consider sharing the courtrooms that will enhance revenue. In less than two years things should be bringing in revenue. He also discussed the hiring of police. Right now we have 13 out of 15 offices on the force. He spoke of vacation times that the officers have and he feels being short-handed will not work in the summer. He feels that one office is needed at this time. He feels that there is a problem with sergeant's positions. He recommends that taizors not be used in Atlantic Highlands.

Eileen Colelli is appointed to the shade tree commission

Mr. Hubeny the library will close April 9 and reopen April 16. Yesterday JADS came in and is finishing up the 09 projects. They redid the pavers in some are. Street scape at John Sutton way and we 210,000 grant. Thank you to Dave Marks. We hope to get something for the highway. Everyone received their iPads and email will be fixed. Looking into. Joe Faglorini is leaving the united computer. Looking to see if Middletown would share services for IT work. Marty Hawley visited the government sites we got 8 generators and a snow plow for free. One for water tower,, one for Lincoln ave, one in the harbor.

Library dedication the county will be here at 5:30pm for the dedication and use the court room for their meeting. Lou asked that a thank you letter go to Marty for his due diligence. He is also looking into a hummer for the police department.

Paving will start at Miller Street in highlands 36 to union beach. The DOT sent a letter to the mayor regarding this issue. Mr. Archibald spoke of xxx

Mr. Reilly indicated that everything is quiet.

Mr. Marks indicated that we received initial comments on the permit process. The project is moving well and feels construction is moving forward. Jads was here doing there.

Chief Vasto reported a potential serious accident. He spoke of the accident happening on the highway. There were no serious injuries. Jerry Pandolfo came out from his home to help the injured. He explained how the accident happened. He believes that it was just a terrible accident. The cars are in, his is outside and equipment to install is ongoing. Burglary issues are being worked on and he reported that he appreciates the Mayors support. NJ is always the last ones to be informed and use the new technologies. Mr. Sutton asked about the cameras on the highway. Chief described what the cameras are and how they work. Seniors at Portland point now have a sign to slow down so seniors could cross carefully.

Mrs. Frotton mentioned that emails and letters out for the fireworks. Some money is coming in and T&M made a \$1000.00 donation. They are hoping to get  
Comment on the turbines that the commission has some concerns about them. There are questions as to where the money should be spent on these items because they are expensive. There are other areas in the harbor that need repair.

Mr. Kraus for environmental April 29. Cleaning up Henry Hudson springs and also small trail connection on cottage gate. Don made arrangements with coast guard to speak to the school on April 26<sup>th</sup> at the elementary school. The commission took a position on the sandy hook science. He spoke of this briefly On April 5.

## **PUBLIC COMMENTS**

Mr. liensdorf spoke of hillside road. He spoke of paving on bayside drive. He read a letter he had typed up. He spoke of all the houses that are up for sale and have been on the sale list for two years or longer. All council members sat and listened to what he read. He spoke of court not having enough seats for people to wait and speak with the prosecutor. Mayor spoke about the atlantic highlands and highlands road .

Chief vasto 4 wesley ave asked about areas to save money. Did anyone look into solar panels to offset the cost. A solar panel company is preparing documents for this matter. Street lighting is extremely high. Mr. marks spoke on this matter and he believes pse&g reaps the savings not the borough. He spoke of the solar panels to all the council members. We have gone through the SEM program for JCP & L and natural gas is being worked up.

Jim Krauss 77 bayside drive reported that he disagrees with his letter. He believes that all on bayside drive are thrilled that it is a dead end. He reported that the residents would object to opening. He is correct that the houses on bayside drive are up for sale and have been for some time.

Frank Grecco Leonard Ave. The barbed wire fence is not on his property for the record. With respect to a meeting a few weeks back the depressed area of XXX what is the status. He suggested that we curb straight across and remove the back top. Mr. Hubeny reported that that area would be for parking. Stop sign that stops traffic on Avenue C. and he feels that there is not a lot of traffic in that area and asked that the stop sign face the other way. All the traffic gets jammed way. There is a concern if there is no stop sign there would be cars going in to the paper street. An additional sign would be needed to say Dead End. An update to the ordinance would need to be done. This will be looked into by the police and engineer. He strongly objects to giving land to Monmouth County. He spoke of programs through the state. He discussed how this could work. Suggested an RFP for this land and use the highest bids for this land. We could recoup some funds on this land. 250,000 for low income residents was used. Mr. Fligor spoke of habitat for humanity because the owners would take care of the property if they have to put their own blood and sweat into building it. There could be a fee charged for parking for Firemen's fireworks display. Suggested the gravel lot and charging a fee as well. He feels people would pay for coming to the fireworks. Mr. Archibald spoke of the difficulties having someone keep track of the money. All of his suggestions are to raise money to have a fantastic display. Gas regulators on First Ave and why can't they be inside the buildings. Mayor Rast spoke on this matter. Mr. Grecco asked if they could be moved off the front of buildings. Discussion followed by all. He asked in regards to the use of solar panels have we looked into leasing them. With the wind turbines could it be posted in the beacon so people could be here to discuss. It will also be on the website as well.

**UNFINISHED BUSINESS:**

NONE

**NEW BUSINESS:**

**ORDINANCE 04-2012 – EXTENDING ORDINANCE 12-96 “RENT CONTROL”  
[INTRODUCTION]**

**MOTION: , ACTION: APPROVE RESOLUTION, MOVED BY COUNCILMAN  
ROBERT SUTTON, SECONDED BY COUNCILMAN ROY DELLOSSO.  
MOTION PASSED UNANIMOUSLY.**

**ORDINANCE 05-2012 – AMENDING 2012 SALARY ORDINANCE [INTRODUCTION]**

Asked to be tabled by Mr. Dellosso. All in favor.

**Consent 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.

- a. Resolution 059-2012, Refunding Tax Sale Premium
- b. Resolution 060-2012, Emergency temporary Appropriation
- c. Resolution 061-2012, Opposing Senate Bill 1451 – Open Public Meetings Act
- d. Resolution 062-2012, Opposing Senate Bill 1452 – Open Public Records Act
- e. Resolution 063-2012, Approving Update 2012 Personnel Policy
- f. Resolution 064-2012, Authorizing Contract – Garden State Fireworks
- g. Resolution 065-2012, Payment of Bills \$529,891.77

**Motion:** , **Action:** Approve Resolution, **Moved by** Councilman John Archibald Jr., **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.

**PUBLIC COMMENT SESSION –**

None

**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** – Pending Litigation – Iler vs. Borough of Atlantic Highlands
2. **Item** – Contract Negotiation – Shared Dispatching Services – Borough of Highlands

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.

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

Motion passed unanimously.

**ADJOURN [TIME] 10:15pm** - There being no further business before the Mayor and Council,  
Motion: Adjourn, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman Jacob Hoffmann.

Motion passed unanimously.

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

**Vote:** Motion passed (**summary:** yes=6 No=0, Abstain =0)

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

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 April 18, 2012.

Dwayne M. Harris, RMC, CMR  
Municipal Clerk