



MAYOR AND COUNCIL MEETING

JANUARY 11, 2006

AMENDED January 11, 2006

A Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands will be held January 11, 2006 at 7:30 PM in the Borough Hall, 100 First Avenue Atlantic Highlands NJ. This meeting is in compliance with the Open Public Meetings Act. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Courier, by posting it in the Borough Hall on a bulletin board reserved for such announcements and by filing it with the Municipal Clerk of Atlantic Highlands, on 1/04/2006. This agenda is complete to the extent known and formal action will be taken.

1. Silent prayer
2. Pledge of allegiance
3. Roll call
4. Approval of previous meeting minutes – December 28, 2005
5. Reports – Council, Administrator, Professional, Other
6. Comments from the Public
7. Unfinished Business:
 - Ordinance 1-2006 – Salary Ordinance (NEW)
 - Introduction and First Reading
8. New Business:
 - a. Resolution 025-2006, Supporting the AHSEP Application for Funding
 - b. Resolution 026-2006, Refunding of Taxes and Granting Full Exemption
 - c. Resolution 027-2006, Refunding Overpayment of Taxes
 - d. Resolution 028-2006, Awarding Contract- Random Drug Testing
 - e. Resolution 029-2006, Authorizing Contract- First Ave Streetscape Phase-II
 - f. Resolution 030-2006, Awarding Contract- 2005 Roadway Improvement Program
 - g. Resolution 032-2006, Emergency Temporary Appropriation (NEW)
 - h. Resolution 033-2006, Awarding Contract-Pier 3 Reconstruction (NEW)
 - i. Resolution 034-2006, Awarding Contract-Appraiser for Giuliani Property (NEW)
9. Payment of Bills- Resolution 031-2006 \$900,865.80
10. Executive Session
11. Adjourn



MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF JANUARY 11, 2006

The Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands was held on January 11, 2006 in the public meeting room of Borough Hall, 100 First Avenue, Atlantic Highlands, NJ.

The meeting was called to order at 7:30pm. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Doyle, Fligor, Ladiana, Nolan, and Spatola. Administrator Hubeny, Borough Attorney Reilly, Donald Norbutt represented the Borough Engineer, and Municipal Clerk Harris were present.

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Courier, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/4/2006. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

A motion to accept the minutes of the December 28, 2005 meeting was made by Council member Archibald. The following vote was recorded:

AYES: Council members Archibald, Fligor, Ladiana, Nolan, Spatola,

NAYS:

ABSTENTIONS: Council member Doyle

REPORTS-COUNCIL MEMBER, COMMITTEE, PROFESSIONAL

Council member Nolan reported that the Library board met and wanted to report the Library has donated funds to the libraries of Mississippi and New Orleans. They are also having a Food for Fines drive the end of January. They are accepting non-perishable foods, paper goods and/or personal hygiene products. Also the Library this year is celebrating their 80th anniversary on September 17th, 2006.

Council Member Fligor reported that over the Christmas holiday the clarifier went down. He explained what a clarifier is and its purpose. There is a large blade that broke, but has been replaced. The tank has moved two inches in the other direction and we are currently looking into why this has happened. NJNG has been notified about this incident. A letter was sent to NJDEP asking that the properties on E. Highland be cleaned up as one unit. The start date for Sodon property has been moved out.

Council member Ladiana reported that she is part of the BLDGS/GRNDS committee. There was a meeting with Spence Wickham to go over Many Mind Creek portion of the trail. Discussion on the continuation of Pompamora Point and Harbor, Mr. Wickham is going to try and get the support of the County. Mr. Wickham is going to set an appointment up with the DEP to get their guidance in this matter. She also reported a meeting with Bill Kastens from Green Acres to go over the Giuliani property. We need a 3rd appraisal on said property because the two appraisals from last year are so far apart. Mr. Kastens reiterated various financial commitments to this property.

Council member Doyle reported that the Harbor supported AHSEP (Atl. Hlds. Sailing Education Program). Discussed putting out to bid the repair of Pier 3. The finance committees' first step is to reline the salary ordinance.

January 11, 2006

elected to be the President of the Group. He has committed to be a better representative to the Group this year.

Borough Administrator Hubeny reported on Last Friday celebration on December 30 went well. The Special Events Committee will meet with the organizers in February to discuss if we want to have this event again next year. Major concern issues are Bayside Drive-county drain line that comes down the hill; the pipe under the road going to the bay has some earth movement washing out one side of the road. County has responded well.

Sears Ave-Bob Bucco with T & M has been in contact with Middletown engineer. Progress is slow on the issue but they are working on it. Kara Homes may be having some effect on the situation on Sears Ave.

On a Personnel issue, Mr. Harris is going to be changing his hours on the 2nd and 4th Wednesdays of each month on Council meeting nights. He will work from 11-7pm, and be available to the public. Anyone that needs records or licenses will be available.

Leaf pick-up is winding down. We have saved some money this year. The street and water dept. has been working hard putting in the new street signs.

Stated the budget meetings. Process is slow but will be accomplished.

Attorney Reilly has no reports.

Engineer Don Norbut from T & M has met with Administrator Hubeny and has been over several projects. They will meet with Kathy Elliott to make the transition and getting up to speed on outstanding matters.

PUBLIC COMMENT SESSION

Mickey Rast-49 8th Ave-Commented on the Last Friday event that was held on 12/30/05. The Chamber of Commerce will also be meeting with Planet Connect to discuss and workout issues. It was successful but there were some issues to be discussed.

