



Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands  
March 2, 2022– Meeting Minutes

**MEETING:** Meeting came to order at 7:00 PM

**MEETING STATEMENT:** The following public meetings statement was read.

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, 2022. Items listed on the agenda are subject to change.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Councilmember Cervantes, Councilmember Chelak, Councilmember Melnyk, Councilmember Olszewski, and Mayor Broullon were all Present.

Absent: None

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

**PROCLAMATIONS/CERTIFICATES:**

**Proclamation in Support of the People of Ukraine**

Mayor Broullon read the proclamation. Ms. Chelak thanked Mr. Chesal and Council, and explained her ties with Ukraine.

**APPROVAL OF MINUTES:**

**February 16, 2022 Regular Meeting Minutes**

Motion: Olszewski

Second: Mayor Broullon

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Abstain: None

Absent: None

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

**O-22-05 Ordinance Designating Restricted Parking in Front of Residence Occupied by Person with Disabilities** – Mayor opened to Council. No comments from Council. Mayor opened to public. No comments from public.

Motion: Mayor Broullon to close public hearing and to carry to adopt

Second: Olszewski

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Absent: None

Acting Borough Clerk Tran stated motion carried to pass this ordinance on second and final reading.

**RESOLUTIONS:**

**RESOLUTION 22-072**

**AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2023**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the **Borough of Highlands**, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst

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persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Monmouth;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Highlands, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Highlands and Atlantic Highlands Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	<u>\$ 14,954.20</u>
Cash Match	<u>\$ 3,738.55</u>
In-Kind	<u>\$ 11,215.65</u>

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Motion: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-073  
APPROVING PLANT SALE AT HUDDY PARK**

**WHEREAS**, the Garden Club has requested the use of Huddy Park on Saturday, May 7, 2022, from 9:00 am until sellout to hold a plant sale.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Highlands hereby approves the request of the Garden Club to hold a plant sale at Huddy Park on Saturday, May 7, 2022, from 9:00 am until sellout.

Motion: Olszewski

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-074  
RESOLUTION CERTIFYING AND APPROVING 2021 LOSAP CONTRIBUTIONS**

**WHEREAS**, the Length of Service Award Program (LOSAP) has been implemented in accordance with Chapter 388 of the Laws of 1997 (*N.J.S.A 40A: 14-183 et seq.*), to reward members of the Highlands First Aid Squad for their loyal, diligent and devoted services to the residents of the Borough of Highlands; and,

**WHEREAS**, LOSAP shall provide for annual contributions, by the Borough of Highlands, to a deferred income account, for each eligible member that meets the criteria as outlined in Ordinance 04-09; and,

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**WHEREAS**, the following First Aid and Fire Department members have met all criteria required to receive a LOSAP contribution in the amount set opposite their name.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the LOSAP annual contributions, from the Borough of Highlands, to a deferred income account for each volunteer member listed below, having met the criteria, be made in accordance with the plan established by the Borough of Highlands pursuant to P.L. 1997, c. 388.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be returned to each emergency service organization, where it shall be posted for no less than 30-days, as well as in the office of the Municipal Clerk.

<b>Department</b>	<b>Name</b>	<b>Points</b>	<b>Amount</b>	
First Aid Squad	Christian Castro	126	1,150.00	
	Ed Cetron	130	1,150.00	
	Larry Chesal	134	1,150.00	
	Neriko Doerr	155	1,150.00	
	Bryan Foeri	120	1,150.00	
	Billy Mount	196	1,150.00	
	Marcie Mount	167	1,150.00	
	Rosemary Ryan	157	1,150.00	
	Warren Terwilliger	190	1,150.00	
	Nancy Tran	187	1,150.00	
	Cody Valkos	142	1,150.00	
	<b>TOTAL First Aid Squad</b>			<b>\$12,650.00</b>
	Fire Department	Michael Armstrong	135	1,150.00
Joseph M. Branin		104	1,150.00	
Brian Burton		132	1,150.00	
Edward Edelbach		201	1,150.00	
Martin Hawley Sr.		178	1,150.00	
Rebecca Kane Wells		175	1,150.00	
Peter Lynch		220	1,150.00	
Kevin O'Donnell Sr.		160	1,150.00	
Charles Roemmele		148	1,150.00	
Andrew Soyka		171	1,150.00	
Edward Sulkowski		220	1,150.00	
Ruldoph Trivett Jr.		258	1,150.00	
Charles Wells		220	1,150.00	
Matthew Mezey		253	1,150.00	
Paul Murphy		292	1,150.00	
Joseph Blewett Sr.		198	1,150.00	
Gary Branin, Sr.		144	1,150.00	
William Caizza		414	1,150.00	
Wallace Hartsgrave		115	1,150.00	
Matthew Kane		307	1,150.00	
William Kane		425	1,150.00	
Wayne Occipinto		102	1,150.00	
David Parker		294	1,150.00	
Thomas Snow	378	1,150.00		
Dennis Soyka	117	1,150.00		
Ruldoph Trivett Sr.	280	1,150.00		
Ramon Vargas	224	1,150.00		
Patrick Mason	117	1,150.00		
Eugene Ventimiglia	112	1,150.00		
<b>Total Fire Department</b>			<b>\$33,350.00</b>	

