



Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
August 17, 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.

ROLL CALL

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

Absent: Councilmember Melnyk (running late)

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS / CERTIFICATES

Proclamation Florence Hartsgrove Gauthier: Mayor Broullon read the proclamation and presented it to her family.

2021 Healthy Town Award Presentation: Julie DeSimone, Program Officer of the Mayors Wellness Campaign at the New Jersey Health Care Quality Institute gave background of the program and thanked Mayor and Council for participation before awarding. Mayor Broullon added that work that Highlands put into the Campaign resulted in it being 1 of 17 communities in the United States for NYU Langone’s “Put Your Town on the Map” program.

APPROVAL OF MINUTES: July 13, 2022 Meeting Minutes

Motion: Olszewski

Second: Chelak

Ayes: Chelak, Olszewski, Mayor Broullon

Abstain: Cervantes

Absent: Melnyk

INTRODUCTION OF PROPOSED ORDINANCES:

O-22-15 Designating Restricted Parking in Front of Residence Occupied by Person with Disabilities

Motion: Chelak

Second: Olszewski

Ayes: Chelak, Cervantes, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on September 7, 2022.

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O-22-16 Amending Chapter 21, Part IV, Article XIV, Section 81 of the Code of the Borough of Highlands, Entitled "Outdoor Storage"

Motion: Olszewski

Second: Chelak

Ayes: Chelak, Cervantes, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on September 7, 2022.

O-22-17 Adding Chapter 2, Section 10.17 of the Borough Code Entitled "Entry-Level Law Enforcement Officer Appointment"

Motion: Chelak

Second: Olszewski

Ayes: Chelak, Cervantes, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on September 7, 2022.

Clerk Tran noted that Councilmember Melnyk arrived at 7:12pm.

PUBLIC HEARING ON PROPOSED ORDINANCES

O-22-13 Vacating a Portion of an Alley Between 72 4th Street and 26 Cedar Street Located Adjacent to Lot 25, Block 65, Lot 2.01, Block 68, and Lot 2.02, Block 68 in the Borough of Highlands, County of Monmouth, State of New Jersey – Prior to opening to the public, Mayor Broullon explained that the beach access was no longer available due to a condo having been built in the vicinity. She also explained the vacation process.

Helen Nau, 18 Waterwitch Ave, asked for further clarification of the splitting of the borough property process. Mayor Broullon answered.

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

Second: Chelak

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

Nays: None

Abstain: None

Absent: None

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

O-22-14 Capital Ordinance Providing for Various Capital Improvements, and Appropriating \$500,000 Therefor, Authorized in and by the Borough of Highlands, in the County of Monmouth, New Jersey – Prior to opening floor to the Public, Mr. Muscillo explained that this is was our own money that needed to be moved in order to be used for various capital improvement projects.

Barbara Domings, Bay Ave., asked for specific projects. Mr. Muscillo answered.

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

Second: Melnyk

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

Nays: None

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Abstain: None

Absent: None

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

RESOLUTIONS:

RESOLUTION 22-177

**APPROVING RENEWAL OF LIQUOR LICENSE FOR THE 2020-2021 TERM
FOR LICENSE NUMBER 1317-33-017-004, HIGHLANDS BREWERY LLC**

WHEREAS, it has been discovered that a Resolution approving the renewal of Liquor License Number 1317-33-017-004, Highlands Brewery LLC, an inactive establishment, was previously not adopted by the Borough of Highlands for the 2020-2021 term; and

WHEREAS, the renewal application had been accepted via POSSE ABC, the New Jersey Division of Alcoholic Beverage Control's electronic web-based licensing system, the Municipal Fees were paid, a Tax Clearance Certificate was received, and Petitions pursuant to N.J.S.A. 33:1-12.18 and N.J.S.A. 33:1-12.39 were granted; and

WHEREAS, it is necessary for the Governing Body to adopt a Resolution nunc pro tunc approving the 2020-2021 liquor license for a term of July 1, 2020 to June 30, 2021; and

WHEREAS, the applicant is qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, and pertinent Borough Ordinances.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of Liquor License Number 1317-33-017-004 for Highlands Brewery LLC, an inactive establishment, is hereby authorized nunc pro tunc for 2020-2021 for the term of July 1, 2020 to June 30, 2021.

Motion: Mayor Broullon

Second: Olszewski

Ayes: Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Recuse: Cervantes

Absent: None

RESOLUTION 22-178

**APPROVING RENEWAL OF LIQUOR LICENSE FOR THE 2021-2022 TERM
FOR LICENSE NUMBER 1317-33-017-004, HIGHLANDS BREWERY LLC**

WHEREAS, it has been discovered that a Resolution approving the renewal of Liquor License Number 1317-33-017-004, Highlands Brewery LLC, an inactive establishment, was previously not adopted by the Borough of Highlands for the 2021-2022 term; and

WHEREAS, the renewal application had been accepted via POSSE ABC, the New Jersey Division of Alcoholic Beverage Control's electronic web-based licensing system, the Municipal Fees were paid, a Tax Clearance Certificate was received, and Petitions pursuant to N.J.S.A. 33:1-12.18 and N.J.S.A. 33:1-12.39 were granted; and

WHEREAS, it is necessary for the Governing Body to adopt a Resolution nunc pro tunc approving the 2021-2022 liquor license for a term of July 1, 2021 to June 30, 2022; and

WHEREAS, the applicant is qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, and pertinent Borough Ordinances.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of Liquor License Number 1317-33-017-004 for Highlands Brewery LLC, an inactive establishment, is hereby authorized nunc pro tunc for 2021-2022 for the term of July 1, 2021 to June 30, 2022.