Fred Rast-49 8th Ave-Owns 4 buildings in town and is not happy with situation of the streetscape. He reports shoddy work by the engineering firms. A problem at 42 First Ave was in part related to the streetscape construction. Pipes were cut and the sidewalk was cut in. The Drainpipes at 42 First Ave and the Harborside have caused water problems to his properties. There is erosion in his kitchen and has paid a lot of money for the work to be done to fix the problem. There are other issues with his properties and feels many of them come from poor engineering management. Mr. Rast also questions the retaining wall at his home to repair it, the application for a building permit on November 11 and still does not have one to start the repair. Why is it taking so long?

Mike Harmon-33 Bonnie Brae Path-Spoke on Home Properties Agreement and was concerned that the agreement had been altered. Asked if Birdsall provided sketch of the project.

Mark Strassburg-65 First Ave-Speaking on Ordinance #32-2005. He is in disagreement with Chief Vasto regarding the payment for ABC cards. He asks that money orders be

Donoghue responded that we have been assured that there is funding for this matter. We are working toward the goal of acquiring this property.

John Bollinger-96 Ocean Blvd-He commented on the minutes being put on the web site and they seem to be lagging on the minutes. Asked if the minutes could be put on the site without too much editing. At the last meeting there was discussion of putting legal notices on the AH Herald. Mayor Donoghue commented that legal advertising goes to the Courier for a reasonable rate.

Allan Dean-2nd Ave-Commented that any governing body has the right to advertise in any paper they desire. He commented that advertising is currently in four papers. He commented on the cable franchise and give a status of a contract with Comcast. Mayor Donoghue responded that part of the proposal is access on certain channels at certain times. Comcast will not provide live coverage, but will review videotape if we provide them a tape. Cablevision is not interested in having video of Atlantic Highlands meetings. Mayor Donoghue also stated that in the near future that he will be meeting with the Mayor of Highlands and Comcast to further discuss this matter.

Jackie Jones-22 Keystone Drive-Indicated that she was surprised to see changes to the format for the council meeting and is curious what prompted the decision to have the public comments at the beginning of the meeting? The Mayor responded that it is something that we are just trying it out. Mr. Harris indicated that it was a suggested format agenda recommended by the Municipal Clerk's Association. Ms. Jones asked Mr. Archibald if he remembered the vote on the Pay To Play Ordinance that was passed by Council last year? He indicated that he did in fact recall the Ordinance. Indicated that the Ordinance requires all candidates file campaign financial reports with the borough hall. Asked if he complied. He indicated that he believes he did comply. She is disappointed that she cannot look at these records. Mr. Archibald responded that he is not certain who is supposed to keep track of the records here at Borough Hall. Mr. Reilly indicated that the state law is complicated. You comply by having a fair and open process is not a simple process.

Mayor Donoghue ended the public portion and proceeded with the regular business.

UNFINISHED BUSINESS

ORDINANCE 1-2006, SALARY ORDINANCE (NEW)

This ordinance was read by title. This will be the first reading and introduction on this Ordinance.

Council member Ladiana asked the Finance Committee for highlights of the changes that were made. Administrator Hubeny commented that the QPA under the CFO portion of the Ordinance is broken because we do not have a QPA at this time. Public Works area has been singled out rather than lumped together.

There was no further discussion on Introduction of Ordinance 1. The second reading and Public Hearing will be January 25, 2006. Roll call was as follows:

AYES: Council member Archibald, Doyle, Ladiana, Nolan, Spatola

NAYS: Council member Fligor

Ordinance 1 has been properly introduced and as stated the second meeting a possible passage will be on January 25, 2006 at 7:30 PM

January 11, 2006

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola

NAYS:

RESOLUTION 026-2006, REFUNDING OF TAXES & GRANTING FULL EXEMPTIONS

This resolution was offered and moved for adoption by Council member Nolan and seconded by Council member Spatola.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola.

NAYS:

RESOLUTION 027-2006, REFUNDING OVERPAYMENT OF TAXES

This resolution was offered and moved for adoption by Council member Archibald and seconded by Council member Ladiana.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola.

NAYS:

RESOLUTION 027-2006, AWARDING CONTRACT-RANDOM DRUG TESTING

This resolution was offered and moved for adoption by Council member Archibald and seconded by Council member Fligor.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola.

NAYS:

RESOLUTION 029-2006, AUTHORIZING CONTRACT-FIRST AVE. STREETSCAPE PHASE-II

This resolution was offered and moved for adoption by Council member Nolan and seconded by Council member Archibald.

Administrator Hubeny commented that this does not include the inspection fees. Council member Fligor asked T & M to reapply for Phase III.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola

NAYS:

RESOLUTION 030-2006, AWARDING CONTRACT-2005 ROADWAY IMPROVEMENT PROGRAM

This resolution was offered and moved for adoption by Council member Ladiana and seconded by Council member Nolan.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola

RESOLUTION 033-2006, AWARDING CONTRACT-PIER RECONSTRUCTION 3

This resolution was offered and moved for adoption by Council member Spatola and seconded by Council member Doyle.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola

NAYS:

RESOLUTION 034-2006, AWARDING CONTRACT-APPRAISER FOR GIULIANI PROPERTY

This resolution was offered and moved for adoption by council member Ladiana and seconded by Council member Nolan.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola

NAYS:

RESOLUTION 031-2006, PAYMENT OF BILLS TOTALING \$900,865.80

This resolution was offered and moved for adoption by Council member Archibald and seconded by Council member Fligor.

