



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF FEBRUARY 23, 2011

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on February 23, 2011 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor Rast called the meeting to order at 7:00 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken:

Roll Call Of Atlantic Highlands Governing Body:

Councilman J Archibald, Councilman R Delloso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton

ABSENT: None.

OTHERS PRESENT: Borough Engineer D Marks, Mayor F Rast, Borough Attorney B Reilly and Municipal Clerk D Harris

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/03/2011. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

APPROVAL OF MINUTES:

February 09, 2011 – Regular Meeting Minutes

A motion to approve these minutes was offered by Councilman R Sutton, duly seconded by Councilman R Delloso.

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Delloso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)

Nays: None (0)

Abstain: None (0)

Absent: None (0)

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Archibald reported on the Police activity for the month. He reported that Recreation had met and discussed the Soccer program. He expressed the dire need of someone to run the soccer program and volunteers for the Recreation Committee. The man power is dwindling and because of that fewer people are doing all of the work, keeping these programs running.

Councilman Hofmann gave an update on the skating rink; there is no snow in it, just water. He reported the repair work on the launch ramp is finished and the outfall line is almost finished also, they are just waiting for a break in the weather. He mentioned The Fire Departments Annual Dinner is Friday at 7:00pm and everyone is invited.

Councilman Doyle reported that the first cut of the budget has occurred. He commented that the Borough needs to start focusing on some of the work that needs to be done at the Water Dept. He talked about some capital projects, being a new sanitation truck and a dump truck, which need to be considered for 2011. He feels 2011 will be a difficult year fiscally but we will get through and there will be some issues.

The Mayor mentioned that NJNG has a program where they will pay 50% of a dump truck or garbage truck if the truck is run by natural gas. NJNG will also install a pump for free in the harbor.

Councilman Dellosso reported that the Finance Committee had met and things were looking a little bleak, but as different projects and debt obligations are finished, we will be okay. He reported that the Borough Hall reconstruction is moving along and the new elevator has been installed. He spoke briefly on the Governor's budget speech and it looks pretty close that the Borough will receive about the same amount of State aid as we got last year.

Councilman Sutton had no report at this time.

Councilman Fligor reported the NJNG project is moving along smoothly. The property owner is happy with the new contractor, Enviro Aire. They are really doing a phenomenal job. He reported that the T-Mobile tower is being worked on and is moving along. He commented the fireman need a lot of help cleaning the thatch on the field and some Henry Hudson student and little league players will be raking the field this Saturday to release the thatch. He is looking for volunteers to help. He also reported the Beautification Committee will be taking down the garland and lights along First Avenue, now that the snow is gone. He mentioned the new pumps are in for the sere plant and they will be replacing the thirty year old pumps in the Sewerage Authority pump house.

Mayor Rast reported the Northern County Chamber of Commerce has invited the Borough to participate in a "Meet Your Elected Officials" event on March 23rd in Keansburg. The Borough will be highlighted and participation in a discussion, as to how taxes are being kept down, is being looked for. Unfortunately this falls on a Council meeting night so we [the Governing Body] will not be able to attend.

Attorney Reilly commented that we will not have Executive Session this evening. He also mentioned item 7 on the agenda, regarding the sale of property with Beskin. He is in the process of finalizing the contract but recommends we move forward with the Ordinance.

Councilman Archibald reported that he has been on the Bayshore Trail and mentioned that we were lucky handing it off to the County. It has suffered some damage due to the last couple of storms. They should close it until it is repaired. It will take a while for them to clean up. It was

almost impassable. There are certain areas that are collapsing and the wall is cracked. We got lucky.

David Marks Seventh Avenue will be wrapped up when the weather breaks along with the road program. Streetscape will be starting the second week in March. All has been approved and we should get that going. The contractor has been advised that he needs to be complete by April. There is some maintenance work that needs completion on the 2007 program. The contractor and bonding company have been notified and he will courtesy contact them once more then it will be referred to Attorney Reilly.

Jane Frotton, Harbor Commission Chair reported that the Harbor did receive \$155,000 from FEMA and it looks as if they have approved for another \$200,000. They have hired a collection attorney for the tenants' who have not paid their 2008 and/or 2009 fees.

James Krauss, Environmental Commission mentioned the green team will have its first seminar on "growing vegetables in your back yard" on Tuesday March 17. He also mentioned the parks system has a volunteer corp. that will groom the various trails. He will send the contact information tomorrow to clerk Harris.

WORKSHOP DISCUSSION:

PUBLIC COMMENTS

William Phillips – Memorial Pkwy commented that he had reported the wrong figure on his sewer bill at the last meeting. He commented that they have gotten involved on the field project. He wants to reassure everyone that he does not have a problem with Dave [Marks] only the company he works for. He also questioned if the Borough has considered having a roll off truck, like they have outside.

