



Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
March 16, 2022– Meeting Minutes

MEETING: Meeting came to order at 7:01 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, CFO Patrick DeBlasio, Borough Attorney Andrew Ball, Esq., Municipal Engineer Bennett Matlack, and Acting Borough Clerk Nancy Tran.

PROCLAMATIONS/CERTIFICATES:

HPD Retirement Recognition: Sergeant Joseph Rogers

HPD Retirement Recognition: Detective Corporal George Ruth

Mayor Broullon presented a plaque from the Borough then Chief Burton presented from the Highlands Police Department

HPD Recognition: Captain George Roxby

Chief Burton presented plaque for "40 Under 40" recognition by International Chief of Police organization.

APPROVAL OF MINUTES:

March 2, 2022 Regular Meeting Minutes

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

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Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

INTRODUCTION OF PROPOSED ORDINANCES:

O-22-06 Bond Ordinance Providing for the Reconstruction of the Skatepark at Snug Harbor Park, Appropriating \$650,000 Therefor and Authorizing the Issuance of \$500,247 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and By the Borough of Highlands, in the County of Monmouth, New Jersey – Mayor Broullon asked Mr. DeBlasio to explain, and he complied.

Motion: Mayor Broullon to pass on first reading

Second: Olszewski

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

Nays: None

Absent: None

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Acting Borough Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on April 6, 2022.

O-22-07 Bond Ordinance Providing for the Phase I And II Sanitary Sewer Improvements Projects, Appropriating \$4,500,000.00 Therefor and Authorizing the Issuance of \$4,006,592.44 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and By the Borough of Highlands, in the County of Monmouth, New Jersey – Mayor Broullon explained the Ordinance and named the streets for Phase I and II. Councilmember Melnyk noted that the maps were available on the Borough website.

Motion: Mayor Broullon to pass on first reading
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 first reading with a public hearing to be held on April 6, 2022.

O-22-08 Calendar Year 2022 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank – Mayor Broullon asked Mr. DeBlasio to explain the Ordinance. Mr. DeBlasio noted that the Borough did not really need it but that we do it every year and explained why.

Motion: Mayor Broullon to pass on first reading
Second: Chelak
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon
Nays: None
Absent: None

Acting Borough Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on April 6, 2022.

PUBLIC HEARING ON PROPOSED ORDINANCES: There was none.

RESOLUTIONS:

RESOLUTION 22-083

RESOLUTION AWARDING CONTRACT FOR KELLY WINTHROP, LLC FOR DEER CARCASS REMOVAL SERVICES

WHEREAS, the Borough of Highlands requires deer carcass removal services; and

WHEREAS, Kelly Winthrop, LLC provides removal and sanitary disposal of deer carcasses; and

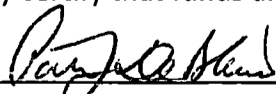
WHEREAS, the rate will be \$37.00 per deer; and

WHEREAS, the term of the contract shall be through December 31, 2023; and

WHEREAS, the total cost of the contract shall not exceed \$1,000.00 per year; 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 #2-01-26-290-000-294



Patrick DeBlasio, Chief Financial Officer

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Highlands that the proper officials be and are hereby authorized to execute all documents necessary to effectuate this contract.

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

RESOLUTION 22-084
RESOLUTION AUTHORIZING THE BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 sets forth that the budget may be read by title only at the time of the public hearing, if a resolution is passed by not less than a majority of the full governing body, provided that at least one (1) week prior to the date of hearing and at the hearing, a complete copy of the approved budget:

- (a) shall be made available for public inspection, and
- (b) shall be made available to each person upon request.

WHEREAS, the conditions of N.J.S.A. 40A:4-8(1)(a) and (b), as set forth above, have been met.

NOW THEREFORE BE IT RESOLVED, by a majority of the full membership of the governing body that the Budget for 2022 shall be read by title only at the hearing currently scheduled for March 16, 2022, and April 20, 2022.