Motion: Mayor Broullon

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Second: Chelak  
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTION 22-075**  
**RESOLUTION REJECTING BIDS FOR THE SNUG HARBOR PARK IMPROVEMENTS PROJECT**

**WHEREAS**, by way of Resolution 21-210, duly adopted November 10, 2021, the Borough authorized the Project Engineer, CME Associates, to solicit bids for Improvements to Snug Harbor Park; and

**WHEREAS**, pursuant to a duly advertised notice to bidders, the Borough received four (4) bids for the Improvements to Snug Harbor Park Project, which were reviewed by the Project Engineer; and

**WHEREAS**, bids were received from the following entities:

**Contractor**

1. Sidd & Associates
2. Whirl Corporation Construction
3. TC Landscape Construction
4. Berto Construction Inc.; and

**WHEREAS**, N.J.S.A. 40A:11-13.2(a), authorizes the Borough to reject all bids when the lowest bid substantially exceeds the cost estimates for the goods or services; and

**WHEREAS**, N.J.S.A. 40A:11-13.2(d), authorizes the Borough to reject all bids when the contracting unit wants to substantially revise the specifications for the goods or services; and

**WHEREAS**, the Project Engineer, CME Associates, has reviewed the aforesaid bid submissions and made the recommendation to reject all bids, in light of the fact that the lowest bid substantially exceeds the engineer's estimate, and as a result of the same, the Borough wishes to implement substantive changes to the project; and

**WHEREAS**, the Project Engineer has also made the recommendation to return the bid security to each bidder.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Highlands governing body, that the bids that were received for the improvements to Snug Harbor Park Project be and are hereby rejected, as the lowest bid substantially exceeds the engineer's estimate, and as a result of the same, the Borough wishes to substantially revise the specifications for the project.

**BE IT FURTHER RESOLVED**, by the Borough of Highlands governing body, that the bid security shall be returned to each of the bidders.

**BE IT FURTHER RESOLVED**, by the Borough of Highlands governing body, that CME Associates be and are hereby directed to re-advertise and solicit bids for the Improvements to Snug Harbor Park Project in accordance with the revisions to the specifications.

**BE IT FURTHER RESOLVED**, that the Acting Municipal Clerk is directed to send a certified copy of this Resolution to the aforesaid bidders for the Improvements to Snug Harbor Park Project.

Mayor Broullon explained the resolution and reported that the engineer would tweak the specifications and change the scope of the project to lower costs.

Motion: Mayor Broullon  
Second: Olszewski  
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTION 22-076**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SNUG HARBOR SKATEPARK PROJECT**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services in connection with the design and construction of a skatepark to be located at Snug Harbor Park, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Colliers Engineering & Design has set forth its proposed services in a written proposal dated November 19, 2021, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the proposed amount of the contract with Colliers Engineering & Design is in the amount of \$64,400.00, consisting of the following:

Phase 1.0 Topographic Survey	
1.1 Skatepark Topographic Survey	\$3,600.00
1.2 Additional Topographic Survey (Snug Harbor Pump Station Permit Coordination)	\$1,600.00
Phase 2.0 Preliminary Design (Skatepark)	\$19,500.00
Phase 3.0 CAFRA Permit Submission	
3.1 NJDEP Pre-Application Meeting	\$2,900.00
3.2 Snug Harbor Pump Station Permit Coordination	\$6,500.00
3.3 CAFRA Permit Application	\$11,500.00
Phase 4.0 Final Design (Skatepark)	\$ 9,500.00
Phase 5.0 NJDEP Green Acres Grant Services	\$ 4,300.00
Phase 6.0 Bidding Services (Skatepark)	\$ 3,500.00
Reimbursables (Estimated)	<u>\$ 1,500.00</u>
	\$64,400.00; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 is so recognized; and

