



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF APRIL 25, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on April 25, 2012 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: Councilman Archibald, Councilman Doyle, Councilman Fligor, Councilman Hoffmann, Councilman Sutton, Mayor Rast. Also present were Administrator Adam Hubeny, Deputy Clerk Elizabeth Merkel, Engineer David Marks and Attorney Bernard Reilly.

Absent was Mr. Dellosso.

Deputy Clerk, Elizabeth Merkel stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed in the office of the Municipal Clerk of Atlantic Highlands, on 1/03/2012. She read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

APPROVAL OF PREVIOUS MEETING MINUTES:

REGULAR MEETING-March 28, 2012

Motion: Action: Approve Minutes, **Moved by** Councilman Robert Sutton **Seconded by** Councilman Lou Fligor

Vote: Motion passed (**summary:** yes=5 No=0, Abstain =0, Absent=1)

Yes: Councilman John Archibald, Jr., Council Peter Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

Absent: Councilman Roy Dellosso

EXECUTIVE SESSION MINUTES- March 28, 2012

Motion: Action: Approve Executive Session, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman John Archibald, Jr..

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

Yes: Councilman John Archibald Jr., Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Sutton had no report this week.

Councilman Fligor had no report this week.

Councilman Archibald indicated that everyone should have a copy of the police report in front of them but Deputy Clerk Merkel did not know that all council members should get the report but Mr. Archibald indicated that the Police have been given the ok to hire one officer. Further discussion followed regarding accidents and burglaries. Mr. Archibald asked about the lot next to the school is it cleaned yet. Mr. Hubeny indicated that it is not cleaned and it is being monitored. Mr. Hubeny indicated that the clean-up could take years. Mr. Hubeny indicated that he would make some calls to see what could be done with the property and how it could be made to look nicer until the clean-up is complete. All council members feel the same way. Mr. Hubeny also discussed a business on First Ave that is going to paint the building pink. Mr. Hubeny went on to explain that this owner came in to speak to the Zoning officer about some art work that he had put on his building. He opted not to come to the planning board and decided to paint his building.

Councilman Hoffmann had no report tonight.

Councilman Doyle had no report tonight but would like Mr. Hubeny to discuss where we are at with Santorini. Mr. Hubeny indicated that at the direction of the governing body, Mr. Reilly wrote a letter to Mr. Scheidt last week. He has received the letter. Adam and Mr. Scheidt spoke and two people were here all week. There was a final inspection on the IT end of it. There are three outstanding items. Mr. Hubeny indicated that he spoke to Bill Rogers and there is still a half of a page of punch list items to be done. We are still waiting for materials to come in to finish the project. Mr. Reilly spoke of going after the Bond Council and putting them on notice. Mr. Doyle spoke of his concern about this project taking so long. Mr. Doyle indicated that he is not happy that this project is taking this long to be complete.

Administrator Hubeny reminded everyone that the Library dedication will be Thursday April 27, 2012 at 5:00pm will be dinner and the dedication will be 6pm. The County Freeholders will be here at 7:00pm and they will have their meeting here. There will be a tree planting ceremony on Friday April 27, at 10:30am in the Harbor by the bike trail by the Gazebo. This tree will be planted in honor of Nicholas Mika. Also on the agenda tonight there is an inter-local service agreement with Middletown Township for brush and leaves.

Mayor Rast recognized that there are two young guests here tonight. He asked where they are from and they replied Monmouth Communications in Wall.

Mrs. Merkel had nothing to report.

Mr. Reilly had nothing to report.

Mr. Marks had nothing to report.

Chief Vasto had nothing. Mayor Rast spoke of the accidents of Grand & 36 and asked Chief to speak about them. He indicated that there were some freak accidents but no serious injuries. One vehicle hit the gas meter to a home and the mail carrier stopped to help the person out of the vehicle. The gas company responded quickly as well. Mayor Rast also asked about the status of the new police vehicles. Chief Vasto gave his up-date. He reported that some surrounding towns are not having fireworks and will have to hire outside officers. They do expect a large crowd.

