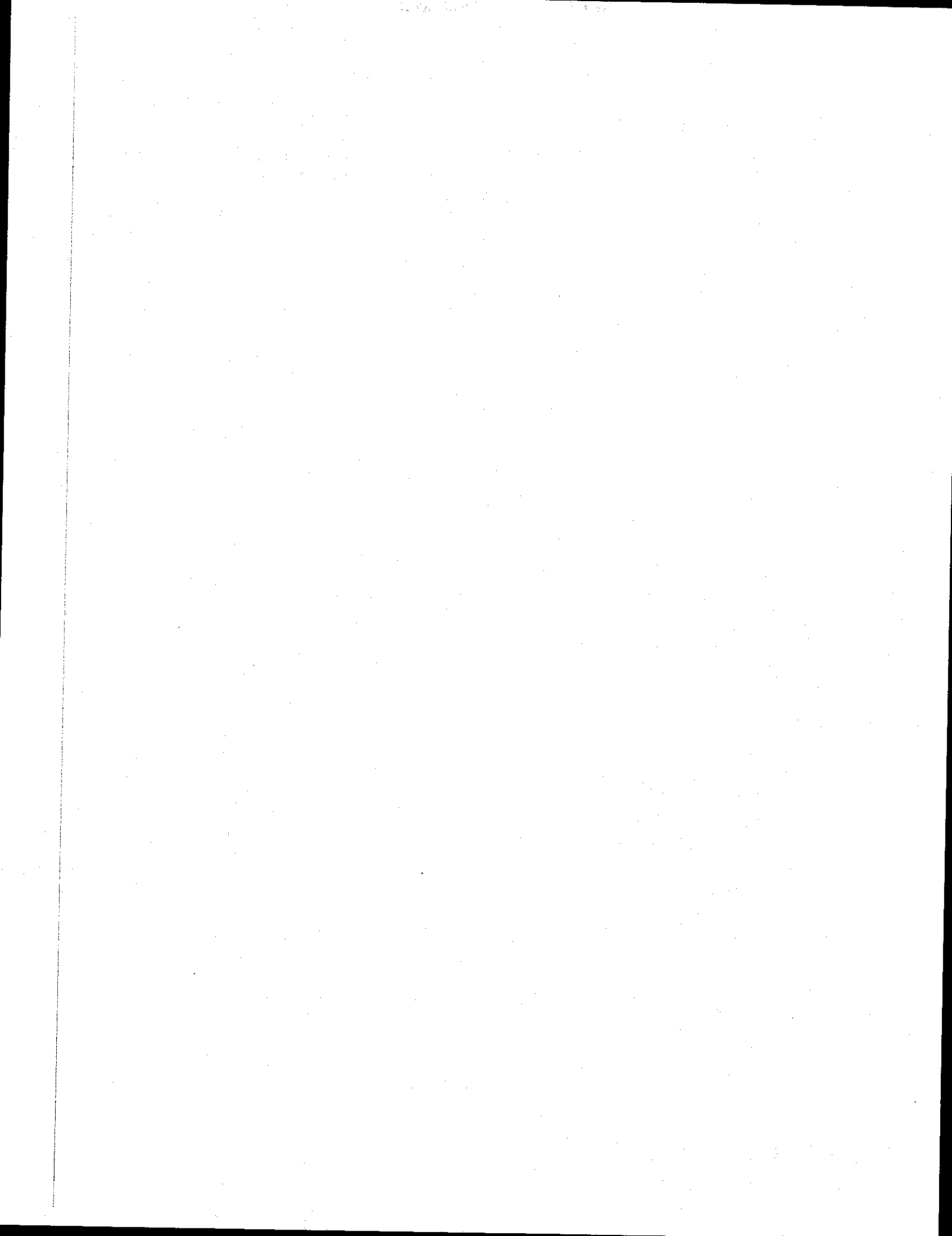




# MAYOR AND COUNCIL MEETING SEPTEMBER 27, 2006

A Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands will be held SEPTEMBER 27, 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. Proclamation- Honoring Sgt. James Slocum on his retirement
6. Reports – Council, Administrator, Professional, Other
7. Comments from the Public
8. Unfinished Business:  
NONE
9. New Business:
  - a. Resolution 176-2006, Governing Body Certification of the 2005 Audit
  - b. Resolution 177-2006, Adjustment to Sewer Bills
  - c. Resolution 178-2006, Payment of Bills
  - d. Resolution 179-2006, Execution of PBA Bargaining Agreement
  - e. **Consent Agenda**- These items are considered to be routine by the governing body and will be enacted by one motion. If detailed deliberation is desired on any item, the Council may remove that item from the consent agenda and consider it separately:
    01. Approval of Raffle License #3360-2006 – On Premise 50/50-Interfaith Hospitality Network of Monmouth County-November 17, 2006, Shore Casino
    02. Approval of Raffle License #3361-2006 – Off Premise Raffle-Interfaith Hospitality Network of Monmouth County-November 17, 2006, Shore Casino
    03. Approval of Raffle License #3362-2006 – Off Premise 50/50-Mother Teresa Regional School PTA-April 28, 2007, Shore Casino
    04. Approval of Raffle License #3363-2006 – Off Premise 50/50-St. Agnes RC Church –May 11, 2007, Shore Casino
10. Executive Session
11. Adjourn





## MINUTES OF THE MAYOR & COUNCIL WORKSHOP MEETING OF SEPTEMBER 27, 2006

A Workshop Meeting of the Mayor and Council of the Borough of Atlantic Highlands was held on September 27, 2006 in the public meeting room of Borough Hall, 100 First Avenue, Atlantic Highlands, NJ.

Mayor Donoghue called the meeting to order at 6:30 PM. The following roll call was taken: Council members Doyle, Fligor, Ladiana. Borough Administrator Hubeny and Municipal Clerk Harris were also present. Councilmembers Archibald, Nolan And Spatola were absent.

Clerk Harris stated that notice of this meeting has been transmitted to 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 09/19/2006. He read the "Open Public Meetings Act" compliance statement and stated that formal action would not be taken.

### PUBLIC COMMENT SESSION

Eli Goldstein of Goldstein Partnership, made a 45-minute presentation to the Governing body on revised plans, presented by his firm earlier in 2006, for the potential addition of a new library and renovations of Borough Hall.

