



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF MAY 08, 2013

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on May 08, 2013 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 Municipal 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 in the office of the Municipal Clerk of Atlantic Highlands, on 1/02/2013. He 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:

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.

APPROVAL OF PREVIOUS MEETING MINUTES: NONE

PROCLAMATIONS: Administrator Hubeny read the following proclamations:

P R O C L A M A T I O N

from the Mayor and Council of the Borough Atlantic Highlands

Recognizing

THE AOCC FOOD BANK

WHEREAS, The Association of Community Churches comprised of 10 churches in the Atlantic Highlands, Navesink and the Highlands areas, has for many years provided a food pantry at the United Methodist Church of Atlantic Highlands; and,

WHEREAS, The pantry, run by Director Mary Carhart and her team of volunteers, serves over 300 residents from Sea Bright, Highlands, Atlantic Highlands, Belford, Port Monmouth and Navesink, notably by allowing patrons to "select what they want" as they engage in filling bags for needy residents with groceries and other household supplies; and,

WHEREAS, Mary Carhart, a lifelong Atlantic Highlands resident, has been at the helm of the food pantry for 12 years, a volunteer position she has held since she took over the post when she was looking for something to do with her time after retiring from the family-owned business; and,

WHEREAS, Along with a host of private citizens and the 10 local churches which help keep the food pantry operational, the pantry has received generous donations from a number of local groups; The Front Porch Club, PBA Local #242, the Lions Club, the Post Office, St. Vincent De Paul," and the Shore Casino being some of the biggest contributors.

NOW, THEREFORE BE IT PROCLAIMED that the Mayor and Borough Council acknowledge and thank Mary Carhart, her group of volunteers and the AOCC for their service to those in need, and encourage all residents to be mindful and support the AOCC Food Pantry at the United Methodist Church of Atlantic Highlands

Mayor Rast presented the following Proclamation to Judith Turner of Portland Pointe:

PROCLAMATION

of the Borough of Atlantic Highlands

**HONORING
PORTLAND POINTE**

WHEREAS, In 1988, Mayor Robert Schoeffling advocated for a senior affordable housing community to be located in Atlantic Highlands, and after 8 years of pursuing this dream, Portland Pointe became a reality and opened its doors in August of 1996.

WHEREAS, Portland Pointe is affiliated with the Princeton based Springpoint Senior Living, which is New Jersey's leading not-for-profit provider of senior housing and care, serving the needs of seniors for or nearly one hundred years; and,

WHEREAS, Portland Pointe has been serving seniors since 1996, providing not only safe and attractive housing accommodations, but needed services and a caring community of friends, currently numbered at 61, who call Portland Pointe their home ; and,

WHEREAS, Portland Pointe is professionally run by Executive Director Judith Turner, who assisted by Tricia Kovic-Resident Services Coordinator, Dan Kilduff – Maintenance Supervisor and Kim Berry – File Clerk, offers housing choices that support diverse financial needs as well as lifestyles, while making a positive difference in the lives of the residents, families and the communities they serve; and,

NOW, THEREFORE, I Frederick J. Rast III, Mayor of the Borough of Atlantic Highlands do hereby proclaim May 15, 2013 as **Portland Pointe Day** in the Borough of Atlantic Highlands, as recognition for being a leader in innovative housing, healthcare and integrated supportive service solutions, for our senior community.

Administrator Hubeny read the following Proclamation:

P R O C L A M A T I O N

*Of the Mayor and Council of Atlantic Highlands
Supporting the*

Click It or Ticket

Mobilization of May 22- June 4, 2006

WHEREAS, there were 591 motor vehicle fatalities in New Jersey in 2012 and a large percentage of the motor vehicle occupants killed were not wearing a safety belt; and,

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and,

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and;

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 20 - June 02, 2013 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 88.29% to 90%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways,

THEREFORE, BE IS RESOLVED that Mayor and Council of the Borough of Atlantic Highlands declares their support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 20 - June 02, 2013 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

WORKSHOP DISCUSSION:

NONE:

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER:

Councilman Archibald reported that next week the Borough would be going out and selling the balance of the BANS which total about 9.8 million. We are hoping for a .8 or .9 bid. He asked John Amici and Gerry to run a quick report on the number of refunds to date for the Harbor, and it is totaling about \$80,000.00 this represents a significant amount of money and we still do not have clarity from the Business Interruption claim. The insurance company is saying that the boats and the income from the boats would not be covered because of hesitation in their acceptance of the piers, docks and floats as a part of the coverage. This could possibly open them to the financial responsibility of rebuilding the Harbor and they are hesitant to do that. He also asked if the grounds and some of the garbage picked up in the picnic area.