Jane Frotton for the Harbor Commission reported on the fireworks. They have collected \$8,400.00 towards the fireworks. She is still collecting funds and they are getting closer.

Jim Krauss for the Environmental Commission Lenape Woods clean up on Sunday at 1pm. Some participates will go to the Hudson Springs to clean up that area.

PUBLIC COMMENTS:

None

UNFINISHED BUSINESS

PUBLIC HEARING-AMENDING 2012 APPROVED MUNICIPAL BUDGET-

Motion: Action: Approved, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Lou Fligor.

Mr. Krauss asked how much has the town dipped into the deferred tax. Mr. Hubeny responded with \$140,000 for this year. Mr. Hubeny indicated that some of the items that were amended were the fire department had originally asked for \$42,000 in capital improvement and the finance committee cut that to \$21,000 and \$120,000 for a much need dump truck. These were the two capital cuts. The budget as you may recall was introduced at 4.1 and with some of the proposals that were cut and some other issues with the budget the finance committee was able to get it down to 1.4 cents. This means an increase in municipal tax only of \$54.00 for a house assessed at the borough average of \$386,000. This is a 2.2% increase and it is under the 2% cap. Out of that cap is excluded is health care, pension and debt service.

Motion: Action: Motion to close public hearing **Moved by** Robert Sutton, **Seconded by** Lou Fligor

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

Yes: Councilman John Archibald Jr., Councilman Peter Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

RESOLUTION 070-2012, ADOPTING 2012 MUNICIPAL BUDGET

Motion: Action: Approved **Moved by** Councilman Jacob Hoffmann, **Seconded by** Lou Fligor

Vote: Motion passed (**summary:** Yes=4, No=1, Absent=1)

Yes: Councilman John Archibald Jr., Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

No: Councilman Peter T. Doyle

NEW BUSINESS:

Consent Agenda: These items will be enacted by one motion. If detailed deliberation was desired on any item, Council may have removed that item from the consent agenda and consider it separately.

- a. Resolution 076-2012, Authorizing Contract-Birdsall Engineering-Wagner Creek
- b. Resolution 077-2012, Authorizing Inter-Local Service Agreement with Middletown Twsp.
- c. Resolution 078-2012, Payment of Bills
- d. Resolution 079-2012, Approving Harbor Lease Agreement-Miller Towing & Salvage
- e. Ordinance 05-2012, Amending 2012 Salary Ordinance {Introduction}

Motion: Approve Consent Agenda **Action:** Approve Resolution **Moved by** Councilman John Archibald Jr., **Seconded by** Councilman Peter T. Doyle

Vote: Motion carried by unanimous roll call vote (**summary:** Yes =5, No=0, Absent=1).

Yes: Councilman John Archibald Jr., Councilman Peter T. Doyle,
Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton

PUBLIC COMMENT SESSION –

Jane Frotton-Memorial Parkway asked about leaf pick up for her area. Mr. Hubeny indicated that being she is on the highway they can back their leaves.

Chief Vasto reminded everyone that on May 25 will be the PBA ball. They are really going out this year for the 25th anniversary. The Inferno's will be playing this year.

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 – Shared Dispatching Services – Borough of Highlands

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.

At 8:15pm a **Motion:** Approve **Action:** Enter Closed [Executive] Session, **Moved by** Councilman Lou Fligor, **seconded by** Robert Sutton.

Motion passed unanimously.

At 8:25pm the Executive Session was concluded and the Regular Meeting resumed.

ADJOURN 8:30pm [TIME] - There being no further business before the Mayor and Council,

Motion: Adjourn **Moved by** Councilman Robert Sutton, **Seconded by** Lou Fligor.

All in favor

Motion: Approve Regular Meeting Minutes, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Lou Fligor.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1).

Yes: Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton.

Abstain: Councilman Roy Delloso.

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 May 09, 2012.

Dwayne M. Harris, RMC, CMR
Municipal Clerk