

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands December 15, 2021– Meeting Minutes**

EXECUTIVE SESSION 6:30PM-CANCELLED

REGULAR MEETING: 8:00PM - MEETING STATEMENT:

The Borough Clerk read the public meetings statement.

This is a meeting of the Borough Council December 15, 2021. The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2021.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Martin, Councilmember Mazzola, Councilmember Melnyk, Council President Olszewski, and Mayor Broullon were all Present.

Absent: None

Also in attendance were Borough Attorney Andrew Ball, Esq., Administrator Michael Muscillo, Engineer Bennett Matlack, and Municipal Clerk Michelle Hutchinson

Approval of Minutes

October 18, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Council President Olszewski to adopt minutes.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

November 10, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Council President Olszewski to adopt minutes.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

November 30, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Council President Olszewski to adopt minutes.

Roll Call Vote:

Ayes: Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: Martin, Mazzola

Absent: None

December 1, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Council President Olszewski to adopt minutes.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

December 6, 2021 Regular Meeting Minutes

Offered by Mayor Broullon Seconded by Councilmember Melnyk to adopt minutes.

Roll Call Vote:

Ayes: Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: Martin, Mazzola

Absent: None

RESOLUTIONS:

RESOLUTION 21-228
RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated, December 10, 2021 which totals as follows:

Current Fund	\$1,021,858.49
Sewer Account	\$ 535,506.54
Capital Fund	\$ 100,017.20
Trust-Other	\$ 27,408.40
Federal/State Grants	\$ -
Total	\$ 1,684,790.63

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 1,684,790.63 to be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at www.highlandsborough.org and on file in the Municipal Clerk's office for reference.

Motion to Approve R-21-228:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

RESOLUTION 21-229
RESOLUTION INCREASING THE AMOUNT OF THE NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL WASTEWATER ENGINEERING SERVICES REGARDING IMPROVEMENTS AT THE WATERWITCH WASTEWATER PUMP STATION

WHEREAS, by Resolution 20-196, adopted on September 2, 2020, the Borough awarded a non-fair and open contract for professional Wastewater Engineering Services in connection with the improvements at the Waterwitch Wastewater Pump Station to H2M Associates, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, in order to meet the project needs, the existing design services are required to be amended due to the age of the existing building; and

WHEREAS, H2M Associates, Inc. has set forth its amended proposal for services in a written proposal dated November 24, 2021, copy of which is available at the office of the Borough Clerk; and

WHEREAS, the proposed amended services include an increase in Phase 2 – Detailed Design only in the amount of \$18,500.00 thereby making the total fee for Phase 2 of \$48,000.00.

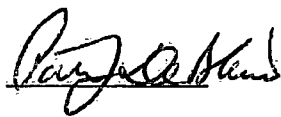
WHEREAS, the governing body has determined that it is in the best interest of the Borough to increase the amount of the contract for Phase 2 – Detailed Design of H2M Associates for the

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proposed wastewater engineering services in connection with the improvements at the Waterwitch Wastewater Pump Station; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

I hereby certify that funds are available as follows: C-06-18-001-000-202



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the increase of \$18,500,00 of the contract price for the Phase 2 – Detailed Design for the proposed wastewater engineering services in connection with the improvements at the Waterwitch Wastewater Pump Station is hereby approved.

Motion to Approve R-21-229:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-230
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL EMERGENCY MEDICAL SERVICES BETWEEN THE BOROUGH
OF HIGHLANDS AND
JFK MEDICAL CENTER (“JFK”) FOR EMS SERVICES

WHEREAS, the Borough of Highlands has a need for professional emergency medical services, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, John F. Kennedy Medical Center Emergency Medical Services (“JFK EMS”) is a licensed provider of Basic Life Support (BLS) and Advanced Life Support (ALS) Services by the New Jersey Department of Health and Human Services Office of Emergency Medical Service; and

WHEREAS, JFK EMS has a long history of supporting municipal BLS agencies by way of providing primary, dedicated back-up or mutual aid BLS assistance; and