Motion: Mayor Broullon

Second: Chelak

Ayes: Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Recuse: Cervantes

Absent: None

**RESOLUTION 22-179
APPROVING RENEWAL OF LIQUOR LICENSE FOR THE 2022-2023 TERM**

WHEREAS, renewal applications have been filed or submitted through POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal application have been accepted via POSSE ABC, the Municipal Fees have been paid, a Tax Clearance Certificate was received, and Petitions pursuant to N.J.S.A. 33:1-12.18 and N.J.S.A. 33:1-12.39 were granted for the following licensee[s]; and,

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2022-2023 license term be and are hereby authorized:

License Number	Licensee	Establishment
1317-31-016-004	Filip Enterprises Inc.	Inactive
1317-31-017-004	Highlands Brewery LLC	Inactive

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

**RESOLUTION 22-180
APPROVING CLOSE OUT CHANGE ORDER AND DECLARING ACCEPTANCE OF THE CONTRACT
FOR IMPROVEMENTS TO KING STREET AND MATTHEWS STREET**

WHEREAS, by way of Resolution 21-232 duly adopted on December 15, 2021 James R. Ientile, Inc. was awarded a contract associated with improvements to King Street and Matthews Street; and

WHEREAS, the contract awarded to James R. Ientile, Inc. was in the amount of \$349,943.00; and

WHEREAS, the Project Engineer, CME Associates, has advised that the project is complete at this time. The change order reflects increases and decreases in original contract quantities required to complete the project; and

WHEREAS, CME Associates has advised that the Closeout Change Order results in a decrease in the project cost from the original amount of \$349,943.00 to an adjusted total of \$304,919.46, for a decrease of \$45,023.54, as specifically set forth in their correspondence dated August 1, 2022; and

WHEREAS, in accordance with the requirements of the aforesaid contract, James R. Ientile, Inc. has submitted a two (2) year Maintenance Bond in the amount of \$304,919.46, which exceeds the minimum fifteen (15) percent of the final Contract Amount; and

WHEREAS, the Project Engineer, CME Associates, has recommended authorizing the aforesaid Change Order, releasing the Performance Bond and accepting the project.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, that based on the above recommendations from the Project Engineer, CME Associates, that the

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Closeout Change Order changing the original contract amount to \$304,919.46, for a decrease of \$45,023.54, be and is hereby approved.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands, that it hereby acknowledges that this project has been satisfactorily completed and accepts same.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands that it authorizes the acceptance of the two (2) year Maintenance Bond No. 602-133317-1M in the sum of \$304,919.46 issued by United States Fire Insurance Company.

BE IT FURTHER RESOLVED, that any lien claims filed more than sixty (60) days after the adoption of this Resolution shall be ineffective pursuant to N.J.S.A. 2A:44-132.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release Performance Bond No. 602-133317-1, issued by United States Fire Insurance Company in the amount of \$349,943.00.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, a voucher authorizing final payment of any sums due to the Contractor may be listed upon the bill list for action.

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, the Project Engineer, Purchasing Agent and James R. Ientile, Inc.

Prior to her motion, Mayor Broullon reported that the project came under \$45,000.00 than budgeted.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Recuse: None

Absent: None

**RESOLUTION 22-181
AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated August 15, 2022, which totals as follows:

Current Fund	\$ 952,801.34
Sewer Account	\$ 67,767.37
Capital Fund	\$ 697,970.66
Trust-Other	\$ 22,768.00
Federal/State Grants	\$ 4,700.00
Total	\$ 1,746,007.37

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ **1,746,007.37** 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: Melnyk

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

Nays: None

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Recuse: None
Absent: None

RESOLUTION 22-182

AUTHORIZING EXECUTION OF FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND ARGIRIS AND ANDROULA SERGHIS REGARDING BOUNDARY LINE ADJUSTMENTS BETWEEN BLOCK 101, LOT 4 AND BLOCK 101, LOT 3

WHEREAS, Argiris and Androula Serghis (“Serghis”) are the owners of property located at Block 101, Lot 4 in the Borough of Highlands, also known as 60 Mathews Street (the “Serghis Property”); and

WHEREAS, the Borough of Highlands (the “Borough”) is the owner of property located at Block 101, Lot 3 in the Borough of Highlands (the “Borough Property”), which is adjacent to the Serghis Property; and

WHEREAS, Serghis and the Borough (the “Parties”) entered into a Memorandum of Agreement with regard to the Serghis Property and approved by Resolution 21-218 on or about November 10, 2021; and

WHEREAS, Serghis obtained a survey of their property at their sole cost and expense; and

WHEREAS, the Borough wishes to further subdivide its property beyond what would be initially required in order to perform under the terms of the Memorandum of Agreement; and

WHEREAS, the Parties have agreed to equally share the costs of survey and engineering work in connection with a subdivision application; and

WHEREAS, it is necessary that an amendment setting forth the modifications to the terms of the Memorandum of Understanding be executed by the Parties.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands, that the Mayor and Borough Administrator be and are hereby authorized to execute a First Amendment to Memorandum of Agreement between the Borough of Highlands and Argiris and Androula Serghis outlining the amended terms and conditions of the Agreement, in a form to be reviewed and approved by the Borough Attorney.