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to retain Colliers Engineering & Design for the proposed engineering services in connection with the design and construction of a skatepark to be located at Snug Harbor Park; and


**WHEREAS**, this contract is to be awarded for an amount not to exceed \$64,400.00 for professional engineering services as stated in Colliers Engineering & Design's proposal dated November 19, 2021; and

**WHEREAS**, Colliers Engineering & Design has completed and submitted a Business Entity Disclosure Certification which certifies that Colliers Engineering & Design 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 Colliers Engineering & Design from making any reportable contributions through the term of the contract; and

**WHEREAS**, Colliers Engineering & Design 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 #2-01-20-165-000-244

  
\_\_\_\_\_  
Patrick DeBlasio, Chief Financial Officer

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**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:

1. Colliers Engineering & Design is hereby retained to provide professional engineering services in connection with the design and construction of a skatepark to be located at Snug Harbor Park as described above in their proposal dated November 19, 2021, for an amount not to exceed \$64,400.00.
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: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-077**

**RESOLUTION AUTHORIZING THE APPLICATION TO THE NJ CLEAN ENERGY PROGRAM  
COMMUNITY ENERGY PLANNING GRANT PROGRAM**

**WHEREAS**, a sustainable community seeks to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of Highlands strives to assure clean land, air and water for current and future generations; and

**WHEREAS**, New Jersey’s Energy Master Plan: Pathway to 2050 (“EMP”) established that community-level action is necessary to achieve the state’s goal of 100% clean energy by 2050; and

**WHEREAS**, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state’s Energy Master Plan; and

**WHEREAS**, Highlands is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

**WHEREAS**, the Community Energy Plan Grant program will help Borough of Highlands to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state’s Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

**THEREFORE**, the Mayor and Council of Borough of Highlands has determined that Borough of Highlands should apply for the aforementioned Community Energy Plan Grant program; and

**THEREFORE**, Borough of Highlands will commit to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening at least two public meetings.

**THEREFORE, BE IT RESOLVED**, that Mayor and Council of Borough of Highlands, State of New

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Jersey, authorizes the submission of the aforementioned application to the NJBPU Community Energy Plan Grant program.

Mayor Broullon explained the grant program.

Motion: Melnyk  
Second: Mayor Broullon  
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTION 22-078**

**RESOLUTION AUTHORIZING THE APPLICATION TO THE US DEPARTMENT OF DEFENSE READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION (REPI) GRANT PROGRAM**

**WHEREAS**, the US Department of Defense (USDOD) issued a Request for Proposals (RFP) related to the 2022 Readiness and Environmental Protection Integration (REPI) Program Challenge grant; and

**WHEREAS**, the REPI grant may provide up to \$40 million in FY22 funding for land conservation, improvement, or management activities that limit incompatible development in the vicinity of DoD installations and ranges; enhance military installation resilience to climate change or extreme weather events; or relieve current or anticipated environmental restrictions in support of key mission capabilities of strategic importance; and

**WHEREAS**, the Borough of Highlands submitted a pre-proposal in November 2021 in partnership with Monmouth University with two (2) other projects and the pre-proposal project was selected to submit a full proposal; and

**WHEREAS**, the Borough of Highlands' proposed project for funding through the REPI program is the bulkhead and living shorelines project at Veteran's Park; and

**WHEREAS**, the total estimated cost, including soft costs and construction for the Veteran's Park Living Shorelines project is \$1,978,250; and

**WHEREAS**, a fifty percent (50%) local match to the total project cost, in cash or in-kind services, is required; and

**WHEREAS**, the phases of the project that are applied for through the grant and the total project cost and amount of match required may be adjusted for the final full proposal;

**THEREFORE**, the Mayor and Council of Borough of Highlands has determined that Borough of Highlands should apply for the aforementioned REPI program; and

**THEREFORE, BE IT RESOLVED**, that Mayor and Council of Borough of Highlands, State of New Jersey, authorizes the submission of the aforementioned full proposal to the USDOD Readiness and Environmental Protection Integration (REPI) Grant program.

Mayor Broullon explain the grant program before voting.

