



## MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF MARCH 22, 2006

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on March 22, 2006 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor Donoghue called the meeting to order at 7:30 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Doyle, Fligor, Ladiana, and Spatola. Borough Administrator Hubeny, Borough Attorney Reilly and George Whalen from T&M Associates were also present. Planning Board secretary Michelle Clark covered for Municipal Clerk Harris. Council member Nolan was absent.

Mayor Donoghue 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.

### APPROVAL OF MINUTES

Regular Meeting - March 28, 2006  
Emergency Meeting March 16, 2006

Council member Archibald made a motion for the approval of the above minutes. It was seconded by council, member Fligor and carried by the following vote:

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

### REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL

Council member Ladiana reported that the ground breaking at Wagner Creek went off with great success. There were about 45 people in attendance and she wanted to thank everyone who participated. She reported that the needs analysis for Borough Hall was progressing nicely. She needs to touch base with Adam to get an update. She, Adam and Steve Lydon drove around the Borough to look at certain properties regarding the COAH third round plan. She asked George Whalen if he was aware of the progress of the Municipal Stormwater Ordinance.

Administrator Hubeny stated that Rose Santos of T&M, who has added her comments, had reviewed the Ordinance and it should be ready for introduction on April 12.

Council member Fligor reported that NJNG was asking if we would allow them to put a cap at the West Garfield site so they could get in and out of the gas company so they could repave our parking lot in the Borough yard. This will allow them to drive freely over a small piece without dragging any product into a piece that is not capped. In return they would install a brand new fence around the Borough yard and water department. These will allow them to drive directly into the Borough yard, pave and leave without accessing the Borough streets. This will also provide an emergency exit in the rear of the yard that will allow access from Garfield Ave. He also reported that he will be receiving a letter from the DEP regarding the clean up on the properties on South Ave, Ave B and Highland Ave, when he receives it he

will share it with the governing body for comments. He commented that he, Mr. Sutton, Mr. Howe, Mrs. Caffrey, and Mr. Dean and Mrs. Murray would be attending a Planning Board training seminar at Brookdale on Saturday.

Council member Doyle reported there would be Fluke tournament in the Harbor on July 15 and 16. There is also a snapper tournament for children 12 and under on September 9<sup>th</sup>. The pier III reconstruction should be complete in early April. The bid for the electrical replacement will go to bid in April as well and should be completed in late June or July. He reported that there are six initiatives going on in the Harbor; 1> Clean Marina headed by Helen Marchetti and Lou Fligor, 2> the Stormwater Management Project, 3> they are looking into upgrading their sewer system, also 4> lengthening the piers which would allow them to add more slips, 5> they will also be reviewing the long term needs on the buildings and 6> finally extending the Harbor out to the East.

Council member Spatola reported that recreation would be sponsoring their annual Easter Egg Hunt at Saint Agnes School around 2:00pm. Also on the same day the Basketball Shoot Out will be held at 11:00. Swing dancing lessons will begin on April 21<sup>st</sup>.

Council member Archibald reported that he and councilman Nolan met with Chief Vasto regarding his budget. He mentioned the fundraiser for officer Steve Doherty at Plush, this Sunday and encouraged everyone to participate. He reported that the Atlantic Highlands Sailing Education Program has received a \$60,000.00 grant from the DOT and he wanted to thank all of the members of the Harbor who worked hard for this. The grant will fund new boats, some trailers and some floatation devices among other things. He also reported that he had met with Governor Corzine today and spoke with him regarding the Borough's efforts to get money. The governor asked him to follow up with a letter.

Mayor Donoghue brought to everyone's attention that NJ Monthly magazine is out with its *Top 100 Towns* issue and Atlantic Highlands is included.

Councilwoman Ladiana asked Councilman Doyle the status of the budget introduction. He said it would be ready for introduction in mid or late April.