This resolution was adopted by the following vote.

AYES: Council member Archibald, Doyle, Fligor, Ladiana, Nolan, Spatola.

NAYS:

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Mayor and Council may go into Executive Session to discuss matters that may be confidential or listed in N.J.S.A. 10:4-12; and,

WHEREAS, it is recommended by the Borough Attorney and Administrator that the Mayor and Council go into Executive Session at this time to discuss matters set forth below which are permissible for discussion in Executive Session;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Atlantic Highlands to go into Executive Session to discuss the following items. Minutes will be kept and once the matter above no longer requires confidentiality the minutes will be made public.

- 1) ITEM-Police Personnel Matters (Requested by Chief Vasto)
- 2) ITEM-Personnel Matter-Contract Negotiation (Requested by Attorney)
- 3)

Mr. Reilly read this resolution in full. It was offered and moved for adoption by Council member Archibald at 9:08 pm seconded by Council member Nolan and

January 11, 2006

ADJOURN - There being no further business before the Mayor & Council, Council member Nolan moved to adjourn the meeting at 10:10 pm, the motion was seconded by Council member Fligor and unanimously approved.

The Governing Body approved these minutes, at their Regular Meeting held January 25, 2006.

Dwayne M. Harris

Dwayne M. Harris, RMC
Municipal Clerk



ORDINANCE #1-2006

AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ATLANTIC HIGHLANDS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FOR THE CALENDAR YEAR 2006

BE IT ORDAINED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey as follows:

SECTION 1. Salaries Determined.

The following minimum and maximum salaries and other remuneration shall be paid to the officials and employees of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, in accordance with the provisions of this Ordinance, as set forth below during the calendar year 2006, said rates effective January 1, 2006.

<u>Title/Classification</u>	<u>Salary Range</u>	
	<u>Minimum</u>	<u>Maximum</u>
Borough Administrator	\$50,000.00	\$ 85,000.00
Borough Clerk/Registrar	35,000.00	52,000.00
Chief Financial Officer	45,000.00	84,000.00
Qualified Purchasing Agent	3,000.00	6,000.00
Tax Assessor	15,000.00	23,000.00
Tax Collector	6,000.00	8,000.00
Deputy Tax Collector	25,000.00	52,000.00
Municipal Judge	10,000.00	17,500.00
Prosecutor	12,000.00	16,000.00
Public Defender	2,000.00	4,000.00
Public Works Manager	3,000.00	3,000.00
Water Plant Operator	8,000.00	8,600.00
Water Plant N-1 License	1,000.00	3,000.00
Water Plant C-2 License	1,000.00	3,000.00
Borough Attorney	18,000.00	25,000.00
Harbor Attorney	12,000.00	15,000.00
Code Enforcement Official	10,000.00	12,000.00
Construction Official	6,000.00	10,000.00
Building Sub-Code Official	4,000.00	8,000.00
Fire Sub-Code Official	4,000.00	8,000.00
Plumbing Sub-Code Official	4,000.00	8,000.00
Electrical Sub-Code Official	4,000.00	8,000.00
Zoning Officer	4,000.00	8,000.00
Fire Marshal	3,000.00	4,000.00
Deputy Fire Marshal	500.00	1,500.00

<u>Title/Classification</u>	<u>Salary Range</u>	
	<u>Minimum</u>	<u>Maximum</u>
Fire Chief	1,000.00	1,500.00
Deputy Fire Chief	1,000.00	1,500.00
Fire Captain	750.00	1,250.00
Confined Space Coordinator	1,000.00	2,000.00
Chief of Police	\$85,000.00	\$118,000.00
Captain of Police	80,000.00	104,000.00
Dispatcher	25,000.00	40,000.00
Records Retention Secretary	25,000.00	28,000.00

Librarian	25,000.00	36,000.00
Harbor Master	40,000.00	74,000.00
Harbor Utility Collector/Secretary	25,000.00	53,000.00
Harbor Security	25,000.00	26,000.00

<u>Collective Bargaining Units</u>	<u>Salary Range</u>	
	<u>Minimum</u>	<u>Maximum</u>
Police - Hired Prior 11/1/96		
Lieutenant	\$79,000.00	\$87,000.00
Sergeant	77,000.00	85,000.00
Patrolman 4 th Step	71,000.00	79,000.00
Hired After 11/1/96		
Lieutenant	\$79,000.00	\$87,000.00
Sergeant	77,000.00	85,000.00
Patrolman 8 th Step	71,000.00	79,000.00
Patrolman 7 th Step	69,000.00	76,000.00
Patrolman 6 th Step	61,000.00	68,000.00
Patrolman 5 th Step	53,000.00	59,000.00
Patrolman 4 th Step	46,000.00	51,000.00
Patrolman 3 rd Step	41,000.00	46,000.00
Patrolman 2 nd Step	37,000.00	41,000.00
Academy and 1 st Step	30,000.00	35,000.00

<u>Collective Bargaining Units</u>	<u>Salary Range</u>	
	<u>Minimum</u>	<u>Maximum</u>
Municipal Supervisors Association - Supervisor	\$48,000.00	\$61,000.00
Assistant Supervisor	40,000.00	63,000.00
Municipal Employees Association - Assistant Supervisor	40,000.00	50,000.00
Maintenance III	38,671.47	48,000.00
Maintenance II	26,000.00	30,000.00
Maintenance I	21,000.00	25,000.00

Part Time, Hourly, Seasonal Employees

	<u>Minimum</u>	<u>Maximum</u>
Mayor	\$	\$ 4,500.00
Councilmembers		3,000.00
Summer Recreation Program Director		3,500.00
Summer Recreation Head Counselor	700.00	1,000.00
Meeting Attendance		25.00
Election Work		40.00
Summer Recreation Program Aides/ Junior Counselors	6.15	10.00
Secretary, Recreation Committee	6.15	14.00
Substitute Librarian	6.15	14.00
Librarian's Aide	6.15	14.00
Student Help	6.15	14.00
Special Officer Class 1	6.15	14.00
Special Officer Class 2	15.00	22.00

SECTION 2.