**ADJOURN** - There being no further business before the Mayor & Council, Councilmember Doyle moved to adjourn the meeting at 7:15PM; the motion was seconded by Councilmember Fligor and was unanimously approved.

The governing body approved these minutes at their meeting on October 11, 2006.

Dwayne M. Harris, RMC  
Municipal Clerk



## MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF SEPTEMBER 27, 2006

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on September 27, 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, and Spatola. Council member Nolan was not present. Administrator Hubeny, Borough Attorney Reilly, Borough Engineer Robert Bucco, and Municipal Clerk Harris were also 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 1/04/2006. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

### APPROVAL OF MINUTES

Regular Meeting - September 13, 2006

This motion was offered and moved for passage by Council member Spatola and seconded by Council member Doyle.

Councilmember Fligor pointed out that he was included in a roll call vote to adjourn the public hearing on Ordinance 16-2006, but he had recused himself from that hearing.

Council member Archibald asked Ladiana for clarification of comments made during the public hearing, were she said up until 2003, nothing was done on that plan. The fact of the matter is that there was a plan filed with COAH in 2003 and the Council from 1996-2003 had undertaken to build Portland Point, which is fair amount of our credits.

Council member Ladiana commented that the plan submitted in 2003 was basically an overview... thrown together at the last minute and nothing was done from July of 2003 to implement that plan.

Council member Fligor commented that the Senior Housing is accounting for 56 of our 96-unit requirement.

This motion passed by the following vote.

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

NAYS:

ABSTAIN:

### MAYORAL PROCLAMATION:

PROCLAMATION  
of the Mayor and Council  
HONORING  
Police Sergeant James Slocum  
*upon the occasion of his retirement*

WHEREAS, Sgt. James Slocum has retired from the Atlantic Highlands Police Department after 26 years in law enforcement, 21 1/2 of them with the borough police force; and,

WHEREAS, Sgt. Slocum started his police career in March 1980 with the Long Branch Police Department, serving there through September 1984; and,

WHEREAS, Sgt. Slocum was hired as a probationary patrolman in Atlantic Highlands in January 1985, subsequently was graduated from the Monmouth County Police Academy, was promoted to the rank of patrol sergeant on Feb. 9, 1988, served as a detective sergeant in 1995 before returning to the role of patrol sergeant; and,