Administrator Hubeny reported that our 2005 road construction project is underway. It includes Belvidere, East Mount and Highland Place. He reported that he and T&M toured the town for the 2006 road project. They will prioritize what needs to be done and they will bring it before the governing body for their decision. The Borough will apply for the Community Development Block Program. There is still no progress on Bayside Dr. The county has gone out to bid for an engineer to design a resolution to that problem.

The water meter program is in full force. The water meters have been delivered and we hope to begin installation soon. The street sweeper is out to bid and those bids will be opened on March 30 and hopefully award a contract on April 12<sup>th</sup>. Streetscape Phase II designs are complete and they think they came out great. We hope to bid on the second week in April. He reported that we had a meeting with Verizon cable; we are now going back to Comcast in an effort to get what is best for the Borough. On June 19<sup>th</sup> the county inmates will be here to clean the beaches, from Wagner Creek down into the Harbor. He also met with Bob Sherman from the Chamber of Commerce regarding the signage we had spoken about. Mr. Sherman has been in touch with a designer who has ideas and we will be following up with that. The sign that was there is at the repair shop and we hope to have that installed within the next few weeks.

George Whalen, on behalf of Engineer Bucco, in regards to the clarifier, reported that they are trying to obtain all of NJNG documents regarding the remediation work that has taken place over the last year and a half. They will then try to provide the borough with a cost estimate to do an analysis as to whether or not that is the cause for the sinking of the clarifier. Secondly, they had met to discuss a conceptual plan for the reconfiguring of the parking lot at Ave D and the Henry Hudson Trail. Finally they had been in contact with Mr. Barbato regarding the steep slope permit. That issue still remains unresolved and they are still waiting for information from Mr. Barbato.

Mr. Reilly has a few items for executive session.

Mayor Donoghue announced the Pay to play seminar, conducted by Mr. Reilly on March the 12<sup>th</sup> at 6:00pm.

He also recognized Mrs. Huson, Atlantic Highlands' oldest resident, who was in the audience

### **PUBLIC COMMENT SESSION**

Donna King-51 Ocean Blvd- is urging the council, before we get to the next stage of war and conquer that Hovnanian uses so well, that we utilize eminent domain and take action now, and take this property and use this property for the betterment of Atlantic Highlands. She made the council aware that a petition was circulating and 95-99% of the residents want open space for Atlantic Highlands.

Joseph Hawley-Ocean Blvd- commented that he could produce at least 50 people who disagree with Donna. Many people would love to obtain the Giuliani tract but eminent domain is the wrong way to do it. He knows the mayor met, tried to reach out to other council members to do that, to try to take it, going along that route. He understood from various sources, people in town, that the Mayor tried to reach out to go that route, unsuccessfully. He asked the Mayor about the referendum he promised while campaigning in 2003, prior to any expansion of the Harbor. A lot of people are confused about where this money is coming from. Long Branch has been tied up for eleven years defending these eminent domain cases. The fact sheet on the petition describes different funding sources, which has had called this week and all of the funds are allocated for this year and next. The Baykeepers said that they spoke to the Borough one time and have not been in contact with them since, so they allocated their funds to other projects. The Green Acres program has been frozen and asked again where is this money coming from. He feels the community and council should sit down and try to work with the Giuliani brothers. The reason they went to Hovnanian to get the contract purchase price is because of the threats, behind closed doors, of using eminent domain. He commented that the Mayor has a habit of espousing the virtues of Dr. Martin Luther and Coretta Scott King, but those individuals never used their positions to talk over people or shout people down in the meetings as you have done.

Donna King-commented that she is one of the people circulating the petition, which has nothing to do with the council. It is bipartisan and from people who are totally concerned people who pay taxes and live in Atlantic Highlands.

Tim Barrett-48 Memorial Pkwy- was curious if there was something on the table regarding the drainage on seventh ave.

