



# MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF JULY 25, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on July 25, 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:**

- June 27, 2012 – Regular Meeting
- July 11, 2012 – Regular Meeting
- July 11, 2012 – Executive Session

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

**Motion: Action:** Approve Minutes of July 11, 2012, **Moved by** Councilman John Archibald Jr., **Seconded by** Councilman Lou Fligor.  
Motion passed unanimously.

**Motion:** Approve Executive Session Minutes of July 11, 2012, **Moved by** Councilman Roy Dellosso, **Seconded by** Councilman John Archibald Jr..  
Motion passed unanimously.

## **WORKSHOP DISCUSSION: NONE**

## **PRESENTATION TO FRIENDS OF THE LIBRARY**

Mayor Rast read a letter from Carolyn Schwabel, who is from the organization called "The Equalizers", who wrote to express their appreciation for the excellent accessibility compliance in

July 25, 2012

the new Borough Hall. She afterwards commented that today is the eve of the 22<sup>nd</sup> birthday of the American's with Disabilities Act commonly known as the ADA. She presented Adam Hubeny with an Equalizer Award, for his outstanding success in providing access for people with disabilities. Afterwards she presented Library Director Jane Reynolds with a donation from her organization in the amount of \$3,000.00.

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

Councilman Dellosso reported that the craft fair, the street fair and the Film One Fest, that all occurred this past weekend, were a great success. He also announced that the Harbor subcommittee considering the request from Diamond Casino, would have a decision on the proposed Casino Boat by the next Council meeting.

Councilman Sutton had no report but asked the engineer to make remarks about well # 7 replacements.

Councilman Fligor had no report.

Councilman Archibald reported that Summer Recreation and the band concerts are on the way. The Police have received resumes and interviews are in progress for the vacant patrolman position. He also mentioned that some of the new cars are in various stages of operation.

Councilman Hoffmann reported that there was a Fluke Tournament in the Harbor with the largest fish being 11 pounds.

Councilman Doyle had no report.

Administrator Hubeny reported that Habitat for Humanity will be making an informal presentation before the Planning Board on August 09. It will be our first affordable Housing/COAH certified home in Atlantic Highlands. He mentioned that Donna Blaze will start billing the Borough now that they will begin working and qualifying people for Affordable Housing in the Borough. He was able to negotiate a lower rate with her. The letter to Mr. Gluckstein has been sent. He reported Santorini has been in Borough Hall addressing issues on the punch list. He reported the paving on Highland Avenue is done. He mentioned there was a complaint regarding some drainage into Many Mind creek, possibly coming from Kara Homes. He has communicated with T&M who have found the problem and it is being worked on. He also reported that he has worked with Mr. Kraus and Mr. Gates on an \$8,000 grant for Many Mind Creek. He reported that the work on Avenue A, down by the beach has been completed.

Councilman Archibald asked about the proposed completion of the work on the ball fields in Middletown.

Clerk Harris commented that there was an error in Resolution 112-2012 where Martin Hawley is being confirmed as the Deputy Fire Chief, not the Deputy Fire Marshall. He then spoke on the proposed Purchasing Ordinance and asked that the Council review it as it will be the standard for all departments in the Borough.

July 25, 2012

Attorney Reilly requested proposed Resolution 113-2012 be pulled from the Consent Agenda until the next meeting for procedural reasons which are being worked out with the applicant's attorney.

David Marks reported T&M has been working with the DEP on Well #1 which will be the new Well #7. The DEP has been requesting additional information and he feels they have supplied them with all of the information requested and hopefully the permits will be issued soon. He reported the East Highland paving has been completed and a close out will be done at the next meeting. Authorization to advertise for bid on the West Ave resurfacing from Highway 36 to East highland Ave has been sent to the DOT and he hopes that will be released in the next day or two. The plans and specs are ready to go.

Chief Vasto reported that the Arts and Craft Show and the Film Fest went very well. There were a lot of people in town and there were no issues. He commented that the parking along West Avenue behind the Hesse Building could be maximized if you utilized angled parking. He finally reported the computers and camera transfers on the patrol cars would be completed tomorrow.

Jane Frotton, Harbor Chairperson had no report.

James Krauss, Environmental Commission thanked Don Gates for finding the Many Mind Creek grant previously mentioned, and his hard work in getting it assembled. He and Mike Curry are working on getting new signs together for the Lenape Woods. On Monday he and Carolyn Campo will be meeting with Middletown regarding a section of trail that will connect Cottage Gate and Navesink Avenue, as soon as DOT approves the crosswalk over Highway 36. Once completed people will be able to walk from cottage Gate to Hartshorne Woods.

## **PUBLIC COMMENTS:**

Jane Frotton – 12 Memorial Pkwy commented that for the past 4 years she has been involved in raising funds for the fireworks. This year she collected over \$17,000 in donations. She has enjoyed doing this but she is stepping down from that position.