The base salary of each employee shall be fixed, within the salary range for the employee's job classification, by the Borough Administrator after consultation with and consent of the Borough Council, except as may be otherwise specified by any Collective Bargaining Agreement applicable to said employee.

SECTION 3.

A. Each full-time employee shall be entitled to and receive a longevity bonus for each completed five year increment of continuous full-time employment, prorated for that period from the anniversary date to the end of the calendar year, as recognition for the employee's service and increased value to the Borough.

YEARS OF SERVICE

	<u>PBA</u>	<u>Other</u>
5 Years	\$1,350.00	\$1,200.00
10 Years	1,775.00	1,400.00
15 Years	2,600.00	1,600.00
20 Years	3,775.00	1,900.00
24 Years	4,125.00	
25 Years		2,100.00
30 Years		2,300.00
35 Years		2,500.00
40 Years		2,700.00

B. Such payment shall be included in and considered part of the employee's basic salary for purposes for computing taxes and payments to any retirement system, and shall be made in the same manner as prescribed by the Mayor and Council for payment of regular services.

SECTION 4.

All employees shall be paid on a biweekly basis.

SECTION 5.

All ordinances or parts of ordinance inconsistent with this ordinance be and the same are hereby repealed and this ordinance shall take effect January 1, 2006.

Council member Nolan introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Archibald and approved by the following vote.

AYES: Council members Archibald, Doyle, Ladiana, Nolan and Spatola

NAYS: Council members Fligor

The Second Reading, Public Hearing and possible adoption is scheduled for January 25, 2006.

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.



RESOLUTION 025-2006

SUPPORTING AHSEP APPLICATION FOR FUNDING UNDER THE IBOAT NJ PROGRAM

WHEREAS, the Borough of Atlantic Highlands is located on the banks of the Raritan Bay and recognizes the unlimited number of recreation opportunities available on our waterfront; and,

WHEREAS, the Borough of Atlantic Highlands supports the education of our children in all matters and recognizes the great contributions made by the Atlantic Highlands Sailing Education Program [AHSEP], to not just the children of Atlantic Highlands but youths from the entire Bayshore; and,

WHEREAS, the Borough of Atlantic Highlands recognizes the need to increase and upgrade the fleet of the AHSEP as we encourage all of our youths to learn to sail, now

THEREFORE BE IT RESOLVED, that the Mayor & Council of the Borough of Atlantic Highlands supports the AHSEP in its application for funding under the IBOAT NJ program of the Division of Maritime Services of the New Jersey Department of Transportation, and requests that the NJDOT allocate funds for this worthy organization.

This Resolution was offered and moved by Council member Archibald, seconded by Council member Ladiana and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.

Dwayne M. Harris

Dwayne M. Harris, RMC
Municipal Clerk



RESOLUTION 026-2006

REFUNDING OF TAXES AND GRANTING FULL EXEMPTION STATUS

WHEREAS, James J. Hudson, a resident and tax payer of the Borough of Atlantic Highlands, submitted and filed a Property Tax Exemption Form for Disabled Veterans; and,

WHEREAS, the Tax Assessor has granted an exemption pursuant to chapter 398 of the Laws of 1948; and,

WHEREAS, a full exemption status was granted to James J. Hudson effective October 11, 2005,

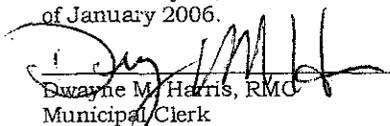
NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey, that the Tax Collector, Chief Financial Officer and any other appropriate official be and is hereby authorized and directed to refund taxes paid after October 11, 2005 in the amount of \$920.55,

BE IT FURTHER RESOLVED that the Tax Collector of the Borough of Atlantic Highlands is hereby authorized to correct the Borough's records to reflect a full exemption status re: Block 120, Lot 1.17 C0042.

This Resolution was offered and moved by Council member Nolan, seconded by Council member Spatola and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: Council members
ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.


Dwayne M. Harris, RMC
Municipal Clerk



RESOLUTION 027-2006

REFUNDING OF OVERPAID TAXES

WHEREAS, Bell Atlantic, a property owner in the Borough of Atlantic Highlands, submitted and filed a Property Tax Appeal for property located on Block 102, Lot 9; and,

WHEREAS, the Tax Court of New Jersey has stipulated that the assessment of the property be adjusted and entered a judgment that would result in an assessment at the fair assessable value of the property; and,

WHEREAS, the results of the judgment has caused an overpayment of taxes for the years 2004, in the amount of \$8,955.44 and 2005, in the amount of \$15, 808.91,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey, that the Tax Collector, Chief Financial Officer and any other appropriate official be and is hereby authorized and directed to refund the overpayment of taxes by January 29, 2006 to avoid interest payments, on Block 109 Lot 9 for the years 2004 and 2005 in the amount of \$24,764.35;

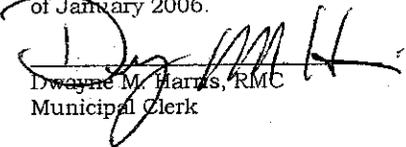
BE IT FURTHER RESOLVED that the all refunds shall be payable to:
McCarter & English, Attorneys for Verizon-New Jersey, Inc. and forwarded, to:

Susan A. Feeney, Esq.
Four Gateway Center
100 Mulberry Street
PO Box 652
Newark, NJ 07101-0652

This Resolution was offered and moved by Council member Archibald, seconded by Council member Ladiana and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: Council members
ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.