WHEREAS, Sgt. Slocum attended a number of schools for various police-related courses such as breathalyzer operator, method of instruction and firearms instructor, and whereas he is a certified Smith & Wesson and Benelli armored and has served as DARE officer for the department; and

WHEREAS, Sgt. Slocum was assigned as the department's head firearms instructor in 2001 and his innovative ideas and motivational skills raised the firearms program to its highest level ever; and,

WHEREAS, Sgt. Slocum, as a senior sergeant, trained, supervised and assigned duties to officers to ensure the orderly discharge of police responsibilities, and, in that role, enforced discipline and evaluated the performances of patrolmen.

September 27, 2006

NOW THEREFORE BE IT ACKNOWLEDGED that Sgt. James Slocum is recognized for his highly professional attitude and service during his career and that October 7, 2006, the date of his retirement party, is designated as **SGT. JAMES SLOCUM DAY** in Atlantic Highlands and that all residents are encouraged to celebrate the service of this fine officer.

*Peter E. Donoghue*

*Peter E. Donoghue, Mayor*

#### **REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL**

Council member Archibald reported that last Thursday, recreation met and discussed the Halloween Parade, which is on Saturday October 28. There are two bus trips being advertised one being a Christmas show and tickets are still available. There is a resident that expressed an interest in starting a Mid-Monmouth Basketball team for Atlantic Highlands. Mid-Monmouth is a semi-traveling league, were different towns play each other.

Council member Spatola reported the corn stalks would be arriving to decorate First Ave on Saturday. We will be meeting at Borough Hall at 9:30 all are welcome; it will be a lot of fun.

Council member Doyle reported that the grant for the skate park was submitted last Tuesday in the amount of \$100,000 so we will pursue that and look for a place to put it in the Harbor.

Council member Fligor reported our sewer flows for August are down to 44.2% even with the rains. He thanks Administrator Hubeny for finding and repairing the manhole in the Borough yard, that was basically underwater and we never knew it was there. That could have possibly been one of the major contributors to our inflow. He further reported that the [15'] trees are coming for Leonard Ave and they will be installed before the end of the season.

Council member Ladiana reported Saturday was the 5th annual Kayak Challenge at the Avenue A beach. There were 80-100 people show up and 50 participants. She thanked Fligor for helping with the singeing. She reported that on Sunday, October 22 from 1:00pm-4:00pm is Lenape Woods Trail Maintenance Day. She attended a Green Acres round table with Adam and the Mayor, on "The Art of Land Negotiation". The main theme was you really need to partner with people. We learned a lot. She attended the regional Stormwater Management meeting. The regional planning committee has an extension to September '07 basically testing the health of the many mind creeks. There is an extremely high fecal coliform reading in some parts of the creek and one part of the project is to determine what the source is.

Administrator Hubeny commented on an article in the paper regarding Storm water Mgmt plan. He assured everyone that our plan is at the County and they are reviewing it, and he is awaiting their response. He found one issue with water meters. There are 50-60 homes still not in place. He feels the Mayor and Council should authorize any further adjustments. Community Development block grant will be authorizing us \$140,000.00 in a grant to Atlantic Highlands. He and Michelle Clark met with Council member Doyle asked if his authority could be extended on these remaining water issues as opposed to his coming back to the Borough every single time. Attorney Reilly suggested that you make a motion to extend the previous resolution until December 2006.

Councilmember Doyle moved that the Administrators authority to make sewer adjustments be extended until December 31, 2006, it was seconded by Council member Archibald. This motion passed by the following vote.

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

Administrator Hubeny reported that he and the engineer had made a presentation before the Community Development Block Grant [CBDG]. They applied for \$162,000, and as long as the amount of money funded last year, is funded this year, we will be offered \$140,000 in a grant. He reported that he met with Mr. Bucco and reviewed the plans for the 2006 road project. The plans are almost complete. Hopefully Mother Nature will allow us to spend our 2006 money in 2006. Regarding the tree at 24 Highland Place, Mrs. Saunders, her arborist agrees that the tree needs to come down. He commented that there was an article made on the AH herald regarding his mother being first on the affordable housing list when affordable housing comes to town. He reviewed the recording it and read verbatim the comments made by Mr. Lydon. He then emphasized that if you don't have the facts, you should check it out before you put something in the newspaper, because rumors can be hurtful and no one deserves these kinds of comments made about them when they are not true.

