



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF APRIL 18, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on April 18, 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 Hoffmann, Councilman Sutton, Mayor Rast. Also present were Administrator Adam Hubeny, Deputy Clerk Elizabeth Merkel, Engineer David Marks and Attorney Bernard Reilly.

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 28, 2012

Motion: Action: 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.

Executive Session Minutes – March 28, 2012  **Motion: Action:** Approve Executive Session, **Moved by** Councilman Roy Dellosso, **Seconded by** Councilman Lou Fligor.

Vote: Motion passed (**summary:** Yes = 6).

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

Mayor Rast presented the following Proclamation to the Shade Tree Commission:

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

of the Borough of Atlantic Highlands
ARBOR DAY
April 27, 2012

WHEREAS In 1854 in the area that is now the state of Nebraska there were virtually no trees; when J Sterling Morton and other pioneers desired to have them in their surroundings.

WHEREAS they also noticed that trees were needed to act as windbreaks, to stabilize the soil and to provide shade from the sun, fuel and building materials, Morton planted many trees around his own and wanted to encourage and enable others to do the same; and,

WHEREAS, At a Nebraska State Board of Agriculture meeting on January 4, 1872, he proposed a holiday to plant trees on April 10, of that same year. This holiday was called Arbor Day, which was first observed with the planting of more than a million trees in Nebraska, and is now observed thorough out the nation and the world; and,

WHEREAS, in 1885, it became a legal holiday and was moved to April 22, which was Morton's birthday. In 1989 the Nebraska state holiday was moved to the last Friday in April. In 1970 Former President Richard Nixon proclaimed the last Friday in April as National Arbor Day and Arbor Day is now observed on the last Friday in April, throughout the Nation; and,

WHEREAS Atlantic Highlands has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices,

NOW, THEREFORE, I Frederick J. Rast III, Mayor of the Borough of Atlantic Highlands do hereby proclaim April 27, 2012 as Arbor Day in the Borough of Atlantic Highlands, and all citizens are encouraged to plant and care for trees.

WORKSHOP DISCUSSION:

Wind Turbine Presentation –Discussion on the Wind Turbines has been postponed until May 9, 2012.

Ordinance 05-2012 – Amending 2012 Salary Ordinance – Mr. Dellosso indicated that the finance committee has gotten together several times to review this ordinance. As you see there are minimums and maximums and I think the recommendation is going to be to take out the maximums and review each position every year on an individual basis. Mr. Sutton and Mr. Hubeny indicated that you can not take out the maximums. Mr. Dellosso asked that was it not discussed in the finance meeting that each position would be reviewed on an individual basis. Mr. Archibald reported that he is not sure where the meeting on Friday ended up. He indicated that he is uncertain as to what they settled on. He doesn't feel that the finance committee has a recommendation here. This Ordinance is only on for discussion tonight it is not being voted on Mr. Hubeny said. He does not feel there is any resolution to this ordinance at this time. Mr. Hubeny asked for guidance from the finance committee but he feels it's more important that the finance committee to hear from the rest of the council members to see if they have any recommendations on the salary guide. That will ultimately lead to any proposed raise or not for 2012 for the non-union employees. That all hinges on the Salary Ordinance. Mr. Sutton asked where the new numbers came from? He stated that some of them have some pretty big jumps. Mr. Hubeny indicated that if you take a look at all the employees that are in the offices tax collector, water sewer.

Municipal Fees and Charges-Mr. Dellosso indicated that on everyone's i-pad you will see the other towns fees. Mayor Rast indicated that some of these fees are outrageous. He spoke of several items on the spread sheet. Mr. Hubeny indicated that the initial fee was going up not all the fees. Mr. Hoffmann asked how would this be implemented. Further discussion followed. Mayor rast feels that these fees are high. Mr. Archibald feels that these fees have not be raised in a long time. Mr. Hubeny indicated that the UCC has a fee structure. Mr. Archibald indicated that these fees are consistent with other towns. Mr. Hubeny recommends everyone email to the finance committee.

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman mr. Dellosso indicated that he would like to point out the

Councilman mr. Sutton reported on the flows. Robert Dougherty is still getting prices on the water plant.

Councilman mr Fligor reported on njng. Currently the paper street -----. Firemen's filed creek will be cleaned up the wek of april 23, 2012. Lenape woods east spring cleanup will be april 29 from 1-4 and also henry Hudson springs to weed and clean up that area the same time. They will split into groups.

Councilman mr. Archibald police items for executive

Councilman mr. Hoffmann indicated that the boats are getting back in the water. Fire department motorcycle raffles are going well. Fireworks are still looking for donations. Things are moving along.

