



MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF MAY 23, 2012

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on May 23, 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:

Present: Councilman John Archibald Jr., Councilman Roy Delloso, Councilman Peter T. Doyle, Councilman Lou Fligor, Councilman Jacob Hoffmann, Councilman Robert Sutton, Mayor Frederick J. Rast III. Also present were Borough Administrator Adam Hubeny, Borough Attorney Bernard Reilly, Borough Engineer, David marks and Municipal Clerk, Dwayne Harris.

Municipal Clerk 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 in the office of the Municipal Clerk of Atlantic Highlands, on 1/03/2012. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

Chief Vasto made two presentations to residents for heroism services in the Borough:

Elias [last name withheld because he is a minor] was in his home when he heard a noise in front of his house. A drunk driver had hit a fire hydrant and Elias called the police and was able to describe the car, the driver and direction they took off in aiding the Police in removing an intoxicated driver from the road.

Dave Kozolino a letter carrier in town saved the life of the driver at a motor vehicle accident. The car was swerving out of control striking a parked car and then a house, rupturing a gas main. Without regard to his own safety Dave pulled the car door open, which was wedged against a fence, and pulled the driver out.

APPROVAL OF PREVIOUS MEETING MINUTES:

Regular Meeting, May 09, 2012
Executive Session, May 09, 2012

Motion: Approve Minutes, **Moved by** Councilman Jacob Hoffmann, **Seconded by** Councilman Robert Sutton.

Councilman Doyle requested the addition of remarks made by Councilman Delloso, during the discussion of the additional Police Sergeant, at the last meeting.

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

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

Abstain: Councilman John Archibald Jr.

WORKSHOP DISCUSSION:

POLICE DEPARTMENT STAFFING – This is about the authorization to give the Chief authority to hire a 5th Sergeant which is in line with the Police Departments Table of Organization. Councilman Sutton pointed out that this matter still has not been discussed between the Police Committee and the Chief, due to scheduling conflicts and he still would like to do so. Councilman Archibald expressed his agreement with the meeting. The Mayor feels it is a situation that makes sense to do. The Mayor took a poll of who would like to vote on the subject tonight and who wanted to put it off for two weeks. Councilman Archibald agreed to vote tonight if Councilman Dellosso could explain where the funds to pay for it would come from. Councilman Dellosso did not have that answer. Chief Vasto explained the difference in salary is about \$4,000 and explained the frequency and circumstances under which the shift differential is paid to non- ranking officers. Councilman Hoffman does not have a problem putting it off until the next meeting but does want to vote on it then. Councilman Doyle feels we should utilize the sub-committee and address the question of whether a fifth Sergeant is warranted. The Mayor stated that since it is his decision, we will put it off for two weeks but he is going to call for a vote on it at that time. The Mayor expressed his feelings on this matter, at the request of Councilman Archibald.

REPORTS – COUNCIL, ADMINISTRATION, PROFESSIONAL, OTHER

Councilman Dellosso - reported that a Casino Boat would like to come into the Harbor. He explained that there are a lot of things to be considered and the Harbor commission is looking into it. The Mayor explained that it is one of the head people in the Resorts organization out of Atlantic City. This would be a great venture for the town and would provide jobs to local people.

Councilman Sutton – no report

Councilman Fligor - reported T&M has prepared comments to send to NJNG regarding the water well projects. Don Gates from the Environmental Commission gave a report on Many Mind Creek and is hoping to submit a grant to obtain DEP funds to help correct the erosion problem which could include grading and re-vegetating or putting in rocks.

Councilman Archibald - gave a summary of the Police report and reminded everyone of the 25th Anniversary PBA Ball which is on Friday, May 25th.

Councilman Hoffmann - reported that the Bayshore Trail suffered a landslide during the storm this week. The good news is that we signed it over to the County and we don't have to worry about it anymore.

Councilman Doyle – reminded everyone about the Memorial Day Parade on Monday, May 28. Kickoff is at 11:00 and requested anyone with a convertible to meet at Dot and Dan’s Dogs in the Harbor. Highlands is also having a parade and he and the Mayor are scheduled to march on Saturday at 1:00.

Borough Administrator Hubeny – reported that he and Mr. Marks are working on 3 grants, Community Block Grant, State Enhancement Grant which would be focused on Memorial Parkway and the Monmouth County Municipal Open Space Grant, which may help fund some rehabilitation to the Harbor Tennis Courts. He commented that he understands there have been comments and communications regarding block parties in the Borough and then elaborated on how they are handled by the Special Events Committee, which was established by Borough Ordinance in 2005.

Municipal Clerk Harris – no report

Attorney Reilly - reported that he met with the State DOT regarding the "Welcome" sign on First Avenue and Highway 36. As a result of the meeting with the State it was established the Borough will have to obtain a sign permit from the State to keep it and there may be the possibility the town will not be able to light the sign. He also mentioned that the presence of that sign may have an adverse effect on the owner of the property behind it regarding the number of signs that can be placed on highway properties.