Dwayne M. Harris, RMC
Municipal Clerk



RESOLUTION 028-2006

AWARD A CONTRACT FOR RANDOM DRUG TESTING OF EMPLOYEES WITH COMMERCIAL DRIVERS LICENSES AND OTHER PARTICIPANTS

WHEREAS, there exists a need for the service of a safety engineering firm to conduct random drug and alcohol testing for Borough Employees holding valid Commercial Drivers Licenses, and other participants; and,

WHEREAS, Commerce National Risk Control Services of Cherry Hill, NJ, are the designated safety engineers for the Monmouth Municipal Joint Insurance Fund and are qualified to perform such testing services; and,

WHEREAS, Dawn L. Babcock, Chief Financial Officer for the Borough of Atlantic Highlands, does hereby certify that funds are available for this contract in

2006 Current Budget – Right to Know Safety 6-01-30-411-301
\$500.00

Dawn L. Babcock C.F.O.

; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A: 11-5 et seq., allows a contract for "Professional Services" to be awarded without competitive bidding; and,

WHEREAS, this contract is for a service performed by a firm authorized by law to practice a recognized profession that is regulated by law.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey that:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with Commerce National Risk Control Services for a fee of \$61.55 per employee holding a valid commercial drivers license, or other participants during the contract period of January 1, 2006 to December 31, 2006.
2. A notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
NAYS: Council members
ABSTAIN:



RESOLUTION 029-2006

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR FIRST AVENUE STREETScape PHASE II

WHEREAS, the Borough requires licensed, professional, engineering services to provide the engineering design, technical specifications and bid documents for the First Avenue Streetscape-Phase II to include portions of First Avenue between Mount Avenue and Lincoln; and

WHEREAS, Birdsall Engineering Inc., a licensed professional engineering firm, is familiar and experienced with this Borough and this project, has submitted a proposal numbered 2005.282 for \$28, 300.00 to perform the engineering and design work, contract documents and bid support, as detailed in a proposal letter dated November 21, 2005; and,

WHEREAS, this contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law and awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11 et seq. and is being awarded based on the merits and abilities to provide the goods or services as described herein; and,

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, Birdsall Engineering, Inc., has filed the requisite Business Entity Disclosure Certification attesting that Birdsall Engineering, Inc., their subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will Birdsall Engineering, Inc., make a reportable contribution during the term of the contract to any political party committee in the Borough of Atlantic Highlands if a member of that political party is serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Atlantic Highlands when the contract is awarded; and,

WHEREAS, Dawn L. Babcock, Chief Financial Officer for the Borough of Atlantic Highlands, does hereby certify that funds are available for this contract in

General Capital Ordinance 14-2005 C-04-55-905-005 \$28,300.00

Dawn L. Babcock C.F.O.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey that: the Mayor and Borough Administrator are authorized to execute the proposal dated November 21, 2005 with Birdsall Engineering Inc. for professional engineering services for the First Avenue Streetscape Phase-II Project, in an amount not to exceed \$28,300.00.

BE IT FURTHER RESOLVED, that a notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk

This Resolution was offered and moved by Council member Nolan, seconded by Council member Archibald and adopted on January 11, 2006 as follows:



RESOLUTION 030-2006

AWARDING OF CONTRACT FOR THE 2005 ROADWAY IMPROVEMENT PROGRAM

WHEREAS, the Borough of Atlantic Highlands desires to further advance the 2005 Roadway Improvement Program which has been provided for in Ordinance 14-2005, a bond Ordinance providing for several Capital Improvements in the Borough of Atlantic Highlands; and,

WHEREAS, bids were advertised and later opened on December 21, 2005 for the 2005 Roadway Improvement Program; and,

WHEREAS, the summary of the bid totals from the three low bidders is as follows,

JADS Construction Co. Inc.,	\$ 175,377.50,
DeFino Contracting Company.	\$181, 172.50
DNL Inc.,.....	\$ 208,796.25

; and

WHEREAS, Katherine Elliott, the project engineer, has reviewed the bids and finds the lowest bid meets the specifications, that the bidder is qualified and has provided the required security bonds for the job; and recommends the contract be awarded to JADS Construction Co.; and,

WHEREAS, Dawn L. Babcock, Chief Financial Officer for the Borough of Atlantic Highlands, does hereby certify that funds are available for this contract in

<u>General Capital Ordinance 14-2005 C-04-55-905-004</u>	<u>\$162,867.26</u>
<u>General Capital Ordinance 14-2002 C-04-55-902-001</u>	<u>\$12,510.24</u>



 Dawn L. Babcock C.F.O.

; and,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the Mayor and Borough Administrator are authorized and directed to enter into an agreement with JADS Construction Co in the amount of \$175, 377.50 for this project.