Councilman mr. doyle American legion asked chief to be grand marshall. May 28th. The foodtown is taking donations for the American legion.

Mr. Hubeny indicated that the library is moving along. Jane Reynolds was given the position when mrs. Scherfen retires. April 27 at 10:30am to a tree planting. Keith wigginton cleaned up some beach work. Borough hall punch list is 99% done. There is still 2% of the work to be done. Mr.doyle feels this work being done . library dedication at 5:30pm on april 26th, 2012. Ball fields at scenic ridge is coming along. Ah contributed to the field so we will have to do 50% of maintenance. There is further discussion. They have not decided on a name for the field. West ave paving is on the agenda for tonight. Mr. Archibald asked about the paving and signage. Equipment was received and mr. debore was thanked for his donation.

Mr. Reilly executive session only.

Mr. Marks spoke of well #1. The road program has one small additional issue. Street scape phase four is done.

Chief Vasto indicated that he thought the hiring was going to be on the agenda. This will be held in executive session. Mr. reilly indicated that this could be discussed in executive session because it involves personnel. This will be informally discussed.

PUBLIC COMMENTS:


Mayor rast is making an appointment of france son. Regina Hawley to the shade tree commission. Also the council was invited to Bradley beach to march for the memorial day parade.

Shelly kennedy atlantic highlands. She asked that the council be caution to raising taxes or fees. She indicated that the economy is bad and she has not heard of one small business saying they are doing great. She came to talk about revenues to the borough. She spoke of the foreclosure bill in NJ. She asked that everyone write to the governor and ask him to veto it.


Kate wigginton 62 ave d; asked if the poppies are going to be available. They will be available the day of the parade. Bayshore pharmacy would be interested. Many years ago there was on the books that there was going to be a one way on west ave. she asked the council to think of that issue.

UNFINISHED BUSINESS:

Ordinance 03-2012 – COLA Adjustment [Public Hearing/Possible Adoption]-Mr. Fallon and Mr. Gagliano are present to discuss this ordinance.

Shelley Kennedy asked to be summarized. Mr. Fallon explained this ordinance. 


Motion: Action: Approved, Moved by Councilman Jacob Hoffmann, Seconded by Councilman Roy Dellosso.

 **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.

Ordinance 04-2012 – Rent Control Ordinance Extension [Public Hearing/Possible Adoption] 

Motion: Action: Approved, Moved by Councilman Lou Fligor, Seconded by Councilman Roy Dellosso.

 **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.

2012 Municipal Budget – Public Hearing

Motion to Open – Roy Dellosso

Public Comments: none

Motion to Close – Jack Archibald

RESOLUTION 073-2012-DEFERRED LIABILITY FOR LOCAL/REGIONAL SCHOOL TAXES

 **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 074-2012-CANCEL HARBOR CAPITAL IMPROVEMENT FUND

 **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 075-2012-AMENDING 2012 APPROVED MUNICIPAL BUDGET

 **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.

NEW BUSINESS:

Authorizing Memorandum of Agreement – Monmouth Count Mosquito Commission - ALL AGREED

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

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

- a. Resolution 066-2012, Authorizing Easement- Cottage Gate
- b. Resolution 067-2012, Authorizing Contract – T&M West Ave Resurfacing
- c. Resolution 068-2012, Authorizing Contract – T&M Well #1 Replacement Project
- d. Resolution 071-2012, Appointing CDBG Citizen Participation Group
- e. Resolution 072-2012, Payment of Bills \$247,528.54



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.

PUBLIC COMMENT SESSION –

Kate wigginton ave d. will there be a schedule of when the spraying will be done. This will be done county wide. A reverse 911 will go out.

Shelley kennedy she would like the chemical compounds that are used. She is concerned for animals. She indicated that the mosquito commission came on her property and she asked if there could be an opt-out. Mr. Hubeny indicated that there was a huge area that was affected. It traced to sandy hook. She will bring it up at the county meeting.

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** – Contract Negotiation – Shared Dispatching Services – Borough of Highlands-Mr.

Hubeny spoke of the numbers that are on the spread sheet that he gave everyone at the last meeting. He went through the breakdown of numbers. Discussion followed on a dollar amount to go back to the table with Highlands. Mr. Doyle spoke of individual parts of the spreadsheet.

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.

At 8:35pm  **Motion: Action:** Enter Closed [Executive] Session, **Moved by** Councilman Roy Delloso, **None seconded.**

Motion passed unanimously.

At the Executive Session was concluded and the Regular Meeting resumed.

1. **ADJOURN10:20pm [TIME]** - There being no further business before the Mayor and Council,

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 Delloso, 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 25, 2012.

Dwayne M. Harris, RMC, CMR
Municipal Clerk