BE IT FURTHER RESOLVED, that the Mayor and Borough Administrator are authorized to undertake such acts as are reasonable and necessary to accomplish the purpose of this Resolution.

Prior to making the motion, Mayor Broullon gave a history of the subject property and explanation of the resolution.

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

RESOLUTION 22-183

AUTHORIZING REFERENDUM QUESTIONS FOR NOVEMBER 2022 BALLOT

WHEREAS, the Borough of Highlands (“Highlands”) has filed a petition with the Commissioner of Education, jointly with the Boroughs of Atlantic Highlands and Sea Bright and the Boards of Education of the Henry Hudson Regional School District, Atlantic Highlands School District, and

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Highlands School District (hereinafter Petitioners), seeking authorization from the Commissioner of Education to place a referendum before the voters in its community to enlarge the Henry Hudson Regional School District into a PK-12 Regional School District and to expand Henry Hudson Regional to add the Borough of Sea Bright as a constituent member; and

WHEREAS, the joint petition included proposed referendum questions to be presented to the voters in each of the three communities; and

WHEREAS, the proposed referendum questions did not include the tax allocation methods to be presented to the voters, as the tax allocation methods to be presented to the voters had not yet been agreed upon by the requisite governing officials; and

WHEREAS, the municipal governing officials from Sea Bright, Highlands and Atlantic Highlands and the Boards of Education from Highlands, Atlantic Highlands and Henry Hudson Regional have engaged in negotiations and the municipal governing officials from Sea Bright, Highlands and Atlantic Highlands have agreed upon tax allocation methods to be presented to the voters in the three communities, which they have determined to be fair to all three communities and which would provide all three communities with significant annual savings off the status quo; and

WHEREAS, the governing officials agreed upon the following tax allocation methods to be included in the proposed referendum questions as follows:

Referendum question to be presented to the voters in Highlands and Atlantic Highlands:

Shall the Boards of Education of the Highlands School District, Atlantic Highlands School District, and Henry Hudson Regional School District join together to convert Henry Hudson Regional into an all-purpose PK-12 regional school district, with the annual and special appropriations for such a two-constituent PK-12 regional school district to be apportioned upon the following basis: ***80% on each municipality's equalized valuation allocated to the regional district as provided by state law, and 20% on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year;*** and

Upon conversion of Henry Hudson into a PK-12 regional district, shall the PK-12 regional school district include the Borough of Sea Bright as a constituent member, upon approval by the Commissioner of Education of its withdrawal from Oceanport and Shore Regional School Districts, and approval by the voters of Sea Bright to join the Henry Hudson PK-12 Regional School, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ***15% on each municipality's equalized valuation allocated to the regional district as provided by state law, and 85% on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?***

Referendum question to be presented to the voters in Sea Bright:

Upon approval by the voters of Atlantic Highlands and Highlands to convert the Henry Hudson Regional School District to a PK-12 regional school district and approval by the Commissioner of Education for Sea Bright to withdraw from the Oceanport and Shore Regional School Districts, shall Sea Bright join the Henry Hudson PK-12 Regional School District, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ***15% on each municipality's equalized valuation allocated to the regional district as provided by state law, and 85% on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?***

NOW THEREFORE BE IT RESOLVED that, after due consideration, Highlands has determined that the above tax allocation method(s) are fair and reasonable to the taxpayers of Highlands; and

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BE IT FURTHER RESOLVED that Highlands seeks to have a referendum placed on the November 2022 ballot, or as soon thereafter as may be authorized by the Commissioner of Education, with regard to the enlargement of Henry Hudson into a PK-12 Regional School District and the expansion of the district to include Sea Bright as a constituent member and authorizes its designated special counsel to submit this agreed upon tax levy allocation and revised referendum questions to the Commissioner of Education for consideration and approval; and

BE IT FURTHER RESOLVED that Highlands authorizes its designated special counsel to take any and all appropriate action to obtain the aforementioned authorization from the Commissioner of Education and to effectuate same; and

BE IT FURTHER RESOLVED that Highlands and Atlantic Highlands agree to enter into binding 50-50 Sharing Agreements from any tax savings generated by the conversion of Henry Hudson into a PK-12 regional district and by Sea Bright joining the combined school district within five (5) days of the passage of this resolution in a form agreeable to the municipalities and their respective legal counsel; and

BE IT FURTHER RESOLVED that the governing bodies of Highlands and Atlantic Highlands recommends that the Board of Education adopt the following resolutions at their next respective meetings:

A. *They adopt a resolution that should the Commissioner of Education approve the formation of an all-purpose PK-12 district comprised of the constituent members of Highlands and Atlantic Highlands, an apportionment formula of 80% EV/20% enrollment will be adopted and put before the voters only if a 50-50 sharing agreement on the total overall tax savings between Highlands and Atlantic Highlands is executed. The formula of 80/20 and the 50-50 sharing agreement will be included in the Board of Education's referendum question and be placed before the voters as soon as allowable by the Commissioner of Education.*

B. Should the Commissioner of Education approve the withdrawal of Sea Bright from its current school districts and approve them as constituent members of the new Henry Hudson Regional all-purpose district, the Board of Education should adopt a resolution with an apportionment formula of 15% EV/85% enrollment and this apportionment should be put before the voters only if a 50-50 sharing agreement on the total overall tax savings between Highlands and Atlantic Highlands is executed. The formula of 15/85 and the 50-50 sharing agreement will be included in the Board of Education's referendum question and be placed before the voters as soon as allowable by the Commissioner of Education.