Paul Barbado 22 Lawrie Road just commented the plowing of the snow this year has been terrific. He personally thanks everyone.

OLD BUSINESS:

ORDINANCE 03-2011, ADOPTING THE CODIFIED CODE FOR THE BOROUGH OF ATLANTIC HIGHLANDS

A motion to open the public hearing was offered by Councilman R Delloso, duly seconded by Councilman L Fligor

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Delloso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)

Nays: None (0)

Abstain: None (0)
Absent: None (0)

NO COMMENTS WERE MADE.

A motion to close the public hearing was offered by Councilman L Fligor, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

A motion to adopt this ordinance was offered by Councilman R Dellosso, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

ORDINANCE 04-2011 – AMENDING BOND ORDINANCE 11-2009

A motion to open the public hearing was offered by Councilman R Dellosso, duly seconded by Councilman L Fligor

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

NO COMMENTS WERE MADE.

A motion to close the public hearing was offered by Councilman R Dellosso, duly seconded by Councilman L Fligor

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

A motion to adopt this ordinance was offered by Councilman R Dellosso, duly seconded by Councilman R Sutton

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

NEW BUSINESS:

MAYORAL APPOINTMENT – Daniel Lunney – Shade Tree Commission

RESOLUTION 045-2011, CERTIFYING AND APPROVING 2010 LOSAP CONTRIBUTIONS

A motion offered by Councilman P Doyle, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor and Councilman R Sutton (5)
Nays: None (0)
Abstain: Councilman J Hoffmann (1)
Absent: None (0)

RESOLUTION 046-2011, AWARD CONTRACT FOR 2011 FIREWORKS DISPLAY

A motion offered by Councilman J Hoffmann, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

RESOLUTION 047-2011, URGING NJ SENATE TO VOTE ON SENATE RESOLUTION 82

A motion offered by Councilman L Fligor, duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

RESOLUTION 048-2011, AWARD OF PROFESSIONAL SERVICES CONTRACT – O'DONNELL STANTON & ASSOC.

A motion offered by Councilman J Hoffmann, duly seconded by Councilman R Sutton

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

RESOLUTION 049-2011, PAYMENT OF BILLS

A motion offered by Councilman P Doyle, duly seconded by Councilman J Archibald

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

ORDINANCE 05-2011 – AUTHORIZING CONTACT TO CONVEY BOROUGH LAND TO ADJOINING OWNERS - INTRODUCTION

A motion offered by Councilman R Sutton, duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)

Nays: None (0)

Abstain: None (0)

Absent: None (0)

This Ordinance will have a Public hearing and possible adoption on March 09, 2011.

PUBLIC COMMENT SESSION –

Jane Frotton – 12 Memorial Pkwy commented that the Harbor has agreed to donate \$10,000 to match what is needed for the fireworks. She and Shelley Kennedy will be seeking donations to raise the additional funds needed to have a good fireworks display. The theme for deck the docks will be “Rocky” and he will have a pirate patch over his eye.

William Phillips Memorial Pkwy commented that was great question asked by the Mayor to Mr. Reilly about recouping overpayments from prior years. If we won a suit,[against the Sewerage Authority] what percentage of the money are we paying. If we win a settlement, who is paying that, the Borough, since we are responsible for about half of the expenses of the authority?

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- Contract Negotiation – PBA
2. Item – Personnel - Police
3. Item - Property Acquisition – Giuliani/Sodon/Harbor

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 is excluded from this meeting.

A motion offered by Councilman R Sutton, duly seconded by Councilman J Hoffmann

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

The regular Meeting resumed at 8:26pm.

ADJOURN - There being no further business before the Mayor and Council, Council member Fligor made a motion to adjourn. It was seconded by Councilman Hoffmann.

This motion was passed by the following vote:

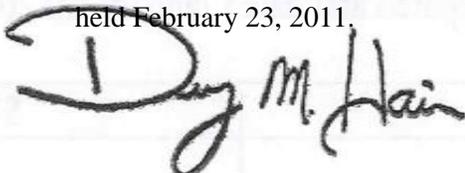
Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

A motion was offered by Councilman R Sutton to approve these minutes. It was duly seconded by Councilman R Dellosso

This motion was passed by the following vote:

Ayes: Councilman J Archibald, Councilman R Dellosso, Councilman P Doyle, Councilman L Fligor, Councilman J Hoffmann and Councilman R Sutton (6)
Nays: None (0)
Abstain: None (0)
Absent: None (0)

I, Dwayne M, Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be the action of the Governing Body at its meeting held February 23, 2011.



Dwayne M. Harris, RMC, CMR
Municipal Clerk