Borough Engineer Marks – reported that the West Ave resurfacing plans are 95% complete and they [T&M] will soon be getting approval to go out to bid. They are also working in conjunction with the owners of the West Ave carwash property to coordinate who is doing what and when [regarding street openings and paving].

Chief Vasto reported that the department is moving along. There is a little hitch in getting a new car which should be delivered tomorrow at 10:30am. The Borough is on track with Winner Ford in getting the cars done. Once it is here it still needs some prep before it can be put into service. Hopefully by July they will all be in place and complete. He reported that the department has begun preparation for the Fireman’s Fair and traffic control. The Borough will be getting assistance from outside agencies.

Councilman Doyle congratulated Chief Vasto on his 35 years of service.

Mayor Rast reminded everyone about the Mayor’s Ball celebrating the 125th Anniversary of the Atlantic Highlands. He asked everyone to dress in period clothing.

Jane Frotton- Harbor Commission – No report

James Krauss - Environmental Commission – No report

Don Gates - Clean Communities - reported DOT was in performing operation "Clean Shore" and they removed 3800 pounds of debris. The work was performed by inmates from the NJ Department of Corrections.

PUBLIC COMMENTS:

Mary Wall – 79 Ocean Blvd thanked Adam for clearing it up regarding the Events Committee.

Kate Wigginton – Ave D recommended the Mayor bring to the fore front, the Borough's 125th Anniversary at the Mayor's Ball. She asked if the Borough would consider putting a moratorium on building in the Steep Slope Zone.

William Iler – Hillside Road, raised an issue about cutting on Green Acre's property. He explained his transaction with Green Acres and certain restriction placed on the property. He lodged a complaint regarding Mr. Ambersol who cut trees, Mr. Iler feels was done illegally and relayed the events of a recent incident with him cutting 8 trees in violation of the Steep Slope permitting review. He wanted to get a resolution to this to prevent these activities from happening again and requests that the Borough does not issue permits to anyone to cut at all, in respect of his Woodland Preservation Easement put into place ten years ago. He wants to hear the Council affirm his request to not allow any permits to be issued in that area.

UNFINISHED BUSINESS:

Ordinance 05-2012, Amending 2012 Salary Ordinance - Public Hearing Possible Adoption

Motion: Open Public Hearing, **Moved by** Councilman Jacob Hoffmann, **Seconded by** Councilman Robert Sutton. The motion passed by unanimous consent.

No comments from the public.

Motion: Close Public hearing **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Roy Dellosso. The motion passed by unanimous consent.

Motion: Adopt Ordinance, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Roy Dellosso.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Ordinance 06-2012, Appropriating \$30,000 for 2012 GMC Utility Truck - Public Hearing /Possible Adoption

Motion: Open Public Hearing, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman Robert Sutton. The motion passed by unanimous consent.

No comments from the public.

Motion: Close Public Hearing, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Lou Fligor. The motion passed by unanimous consent.

Motion: Adopt ordinance, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Roy Delloso.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

NEW BUSINESS:

RESOLUTION 086-2012, APPOINTMENT OF ALTERNATE PUBLIC DEFENDER
[Tabled at 05/09 Regular Meeting]

Motion: Approve Resolution, **Moved by** Councilman Roy Delloso, **Seconded by** Councilman Robert Sutton.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 1).

Yes: Councilman Roy Delloso, Councilman Jacob Hoffmann, Councilman Robert Sutton.

No: Councilman John Archibald Jr., Councilman Peter T. Doyle.

Abstain: Councilman Lou Fligor.

RESOLUTION 089-2012, PAYMENT OF BILLS \$888,085.40

Motion: Approve Resolution, **Moved by** Councilman Robert Sutton, **Seconded by** Councilman Peter T. Doyle.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

RESOLUTION 090-2012 – APPROVING SHARED SERVICES AGREEMENT WITH THE AH/HRSA

Motion: Approve Resolution, **Moved by** Councilman Roy Dellosso, **Seconded by** Councilman Jacob Hoffmann.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

PUBLIC COMMENT SESSION –

James Krauss – 77 Bayside Drive commented on Green Acres and trees. Thinking in general going forward, if a resident asks to do work on Green Acres property, the Borough should not act quickly and should consult with neighbors and the Environmental Commission.

Frank Grecco – Leonard Ave asked about a property on Leonard Ave earmarked for affordable housing and questioned what was happening with it.

ADJOURN [9:50pm] - There being no further business before the Mayor and Council,

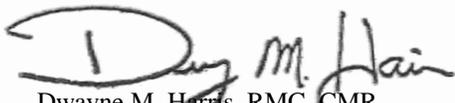
Motion: Adjourn, **Moved by** Councilman Lou Fligor, **Seconded by** Councilman John Archibald Jr. The motion passed by unanimous consent.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

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 June 13, 2012.



Dwayne M. Harris, RMC, CMR
Municipal Clerk