Councilman Hoffmann reported Fireworks display committee is seeking donations to enhance the July Fireworks shoot. The donations are utilized to enhance the display. Because of the economy, there will be no mailing of fliers this year to surrounding towns. Donna King would be the contact person for this. He reported that the Fireman's Fair will be held from July 2nd through July 6th. He also reported raffle chances are on sale for a Harley Davidson motorcycle and also a 50/50 will be available. He also reported on issues in the Harbor regarding delays in the delivery of materials, especially for Frank's Pier. Some material is already 5 1/2 weeks past the delivery date. He reported that the well replacement for the Water Dept is coming along fine and the work project should be completed by July.

Councilman Doyle commented that he is convinced once the Harbor is done, it will be a first class Harbor, and his only concern is that we don't go into the hole for 4 or 5 million dollars. HE reported that Sergeant Glietz and Carol Cassese will be retiring. There have been 33 applicants for the Court Administrator position and that has been reduced down to six. He reported that May 27 is the Memorial Day Parade at 11:00am. He reported on May 18th, flags will be placed in the Bayview Cemetery and he is looking for Boy Scouts to help with that.

Councilman Delloso reported on the Sewer Authority dissolution. The main has been put across the highway and that completes the first phase. The committee is shooting for a December 31, 2013 deadline to complete the process. There will be a meeting in the near future to discuss the approximate 9.2 million current debts and how it will be divided between the two Boroughs.

Councilman Sutton had no report.

Councilman Fligor reported on the Sewer Authority progression and everything is moving along fine. He had reviewed the documentation we had with NJNG and in hind sight, he now has the new maps and there will be a most recent map forwarded to him in the near future. He reported that he and Mr. Dellosso attended a fundraiser at Rutgers University, representing the Borough of Atlantic Highlands. They will be donating a signed Jersey that could be auctioned off.

Mayor Rast confirmed the retirement of Sergeant Glietz and reported there is another officer with health issues. He asked for the committee to begin the hunt for a replacement of 2 Police Officers to replace the deficit in his department. This will give him a head start in preparation for the possibility of satisfying a future need to hire a new officer. He believes there will be further departures in the department as well and it takes months to hire and test and train. He reported that the Lion's Club will be the recipient of the proceeds from the PBA Ball and the Sandy Hook Little League will be the benefactors of the Mayor's Ball being held on October 4th.

Administrator Hubeny reported on additional work in the Harbor on Frank's Pier for Seastreak. Additional work will be billed to and borne by Seastreak. He reported that there are change orders in the amount of \$148,000 that will be coming through. J.H. Reid is also looking for an extension of 45 days and he has asked T&M to get involved to start scrubbing their scheduled. We have also asked for a meeting with Mr. Reid to discuss our dissatisfaction with this situation. He reported that some floats are in and some boats will be able to be in by Memorial Day. [There was extensive discussion on these issues.] He reported that Municipal Aid has awarded a \$175,000 grant for West Ave Phase II. He has an application for the Monmouth County Open Space Grant and has some ideas on how to utilize these funds. He reported that Resolution 106-2013 has been removed from consideration for tonight. He also reported that he met with the US Geological service regarding the Bayshore Trail. Although we no longer own the trail, we need to be diligent in protecting some of our residents whose properties lay alongside the trail. He reported FEMA has a grant that the US Geological Service has and would like to come and do a survey of the Bayside Drive homes on the water side, down to the water. This is a good project and will be good to be involved. He reported the Mayor received correspondence regarding the NFL and the Super Bowl next year regarding sponsorships of events. He reported the County is removing boardwalks and wood along the Bayshore Trail and trenching. There has been some issues with their DEP permitting and they have stopped until plans have been developed and permits have been issued. As of now, there are no plans to rebuild the boardwalks and they are looking for plans to keep it crushed stone/quarry dust etc. He reported we would be going out to re-bid for the fencing in the Harbor. Also there is a new agreement presented to each member regarding the sharing of the Municipal Court with Highlands and the updated proposal regarding dispatchers.