Loretta Dibble and Pat Boyce-Paradise Park Homeowners Association- wanted to let the Council know that the Ordinance that was sent back to the planning board has been revised and reintroduced last Wednesday. They are here to encourage anyone interested in commenting or has concerns, they should address them to the planning board in Highlands.

Rich Marcolis-262 Ocean Blvd-wanted to show his support for the petition, and based on the response he gets, would urge this council to do what ever is necessary to acquire that property. Whether its eminent domain or negotiations, whether it is asking the public to do this on their behalf, the intent is to provide the council with names addresses and phone numbers of individuals you can confirm with as to what the people of this town want.

Julie Gartenberg-62 Upper Prospect Rd.-she and her husband are former residents of Long Branch who left because of over development. She asked that the council consider keeping this as open space and acting as stewards for future generations. She disagrees with Mr. Hawley's comments, in that she feels that there is an abuse going on in Long Branch, which is a completely different situation. We are not displacing people from their homes, and we are taking it on behalf of the community. Although that is an extreme measure, she is sure that the council will figure out how to do it, and if that is a tool that has to be used that you will use it wisely.

Margie Black-254 Ocean Blvd- is in support of the petition as well as all of her friends. She respectfully contradicted Joe Hawley, because she was in contact with Greg Lamode, that day, from Baykeepers, and they are in full support of the petition. She also urges the board to realize that we are not dealing with a property owner unwilling to sell, so we are not taking away property. The court would determine a fair purchase price. She also commented that the fish lay their eggs in these estuaries and if we continue to develop these wetlands, what will happen to the fishing industry? Building condos would take away from the Victorian charm of Atlantic Highlands and that could never be replaced.

Ed Mahoney-110 Asbury Ave- commented that there are two different types of eminent domain. One is where the government can take private property and keep it for public use. There is a new kind were governments take private property and give it to developers. People get it confused, and diatribes like Mr. Hawley's adds confusion to the issue. His main concern is how information gets out and feels it gets out very inaccurately. He also wanted to encourage any efforts the Borough is making to go above and beyond the State pay to play regulations in our Municipality.

Charles Colby-25 Lawrie Rd- saw a diagram of the proposed property that Hovnanian wants to develop and is amazed that the entire development is on a known flood plain as established by FEMA.

William Eaton-Bay Ave- feels that Hovnanian has taken their application to COAH and has tried to stop the talk of eminent domain here, because this eminent domain is for open space. The property the acquired in Long Branch and Newark were acquired by eminent domain. They have no problem with it when they can benefit from it. They don't like it when it is used for open space.

Penelope Metropolis-43 Bayside Dr- asked if both petitions being circulated could be signed?

Jane Barrett-33 Bayside Dr- is in support of preserving open space, and questioned what work was being done on Bayside Drive.

Kate Wigginton-Ave D-added her support to that property acquisition even if it cannot be totally used as open space. She is also happy to see residents from the hill supporting the West side of town, as they had done with the Hofbrauhaus.

Laura Saunders-20 Highland Pl-she has heard about the support to keeping this open space, and she has heard about how it would affect the fish and what it would do to our water supply, and the taxes, but she wanted to know if the governing body members were able to give any insight on their feelings to this? She asked the mayor on a priority rating scale of 1-10 where the Giuliani tract lies?

Erin Heninberger-90 E. Garfield Ave- she and her husband moved here from Queens, NY and urged everyone to do something with the property and stop Hovnanian from moving.

Steven O'Brien-20 Hill Road-would like to think something could be done without the threat of eminent domain, but would like to hear, in light of the Governors budget, that we have some other plans with this

developer or someone else to look at other areas if possible, to work with these people to offer them some other option else ware, to make negotiations more appealing on both sides, so we can find some reasonable ratable else ware besides right on our waters.

Edward Kelly-35 E. Garfield-wanted to come out in favor of preserving the two properties as open space.

## **NEW BUSINESS**

### **RESOLUTION 067-2006, ADJUSTMENT TO SEWER UTILITY BILLS**

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

This resolution was adopted by the following vote.

