



Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands  
May 18, 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., Borough Engineer Bennett Matlack, and Acting Borough Clerk Nancy Tran.

**PROCLAMATIONS/AWARDS**

Mayor Broullon read a proclamation for EMS Week and for Public Works Week.

**APPROVAL OF MINUTES:**

May 4, 2022 Regular Meeting Minutes

Motion: Olszewski

Second: Melnyk

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

Absent: None

May 4, 2022 Executive Session Minutes

Motion: Mayor Broullon

Second: Chelak

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

Absent: None

**INTRODUCTION OF PROPOSED ORDINANCES:** Acting Clerk Tran read the following Ordinances by title:

O-22-11 Ordinance Repealing Chapter 21 (Zoning and Land Use Regulations), Part VII (Flood Damage Prevention), Article XXIV (Flood Damage Prevention), Sections 21-109 Through 21-127 and Replacing It with a New Article XXIV (Floodplain Management Regulations) to Adopt Flood Hazard Maps and to Designate a Floodplain Administrator

Mayor Broullon explained the ordinance before making the motion.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

Acting Clerk Tran stated motion carried to pass this ordinance on first reading and will be referred to the Land Use Board before the public hearing to be held on June 15, 2022.

O-22-12 Ordinance Removing Restricted Parking Space in Front of Residence Occupied by Person with Disabilities

Mayor Broullon explained the ordinance before making the motion.

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

Acting Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on June 1, 2022.

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

O-22-10 Ordinance Adopting the Central Business District Redevelopment Plan Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40a:12a-1 Et Seq.

With no comments from the Public, Councilmember Olszewski motioned to close public hearing and to carry to adopt. Prior to his vote, Councilmember Melnyk thanked the Land Use Board, professionals, Mayor and staff for working together to make this happen.

Motion: Olszewski to close public hearing and to carry to adopt  
Second: Melnyk  
Ayes: Chelak, Melnyk, Olszewski  
Nays: None  
Recuse: Cervantes, Mayor Broullon  
Absent: None

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

**CONSENT AGENDA:** Acting Clerk Tran read the following Resolutions by title and asked for a motion to approve the Consent Agenda. Resolutions and Consent Agenda vote are as follows:

**RESOLUTION 22-130**

**URGING LOCAL, COUNTY, STATE AND FEDERAL OFFICIALS TO SUPPORT EFFORTS TO IMPROVE THE AVAILABILITY OF MARINE PUMP-OUT FACILITIES**

**WHEREAS**, as referenced in the Bayshore Region Strategic Plan (2006) and the more recent Monmouth County Master Plan (2016), the Monmouth County Bayshore is comprised of the following nine municipalities: Aberdeen, Atlantic Highlands, Hazlet, Highlands, Keansburg, Keyport, Matawan, Middletown, and Union Beach, and also includes the Gateway National Recreation Area at Sandy Hook; and

**WHEREAS**, the coastline of Raritan Bay extends into Middlesex County and along the shores of Staten Island in New York; and

**WHEREAS**, this watershed is home to thousands of boats that use these waters for fishing, other recreational enjoyment, and commercial shipping; and

**WHEREAS**, the coastal environment would benefit from increased availability of both land-based pump-out facilities and access to a pump-out boat for boat owners to empty marine waste tanks in order to reduce the amount of human waste that is discharged into our local coastal waterways; and

**WHEREAS**, providing these pump-out services requires the coordinated efforts of local, county and state government to improve the quality of our shared coastal environment.