Mayor Brouillon noted the timeline, history, and background of the resolution. She stated that Atlantic Highlands changed the cost sharing formula at the last minute and that the rate sharing agreement can still be negotiated over the next five (5) days. She explained her disagreement with Atlantic Highlands' last-minute cost sharing formula as their borough has more school-aged kids and their equalized valuation is higher than Highlands.

Councilmember Melnyk expressed his extreme displeasure and thought it was outrageous for Atlantic Highlands to pull this last-minute power play. He noted that he is and has recused himself from all votes relating to the regionalization and schools as his wife is on the school board.

Council President Olszewski stated the importance of the Friday deadline and all the work that's been put into this effort. She explained the cost sharing further.

Mayor Brouillon shared real enrollment and equalized valuation numbers that both parties had agreed upon where Highlands would save \$1.6 million per year and Atlantic Highlands save \$850K per year. With the 50-50 split, each town would save a little over \$1 million per year. She would consider the 50-50 split for first year and review year to year thereafter. She stated that the resolution is to put the question on the ballot and then continue work on shared services agreement.

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Councilmember Chelak wondered why Atlantic Highlands was playing politics. Mayor Broullon noted that the last-minute maneuvering was not done by the entire Atlantic Highlands Council. She noted that the regionalization endeavor has been going on for the past 60 years. She will continue to fight with the negotiation of terms of the share services agreement. She reported that Atlantic Highlands voted for the question to be on the ballot.

Councilmember Cervantes noted that regionalization makes common sense and that it's sad that Atlantic Highlands would make this move.

Mayor Broullon added that she wanted this discussion in front of the public rather than in Executive Session. She asked for fellow council members' input on their "ask" for the shared services agreement. Council President Olszewski stated that Atlantic Highlands expects this conversation to continue. Mayor Broullon noted that Highlands is not locked into a share services agreement yet. Council President Olszewski stated she wants one school board. Councilmember Melnyk noted that the Board of Education has many vacant spots in the upcoming election.

Motion: Mayor Broullon

Second: Chelak

Ayes: Chelak, Cervantes, Olszewski, Mayor Broullon

Nays: None

Recuse: Melnyk

Absent: None

CONSENT AGENDA: Clerk Tran read the following Resolutions by title and asked for a motion to approve the Consent Agenda. Mayor Broullon explained that R 22-197 was for a Highlands police officer to be stationed in the school. Councilmember Melnyk asked for R 22-188 to be removed from consent agenda as he would recuse himself for that item. Mayor Broullon motioned to vote on Consent Agenda with R 22-188 removed and voted separately. Resolutions and Consent Agenda vote are as follows:

RESOLUTION 22-184

SUPPORTING ASSEMBLY CONCURRENT RESOLUTIONS NO. 31 INCREASING THE PROPERTY TAX DEDUCTION FOR VETERANS TO \$1,000.00 AND BASE FUTURE DEDUCTIONS ON ANNUAL CONSUMER PRICE INDEX INCREASES

WHEREAS, Monmouth County is home to a veteran population in the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United States Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31 proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

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WHEREAS, the Mayor and Council of the Borough of Atlantic Highlands supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Atlantic Highlands, that we hereby support Assembly Concurrent Resolutions No. 31, which would increase the property tax deduction for veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

BE IT FURTHER RESOLVED that the Clerk shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of the General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-185

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL
CERTIFIED PUBLIC ACCOUNTANT SERVICES FOR THE BOROUGH OF HIGHLANDS IN
CONNECTION WITH ITS UPCOMING 2022 BOND ISSUANCE**

WHEREAS, the Borough of Highlands has a need for professional Certified Public Accountant services in connection with its upcoming 2022 Bond Issuance; and

WHEREAS, such professional services can only be provided by licensed professionals and the firm of Holman, Frenia, Allison, P.C. is so recognized; and

WHEREAS, Holman, Frenia, Allison, P.C. has set forth its proposed services in a written proposal dated July 13, 2022 for various financial services which includes I-Banking financing, preparation for ratings call and other financial matters; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Holman, Frenia, Allison, P.C., for the aforesaid accounting services as set forth in its proposal dated July 13, 2022; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$10,000.00 for the professional services as stated in Holman, Frenia, Allison, P.C.'s proposal dated July 13, 2022; and

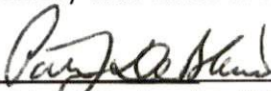
WHEREAS, Holman, Frenia, Allison, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit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

WHEREAS, Holman, Frenia, Allison, P.C. 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:



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:

1. Holman, Frenia, Allison, P.C. is hereby retained to provide professional Certified Public Accountant services as described above and in their proposal dated July 13, 2022, for an amount not to exceed \$10,000.00.
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) because it is for services performed by persons authorized by law to practice a recognized profession. 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: Olszewski