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

NAYS:

### **RESOLUTION 068-2006, RELEASE OF RETAINAGE FOR INTER COUNTY PAVING**

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

Council member Nolan explained how this would allow recreation to utilize funds received for tickets and fees for trips to be utilized during the year in which the costs are incurred.

This resolution was adopted by the following vote.

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

NAYS:

### **RESOLUTION 069-2006, APPROVAL OF CHANGE ORDER-WICKBURG MARINE**

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

This resolution was adopted by the following vote.

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

NAYS:

### **RESOLUTION 070-2006, TRANSFER OF FUNDS**

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 members Archibald, Doyle, Fligor, Ladiana and Spatola

NAYS:

**RESOLUTION 071-2006, EMERGENCY TEMPORARY APPROPRIATIONS**

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

This resolution was adopted by the following vote.

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

NAYS:

**RESOLUTION 072-2006, FIXING THE COMPENSATION OF OFFICIALS AND EMPLOYEES**

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

This resolution was adopted by the following vote.

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

NAYS:

**RESOLUTION 073-2006, PAYMENT OF BILLS**

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

Councilmember Ladiana asked why we have not yet paid a bill for T&M? Administrator Hubeny explained that most of their work for January has been under the retainer.

This resolution was adopted by the following vote.

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

NAYS:

Council member Archibald wanted to go back to Resolution 72-2006, and questioned the section Office help Part-time. The last version was to \$35.00 with no ranges and needs to be amended.

Council members Ladiana and Doyle agreed to reconsider allowing this resolution to be amended. It again was passed as amended by the following vote AYES: Council members Archibald, Doyle, Fligor, Ladiana and Spatola.

**ORDINANCE 05-2006, AMENDING CHAPTER VI OF THE REVISED GENERAL ORDINANCES**

This Ordinance was read by title and moved for Introduction by Council member Ladiana. It failed to receive a second.

Council member Fligor commented that the ending fees are too high and it needs to be tabled and re-looked at.

Council member Spatola commented that we just hit the business, the ones with liquor licenses, with a new procedure for ABC cards and we hit them with this schedule of fees, I just don't agree with it.

Council member Ladiana commented that with this scenario, our fees are \$750.00 a year and have not been adjusted since 1997, and the next highest one up is \$990. Even at the 2010 we are going to be \$200.00 away from what some of the others are currently charging.

Administrator Hubeny commented that this is equivalent to a 0.41cents a day increase. The Borough's collection on recycling and bulk pick up has increased from 1997 where it was \$52.00 per ton to now where we are about \$82.00 a ton and that rate has not changed. The businesses that deal with liquor licenses and deliveries and cardboard boxes are getting picked up every week, while residents are getting picked up every other week, so again it is something to think about. The costs are greater with the police, fire, and first aid. The average, which is \$1,417.00, represents today's number not the

representation that it plays out in 2007, 2008, 2009 and 2010 as the numbers here grow. This was away to cover our expenses as we see them today.

Council member Archibald commented that he would like to see this go back to the finance committee and feels that there may be a lot of taxes imposed on the business from the State and would like to see how that will shake out.

Mayor Donoghue commented that we do have some time before all of these licenses become due and would hope that we would consider sooner than that what we should do.

There was a motion to table by Mr. Fligor and seconded by council member Archibald and a roll call was taken. [Note: due to the fact that this Ordinance initially never received a second, it was not under consideration by the council making the motion to table moot]

#### **Approval of Raffle License**

License #3346-2006 Sandy Hook Little League, June 11, 2006 at the Fireman's Filed House.

This was offered and moved for adoption by Council member Archibald and seconded by Council member Spatola and passed by the following vote.

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

NAYS:

Council member Ladiana requested to add the procedures for Executive session on the agenda.