Council member Spatola commented that rumors hurt not only the person, but they hurt our town. Before anyone makes a comment or innuendo, they should make sure their sources are checked.

Engineer Bucco reported that Bayside Drive is moving along. The County still has not received contract books from the contractor, but they are still scheduled to begin next week.

#### PUBLIC COMMENT SESSION

Allan Dean- Second Ave- made it clear that the items he [Mr. Hubeny] mentioned are contained in the forum section of his web sight. We [the AH Herald] did not publish the rumor, but someone in his forum published it. He asked the Mayor to fill everyone in on COAH. Mayor Donoghue mentioned that COAH has determined that our proposal to alter the plan for Leonard Ave is substantial; therefore we will have to reapply for certification. Mr. Surenian has applied for and received a 45-day extension. So we will meet the new deadline.

Debra Murry - 12 Prospect Circle would like to know what progress the Borough has made regarding 16 8th Avenue, the Kupper house. She commented on the assessments of four homes in that area, and how the Kupper home improvements decreased in value by 6% while the neighbors' assessments have been increasing by 100+%. She is devaluing her home to pay fewer taxes.

Mary Wall - 79 Ocean Blvd apologized to Mr. Hubeny because she made the comments on the forum. She commented that those comments in the forum led to a lot of misunderstanding.

Joseph Hawley - Ocean Blvd wants to address the meetings concerning pay to play. During these meetings Mrs. Ladiana attacked Mr. Reilly for not filing some forms to the Borough Clerk Concerning pay to play, yet she did not attack Mr. Surenian for not filing his pay to play form. The reality is that the pay to play ordinance is not worth the paper it s written on. Presently nothing exists from the State that says a local government could create such and Ordinance. He feels that there is no reason to adopt such an Ordinance on a local level. As Democratic Chairman, he returned contributions he did not feel were appropriate to accept. This Ordinance is meaningless and is not campaign finance reform. He commented that Mr. Surenian did not file his pay to play form in response to a request for clarification form Council member Archibald. He commented that Mr. Lydon did not file on either. He commented that Mrs. Schmidt, the tax collector, is being hunted down for campaign contributions as well as former defense attorney Raymond Raya.

Council member Ladiana commented that pay to play was a bipartisan effort and not a Democratic thing. Mr. Fligor was at every single meeting and wanted it as strong as it could be. She did not craft it; it was bipartisan with community representation.

Council member Fligor commented that we went with the strongest Ordinance except we did not impose any fines.

Council member Ladiana commented that Mr. Hawley commented that one of the comments he made during the public hearing on pay to play, was that the State always made rules, and routinely they would hold meetings to teach the Municipal chairs how to go around the rules and he stated that he and Mrs. Frotton attended them regularly.

Jane Frotton - Chairperson of the Atlantic Highlands GOP commented that never did Mr. Hawley say that. She would go back and listen to all of those tapes. Never was she ever invited to any meeting by a republican or a Democrat organization in the County to circumvent rules.

Council member Archibald asked the Municipal Clerk if Mr. Surenian had made a contribution.

Clerk Harris stated that Mr. Surenian has filed all of the necessary filings in a timely fashion, and explained the appointment times and the need or lack of to file forms.

Mike Rybeck-North Ave asked how the building dept would function with Theresa out on maternity.

Allan Dean - Second Ave asked if they would be referring the amended COAH plan back to the planning board for its review. In 2003 and 2004 he had been describing the problems on Second Ave and was promised it was on the list and be done and he wanted to know when Second Ave is going to be done.

Mary Wall- 79 Ocean Blvd. has requested minutes from when the COAH committee was formed. Also in the portion of minutes was when the Ferry Committee was created and since these committees do not keep minutes, she asked for someone to come report on what theses committees have been doing.

Joseph Hawley – 25 Ocean Blvd commented that the company installing the water meters never contacted him. He also noted that there was no second public comment session on the agenda and asked if it had been taken away.

