



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF MAY 22, 2013

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on May 22, 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.

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 1/02/2013. 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: Councilmember John Archibald, Councilmember Peter Doyle, Councilmember Roy Dellosso, Councilmember Lou Fligor, Councilmember Jacob Hoffmann, Councilmember Robert Sutton, Mayor Frederick J. Rast, III.

Borough Administrator Adam Hubeny, Municipal Attorney Bernard Reilly, Borough Engineer David Marks was represented by Thomas Neff and Municipal Clerk Harris was also present.

APPROVAL OF PREVIOUS MEETING MINUTES:

REGULAR MEETING – APRIL 10, 2013

Motion: Approve minutes, **Moved by** Councilmember Robert Sutton, **Seconded by** Councilmember Lou Fligor.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Councilmember Jacob Hoffmann, Councilmember John Archibald, Councilmember Lou Fligor, Councilmember Peter Doyle, Councilmember Robert Sutton, Mayor Frederick J. Rast, III.

Abstain: Councilmember Roy Dellosso.

REGULAR MEETING – APRIL 24, 2013

Motion: Approve Minutes, **Moved by** Councilmember Peter Doyle, **Seconded by** Councilmember Lou Fligor.

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

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

PROCLAMATIONS:

WORKSHOP DISCUSSION:

NONE:

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER:

Councilman Archibald reported Patrolman Glietz would be retiring at the end of the month. He mentioned the Harbor meetings on these off weeks are difficult and hopes the harbor gets p and running at full speed soon. He mentioned the notes would be going on sale next week and close on June 3rd. He mentioned a discussion regarding a change order requested form the contractor in the Harbor and the Harbor Commission has not yet made a decision on that. The contractor is looking for a 48 day extension. The commission will present the decision to the Council at the appropriate time. He mentioned the Harbor Commission needed to establish a refund policy for the boat owners. The sail boaters or those who use the mooring field will get a credit from April 1st through May 15th. For the slip owners, when their slip is deemed available, that is when they will be prorated from. There are three types of boat owners: 1-those who have paid in full - would get a credit and receive a refund in the form of a check. 2- Those that have paid half of their rental - will get a credit towards their account and 3- those that have not paid yet - will come in at and pay the new rate. He reported on the Business Interruption insurance process, with the insurer trying to “weasel” out of it. Mr. Grady will be sending a letter of coverage outlining what he believes the Borough would be entitled to, based on the policy the Borough owns.

Councilman Hoffmann commented that there are some moving components that he feels we will end up in court over. On a good note the well is done and that project is in the home stretched. He mentioned a crack in a sewer line on Center Ave, was discovered and that will need to be addressed. He also mentioned a need to groom an area in the Harbor where the fireworks will be launched from. He mentioned the fireworks fundraising is going a little slow so there may be a decrease in the number of shells shot his year. He also mentioned the need for room to hold the Fireman’s fair.

Councilman Doyle commented on the Memorial Day parade, which is on Monday. Henry Hudson will do a [presentation of the Star Spangled Banner and MAST will be the Honor Guards. He requested about 30 chairs for the Veteran’s. He mentioned the Lion’s Club breakfast, which is on Sunday at the Senior Center.

Councilman Dellosso reported the Town Wide Garage sale was a huge success.

Councilman Sutton reported the PBA Ball is Friday at 7:00pm at the Shore casino.

Councilman Fligor reported on the progress being made on the force main, being installed in

Navesink, along Highway 36. He talked with Tom Merenda, from NJNG regarding Avenue C. NJNG is still working on a solution to fix the flooding issues there. In June he [Fligor] should get the new well testing results.

Mayor Rast mentioned there was a luncheon today at the Copper Canyon, for Borough employees to thank them for their hard work after Superstorm Sandy.

Administrator Hubeny Gave a tentative schedule outlining anticipated pier openings. He reported that there were no Bids for the Harbor fencing today. We will now be able to go and negotiate a contract. He attributed the lack of response to companies being busy and unable to guarantee the completion of the job when we need to have it done. He received an e-mail today from Corrina Thuss, who would like to do a community clean up on June 8th. The Harbor still has areas that need to be done and that will be coordinated for June 8th. He reported the senior building will be done for the pancake breakfast this week and the bathrooms on the North side will be done this week also. The Borough is still working on FEMA issues and working with our insurance. The Borough has been working with the Monmouth County Mosquito Commission who is cleaning out the Many Mind Creek, taking out debris that is in the creek [de-snagging]. He mentioned two pieces of properties in the Borough, previously mentioned at a meeting, the first property, the owner has a desire to have annexed to the Borough of Highlands and the second was regarding the Blue Bay Inn. He reported on the amount of material attached with the recycling grant, which was down from last year. He reported that Mr. Rooney from the Elementary/Regional School will be resigning. He reported that they had completed interviews for the Court Administrator replacement. Judge Lawson needs to interview the prospects and if he approves, it will be brought to the personnel committee. He also reported on the new employee at the Borough who will be working on a 90 day probationary period.