#### **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) Tax appeal
- 2) Contract Litigation
- 3) Executive session procedures

Mayor Donoghue read this resolution in full. It was offered and moved for adoption by Council member Fligor at 8:55 PM, seconded by Council member Doyle and adopted by the following vote.

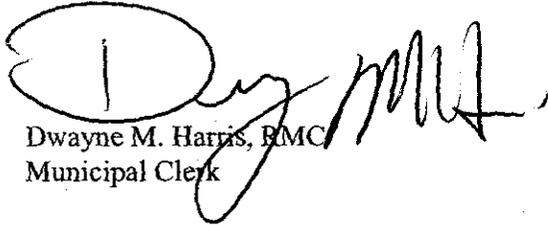
AYES: Council members Archibald, Doyle, Fligor, Ladiana and Spatola

NAYS:

**RECONVENE** - At 10:05 PM the meeting was resumed.

**ADJOURN** - There being no further business before the Mayor & Council, Council member Doyle moved to adjourn the meeting at 10:05 PM, the motion was seconded by Council member Ladiana and unanimously approved.

The Governing Body approved these minutes on May 10, 2006.

A handwritten signature in black ink, appearing to read "Dwayne M. Harris". The signature is written in a cursive style with a large initial "D" and "H".

Dwayne M. Harris, BMC  
Municipal Clerk



# RESOLUTION 067-2006

## ADJUSTMENTS TO SEWER UTILITY BILLS

WHEREAS, the Water and Sewer Utility ratepayer listed below has requested adjustments made to the quarterly bill due to service leaks and misreads; and,

WHEREAS, the Water and Sewer Utility Collector has recommended, and the Borough Administrator has agreed that the below ratepayers be adjusted,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that adjustments to the quarterly Water and Sewer Utility bills be granted to the following:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
112	8	123 First Ave	\$
		Sewer Adjustment	(608.00)
		Water Adjustment	(000.00)
91	5	28 E. Highland Ave.	\$
		Sewer Adjustment	(281.56)
		Water Adjustment	(000.00)
107	6	13 W. Lincoln Ave	\$
			(870.34)
			(000.00)

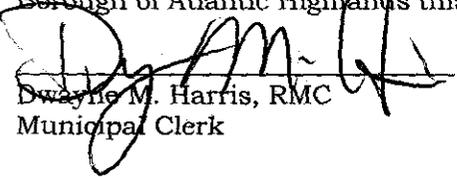
This Resolution was offered and moved by Council member Archibald, seconded by Council member Spatola and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 068-2006

### RELEASE OF RETAINAGE FOR INTER COUNTY PAVING

WHEREAS, on December 10, 2004 Inter County Paving finished completing a sanitary sewer repair job on Memorial Parkway, that A&M Liner failed to complete; and,

WHEREAS, the contract price for Inter County Paving to finish the job was \$55,770.00; and,

WHEREAS, on March 10, 2005, Inter County Liner was paid \$54,654.60, after a 2% maintenance fee was retained; and,

WHEREAS, the work has been completed and no further items are outstanding, Inter County Liner has requested the release of the final \$1,115.40 retained by the Borough,

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 Chief Financial Officer and any other appropriate official is hereby authorized and directed to pay the sum of \$1,115.40 to Inter County Paving.

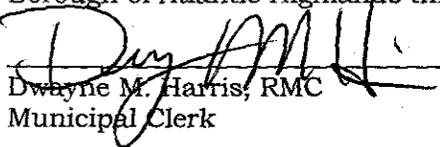
This Resolution was offered and moved by Council member Fligor, seconded by Council member Archibald and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 069-2006

### APPROVAL OF CHANGE ORDER INCREASING THE COST OF THE PIER THREE REPLACEMENT PROJECT

WHEREAS, the Borough of Atlantic Highlands entered into a contract with Wickberg Marine Contracting, Inc., for the Atlantic Highlands Harbor Pier Three Replacement Project; and,