Deputy Merkel had no report.

Attorney Reilly had no report.

Borough Engineer David Marks reported he will be meeting tomorrow with Mr. Reid.

Chief Vasto reported on the rise of Heroine use throughout the County. There was an incident

this morning where a resident overdosed and died. He reported on an arrest in a burglary where the perpetrator would look for open doors in homes and burglarize them. Again this was narcotics related and encourages everyone to lock their doors when not at home. He commended Detective Stone, Sergeant Doherty and Patrolman Inglis on their response to a First Aid call at the Sunoco, where the subject coded and required CPR. The individual survived and is currently in ICU at the hospital. He reported that he applied for an ALPR [Automatic License Plate Reader]. There will be no cost to the Borough for this and it will be installed on the one of the cars. He reported that there is one located on First Ave before you enter the Harbor. This is a part of the initiative by Homeland Security to make our Harbor a harder target. He finally reported that every office qualified at the Police range.

PUBLIC COMMENTS:

Frank Grecco – Leonard Ave asked the side of the fire suppression system on the docks. He asked about the tax revaluation and when the last time that was done. He asked about the status of Avenue C and Leonard Ave storm water issue. He asked about the catch basin sitting high on Leonard Ave and Avenue C and when they repaved the street, did that not use the proper depth of asphalt.

UNFINISHED BUSINESS:

ORDINANCE 09-2013 - 2013 COLA ORDINANCE – PUBLIC HEARING/POSSIBLE ADOPTION

Motion: Open Public Hearing **Moved by** Councilman Jack Archibald, **Seconded by:** Councilman Roy Dellosso.

Motion passed by unanimous consent.

Public Comments: No Comments from the public.

Motion: Close Public Hearing **Moved by** Councilman Roy Dellosso, **Seconded by:** Councilman Jack Archibald

Motion passed by unanimous consent.

Motion: Adopt Ordinance 09-2013 Moved by 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.

NEW BUSINESS:

1. **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.
 1. Resolution 102-2013, Authorizing Re-Bid for Purchase and Installation of Harbor Fencing
 2. Resolution 103-2013, Approving Change Order #2 – Sullivan Floats
 3. Resolution 104-2013, Award of Contract for HVAC Purchase/ Installation – On the Deck
 4. ~~Resolution 105-2013, Payment of Bills \$2,490,135.08~~
 5. ~~Resolution 106-2013, Supporting Luxury Rentals, Inc. 1.5% In Lieu of Contribution~~

It was requested that Resolution 105-2013 and 106-2013 be removed from the Consent Agenda.

Motion: Approve Consent Agenda items 1-3 Moved by 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 Dellosso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

RESOLUTION 105-2013, PAYMENT OF BILLS \$2,490,135.08

Motion: Approve Resolution 105-2013 Moved by John Archibald Jr, Seconded by:
Councilman Peter Doyle

Vote: Motion passed (**summary:** Yes = 5, Abstain =1).

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

Abstain: Councilman Robert Sutton

PUBLIC COMMENT SESSION –

Jane Frotton Memorial Pkwy asked the Mayor, Adam and the Chairman of the Harbor Commission to send a letter to Congressman Frank Pallone who has been instrumental in getting the money flowing.

ADJOURN [8:47pm] - There being no further business before the Mayor and Council, Councilman Fligor made a motion to adjourn. It was seconded by Councilman Dellosso and approved by unanimous consent.

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

Motion passed by unanimous consent.

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 June 12, 2013.

/s/ Dwayne M. Harris, RMC,
Digital Signature

Dwayne M. Harris, RMC
Municipal Clerk