WHEREAS, the Borough wishes to enter into an Agreement with JFK EMS, for the period beginning January 1, 2022 through December 31, 2022, wherein JFK shall provide a staffed and dedicated BLS ambulance from the hours of 5am to 5pm, Monday through Friday, based in the Borough of Highlands to provide primary BLS response in the Borough and mutual aid to surrounding municipalities, for a fee of \$15,000 per month; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to enter into a contract with JFK Medical Center for the proposed emergency medical services; and

WHEREAS, JFK Medical Center has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate

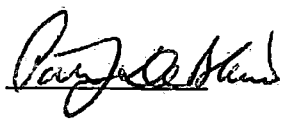
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committee in the Borough of Highlands in the previous one year and that the contract will prohibit JFK Medical Center from making any reportable contributions through the term of the contract; and

WHEREAS, JFK Medical Center has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

I hereby certify that funds are available as follows: Account # 2-01-42-737-000-299



Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands as follows:

- 1. JFK Medical Center is hereby retained to provide emergency medical services to the Borough of Highlands for an amount not to exceed \$180,000.00.
- 2. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
- 3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion to Approve R-21-230:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-231
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE
IMPROVEMENTS TO KING STREET AND MATTHEWS STREET

WHEREAS, the Borough of Highlands has a need for professional engineering services in connection with the improvements to King Street and Matthews Street, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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WHEREAS, CME Associates has set forth its proposed services in a written proposal dated December 9, 2021, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the said Proposal encompasses construction phase services; and

WHEREAS, the proposed amount of the contract with CME Associates is \$38,000.00, consisting of the following:

1. Attend preconstruction meeting.
2. Prepare and distribute preconstruction meeting minutes.
3. Provide assistance with interpretation of contract documents.
4. Review shop drawings for site-related items.
5. Provide construction observation services.
6. Coordinate testing of new sanitary sewer system
7. Manage project per NJDOT funding requirements.
8. Prepare contractor punch lists.
9. Review and approve monthly progress pay estimates; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of CME Associates, 1460 Route 9 South, Howell, New Jersey 07731 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed engineering services in connection with improvements to King Street and Matthews Street set forth in its proposal; and

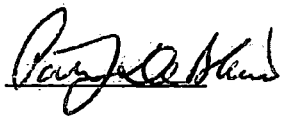
WHEREAS, this contract is to be awarded for an amount not to exceed \$38,000.00 for professional engineering services as stated in CME Associates' proposal dated December 9, 2021; and

WHEREAS, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit CME Associates from making any reportable contributions through the term of the contract; and

WHEREAS, CME Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

I hereby certify that funds are available as follows: G-02-41-815-000-101



Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands as follows:

5. CME Associates is hereby retained to provide engineering services in connection with the improvements to King Street and Matthews Street as described above in their proposal dated December 9, 2021, for an amount not to exceed \$38,000.00.
6. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.

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7. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
8. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion to Approve R-21-231:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-232

RESOLUTION AWARDING A FAIR AND OPEN CONTRACT FOR THE IMPROVEMENTS TO KING STREET AND MATTHEWS STREET

WHEREAS, the Borough of Highlands advertised a request for proposals for the improvements to King Street and Matthews Street; and

WHEREAS, three (3) bids were received for the aforesaid project which were reviewed by the Borough Engineer's Office, as follows:

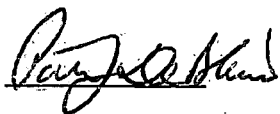
<u>Bidder's Name</u>	<u>Base Bid</u>
James R. Ientile, Inc.	\$349,943.00
Lima Charlie	\$434,429.50
Black Rock Enterprises	\$435,205.32; and

WHEREAS, James R. Ientile, Inc., appears to be the lowest responsible bidder for the aforesaid Proposal; and

WHEREAS, by way of correspondence dated December 8, 2021, the Borough Engineer's Office has made the recommendation that the contract be awarded to James R. Ientile, Inc., as the lowest responsible bidder, subject to the availability of funds by the Chief Financial Officer of the Borough of Highlands, concurrence of the award by the NJDOT, as well as the submission of the required bonds and insurance certificates for the project; and

WHEREAS, a certification of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands.