Mayor Rast thanked her for her service on all that she does and expressed his displeasure in seeing her leave.

Councilman Fligor expressed similar sentiments.

Ed Cetron - Auditorium Drive, commented that this was the Fire Departments greatest year for fundraising and it was also their worst year for those people, other than he businesses, who sponsored the fireworks coming out. Two years there was \$1,000 in individual contributions from residents. Last year there was maybe \$400.00. This year there was \$20.00 and he finds it ironic that we [Harbor Commission] had a packed house about people complaining about the fundraising and only one of those complainers came up with that donation of \$20.00. With Jane stepping down, it will be a great loss and hopes people understand that 2/3 of the fireworks this year, because of the efforts of Jane

Frotton, will not be there next year.

Virginia Amend commented that she had her very first job in Atlantic Highlands at the Silmer manufacturing Company, manufacturing children's clothing. She reminisced about her history in the Borough and her pleasure with a town that chooses to become ADA complaint. What pleased her most is that Carolyn Schwabel was able to sit on the dais, which she is unable to do in her hometown. Atlantic Highlands is a stellar community

**UNFINISHED BUSINESS:**

**ORDINANCE 08-2012, AMENDING THE CODE OF THE BOROUGH OF ATLANTIC HIGHLANDS CHAPTER 139 SCHEDULE VIII, STOP INTERSECTION**

**Motion:** Open Public Hearing, **Moved by:** Councilman John Archibald Jr., **Seconded by:** Councilman Roy Delloso.  
Motion passed unanimously.

**Public Comments:**

Phillip Spatola – 145 E Washington Ave thinks this a great thing the town is doing. He and his wife observe people speeding down the street all the time and disobeying traffic laws. If we can just prevent one accident it is worth it. He thanked everyone who worked on this.

**Close Public Hearing**

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

Motion passed unanimously

**Motion:** Adopt Ordinance 08-2012, **Moved by:** Councilman Lou Fligor **Seconded by:** Councilman Roy Delloso.

**Adopt 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.

**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 110-2012, Payment of Bills-\$1,618,606.22
- b. Resolution 111-2012, Authorizing Purchase on State Contract
- c. Resolution 112-2012, Accepting and Certifying Results of Fire Dept Election
- d. ~~Resolution 113-2012, Denying Person to Person Transfer of Liquor License~~ [Withdrawn]
- e. Resolution 114-2012, Authorizing Agreement with The Affordable Housing Alliance
- f. Resolution 115-2012, Opposing Proposed NYC "Commuter Tax"

**Motion:** Approve Consent Agenda Items, **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.

#### **PUBLIC COMMENT SESSION:**

Donna King - 51 Ocean Blvd thanked Jane Frotton for everything she has ever done for the town. This is a polarized situation and she thinks she is taking it the wrong way. She knows the people in town are not opposed to her taking the money as a private citizen doing that job, but wearing two hats as head of the Harbor Commission and also negotiating or talking to someone who wanted to put a huge boat in town that to the people that were here seems like a conflict in interests. It was never meant that we think Jane is doing a bad job in getting money for the fireworks and she thinks the town will pick up the ball. There is a lot of new blood in town that are interested in town politics and like the way the town is moving towards. She commends Jane for stepping down from that position. In the private sector no one is expected to be able to accept money and remain impartial.

Councilman Archibald asked Mrs. King if she would be willing to serve as a member on the [Community Events] committee, to which Mrs. King said yes, she would.

Matthew Hardwick 16 King James Lane was looking for some clarification on how the proposed Casino Boat will fall out.

Ed Cetron, Auditorium Dr. commented that the firework fundraising is done by the Community Events Committee, who does it on behalf of the Fire Dept., and Jane was working for them in that capacity.

Donna King 51 Ocean Blvd asked if the Borough was doing some landscaping in the front of Borough Hall because it is such a beautiful building.

July 25, 2012

Ed Cetron Auditorium Dr. offered to replace the evergreen tree in the front of Borough Hall when the town is ready.

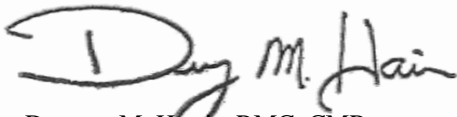
**ADJOURN [8:00pm]** - There being no further business before the Mayor and Council,

Councilman Archibald made a motion to adjourn. It was seconded by Councilman Hoffman and was passed through unanimous acclamation.

**Motion:** Approve Minutes of July 25, 2012, **Moved by** Councilman John Archibald Jr., **Seconded by** Councilman Jacob Hoffmann.

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 August 15, 2012.

A handwritten signature in black ink that reads "Dwayne M. Harris". The signature is written in a cursive style with a large, looped initial "D".

Dwayne M. Harris, RMC, CMR  
Municipal Clerk