This Resolution was offered and moved by Council member Ladiana, seconded by Council member Nolan and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola



RESOLUTION 031-2006

PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated January 05, 2006 which totals as follows:

Current Account	\$713,165.12
Water & Sewer Account	\$23,891.98
Harbor	\$67,470.00
General Capital	\$0.00
Water Capital	\$0.00
Harbor Capital	\$96,338.70
Animal	\$0.00
Trust	\$0.00
Unemployment	\$
DWI Enforcement	\$
MCIA Lease	\$0.00
TOTAL	\$900,865.80

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that these vouchers, totaling \$ 900, 865.80, be paid to the persons named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers. An individual listing of all bills submitted has been posted on the bulletin board and is also on file in the Municipal Clerk's office for reference.

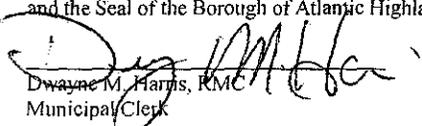
This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.


Dwayne M. Harris, RMC
Municipal Clerk

BILL LIST FOR JANUARY 11, 2006

<u>CK.</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>BUDGET ACCOUNT</u>	<u>AMOUNT</u>
			2005	
201001	U.S. POSTAL SERVICE ✕	TAX COLLECTOR ENVELOPES	TAX COLL	1,738.05
	MARPAL COMPANY	DUMP FEES 9/3 & 9/10	LANDFILL FEES	1,811.20
001002	MARPAL COMPANY	DUMP FEES 11/19 & 26, 12/30/10	LANDFILL FEES	2,513.60
001003	MON CTY TREASURER ✓	RECLAMATION CTR NOV & DEC	MON CTY LANDFILL	17,753.93
001004	WICKBERG MARINE	DREDGE HARBOR CONTRACT	H/CAP DREDGE	96,338.70
001005	LEON'S CRANE SERVICE	LIFT DERRICK OFF BARGE	H/REPAIRS & MAINT H	300.00
001006	BOY SCOUT TROOP 122	CHRISTMAS WREATHS	H/REPAIRS & MAINT H	1,200.00
001007	TREATED LUMBER TRANS	GREENHEART PILINGS	H/OTHER EXPENSES H	9,720.00
001008	GATWAY PRESS	CONTRACTS & ENVELOPES	H/OFFICE SUPPLIES H	300.00
		TOTAL 2005		\$131,675.48
			2006	
	MON MUNIC JIF	WORKERS COMP INS CURRENT	WORK COM INS	44,452.00
	MON MUNIC JIF	WORKERS COMP INS W/S	WORK COM INS	13,335.00
	MON MUNIC JIF	WORKERS COMP INS HARBOR	WORK COM INS H	31,116.00 115,576.10
	MON MUNIC JIF	LIABILITY INS CURRENT	LIABILITY INS	13,336.01
	MON MUNIC JIF	LIABILITY INS W/S	LIABILITY INS	4,001.00
	MON MUNIC JIF	LIABILITY INS HARBOR	LIABILITY INS H	9,336.00
	PETTY CASH (CLERK)	RE-ESTABLISH FOR 2006	CURRENT G/L	100.00
	PETTY CASH (HARBOR)	RE-ESTABLISH FOR 2006	HARBOR G/L H	50.00
	PETTY CASH (POLICE)	RE-ESTABLISH FOR 2006	CURRENT G/L	150.00
	BITTNER & CARTON	RENEWAL BOND - HENDRICKSON	SURETY INS	660.00 1,185.00
	BITTNER & CARTON	RENEWAL BOND - HARRIS	SURETY INS	525.00
	G.E. CAPITAL	COPIER LEASE - JAN 2006	COPIER LEASE	529.70
	VERIZON WIRELESS	POLICE SERVICE 12/9-1/8	CELLPHONES,PAGERS	181.68
	VERIZON CABS	SERVICE 12/16-1/15	COMPUTER/RADIO	43,304.00
	CEN JERSEY HEALTH	JANUARY 2006 - CURRENT	GROUP INS	5,425.00 76,177.00
	CEN JERSEY HEALTH	JANUARY 2006 - W/S	W/S GROUP INS	15,448.00 H
	CEN JERSEY HEALTH	JANUARY 2006 - HARBOR	H/GROUP INS	286,279.83
	A.H.E.S.	SCHOOL TAX JANUARY 2006	SCHOOL TAX	272,856.39
	H.H.R.S.	DISTRICT TAXES JANUARY 2006	SCHOOL TAX	900.00
	McCARTER AND ENGLISH	BLOCK 102/9 YEAR 2004	REFUND TAXES	5,808.91 24,764.35
	McCARTER AND ENGLISH	BLOCK 102/9 YEAR 2005	REFUND TAXES	900.00
	D OR L ROLLO	BLOCK 134 LOT 1 (20 SOUTH AVE)	REF TAX SALE PREM	1,130.98
	A H HARBOR	OVERPAYMENT B7 L7 SUB2	W/S REFUND	920.55
	JAMES J. HUDSON	DISABLED VET	REFUND TAXES	920.55
		TOTAL 2006		\$769,190.32
		TOTAL BILL LIST 1/11/06		\$ 900,865.80