**UNFINISHED BUSINESS**

None

**RESOLUTION 176-2006, CERTIFICATION OF THE 2005 AUDIT REPORT**

This resolution was offered and moved for adoption by Council member Ladiana 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 177-2006, ADJUSTMENTS TO SEWER BILLS**

This resolution was offered and moved for adoption by Council member Archibald 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 178-2006, PAYMENT OF BILLS**

Council member Ladiana requested to remove the bills of Mr. Reilly. She made a motion and it did not receive a second.

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

This resolution was adopted by the following vote.

AYES: Council members Archibald, Doyle, Fligor and Spatola

NAYS: Council member Ladiana

**RESOLUTION 179-2006, AUTHORIZING THE EXECUTION OF THE PBA BARGAINING AGREEMENT**

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

Administrator Hubeny commented that this is proposal that will look into the future. It is a good contract. There are cap limits on comp time. It offers incentives for officer to retire after 25 years. Looking into the future, this is something everyone should be proud of. There are big cost savings to the Borough. Level heads have prevailed and there are no winners here.

Attorney Reilly commented on the good job done by the Administrator and how he saved the Borough a lot of money in legal fees.

This resolution was adopted by the following vote.

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

NAYS:

**CONSENT AGENDA-** These items are considered to be routine by the governing body and were enacted by one motion:

01. Approval of Raffle License #3360-2006 – On Premise 50/50-Interfaith Hospitality Network of Monmouth County-November 17, 2006, Shore Casino
02. Approval of Raffle License #3361-2006 – Off Premise Raffle-Interfaith Hospitality Network of Monmouth County-November 17, 2006, Shore Casino
03. Approval of Raffle License #3362-2006 – Off Premise 50/50-Mother Teresa Regional School PTA-April 28, 2007, Shore Casino
04. Approval of Raffle License #3363-2006 – Off Premise 50/50-St. Agnes RC Church – May 11, 2007, Shore Casino
- 05.

The consent agenda was offered and moved for adoption by Council member Archibald and seconded by Council member Spatola.

It was adopted by the following vote.

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

NAYS:

**SECOND PUBLIC COMMENT SESSION**

Jane Frotton- 12 Memorial Pkwy- commented that she sat through a years worth of meetings were the republicans have brought up issues about the previous attorneys bills, and wanted to know it has been satisfied and if Mrs. Miller has made any restitution or changes or acknowledgements to changes to the agreements.

Jane Frotton- asked if the previous attorney changed the contract, that the mayor and Council were not aware of when they signed it?

*A nine-minute discussion transpired between the members of the governing body and the audience.*

Mike Rybeck- North Ave- asked if an operational audit has ever been done on the Borough.

Allan Dean- Second Ave commented that he desires to have the Municipal meetings recorded for public consumption. He commented that now the meetings are electronically recorded, it can be easily disseminated, and would like them to be put on the Borough web site.

Roy Dellosa- Asbury Ave- thanked Administrator Hubeny for his time and efforts during the contract negotiations.

**RESOLUTION TO ENTER EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist; and,

WHEREAS, the Governing Body wishes to discuss:

1. Item-Property Acquisition-Giuliani
2. Item-Pending Litigation-COAH
3. Item-Personnel
4. Item- Police Contract Negotiations

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council to go into Executive Session to discuss the above items and the public are excluded form this meeting.

Mayor Donoghue read this resolution in full. It was offered and moved for adoption by Council member Fligor at 9:06 PM, seconded by Council member Doyle and adopted by the following vote.

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

NAYS:

**RECONVENE** - At 9:46 PM the meeting was resumed.

**ADJOURN** - There being no further business before the Mayor & Council, Council member Fligor moved to adjourn the meeting at 9:47 PM, the motion was seconded by Council member Spatola and unanimously approved.

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The governing body approved these minutes at their meeting on October 11, 2006.

  
Dwayne M. Harris, RMC  
Municipal Clerk





# RESOLUTION 176-2006

## GOVERNING BODY CERTIFICATION OF THE 2005 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Clerk of the Borough of Atlantic Highlands pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

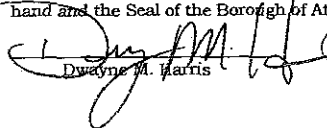
R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Atlantic Highlands, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

This Resolution was offered and moved by Council member Ladiana, seconded by Council member Spatola and adopted on September 27, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana and Spatola  
NAYS: None

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 September 27, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28<sup>th</sup> day of September 2006.