WHEREAS, additional costs were incurred due to the need to remove and replace 480 linear feet of step boarding and the necessary removal of the old ladder support; and,

WHEREAS, the additional work resulted in the supplementation of items as listed in Change Order No. 1 dated March 13, 2006;

WHEREAS, these changes, which are permissible under N.J.A.C.5: 30-11.8 will increase the original contract price of \$107,500.00 by \$21,315.00, to a revised contract price \$128,815.00 as modified by Change Order #1; and,

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

2006 Harbor Operating - Capital Outlay 30-201-44-950-301

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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 Change Order #1 dated March 13, 2006, for the Pier Three Replacement Project, reflecting the above adjustment is approved.

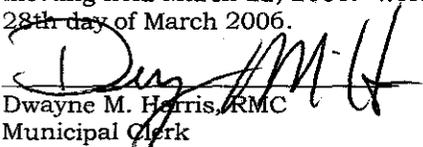
This Resolution was offered and moved by Council member Doyle, seconded by Council member Archibald and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 070-2006 TRANSFER OF FUNDS

WHEREAS, various 2005 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2005 Budget Appropriation Reserve in the last two months of 2005; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Atlantic Highlands that the transfers in the amount of \$3,167.00 be made between the 2005 Appropriation Reserves as follows:

### CURRENT FUND

	<u>FROM</u>	<u>TO</u>
<b>Operations within "CAPS"</b>		
Police		
Other Expenses		\$1,475.00
Fire		
Other Expenses	\$1,115.00	
Right to Know Safety		
Other Expenses	360.00	
Solid Waste		
Other Expenses	410.00	
Engineering		
Other Expenses		410.00
Recreation		
Other Expenses	1,282.00	
NJPDES Stormwater Permit O/S CAP		
Other Expenses		1,282.00
	-----	-----
Total	\$ 3,167.00	\$3,167.00
	=====	=====

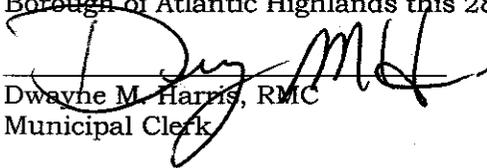
This Resolution was offered and moved by Council member Spatola, seconded by Council member Doyle and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
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Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 071-2006

## EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergency condition has arisen with respect to the fact that the Borough has yet to adopt its 2006 budget and no adequate provision has been made in the 2006 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the above mentioned; and,

WHEREAS, the total emergency temporary resolutions adopted in the year 2006 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$ 2,614,896.00; and,

NOW, THEREFORE, BE IT RESOLVED, (by not less than two-thirds of all the members thereof affirmatively concurring) by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made for the following line items:

### GENERAL GOVERNMENT

Administrative and Executive	
Salaries and Wages	\$ 1,500.00
Other Expenses	5,000.00
Municipal Clerk	
Salaries and Wages	2,000.00
Other Expenses	1,000.00
Financial Administration	
Salaries and Wages	1,000.00
Other Expenses	1,000.00
Computerized Data Processing	
Other Expenses	3,000.00
Revenue Administration	
Salaries and Wages	3,000.00
Tax Assessment Administration	
Salaries and Wages	1,500.00
Other Expenses	1,000.00
Engineering Fees	
Other Expenses	3,000.00
Planning Board	
Salaries and Wages	500.00
Master Plan	10,000.00
Police	
Salaries and Wages	28,000.00
Other Expenses	10,000.00
Emergency Management	
Other Expenses	2,000.00
Municipal Prosecutor's Office	
Salaries and Wages	1,000.00
Municipal Court	

Salaries and Wages	3,000.00
Other Expenses	1,000.00
Streets and Road Maintenance	
Salaries and Wages	6,000.00
Solid Waste Collection	
Salaries and Wages	3,000.00
Buildings and Grounds	
Salaries and Wages	2,000.00
Other Expenses	10,000.00
Vehicle Maintenance	
Salaries and Wages	5,000.00
Other Expenses	2,000.00
Municipal Library	
Salaries and Wages	2,000.00
Environmental Commission	
Other Expenses	500.00
Natural Gas	
Other Expenses	9,000.00
Gasoline	
Other Expenses	10,000.00
Other Code Enforcement Functions	
Salaries and Wages	3,000.00