I hereby certify funds are available as follows: G-02-41-815-000-101



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Highlands governing body as follows:

1. That the Contract for the improvements to King Street and Matthews Street is hereby awarded to James R. Ientile, Inc. in an amount not to exceed \$349,943.00, subject to concurrence of the award by the NJDOT and submission of the required bonds and insurance certificates for the project.
2. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
3. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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Motion to Approve R-21-232:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

RESOLUTION 21-233

A RESOLUTION AUTHORIZING "WINDOW" CONTRACTS

Pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play Laws), the Borough of Highlands must award by resolution all goods and services contracts with a dollar amount between \$17,500 and \$43,999. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Borough.

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services that fall between \$17,500 and the bid threshold of \$44,000 in the aggregate, an approval by resolution must be in place; and

WHEREAS, the Borough of Highlands retained the services of
Advanced Micro Distribution
ATC Voice/Data
Peter Faccas & Sons
John Guire LLC
Realty Data Systems, LLC
Wright National Flood Company

WHEREAS, a request for quotes for the required work to be performed was requested from several contractors; and

WHEREAS, the above mentioned vendors completed and submitted a Business Entity Disclosure Certification which certifies the business entity has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit the above said vendors from making any reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Highlands authorized the Purchasing Agent on behalf of the Borough to issue and execute a Purchase Order for the foregoing to the above vendors with funds certified available by the Chief financial Officer; and

BE IT FURTHER RESOLVED that the CFO has been authorized to arrange to pay for the foregoing in accordance with the terms of the purchase order in the amount not to exceed of \$44,000.

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Motion to Approve R-21-233:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

RESOLUTION 21-234

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES FOR THE
NJDOT IMPROVEMENTS TO SOUTH BAY AVENUE AND HILLSIDE AVENUE**

WHEREAS, the Borough of Highlands has a need for professional engineering and land surveying services in connection with the NJDOT improvements to South Bay Avenue and Hillside Avenue pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, CME Associates has set forth its proposed services in a written proposal dated November 4, 2021, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the said Proposal includes the following: Survey and Base Map Services, Design Phase Services, Permit Phase Services, Preparation of Bid Documents and Bid Phase Services; and

WHEREAS, the proposed amount of the contract with CME Associates is \$53,900.00, consisting of the following:

• Survey and Base Map Services	\$12,100.00
• Design Phase Services	\$31,500.00
• Permit Phase Services	\$ 3,500.00
• Preparation of Bid Documents	\$ 3,300.00
• Bid Phase Services	<u>\$ 3,500.00</u>
Total	\$53,900.00

; and

WHEREAS, such professional engineering and land surveying services can only be provided by licensed professionals and the firm of CME Associates, 1460 Route 9 South, Howell, New Jersey 07731 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed engineering and land surveying services in connection with the NJDOT improvements to South Bay Avenue and Hillside Avenue set forth in its proposal; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$53,900.00 for professional engineering and land surveying services as stated in CME Associates' proposal dated November 4, 2021; and

WHEREAS, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit CME Associates from making any reportable contributions through the term of the contract; and

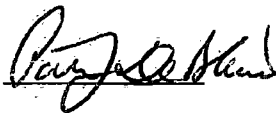
WHEREAS, CME Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

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I hereby certify that funds are available as follows:

1-01-26-294-000-144 \$51,000.00
1-01-20-165-000-245 \$ 2,900.00



Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands as follows:

- 9. CME Associates is hereby retained to provide engineering and land surveying services in connection with the NJDOT improvements to South Bay Avenue and Hillside Avenue as described above in their proposal dated November 4, 2021, for an amount not to exceed \$53,900.00.
- 10. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
- 11. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 12. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion to Approve R-21-234:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

OTHER BUSINESS:
None.