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

RESOLUTION 22-085
INTRODUCTION OF MUNICIPAL BUDGET FOR THE YEAR 2022

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2022 and the Governing Body of the Borough of Highlands does hereby approve the following, as the Budget for the year 2022; and,

BE IT FURTHER RESOLVED, that said Budget be published in the Two River Times in the issue of March 24, 2022 and a Public Hearing be held at the Robert D. Wilson Community Center, 22 Snug Harbor Ave., Highlands, NJ on April 20, 2022 at 7:00pm at which time objections, to said Budget and Tax Resolution for the year 2022, may be presented by taxpayers or other interested parties.

Mayor Broullon gave some notes regarding the budget and stated that it was the third consecutive year that the budget has decreased.

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

RESOLUTION 22-086
RESOLUTION AUTHORIZING SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and **WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Highlands has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Highlands that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law: a. All estimates of revenue are reasonable, accurate and correctly stated, b. Items of appropriation are properly set forth c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion: Mayor Broullon

Second: Melnyk

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

Nays: None

Abstain: None

Absent: None

CONSENT AGENDA: Acting Municipal Clerk read the following resolutions by title and consent vote is as noted.

RESOLUTION 22-087
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 March 11, 2022, which totals as follows:

Current Fund	\$ 1,417,681.61
Sewer Account	\$ 2,206.26
Capital Fund	\$ 53,040.50
Trust-Other	\$ 92,080.93
Federal/State Grants	\$ 951.29
Total	\$1,565,960.59

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,565,960.59** 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: Mayor Broullon

Second: Chelak

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-088
**RESOLUTION AUTHORIZING THE APPLICATION TO THE NJDCA LOCAL RECREATION
IMPROVEMENT GRANT**

WHEREAS, the New Jersey Department of Community Affairs (NJCA) announced the Local Recreation Improvement Grant (LRIG) Fiscal Year 2021, that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums;

WHEREAS, the grant application was submitted by May 24, 2021;

WHEREAS, the Mayor and Council of the Borough of Highlands desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$ 350,427 to carry out a project to improve the playground, basketball court, and various park facilities that may include a band shell at Veterans Park

BE IT THEREFORE RESOLVED,

- 1) that the Mayor and Council of the Borough of Highlands does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Highlands and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names and titles appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

- Carolyn Broullon, Mayor
- Michael Muscillo, Borough Administrator

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

**RESOLUTION 22-089
AUTHORIZING REFUND OF TAX OVERPAYMENT**

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes, and

WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
70	1	2022	\$1,339.12	Keegan, Amanda

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

**RESOLUTION 22-090
RESOLUTION AUTHORIZING THE REFUND OF SIDEWALK AND CURB CUT ESCROW DEPOSIT FEE**

WHEREAS, the Finance Officer of the Borough of Highlands has received a request to refund a fee for a Sidewalk and Curb Cut Escrow Deposit Fee

WHEREAS, the Superintendent of Public Works has inspected the area and deemed the work satisfactorily completed and accordingly determined that the fee is to be refunded and is due and payable by the Borough of Highlands; and

WHEREAS, the Finance Officer recommends the immediate refund of the Escrow Deposit Fee by the Borough of Highlands,

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Finance Officer is authorized to immediately refund the Sidewalk and Curb Cut Escrow Deposit Fee to the individual property owner listed below:

<u>ADDRESS</u>	<u>AMOUNT</u>	<u>NAME</u>
60 S. Bay Ave.	\$500.00	Helen Maresca

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

RESOLUTION 22-091
RESOLUTION APPROVING CONTRACT AGREEMENT WITH DYNAMIC TESTING SERVICES
FOR DRUG AND ALCOHOL TESTING SERVICES

WHEREAS, the Borough of Highlands is in need of continuing to have testing services provided to certain Borough employees holding a CDL License; and

WHEREAS, services will be provided at the following rates:

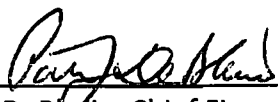
DOT 5 Panel Urine Drug Screen:	\$50.00 per specimen
Breath Alcohol with Confirmation:	\$40.00 per test
10 Panel non-DOT Urine Drug:	\$57.00 per specimen
Saliva Drug Test non-DOT:	\$65.00 per specimen
Split Specimen Testing:	\$250.00 per test
Wait time – Shy Bladder After 1 Hour:	\$35.00 per hour; and

WHEREAS, the contract shall not exceed \$2,000.00 per year; and

WHEREAS, the term of this contract shall be for the period of April 1, 2022 to March 31, 2024.

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 #2-01-26-290-000-294



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Borough Clerk and the Borough Administrator be and are hereby authorized to execute a contract with Dynamic Testing Services, 230 Main St, 1st Floor Rear, Toms River, NJ 08753 in accordance with the above-noted terms.

Motion: Mayor Broullon

Second: Chelak

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

Nays: None

Abstain: None

Absent: None

OTHER BUSINESS: Initial Review: Street Vacation – 72 Fourth Street

Mr. Ball gave background and the Borough Code regarding the street vacation process. Then Mr. David Link, 72 Fourth Street, gave a summary of his request and proposed project.

Council President Olszewski asked if Mr. Link will be needing a variance if the vacation was granted. Mr. Link answered that he was only asking for 1 ft of the 5 ft right of way. Mr. Ball explained that the vacation process would give half of the 5ft to him and half to the adjoining property owner and the need for the utilities easement to remain.

Councilmember Melnyk asked if neighbors were notified. Mr. Link answered. Mayor Broullon asked if there were any neighbors interested in the application.

Robert Kneller, 27 Cedar St., identified himself as an adjacent neighbor. He wanted to know the history of the Borough property. Mr. Ball asked if Mr. Kneller had any interest in half of the property. Mr. Kneller asked what the process entailed. Mr. Ball explained.

Motion: Mayor Broullon moved for approval of the initial review of this vacation request

Second: Melnyk

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

Mr. Link is required to submit an escrow deposit to continue the vacation process.

REPORTS:

Councilmember Melnyk:

For the Communications Committee, he's working with Jacqueline Kane for the online submission forms for local organizations to add their events online which then also becomes part of the weekly email digest. The Committee is also working with HOA outreach and completing first draft of the Borough welcome kit.

For the Shade Tree Committee, he reported that we were approved for the 4th year in a row for Tree City USA and that they are finalizing a guideline for the right way for tree trimming for residents.

For Open Space Committee, he's excited about the skatepark bond ordinance and the skatepark design. The Committee is exploring kayak launch locations and working with DPW for potential grants for the gaming tables.

For Recreation, he noted upcoming events, COVID testing information, and summer camp registration beginning soon.

Council President Olszewski:

For Schools, Ms. Olszewski noted upcoming school events and COVID numbers. She also reported that the two exemplary educator nominees.

For Finance, she thanked the Finance department for their good work in getting the budget out. She and fellow Councilmembers recently took an informative budgeting seminar.

Councilmember Cervantes reported on the recent Highlands Business Partnership grant awards, food donation collection, and events. He noted the recipients of HBP monetary awards.

Mayor Broullon noted the upcoming St. Patrick's Day parade and First Aid Squad needing volunteers.

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

PUBLIC PORTION:

Kristen Courtney, 100 Navesink, asked about the recent survey workers near her property. Councilmember Melnyk responded that they were there for the new Overlook Park project. Ms. Courtney expressed her delight and thanked the Council.

With no one else, Mayor closed Public Portion.

EXECUTIVE SESSION: Cancelled

ADJOURNMENT:

Offered by: Mayor Broullon
Seconded by: Melnyk
All in Favor.
None opposed.
Adjourned at 7:58pm

Approve: _____

Carolyn Broullon, Mayor

Attest: _____

Nancy Tran, Acting Borough Clerk