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-186
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>
3	11.03	2022	\$5,751.30	Manja, Jouzafphin

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-187

RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Highlands Borough is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. Highlands Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-189

AUTHORIZING AWARD OF NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL APPRAISAL INSPECTION SERVICES FOR REAL PROPERTY DATA COLLECTION SERVICES

WHEREAS, the Borough of Highlands has a need for professional appraisal inspection and related services; and

WHEREAS, the Borough of Highlands wishes to contract for the services of a certified appraiser to perform the inspections, data collection and verification; and

WHEREAS, by way of Resolution 18-242, duly adopted on December 5, 2018, the Borough of Highlands awarded a contract to Realty Data Systems, LLC (hereafter RDS) for professional appraisal inspection services; and

WHEREAS, the contract required RDS to perform inspections of 60% of all real property within the Borough during 2019 to complete the Borough's first inspection cycle, and an additional 20% of such properties annually during 2020 and 2021 to complete 40% of the Borough's second inspection cycle; and

WHEREAS, RDS completed the required inspections specified above; and

WHEREAS, RDS implemented a Remote Virtual (hereafter RV) interior inspection process in the Borough in 2021, and the RV process has been incorporated into both N.J.S.A. 54:4-23b and the rules and guidelines approved by the Monmouth County Board of Taxation; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to

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retain RDS for the proposed appraisal inspection services; and

WHEREAS, RDS 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 RDS from making any reportable contributions through the term of the contract; and

WHEREAS, RDS 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:



Patrick DeBlasio, Chief Financial Officer

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

1. RDS is hereby retained to provide professional appraisal inspection services in connection with the Borough's Reassessment Program for the year 2022, in an amount not to exceed \$13,000.00.
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 this 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: Olszewski

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-190
PROPERTY TAX CANCELLATION**

WHEREAS, Block 37, lot 2 applied for and received a tax exemption under the provisions for a total disabled veteran status in accordance with N.J.S.A. 54:4-3.30et seq, and

WHEREAS, this property was billed taxes for 2022 in the amount of \$6,196.33, and

WHEREAS, the Tax Collector is recommending that the 2022 taxes be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, County of Monmouth, New Jersey, that the Tax Collector cancel taxes in the amount of \$6,196.33 for the 2022 tax year.

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

**RESOLUTION 22-191
IN SUPPORT OF CANNABIS ESTABLISHMENT**

WHEREAS, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

WHEREAS, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

WHEREAS, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older;

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Act, which established the adult use cannabis program in the State of New Jersey.

WHEREAS, the Borough of Highlands endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, the Borough of Highlands supports the safe and appropriate siting of an adult-use cannabis dispensary within the Central Business District zone(s) of the Borough of Highlands to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances, including but not limited to the cannabis retailer licensing provisions of Borough Code Section 4-18 and the conditional use zoning requirements of Section 21-97(M); and

WHEREAS, Mary Janes Last Dance Inc. has expressed interest in the siting of such a facility within the Borough of Highlands.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council supports the safe and appropriate siting of an adult-use cannabis dispensary within the Central Business District zone(s) of the Borough of Mary Janes Last Dance Inc. to the extent consistent with applicable state and local statutes, rules, regulations and ordinances, including but not limited to the cannabis retailer licensing provisions of Borough Code Section 4-18 and the conditional use zoning requirements of Section 21-97(M).

BE IT FURTHER RESOLVED, that due to the Borough's limit of a single Cannabis Retailer License, upon submission of a complete license application, the license applicant that receives Cannabis Regulatory Commission approval first in time shall be deemed approved by the Borough.

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

RESOLUTION 22-192

AUTHORIZING ADOPTION OF AMENDMENTS TO THE BOROUGH’S EMPLOYEE HANDBOOK TO BE ENTITLED “PERSONNEL POLICIES AND PROCEDURES MANUAL”

WHEREAS, the Borough determined that certain amendments and updates to the Employee Handbook entitled “Personnel Policies and Procedures Manual” were necessary; and

WHEREAS, the Borough has made certain amendments and updates to the current Nepotism Policy and Conflict of Interest Policy and updated the Contact Information for the Prohibition of Harassment in the Workplace Policy and updated the Secondary Human Resource Officer in the Domestic Violence Policy contained in the Policy and Procedures Manual; and

WHEREAS, the Borough determined that it is necessary to distribute a revised Policy and Procedures Manual to all employees; and

WHEREAS, the adoption of a revised Personnel Policies and Procedures Manual and distribution of the Personnel and Policies and Procedures Manual and will protect the interests and rights of both the Borough and its employees; and

WHEREAS, the revised Personnel Policies and Procedures Manual and Personnel Policies will be distributed to all Borough employees; and

WHEREAS, the Borough employees will acknowledge receipt of the revised Personnel Policies and Procedures Manual.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that the aforesaid Personnel Policies and Procedures Manual be and is hereby accepted and adopted.

BE IT FURTHER RESOLVED, that copies of the Personnel Policies and Procedures Manual shall be distributed to all employees, as applicable.

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

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-193

REQUESTING APPROVAL OF INSERTION OF \$200,000 THE 2022 BUDGET REVENUE AVAILABLE FROM THE COUNTY OPEN SPACE FUND-SNUG HARBOR SKATE PARK PROJECT

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highlands hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of

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revenue in the budget of the year 2022 in the sum of \$200,000 which item is now available as a revenue from the County Open Space Fund-Snug Harbor Skate Park Project.