REPORTS:
Committee Reports

Councilmember Melnyk gave report for Communications & Public Relations.
Gave update on the Borough’s website progress. Social Media following is continuing to grow.
Councilmember Melnyk listed number of followers on all three channels and explained the importance of being present on all three. Gave overview of plans for 2022. Revision of welcome packet for new residents.
Nixle is now also being utilized to alert residents of upcoming council meetings.

Councilmember Melnyk gave report for Open Space.
Completed first update to ROSI since 1992. Actively recruited six new memberships in 2021 for 2022. Gave overview of plans for 2022. Mapping out open space features and posting water access points on the website

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for residents' knowledge of where to go and enjoy outdoor spaces.

Councilmember Melnyk gave report for Shade Tree.

Announced trees for the USA designation at the earth day celebration. Commissioner reached out to JCP&L to address some of the residents' concerns regarding tree trimming and tree removal. Gave overview of plans for 2022. Review and revision of the current tree permit application.

Council President Olszewski gave an update on assessments and an overview of the special meeting that was held with the tax assessor on November 30, 2021. Assessor did a great job of explaining difference between tax assessments and taxes paid. Hand out and presentation will be available on website. Deadline to file an appeal is January 15, 2022.

Gave overview of this month's elementary school board meeting. There will potentially be a referendum in March of 2022 regarding a 5.9-million-dollar bond issue to address numerous structural issues in the building, roof etc. Regionalization is still ongoing.

Council President Olszewski is also looking to streamline the process for notifying new residents of their tax bills.

Councilmember Martin had nothing to report.

Mayor requested that Engineer Bennett Matlock give an update on DEP call that took place this morning. Plans were accepted by the DEP no further engineering comments. Mr. Matlock anticipates advertising for bids in January or February of 2022.

Mayor opens to Council for any questions/comments.

Councilmember Mazzola thanked residents for the opportunity to serve them. She stated she will be unable to attend the reorganization meeting and would like to wish the three remaining members of Council the best of luck.

Councilmember Martin thanked the Council for being the best teammates, thanked the voters for their support and thanked his fiancée for her support throughout his term. Feels that town is going to go forward and has come a long way.

Mayor Broullon presented both Councilmember Mazzola and Councilmember Martin with plaques and thanked them for their service.

PUBLIC PORTION:

Mayor opened public portion.

Tina Kemer, 164 Linden Avenue – Expressed concern regarding antiquated recycling pick up schedule. The most updated brochure is dated 2012. Would like Council to consider this issue when renewing the contract. Councilmember Mazzola agreed with Ms. Kemer, similar issues were occurring in her condo community. The condo community's resolution was to get rid of the public dumpsters and keep receptacles in their respective garages. Councilmember Mazzola suggested that a conversation be had with the company before the contract expires.

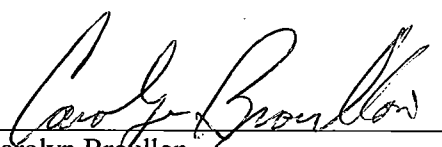
Louise Titus, 32 Ocean Avenue – Requested that the Council review the ordinance amending section 7-3.5 regulating municipal parking to allow for overnight parking for residents.

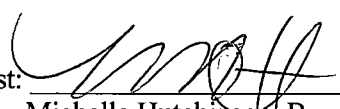
Russel Dunn, 23 Central – Thanked the Council for the work being done with the parks and skate park. Requested confirmation of what type of meeting Spohn Ranch would be having. Mayor and Councilmember Melnyk confirmed that it would be a zoom meeting and once the information was available it would be posted on the website. Mr. Dunn questioned when the groundbreaking would be held for the tennis and basketball courts and the skate park. Mayor explained the timeline anticipated completion is sometime in the Spring. Engineer Matlock explained that various grants are in play.

Louise Titus, 32 Ocean Avenue – Questioned who she should contact to follow up with her previous inquiry. Administrator Muscillo stated she should contact him.

ADJOURN:

Upon motion by Councilmember Melnyk, seconded by Mayor Broullon, motion carries to adjourn at 8:43 P.M. All in Favor.

Approve: 
Carolyn Broullon

Attest: 
Michelle Hutchinson, Borough Clerk