**STATUTORY EXPENDITURES**

Contributions to:	
Social Security System (OASI)	5,000.00

**GENERAL GOVERNMENT outside "CAPS"**

Contribution to:	
Public Employees' Retirement System	16,690.00
Police and Firemen's Retirement System	38,225.00
Employee Group Insurance	
Other Expenses	6,000.00
NJDEPE Stormwater	
Other Expenses	1,000.00
Gasoline - HHRSD	
Other Expenses	3,000.00

TOTAL CURRENT FUND	----- \$200,915.00 =====
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**WATER and SEWER UTILITY:**

Operating	
Salaries and Wages	\$25,000.00
Other Expenses	25,000.00
Group Insurance	10,000.00
Treatment Costs	
Atlantic Highlands/Highlands Sewerage Authority	90,000.00
Statutory Expenditures	

Contributions to:	
Social Security System (OASI)	2,000.00
Public Employees' Retirement System	2,907.00
	-----
TOTAL WATER-SEWER UTILITY	\$154,907.00
	=====
<b>HARBOR UTILITY:</b>	
Operating	
Salaries and Wages	\$50,000.00
Other Expenses	20,000.00
Bank Fees	500.00
Statutory Expenditures	
Contributions to:	
Public Employees' Retirement System	5,683.00
Police and Firemen's Retirement System	12,757.00
	-----
TOTAL HARBOR UTILITY	\$88,940.00
	=====
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS	\$444,762.00

2. That said emergency temporary appropriation would be provided for in the 2006 Municipal Budget.
3. That one certified copy of this resolution is filed with the Director of Local Government Services.

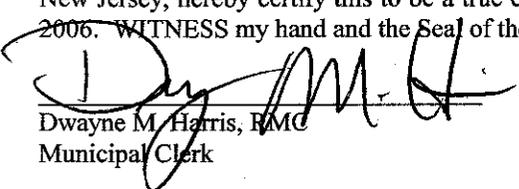
This Resolution was offered and moved by Council member Doyle, seconded by Council member Spatola and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 072-2006

**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**

WHEREAS, Ordinance 1-2006 was introduced and adopted by the Mayor and Council of the Borough of Atlantic Highlands on January 1, 2006 establishing the salary ranges for all employees;

WHEREAS, it is the recommendation of the Borough's auditors that those individuals not covered by certain bargaining unit contracts that those base salaries are hereby fixed and determined for the following officials and employees of the Borough of Atlantic Highlands;

Mayor	\$ 4,500.00
Council members	3,000.00
Borough Administrator	69,500.00
Borough Clerk/Registrar	51,168.00
Chief Financial Officer	83,200.00
Tax Assessor	22,109.00
Tax Collector	7,355.00
Deputy Tax Collector	50,806.00
Municipal Judge	17,500.00
Prosecutor	16,000.00
Public Defender	4,000.00
Public Works Manager	3,000.00
Confined Space	1,800.00
Borough Attorney	25,000.00
Code Enforcement Official	11,700.00
Zoning Officer	8,000.00
Construction Official	10,000.00
Building Sub-Code Official	6,000.00
Fire Sub-Code Official	6,000.00
Plumbing Sub-Code Official	6,000.00
Electrical Sub-Code Official	6,000.00
Fire Marshall	4,000.00
Deputy Fire Marshall	1,300.00
Fire Chief	1,500.00
Deputy Fire Chief	1,250.00