BE IT FURTHER RESOLVED that a like sum of \$200,000 be and the same is hereby appropriated under the caption of:

County Open Space Fund-Snug Harbor Skate Park Project

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-194
AUTHORIZING AN EXTENSION TO PAY TAXES TO AUGUST 19, 2022**

WHEREAS, the Borough of Highlands adopted its 2022 Municipal Budget on April 20, 2022, and

WHEREAS, because of the late adoption of the New Jersey State Budget and calculation of the Tax Rate by the County Board of Taxation and the corresponding late printing of the tax bills, third quarter tax bills will not be mailed by the deadline of July 15, 2022; and

WHEREAS, THE Borough Council believes that the residents of the Borough are entitled to a reasonable time to receive their tax bills for the third quarter and to pay the same without being delinquent and subject to the payment of interest; and

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S. 54:4-66.5 interest at a rate of \$.00000001% shall be charged on unpaid third quarter 2022 taxes provided same are paid on or before August 19, 2022, and provided further that interest thereafter shall be payable at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from August 1, 2022 until the date of actual payment.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance and Tax Collector's Offices forthwith.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-195
APPROVING REQUEST FOR WAIVER OF ALCOHOL BAN FOR COMMUNITY CENTER RENTAL**

WHEREAS, the Borough of Highlands has received an application for rental of the Community Center from a resident seeking to host a private event; and

WHEREAS, the residents have requested a waiver of the alcohol prohibition in order to serve alcohol to the guests of this private event; and

WHEREAS, the residents have obtained the necessary insurance coverage required to allow alcohol at the private event.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that

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Water Witch Beach Improvement Association’s request for a waiver of the alcohol prohibition is approved for the private event to be hosted on September 10, 2022, from 1-7pm;

BE IT FURTHER RESOLVED, that as a condition of this approval the applicant has provided the Borough Clerk with a certificate of insurance coverage naming the Borough of Highlands as an additional insured, subject to the Borough Administrator’s review and approval.

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

**RESOLUTION 22-196
APPROVAL TO SUBMIT A GRANT APPLICATION TO THE NJDCA’S AMERICAN RESCUE PLAN
FIREFIGHTER GRANT**

WHEREAS, the New Jersey Department of Community Affairs (NJCA) announced the American Rescue Plan Firefighter Grant, that supports local and regional fire department firefighters by ensuring that they have proper fire protection, cleaning, and sanitizing equipment;

WHEREAS, the grant application deadline is August 13, 2022;

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 \$62,052.50 to replace outdated SCBA cylinders;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Highlands does hereby authorize the application for such a grant for the above stated project, and

BE IT FURTHER RESOLVED that the Mayor and Council 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 Mayor and Borough Administrator are hereby authorized to sign the application on behalf of the Borough of Highlands, and that they or their successors are authorized to sign the agreement, and any other documents necessary in connection therewith.

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

**RESOLUTION 22-197
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE
BOROUGH OF HIGHLANDS AND THE HIGHLANDS BOARD OF EDUCATION**

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

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WHEREAS, the Highlands Board of Education has requested that the Borough of Highlands provide Class III Special Law Enforcement Officers to provide security for the Highlands Elementary School District; and

WHEREAS, the term of the Agreement shall begin on September 1, 2022 and shall continue in effect until June 30, 2023, with the ability to renew the said Agreement upon mutual consent of the parties and the passage of appropriate Resolutions; and

WHEREAS, it is in the best interest of the Borough of Highlands to enter into the proposed Shared Services Agreement with the Highlands Board of Education; and

WHEREAS, the use of Class III Special Law Enforcement Officers shall not supplant the existing duties or responsibilities of law enforcement officers assigned or stationed at the Highlands Elementary School District.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute a Shared Services Agreement with the Highlands Board of Education, effective September 1, 2022 through June 30, 2023, with the ability to renew the said Agreement upon mutual consent of the parties and the passage of appropriate Resolutions.

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 the Borough Clerk shall forward a certified copy of this Resolution to the Highlands Board of Education.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

Council then voted on R 22-188 by itself. The resolution and vote is as follows.

RESOLUTION 22-188

AUTHORIZING THE EXECUTION OF A HOLD HARMLESS AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS, BOROUGH OF SEA BRIGHT, BOROUGH OF ATLANTIC HIGHLANDS, THE BOARDS OF EDUCATION FOR THE BOROUGH OF HIGHLANDS SCHOOL DISTRICT, HENRY HUDSON REGIONAL SCHOOL DISTRICT AND THE ATLANTIC HIGHLANDS SCHOOL DISTRICT

WHEREAS, the Borough of Highlands, Borough of Sea Bright, Borough of Atlantic Highlands, the Boards of Education for the Borough of Highlands School District, Henry Hudson Regional School District and the Atlantic Highlands School District (hereafter the "Parties") have agreed to proceed as joint petitioners to request approval from the Commissioner of Education and the voters to join in an all-purpose regional school district serving grades Pre-K through 12 which would serve all of the above named Parties; and

WHEREAS, the Parties wish to move forward with their efforts to effectuate and implement the regionalization without delay in order to include a public question in the upcoming November 2022 General Election; and