Motion: Chelak  
Second: Mayor Broullon  
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTION 22-079**

**RESOLUTION TO SUPPORT PRESERVATION OF SH 600 / SANDLASS HOUSE**

**WHEREAS**, SH 600/Sandlass House is located at the entrance to Sandy Hook on property owned by

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the State of New Jersey and managed by the National Park Service (NPS); and

**WHEREAS**, the historical significance of SH 600 was documented in a cultural resource report, prepared by the New Jersey Department of Transportation (NJDOT) in conjunction with the construction of the new Highlands Bridge, preserving the house and constructing around it; and

**WHEREAS**, SH 600 is listed in the *National Archives* as a Contributing Structure in the Landmark, the most historical NJ area; and

**WHEREAS**, a leasing program has been established by NPS to preserve the historic Ft. Hancock structures on Sandy Hook; and

**WHEREAS**, a proposal to preserve SH 600 as an Airbnb living history experience has been presented to NPS by a current lessee at Officer's Row, Ft. Hancock at Sandy Hook, with urgency due to deteriorating conditions of the SH 600 roof; and

**WHEREAS**, action by NPS is needed to 1) return SH 600 to the list of contributing structures at Sandy Hook, making it eligible for the leasing program, and 2) to add SH 600 to the RFP List in the Sandy Hook Leasing Program.

**NOW, THEREFORE BE IT RESOLVED**, that the Borough of Highlands supports preservation of SH 600 and urges swift action while this crucial part of our local history may be salvaged;

**BE IT FURTHER RESOLVED**, that copies of this resolution shall also be sent to the Governor and Congressional representatives to urge their support of actions to preserve SH 600/Sandlass House.

Mayor Broullon gave a brief history of the Sandlass House

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-080**

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF  
HIGHLANDS AND THE BOROUGH OF SEA BRIGHT FOR STREET SWEEPING SERVICES**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

**WHEREAS**, the Borough of Highlands and the Borough of Sea Bright wish to encourage inter-municipal cooperation; and

**WHEREAS**, the Borough of Highlands has the necessary staffing, equipment and personnel to provide street sweeping services to the Borough of Sea Bright; and

**WHEREAS**, the Borough of Highlands shall provide street sweeping services to the Borough of Sea Bright during the period of April 1, 2022 through October 31, 2022; and

**WHEREAS**, the aforesaid street sweeping services shall be performed for the Borough of Sea Bright on Tuesdays and Thursdays; and

**WHEREAS**, Sea Bright shall be responsible for the disposal of all sweepings, as well as notification to all persons parking on their streets; and

**WHEREAS**, the Borough of Highlands and the Borough of Sea Bright have agreed that the



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Borough of Sea Bright will pay the Borough of Highlands \$15,000.00 for the street sweeping services.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Highlands, that the Mayor be and is hereby authorized to execute a Shared Services Agreement for the Borough of Highlands to provide street sweeping services to the Borough of Sea Bright, for the period of April 1, 2022 through October 31, 2022, and the Borough of Sea Bright shall pay the Borough of Highlands the amount of \$15,000.00 for said street sweeping services.

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to the Chief Financial Officer, the Borough of Highlands Administrator and the Borough of Sea Bright Administrator.

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-081  
RESOLUTION AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated February 25, 2022, which totals as follows:

Current Fund	\$ 147,472.49
Sewer Account	\$ 2,461.07
Capital Fund	\$ 4,390.00
Trust-Other	\$ 7,622.98
Federal/State Grants	\$ 54,474.32
<b>Total</b>	<b>\$ 216,420.86</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$216,420.86** 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](http://www.highlandsborough.org) and on file in the Municipal Clerk's office for reference.

Motion: Mayor Broullon

Second: Chelak

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-082  
RESOLUTION REFERRING THE REVISED PROPOSED REDEVELOPMENT PLAN FOR  
THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA TO THE LAND USE BOARD OF  
THE BOROUGH FOR RECONSIDERATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in

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the municipality constitute areas in need of redevelopment; and

**WHEREAS**, on June 2, 2021, by Resolution No. 21-126, and in accordance with the provisions of the Redevelopment Law, the Municipal Council (the "**Borough Council**") of the Borough of Highlands (the "**Borough**") authorized and directed the Land Use Board of the Borough (the "**Land Use Board**") to conduct a preliminary investigation to determine whether all or a portion of certain properties within the Borough, commonly referred to as the Central Business District/Bay Avenue Corridor and identified by block and lot on the tax map of the Borough listed in such Resolution (the "**Study Area**"), met the criteria in the Redevelopment Law for designation as a non-condemnation redevelopment area, within which the Borough may use all of the powers provided by the Redevelopment Law for use in a redevelopment area except the power of eminent domain, and to make a recommendation as to whether all or a portion of such Study Area should be designated as a non-condemnation redevelopment area; and