Fire Captain	1,000.00
Chief of Police	112,899.00
Captain of Police	98,782.00
Dispatcher	\$27,040.00 to 37,856.00
Records Retention Secretary	27,560.00
School Crossing Guard	5,915.00
Court Administrator	52,346.00
Insurance Coordinator/Deputy Clerk	27,560.00
Construction Code/Tax Assessor Secretary/ Assistant Construction Administrator	27,949.00
Water/Sewer Utility Collector	27,560.00
Administrative Assistant/Finance Clerk/ Planning Board Secretary	27,560.00
Librarian	35,271.00
Harbor Master	73,745.00
Harbor Utility Collector/Secretary	52,346.00
Harbor Security	26,000.00
Summer Recreation Program Director	3,500.00
Summer Recreation Head Counselor	700.00 - 1,000.00

### **Hourly Employees**

Summer Recreation Program Aides/ Junior Counselors	to	\$6.40 hourly
Secretary, Recreation Committee	to	\$10.00 hourly
Substitute Librarian	to	\$12.44 hourly
Librarian's Aid	to	\$11.63 hourly
Student Help	to	\$7.02 hourly
Dispatchers	to	\$9.00 hourly
Police Matron	to	\$8.00-8.75 hourly
Court Officer	to	\$9.25 hourly
Office Help Part Time	to	35.00 hourly
Harbor Customer Service/Security Supervisor	to	\$12.45 hourly
P/T Customer Service/Security Attendants	to	\$8.00-12.05 hourly
Part Time Laborers	to	\$6.15-12.00 hourly
Part Time Gas Dock	to	\$8.00-9.56 hourly
Meter Readers	to	\$10.00 hourly

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.

<u>Years of Service</u>	<u>Police</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.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following resolution be effective January 1, 2006 and that a certified copy of this resolution be sent to the Chief Financial Officer.

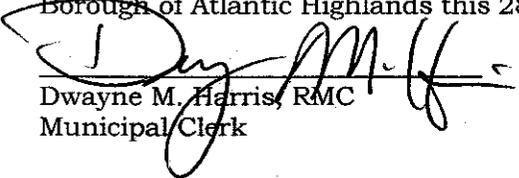
This Resolution was offered and moved by Council member Ladiana, seconded by Council member Doyle and adopted on March 22, 2006 as follows:

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

NAYS:

ABSTAIN:

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Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 072-2006

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NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following resolution be effective January 1, 2006 and that a certified copy of this resolution be sent to the Chief Financial Officer.

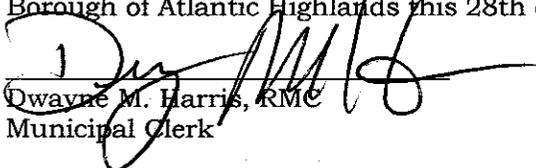
This Resolution was offered and moved by Council member Ladiana, seconded by Council member Doyle and adopted on March 22, 2006 as follows:

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

NAYS:

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 March 22, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of March 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 073-2006

## PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated March 17, 2006 which totals as follows:

Current Account	\$282,200.23
Water & Sewer Account	\$32,814.79
Harbor	\$83,900.79
General Capital	\$37,856.85
Water Capital	\$320,689.05
Harbor Capital	\$0.00
Animal	\$716.40
Trust	\$6,945.50
Unemployment	\$0.00
<b>TOTAL</b>	<b>\$ 765,123.61</b>

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 \$765,123.61 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.

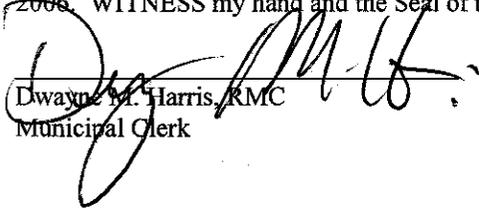
This Resolution was offered and moved by Council member Ladiana, seconded by Council member Doyle and adopted on March 22, 2006 as follows:

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

NAYS:

ABSTAIN:

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Dwayne M. Harris, RMC  
Municipal Clerk