WHEREAS, the Borough of Sea Bright's admission to the aforesaid all-purpose regional school district is subject to its successful withdrawal from its current arrangements with the Oceanport,

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New Jersey School District and the Shore Regional New Jersey School District; and

WHEREAS, it is possible that legal action may be initiated as a result of the Borough of Sea Bright's withdrawal wherein the remaining Parties may be joined or otherwise implicated; and

WHEREAS, the Borough of Highlands and the remaining Parties wish to enter into a Hold Harmless and Indemnification Agreement wherein the Borough of Sea Bright will fully defend, indemnify and hold harmless the remaining Parties named above from any and all claims, lawsuits, demands, causes of action, liability, loss, damage and/or injury of any kind whatsoever, including without limitation, all claims for money, loss, damages and equitable relief resulting from its attempt to withdraw from the Oceanport and Shore Regional School Districts, including court costs and reasonable attorney's fees; and

WHEREAS, the Borough of Sea Bright shall pay the legal fees to provide defense for the Parties and reasonable attorney's fees of the Boards of Education's designated counsel in the event that the interest of the Boards come in conflict with Sea Bright's as any challenge and/or litigation involving Oceanport and/or Shore Regional progresses, subject to the Boards' designated counsel being granted permission by the Commissioner or the Court to intervene.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute a Hold Harmless and Indemnification Agreement between the Borough of Highlands, Borough of Sea Bright, Borough of Atlantic Highlands, the Boards of Education for the Borough of Highlands School District, Henry Hudson Regional School District and the Atlantic Highlands School District.

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 the Borough Clerk shall forward a certified copy of this Resolution to all of the above named Parties.

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

REPORTS:

Marine Place Walkway: Mr. Matlack gave an overview of the original plan and the subsequent revised plan following a public meeting with interested parties. He noted the features that were removed from the original plans and the compromised features as agreed upon at the meeting: raised 18-inch concrete platform, 9ft wide walkway, fire parking restrictions, additional benches and trash cans, sign with ordinance for Highlands police to better enforce hours and noise. He explained the cross-section diagram. He reported that with the changes, the cost of the project was reduced to about \$400K and that there was already awarded \$179K grant money. The grant money expires at the end of the year, so he hopes to put out a bid soon.

Councilmember Chelak asked the proposed timeline for the project. Mr. Matlack answered that the bidding process would take about 1 month and the work would take about 3 months. He noted that the grant money needs to be spent at the end of the year but the project does not need to be completed by year end.

Discussion was then open to the public.

Helen Nau, 18 Waterwitch asked for clarification of the length of the platform and if there

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would be ramps. Mr. Matlack answered that the raised platform would run the full length of the Marine Place and that there were 2 ramps, which he showed the location on the plans.

Isidore Sackowitz, 19 Seadrift, asked about lighting and ordinance regarding fishing. Mr. Matlack answered that the original plans had proposed lighting but has since been removed after the public meeting. Mayor Broullon looked up the ordinance and reported that no fishing was permitted between 10pm and 7am.

Brian Cobb, 11 Recreation, stated that most items on his list were already discussed and that questions from the July public meeting were answered. He added that there was a petition submitted and wanted to thank the Mayor for the meeting and those who collected the signatures.

Walt Guenther, 4 Marine Pl., thought the process of asking for the public's input worked very well and suggested concrete benches. He asked if the design concept would apply to the other side of Marine Place as well. Mayor Broullon confirmed that that was the idea and that the Borough would seek additional grants for the project.

John Gallagher, 4 Seadrift, asked if there was anyway to eliminate the rail on the bulkhead. Mr. Matlack explained the necessity of railing and that it would only be a single rail. Mayor Broullon stated that this was voted on at the public meeting.

Barilyn Francolino, 12 Marine Pl., suggested that the residents didn't know about the railing at the meeting. Mr. Matlack explained the code and safety need for the railing and that the railing would not obstruct the view. Ms. Francolino asked how high the platform could be raised to eliminate the need for the railing. Mr. Matlack said that he would need to do further calculations and that new construction needs to meet code requirements, regardless of current non-conforming features. Ms. Francolino asked if there would still be a sidewalk. Mr. Matlack answered yes and explain the design further. Ms. Francolino asked who is in charge of enforcing the maintenance of the walkway as there was a ladder, a chair, etc. that showed up one day and remained there. Mayor Broullon answered that DPW takes care of that and she will send them out there tomorrow.

Mr. Cobb, 11 Recreation, suggested that the public meant for the raised walkway to be 18 inches above the sidewalk rather than the current highest point and asked for reconsideration. Mayor Broullon repeated that this was voted on at the public meeting and noted that some in the audience were nodding in confirmation.

Gerry Scarano, 1 Seadrift, noted that he lives on the other side of Marine Place and expressed his concerns about the raised walkway would make it easier for people to trespass upon his adjoining property and the increasing number of people trespassing his property if the project continues on Marine Place East. He would rather that the project stays on the West side.

Joe Francolino, 12 Marine, suggested that there was a misunderstanding regarding the railing and asked for reconsideration with the idea of the cost savings that lowering the walking and eliminating the railing would create. Mr. Matlack expressed his concern of the impact on the timeline as this was not what was agreed upon at the meeting. Mr. Francolino asked if there was any way to reconsider without a meeting and fast-track the redesign.