CURRENT	713,165.12
W/S	23,891.98
HARBOR	67,470.00
HARBOR CAPITAL	96,338.70

Report Printed 2006-01-25 09:47:35

List of Bills - (CLEARING01) CLEARING/CLAIMS

Check#	Vendor	Description	Payment	Check Total
1003	2937 - BOY SCOUT TROOP 122 1006	PO 57118 CHRISTMAS WREATHS	1,200.00	1,200.00
1004	2614 - GATEWAY PRESS, LLC 1008	PO 57182 CONTRACTS AND ENVELOPES	300.00	300.00
1005	1837 - LEON'S CRANE SERVICE OK	PO 57120 LIFT DERRICK OFF BARGE	300.00	300.00
1006	123 - MONMOUTH COUNTY TREASURER 1003	PO 57213 USE OF RECLAMATION CTR 11/30	17,753.93	17,753.93
1007	574 - TREATED LUMBER TRANSFER, OK	PO 56950 GREENHEART PILINGS 45' (+/-)	9,720.00	9,720.00
1008	354 - WICKBERG MARINE CONTRACTING, 1004	PO 56400 DREDGE HARBOR CONTRACT	96,338.70	96,338.70
TOTAL				125,612.63

Checks Previously Disbursed

1002	MARPAL COMPANY	PO 57164 DUMP FEES	1,811.20	1/24/2006
1002	MARPAL COMPANY	PO. 57211 DUMP FEES	2,513.60	1/24/2006
1010	PETTY CASH	ESTABLISH PETTY CASH CLERK 2006	100.00	1/12/2006
1013	BITTNER & CARTON INS. AGENCY	RENEWAL HENDRICKSON BOND	660.00	1/12/2006
1014	BITTNER & CARTON INS. AGENCY	BOND HARRIS 2006	525.00	1/12/2006
1015	GE CAPITAL	COPIER LEASE JAN 06	529.40	1/12/2006
1016	VERIZON WIRELESS	POLICE SERVICE 12/9-1/8	389.04	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST INSTALL 2006 INS	44,452.09	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST. INSTALL 2006 INS	13,335.00	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST PAYMENT 2006 INS	31,116.00	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST PAYMENT 2006 INS	13,336.01	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST PAYMENT 2006 INS	4,001.00	1/12/2006
1009	MONMOUTH MUNICIPAL JOINT	1ST PAYMENT 2006 INS	9,336.00	1/12/2006
1012	PETTY CASH	ESTABLISH PETTY CASH 2006	150.00	1/12/2006
1017	VERIZON CABS	SERVICE 12/16-1/15	181.68	1/12/2006
1018	CENTRAL JERSEY HEALTH INS. FUND	JANUARY 2006	43,304.00	1/12/2006
1018	CENTRAL JERSEY HEALTH INS. FUND	JANUARY 2006	5,425.00	1/12/2006
1018	CENTRAL JERSEY HEALTH INS. FUND	JANUARY 2006	15,448.00	1/12/2006
1019	ATLANTIC HIGHLANDS ELEMENTARY	SCHOOL TAX 2006	286,279.83	1/12/2006
1020	HENRY HUDSON REGIONAL	JAN 2006 TAXES	272,856.39	1/12/2006
1023	ATLANTIC HIGHLANDS HARBOR	REFUND W/S TO OCEAN CLUB	1,130.98	1/12/2006
1001	U.S. POSTAL SERVICE	ENVELOPES	1,738.05	1/12/2006
1021	MCCARTER AND ENGLISH	REFUND - BLK 102/9 2004 & 2005	24,764.35	1/12/2006
1022	D OR L ROLLO	RETURN PREMIUM FOR TAX SALE B 134 L	900.00	1/12/2006
1024	JAMES J. HUDSON	REFUND TAXES 4TH QTR 2005 DISABLED	920.55	1/12/2006
1011	PETTY CASH	HARBOR PETTY CASH	50.00	1/12/2006
				775,253.17