**WHEREAS**, the Land Use Board subsequently directed Phillips Preiss Grygiel Leheny Hughes LLC (the "**Planning Consultant**") to conduct a preliminary investigation to determine whether all or a portion of the Study Area should be designated as a non-condemnation redevelopment area; and

**WHEREAS**, on July 8, 2021, the Land Use Board received a report setting forth the basis for the investigation and a map depicting the Study Area prepared by the Planning Consultant, entitled Area in Need of Redevelopment Study, Central Business District, Borough of Highlands, New Jersey, dated July 8, 2021 (the "**Report**"), evaluating whether all or a portion of the Study Area met the criteria to be designated as a non-condemnation redevelopment area; and

**WHEREAS**, pursuant to the Redevelopment Law, the Land Use Board caused a duly noticed public hearing to be held on August 5, 2021 (the "**Study Area Hearing**"), at which it reviewed the Report, heard testimony from Paul Grygiel, AICP, PP of the Planning Consultant, and conducted a public hearing during which members of the general public were given an opportunity to present their own evidence, cross-examine the Planning Consultant, and address questions to the Land Use Board and its representatives concerning the potential designation of the Study Area as a non-condemnation redevelopment area; and

**WHEREAS**, at the conclusion of the Study Area Hearing, after reviewing the Report and hearing all of the evidence, testimony from the public, and expert testimony, based on the reasons set forth in the Report and on the record, including the testimony of the Planning Consultant as to criterion "h" of N.J.S.A. 40A:12A-5 ("**Section 5**") of the Redevelopment Law, the Land Use Board made recommendations to the Borough Council that the entire Study Area be designated as a non-condemnation redevelopment area pursuant to Section 5 of the Redevelopment Law, which recommendations and reasons for same were memorialized in Resolution No. 2021-21 duly adopted by the Land Use Board on October 7, 2021; and

**WHEREAS**, on October 20, 2021, by Resolution No. 21-199, the Borough Council accepted the Land Use Board's recommendations set forth in Resolution No. 2021-21 and designated the entire Study Area as a non-condemnation redevelopment area pursuant to the Redevelopment Law (the "**Redevelopment Area**") and authorized the Planning Consultant to prepare one or more redevelopment plans for the Redevelopment Area; and

**WHEREAS**, the Borough Council desires to adopt a redevelopment plan for the Redevelopment Area; and

**WHEREAS**, the Planning Consultant, at the request of the Mayor and the Borough Council, prepared a draft redevelopment plan for the Redevelopment Area, entitled Central Business District Redevelopment Plan and dated November 24, 2021, which draft redevelopment plan was discussed at an informational meeting held by the Land Use Board on December 2, 2021; and

**WHEREAS**, comments were received on December 2, 2021 at such informational meeting from members of both the public and the Land Use Board; and

**WHEREAS**, thereafter, the Planning Consultant, at the request of the Mayor and the Borough Council, prepared a revised redevelopment plan for the Redevelopment Area, entitled Central Business

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District Redevelopment Plan and dated January 13, 2022 (the “Original Redevelopment Plan”); and

**WHEREAS**, pursuant to the Redevelopment Law, on February 2, 2022 the Borough Council adopted Resolution No. 22-059 directing the Land Use Board to review the Original Redevelopment Plan and transmit its recommendations relating to the Original Redevelopment Plan to the Borough Council in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)*; and

**WHEREAS**, on February 10, 2022 the Land Use Board reviewed the Original Redevelopment Plan and found that the height and parking requirements of the Original Redevelopment Plan were not consistent with the Borough’s Master Plan (the “LUB Findings”); and

**WHEREAS**, the Planning Consultant has supplemented the Original Redevelopment Plan with additional information concerning the height requirements (as revised, the “Redevelopment Plan”) and the Council President has prepared a letter to the Land Use Board addressing the parking requirements in the Redevelopment Plan (the “Letter”); and

**WHEREAS**, the Borough Council desires to authorize and direct the Land Use Board to review the Redevelopment Plan, reconsider the LUB Findings, and issue a report concerning such Redevelopment Plan, such report to include an identification of any provision in the Redevelopment Plan which is inconsistent with the Borough’s Master Plan and recommendations concerning such inconsistencies and any other matters as the Land Use Board deems appropriate, all pursuant to Section 7 of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows:

**Section 1.** The foregoing recitals are herein incorporated as if set forth in full.

**Section 2.** The Land Use Board is authorized and directed to reconsider the LUB Findings, review the Redevelopment Plan and to advise the Borough Council of its findings in connection therewith within 45 days after referral, in accordance with the Redevelopment Law at *N.J.S.A. 40A:12A-7(e)*.