  
Dwayne M. Harris



# RESOLUTION 177-2006

## 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:

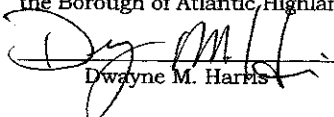
<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
88	12	38 East Garfield	- 36.00
138	14	81 West Highland Ave	- 54.00
127	10	77 Center Avenue	-52.44
36	8	28 Navesink Avenue	-36.00
101	1	96 Third Avenue	-108.20
27	7	131 East Mount Ave.	-36.00
132	3	90 Bay Avenue	-94.00
120	5	29 Bay Avenue	-54.00
26	4	2 Hooper Avenue	-245.87
133	12	89 Bay Ave	-54.00
97	6	92 First Avenue	-36.00
94	10	6 Third Avenue	-18.00

This Resolution was offered and moved by Council member Archibald, seconded by Council member Fligor and adopted on September 27, 2006 as follows:

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

NAYS: None

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 September 27, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28<sup>th</sup> day of September 2006.

  
Dwayne M. Harris

RESOLUTION 178-2006  
PAYMENT OF BILLS



# RESOLUTION 178-2006

## PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated September 08, 2006 which totals as follows:

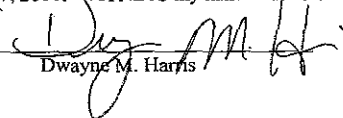
Current Fund	\$112,507.34
Capital Fund	\$4,338.84
Trust-Other	\$442.00
Water/Sewer Operating Fund	\$36,545.54
Water /Sewer Utility Capital	\$1,002.12
Harbor Operating Fund	\$130,051.89
Harbor Utility Capital Fund	\$38,800.08
Federal/State Grants	\$0
LOSAP	\$0
Animal	\$150.00
MCIA	\$0
<b>TOTAL</b>	<b>\$323,837.81</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 **\$323, 837.81** 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 Fligor, seconded by Council member Doyle and adopted on September 27, 2006 as follows:

AYES: Council members Archibald, Doyle, Fligor, Ladiana, and Spatola  
NAYS: None

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 September 27, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28<sup>th</sup> day of September 2006.

  
Dwayne M. Harris



## RESOLUTION 179-2006

### AUTHORIZING EXECUTION OF THE P.B.A. COLLECTIVE BARGAINING AGREEMENT FOR THE YEARS JULY 1, 2006 THROUGH JUNE 30, 2010

WHEREAS, the Borough of Atlantic Highlands has been involved in extensive negotiations with P.B.A. Local 242, representing Lieutenants, Sergeants and Patrol Officers of the Atlantic Highlands Police Department, for a new P.B.A. Collective Bargaining Agreement to succeed the contract in effect for July 2002 through June 2006; and,

WHEREAS, after diligent efforts to negotiate a successor agreement in several sessions with the P.B.A. representatives, there has now been arrived at a proposed negotiated settlement and new P.B.A. Contract for the years July 1, 2006 through June 30, 2010; and,

WHEREAS, the proposed Collective Bargaining Agreement essentially provides for salary increases of 4% [7/1/06], 4% [7/1/07], 4% [7/1/08] and 4% [7/1/09], capping of future compensatory time at 260 hours, revision to overtime where sick time will not count as hours worked for overtime purposes, retirement incentives regarding accumulated sick time pay out and other minor changes all as set forth in detail in the proposed P.B.A. Collective Bargaining Agreement; and,

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough and its residents and the Police Department and its officers to resolve this P.B.A. Collective Bargaining Agreement for the period of July 2006 through June 2010.

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 Municipal Clerk are hereby authorized to execute a Collective Bargaining Agreement with the P.B.A. Local 242 for period of July 1, 2006 through June 30, 2010 generally in the form of the proposed P.B.A. contract, to be formally executed by the Mayor after said contract is reviewed and approved by the Borough Attorney as to form.

This Resolution was offered and moved by Council member Spatola, seconded by Council member Ladiana and adopted on September 27, 2006 as follows:

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

NAYS: None

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 September 27, 2006. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28<sup>th</sup> day of September 2006.

  
Dwayne M. Harris