Total for this Bills List: **900,865.80**



RESOLUTION 032-2006

BILL LIST FOR JANUARY 11, 2006

CK.	VENDOR	DESCRIPTION	BUDGET ACCOUNT 2005	AMOUNT
201001	U.S. POSTAL SERVICE	TAX COLLECTOR ENVELOPES	TAX COLL	1,738.05
	MARPAL COMPANY	DUMP FEES 9/3 & 9/10	LANDFILL FEES	1,811.20
001002	MARPAL COMPANY	DUMP FEES 11/19 & 26, 12/3&10	LANDFILL FEES	2,513.60
001003	MON CTY TREASURER	RECLAMATION CTR NOV & DEC	MON CTY LANDFILL	17,753.93
001004	WICKBERG MARINE	DREDGE HARBOR CONTRACT	H/CAP DREDGE	96,338.70
001005	LEON'S CRANE SERVICE	LIFT DERRICK OFF BARGE	H/REPAIRS & MAINT	300.00
001006	BOY SCOUT TROOP 122	CHRISTMAS WREATHS	H/REPAIRS & MAINT	1,200.00
001007	TREATED LUMBER TRANS	GREENHEART PILINGS	H/OTHER EXPENSES	9,720.00
001008	GATWAY PRESS	CONTRACTS & ENVELOPES	H/OFFICE SUPPLIES	300.00
		TOTAL 2005		\$131,675.48
			2006	
	MON MUNIC JIF	WORKERS COMP INS CURRENT	WORK COM INS	44,452.09
	MON MUNIC JIF	WORKERS COMP INS W/S	WORK COM INS	13,335.00
	MON MUNIC JIF	WORKERS COMP INS HARBOR	WORK COM INS	31,116.00
	MON MUNIC JIF	LIABILITY INS CURRENT	LIABILITY INS	13,336.01
	MON MUNIC JIF	LIABILITY INS W/S	LIABILITY INS	4,001.00
	MON MUNIC JIF	LIABILITY INS HARBOR	LIABILITY INS	9,336.00
	001010	PETTY CASH (CLERK)	CURRENT G/L	100.00
	001011	PETTY CASH (HARBOR)	HARBOR G/L	50.00
	001012	PETTY CASH (POLICE)	CURRENT G/L	150.00
	001013	BITTNER & CARTON	SURETY INS	660.00
	001014	BITTNER & CARTON	SURETY INS	525.00
	001015	G.E. CAPITAL	COPIER LEASE	529.40
	001016	VERIZON WIRELESS	POLICE SERVICE 12/9-1/8	CELLPHONES,PAGERS
	001017	VERIZON CABS	SERVICE 12/16-1/15	COMPUTER/RADIO
	001018	CEN JERSEY HEALTH	JANUARY 2006 - CURRENT	GROUP INS
	001018	CEN JERSEY HEALTH	JANUARY 2006 - W/S	W/S GROUP INS
	001018	CEN JERSEY HEALTH	JANUARY 2006 - HARBOR	H/GROUP INS
	001019	A.H.E.S.	SCHOOL TAX JANUARY 2006	SCHOOL TAX
	001020	H.H.R.S.	DISTRICT TAXES JANUARY 2006	SCHOOL TAX
	001021	McCARTER AND ENGLISH BLOCK 102/9 YEAR 2004	REFUND TAXES	8,955.44
	001021	McCARTER AND ENGLISH BLOCK 102/9 YEAR 2005	REFUND TAXES	15,808.91
	001022	D OR L ROLLO	BLOCK 134 LOT 1 (20 SOUTH AVE)	REF TAX SALE PREM
	001023	A H HARBOR	OVERPAYMENT B7 L7 SUB2	W/S REFUND
	001024	JAMES J. HUDSON	DISABLED VET	REFUND TAXES
		TOTAL 2006		\$769,190.32
		TOTAL BILL LIST 1/11/06		\$ 900,865.80

4,324.80

115,576.10

1,185.00

64,177.00

24,764.35

CURRENT 713,165.12
W/S 23,891.98
HARBOR 67,470.00



RESOLUTION 033-2006

AWARDING CONTRACT FOR THE PIER 3 RECONSTRUCTION PROJECT

WHEREAS, the Borough of Atlantic Highlands desires to further advance the reconstruction of Pier 3 in the Atlantic Highlands Marina; and,

WHEREAS, this project exceeds the Borough's bid threshold and requires the contract, as outlined in N.J.S.A. 40A: 11-4a, to be awarded by resolution of the Governing Body to the lowest responsible bidder, after public advertising for bids and the receipt of bids as outlined in N.J.S.A. 40A: 11-23,

WHEREAS, the following bids were received and opened on January 10, 2006;

Wickberg Marine Construction.	\$107,500.00
J.E.Hannon Inc. T/A Bird Construction.	\$191,800.00

; and

WHEREAS, the Harbor Master Bill Bate, has reviewed the bids and finds that Wickberg Marine Construction is the lowest responsible bidder, defined by N.J.S.A. 40A: 11-2(27), that the bidder is qualified and recommend the contract be awarded to Wickberg Marine Construction; and,

WHEREAS, Dawn L. Babcock, Chief Financial Officer for the Borough of Atlantic Highlands, does hereby certify that funds are available for this contract in

2006 Harbor Operating - Capital Outlay \$107, 500.00


 Dawn L. Babcock C.F.O.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the Mayor and Borough Administrator are authorized and directed to enter into an agreement with Wickberg Marine Construction for the reconstruction of Pier 3, in the amount of \$107,500.00

This Resolution was offered and moved by Council member Spatola, seconded by Council member Doyle and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola
 NAYS: Council members
 ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January



RESOLUTION 034-2006

AWARDING CONTRACT FOR APPRAISAL

WHEREAS, The Borough of Atlantic Highlands desires to acquire the property located at Block 119, Lot 1 and Block 7 Lots 11 and 12.01 (commonly known as the "Giuliani Property"); and

WHEREAS, In order to acquire said property the estimated fair market value of the property must be determined; and,

WHEREAS, Bruce Guenther, of C.J Guiney Associates, has been recommended as a licensed appraisal firm; and,

WHEREAS, The fee for the services of Bruce Guenther to perform an appraisal of Block 119, Lot 1 and Block 7 Lots 11 and 12.01 (commonly known as the "Giuliani Property and provide a report is \$4,000,

WHEREAS, Dawn L. Babcock, Chief Financial Officer for the Borough of Atlantic Highlands, does hereby certify that funds are available for this contract in

Trust Fund- Open Space Trust Reserve- \$4,000.00
Previous account # 6-12-55-852-126

Dawn L. Babcock C.F.O.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the appointment of Bruce Guenther, of C.J Guiney Associates, to perform an appraisal of Block 119, Lot 1 and Block 7 Lots 11 and 12.01 (commonly known as the "Giuliani Property and prepare a report of said appraisal, delivered to the Borough Administrator with 30 to 45 days, is hereby confirmed.

This Resolution was offered and moved by Council member Ladiana, seconded by Council member Nolan and adopted on January 11, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, Nolan and Spatola

NAYS: Council members

ABSTAIN:

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 a true copy of the action of the Governing Body at its meeting held January 11, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 12th day of January 2006.

Dwayne M. Harris, RMC
Municipal Clerk