Ms. Nau, 18 Waterwitch, suggested what may have caused the 18-inch with the railing misunderstanding. She thought that the origin of the height of the walkway was for children to see over the bulkhead and asked if the walkway was lowered, could children then see over the bulkhead. Mayor Broullon answered that it depended on the height of the child and that she'll look into it.

With no further comments from the public and Mayor Broullon asked if Mr. Matlack would give his Engineer's Report.

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Mr. Matlack gave an update on the Sanitary Sewer project, the Ederle Park and the Snug Harbor Park improvement projects, and the Hillside Avenue drainage project. Councilmember Melnyk asked for the follow up on 2 trees that were discussed at the recent preconstruction meeting on Ederle Park. Mr. Matlack answered that his tree expert had visited the site but that they hadn't connected so he would have to get back to Councilmember Melnyk and the Borough.

Mayor Broullon asked if Chief Burton, who was in the audience, wanted to piggyback on Mr. Matlack's report. Chief Burton replied in the affirmative and proceeded to the podium. He stated that with the number of projects going on borough-wide, he's asking for the public's patience with necessary detours and inconvenience. The construction company is coordinating with the police department and Borough Administrator to ensure daily communication to residents. Residents who are affected will be allowed to park in the municipal lots overnight.

Mayor Broullon asked if Mr. Muscillo had anything to add. Mr. Muscillo gave updates on the municipal building, the Waterwitch and North Street pumpstations, the dredging of Jones Creek, and the Borough's new upgraded AA rating from Standard & Poor's.

Mayor Broullon then gave updates on the skatepark, Twinlights drainage project, the EV charging station, the Frank Hall Park, grant applications, and Monmouth Hills.

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

PUBLIC PORTION:

Don Ryan, 363 Shore Dr., asked about the beach access on Matthew Street. Mayor Broullon answered that DPW will look into it.

Tina Kemmer, 164 Linden Ave., asked about the construction work end date. Mr. Matlack answered that it's hard to say with the contractor waiting for materials. They are test pitting in the meantime but there's no way to tell with the supply chain delays. Ms. Kemmer asked about the service road for her condo development. Mayor Broullon answered that Ms. Kemmer should talk with Mr. Muscillo. Ms. Kemmer asked for an amended timeline for construction. Mr. Matlack answered that he's working on it and will share it when ready.

Mike Cannon, 10 Central, made a suggestion regarding timing of the dredging at Snug Harbor for better results. He thanked Councilmember Melnyk for making the Harborside public access area available online but asked if there could be a more user friendly version made available to easier identify the public access. He also asked about the public parking as a condition of the condo construction. Mayor Broullon and Councilmember Melnyk answered that they will look into it. He then asked for clarification of the vote for regionalization in November. Mayor Broullon confirmed that a yes vote is for regionalizing the schools and that it would be an about \$1 million savings for both towns regardless of the share services agreement terms.

Barbara Domings, Bay Ave., asked about a Payment of Bills item for \$7,500 crated myrtle. Mayor Broullon clarified that it was for 20 myrtle trees. Ms. Domings thought it was supposed to be cherry trees. Councilmember Melnyk explained the tree choice. Ms. Domings asked why the county didn't pay for them as they are along the county road. Mayor Broullon answered that county paid for the initial trees but would not pay for the replacement of the dead trees.

Lori Hohenleitner, 119a East Highland Ave., Atlantic Highlands, Councilmember in Atlantic Highlands, stated that she wasn't going to comment on the negotiation right now but wanted commend Mayor Broullon and council for 100% fighting for Highlands residents' best interests. She's heartbroken that we're at this phase where we feel like there was a fast one pulled. She added that she was upset by it as she thought everyone was on the same page and that that was what was presented to her. She came tonight in good faith to show how much she cares about regionalization.

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Don Tarpey, 365 Shore Dr., wanted further clarification about public access at the Harborside condo development. Mayor Broullon answered that one would need to enter the development to access the public walkway. Mr. Tarpey stated that the current signs in the development say otherwise. Mayor Broullon replied that she can show Mr. Tarpey what's on the website.

With no further questions or comments from the public, Mayor Broullon closed Public Portion and asked if anyone on the dais had anything to add. No one had anything further to add.

ADJOURNMENT:

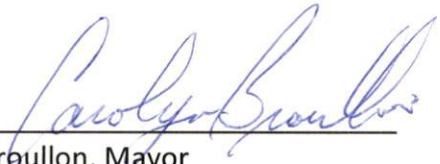
Offered by: Mayor Broullon

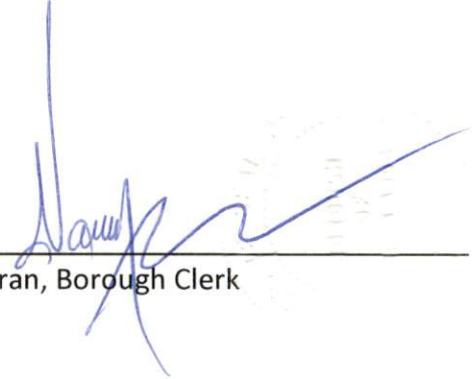
Seconded: Olszewski

All in Favor.

None opposed.

Adjourned at 8:39pm

Approve: 
Carolyn Broullon, Mayor

Attest: 
Nancy Tran, Borough Clerk