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

1. The Mayor and Borough Council urge government officials at the local, county, state and federal level to work collaboratively to improve the availability of land-based pump-out facilities and access to a pump-out boat for boat owners to empty marine waste tanks.
2. The Borough Clerk is directed to forward copies of this resolution to:



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- Congressman Frank Pallone
- New Jersey Senator Declan O’Scanlon
- New Jersey Assemblywoman Victoria Flynn
- New Jersey Assemblyman Gerry Scharfenberger
- The Monmouth County Board of Commissioners
- The Mayors of Aberdeen, Atlantic Highlands, Hazlet, Keansburg, Keyport, Matawan, Middletown, and Union Beach

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

**RESOLUTION 22-131  
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 May 13, 2022, which totals as follows:

Current Fund	\$ 1,010,606.95
Sewer Account	\$ 46,967.60
Capital Fund	\$ 30,361.31
Trust-Other	\$ 2,125.40
Federal/State Grants	\$ 35,320.29
<b>Total</b>	<b>\$ 1,125,381.55</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,125,381.55** 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: Olszewski  
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon  
Nays: None  
Abstain: None  
Absent: None

**RESOLUTION 22-132  
RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO AMEND THE BUDGET CAP  
LAW TO APPROPRIATE FUNDS FOR INCREASING INSURANCE COSTS**

**WHEREAS**, pursuant to N.J.S.A. 40A:4-45, et. seq., a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

**WHEREAS**, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

**WHEREAS**, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that

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were previously funded by the State pension system; and

**WHEREAS**, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

**WHEREAS**, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

**WHEREAS**, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

**WHEREAS**, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that it urges the New Jersey Legislature to amend N.J.S.A. 40A:4-45 to provide that appropriations in the first three years after the effective date of such an amendment for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the New Jersey Legislative representative for the Borough of Highlands.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

Absent: None

**OTHER BUSINESS:** WWII Plaque

Mayor Broullon explained that the plaque, which was originally on the old Borough Hall, was brought to her attention by a Highlands Fire Department member who found it while cleaning out. She's given it Walt Guenther of the Historical Society to get it cleaned up. Councilmember Olszewski asked its origin and Mayor Broullon answered that Mr. Guenther could research it. She proposed that it be put on the new municipal building when it's completed.

**REPORTS:**

Mayor Broullon noted upcoming Highlands events.

Councilmember Melnyk reported next.

**Communications:**

- Zumu will be updating the website
- SDL will be implemented shortly
- there will be a time lapsed video of the construction of the new municipal building on the website

**Shade Tree:** Trees ordered in May are delayed until August

**Open Space:** Working with Krista Phair, art teacher at the high school, to get new map of open spaces in digital and print format.

**Recreation:** Mayor pretty much covered upcoming events

Councilmember Olszewski reported next.

**School:**- She attended the Student of the Month in Mayor Broullon's absence

- Retirement of Lenore Kingsmore and resignation of Athletic Director and Elementary School Principal
- Superintendent Tara Beams introduced a proposal in answer to the regionalization.



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- 2020-2021 enrollment numbers of all schools by Highlands school-aged residents.
- school tax of elementary and high schools
- summary of regionalization referendum, regionalization discussion status, and upcoming meetings

Financial: Will be presenting 2021 property sales at next meeting

Councilmember Chelak noted upcoming Environmental Committee meeting and Sustainable Jersey Summit.

With no one on the dais having anything else to add, Mayor Broullon opened Public Portion.

**PUBLIC PORTION:**

Joe Dorin, 102 Valley, asked for an update on the 14 North Peak St. construction and wondered if the builder is in violation of the Steep Slope ordinance. Mr. Muscillo answered that a stop work order was just issued. Mr. Matlack answered that there is no approved grading plan and he was not sure if there is a Land Use application submitted. Mr. Muscillo noted that only a 200ft list was requested by the property owner.

With no further comments, Mayor Broullon 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. No formal action will be taken during Executive Session.

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:

- Attorney/Client Privilege – Redevelopment
- Personnel

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: Melnyk

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

Nays: None

Abstain: None

Absent: None

Council went into Executive Session at 7:31pm and returned to public meeting at 7:43pm.

**ADJOURNMENT:**

Offered by: Olszewski

Seconded by: Chelak

All in Favor.

None opposed.

Adjourned at 7:43pm

Approve:   
Carolyn Broullon, Mayor

Attest:   
Nancy Tran, Acting Borough Clerk