**Section 3.** The Borough Clerk shall deliver a copy of this Resolution, the Redevelopment Plan and the Letter to the Land Use Board for review.

**Section 4.** A certified copy of this Resolution shall be available for public inspection during regular business hours at the office of the Borough Clerk.

**Section 5.** This Resolution shall take effect immediately.

Motion: Olszewski

Second: Melnyk

Ayes: Chelak, Melnyk, Olszewski

Nays: None

Recuse: Cervantes, Mayor Broullon

Absent: None

**OTHER BUSINESS:**

Gaming Tables

Mayor Broullon asked for the Council’s thoughts on possibly of putting cement checkers and/or chess tables in the parks. Councilmember Melnyk asked if there will be school participation and which park(s) were being considered. Councilmember Olszewski supported the idea.

**REPORTS:**

Mayor’s February 2022 Report

Mayor Broullon gave updates on current construction projects – North Street pump, Huddy Park, Snug Harbor Park, Barberie Ave., Matthews and King Streets, South Bay and Hillside Aves, new municipal building, Phase 1 Sanitary Sewer. She reported grant awards the Borough received. She concluded with COVID updates – number of cases and testing schedule.

**Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands  
March 2, 2022– Meeting Minutes**

**Administrator's Report**

Mr. Muscillo thanked staff, Council, and Mr. Carpenter for stepping up while he was out. He then gave update on recent meetings.

Mr. Matlack noted that Mayor covered most of what he was going to report. He gave more information on South Bay and Hillside Avenues project.

Councilmember Chelak reminded that the Green Team Committee will have their first meeting third week of March.

When no one on the dais had anything to add, Mayor Broullon opened Public Portion.

**PUBLIC PORTION:**

Barbara Domings, Bay Ave., asked about Building Department shared services cost. Mr. Muscillo answered. She then asked about height and parking in the revised redevelopment plans and possible collusion from the planner. Mr. Ball answered the collusion question. Council President Olszewski answered the redevelopment question and invited her to come to the next Land Use Board meeting. Ms. Domings expressed concern about building coverage and the esthetic of the town.

Chris Francy, Fifth St., asked for clarification about the skatepark engineer resolution and the Snug Harbor rebid. Councilmember Melnyk answered.

Steve Solop, 205 Bay Ave., asked why the redevelopment plan was going back to the Land Use Board, and why the plan was not a done deal. Council President Olszewski answered.

Tara White, Central Ave., asked for clarification about the gaming tables. Mayor Broullon answered.

With no one else, Mayor closed Public Portion.

**EXECUTIVE SESSION:**

Acting Clerk Tran read the following:

Executive Session will be held following the Regular Council Meeting. Prior to each Executive Session, the Borough Council will convene in open session at which time a resolution will be adopted in accordance with N.J.S.A. 10:4-13.

BE IT RESOLVED that the following portion of this meeting shall not be open to the public,

BE FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- Matters of Personnel – PBA Grievance
- Attorney/Client Privilege – ABC Matter
- Attorney/Client Privilege – Flood Damage Prevention Ordinance

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists.

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon

Nays:

Abstain: None

Absent: None

Council entered into Executive Session at 7:41pm and exited at 8:03pm.

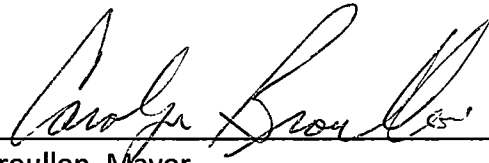
**ADJOURNMENT:**

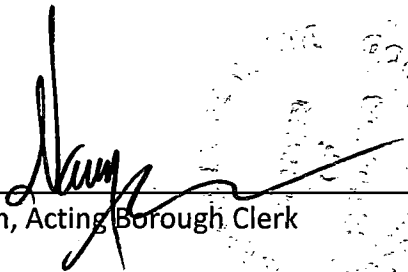
Offered by: Olszewski

Seconded by: Chelak

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All in Favor.  
None opposed.  
Adjourned at 8:03pm

Approve:   
Carolyn Broullon, Mayor

Attest:   
Nancy Tran, Acting Borough Clerk