Clerk Harris gave a brief mention of the new electronic Borough Newsletter he has been developing.

Attorney Reilly reported the case by Mr. Ritter has been dismissed exonerating the Borough from his allegations.

Borough Engineer no report.

Chief Vasto had no report other than his monthly report. He would be calling a meeting regarding the Harbor cleanup and how that will affect the pedestrian causeways for the fireman's fair.

PUBLIC COMMENTS:

Jerry Vasto – 4 Wesley Ave asked if the Borough had seen the Asbury Park Press and asked that the Borough to never consider selling the Borough's Water Department.

UNFINISHED BUSINESS:

RESOLUTION 107-2013 – ALLOWING BUDGET TO BE READ BY TITLE

Motion: Approve Resolution 107-2013: **Moved by** Councilmember John Archibald, **Seconded by** Councilmember Robert Sutton.

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

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

PUBLIC HEARING – 2013 MUNICIPAL BUDGET

Motion: Open Public Hearing, **Action:** Adjourn, **Moved by** Councilmember Robert Sutton, **Seconded by** Councilmember John Archibald.

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

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

No Comments or questions from the public.

Motion: Close Public Hearing **Moved by** Councilmember Robert Sutton, **Seconded by** Councilmember John Archibald.

Motion passed unanimously.

RESOLUTION 108-2013 – ADOPTING 2013 MUNICIPAL BUDGET

Motion: Adopt the 2013 Municipal Budget, **Moved by** Councilmember John Archibald, **Seconded by** Councilmember Peter Doyle.

Vote: Motion passed (**summary:** Yes = 4, No = 3, Abstain = 0).

Yes: Councilmember John Archibald, Councilmember Roy Dellosso, Councilmember Robert Sutton, Mayor Frederick J. Rast, III.

No: Councilmember Peter Doyle, Councilmember Lou Fligor, Councilmember Jacob Hoffmann.

NEW BUSINESS:

ORDINANCE 10-2013 - REPEALING §150-80 OF THE BOROUGH'S ORDINANCES ENTITLED "AFFORDABLE HOUSING OBLIGATION"

Motion: Approve Introduction of Ordinance, **Moved by** Councilmember Peter Doyle, **Seconded by** Councilmember John Archibald.

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

Yes: Councilmember Jacob Hoffmann, Councilmember John Archibald, Councilmember Lou Fligor, Councilmember Peter Doyle, Councilmember Robert Sutton, Councilmember Roy Dellosso

RESOLUTION 114-2013, PAYMENT OF BILLS \$2,252,425.52

Motion: Approve Payment of Bills **Moved by** Councilmember John Archibald, **Seconded by** Councilmember Roy Dellosso.

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

Yes: Councilmember Jacob Hoffmann, Councilmember John Archibald, Councilmember Lou Fligor, Councilmember Peter Doyle, Councilmember Roy Dellosso.

Abstain: Councilmember 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.

Resolution 109-2013, Authorizing Purchase on State Contract - 2013 Ford F-150 4WD

Resolution 110-2013, Authorizing 2012 Tonnage Grant Application

~~**Resolution 111-2013,** Award Contract—Harbor Fencing [WITHDRAWN]~~

Resolution 112-2013, Authorizing Negotiated Contract – Canopy in the AH Harbor

Resolution 113-2013, Authorizing Tax Abatement – Atlantic Self Storage

Resolution 115-2013, Approving Grant for Municipal Alliance

Motion: Approve Consent Agenda, **Moved by** Councilmember Jacob Hoffmann, **Seconded by** Councilmember John Archibald.

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

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

PUBLIC COMMENT

No Comments from the public.

Councilman Fligor commented that the money received from the contractor regarding funds paid into the Borough *** be utilized to develop the low income housing on Leonard Ave, in conjunction with Habitat for Humanity.

Mayor Rast mentioned business is turning around on First Ave. He has done 4 ribbon cuttings over the last couple of weeks.

ADJOURN [8:10pm] - There being no further business before the Mayor and Council **Motion:** Adjourn, **Moved by** Councilmember Robert Sutton, **Seconded by** Councilmember John Archibald.

Motion passed unanimously.

Motion: Approve Minutes, **Moved by** Councilman Sutton, Robert, **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