



Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands  
June 7, 2023 – Meeting Minutes

**REGULAR 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, 2023. Items listed on the agenda are subject to change.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Councilmember Cervantes, Councilmember Chelak Councilmember Melnyk, Council President Olszewski, and Mayor Broullon were present.

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

**PROCLAMATION:** Mayor Broullon read the Proclamation Congratulating Anna Weiner. Dr. Ann Petersen spoke a few words about Anna's character, drive, and work and presented her with flowers.

**APPROVAL OF MINUTES:**

May 17, 2023 Meeting Minutes

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Melnyk, Olszewski, Mayor Broullon

Abstain: Chelak

Absent: None

May 18, 2023 Special Joint Meeting Minutes

Motion: Mayor Broullon

Second: Chelak

Ayes: Chelak, Melnyk, Olszewski, Mayor Broullon

Abstain: Cervantes

Absent: None

**INTRODUCTION OF PROPOSED ORDINANCES:**

**ORDINANCE O-23-11**

**AMENDING CHAPTER 7A (TRAFFIC SCHEDULES), SECTION 7A-1 (SCHEDULE I: NO PARKING) OF THE CODE OF THE BOROUGH OF HIGHLANDS RELATING TO PARKING RESTRICTIONS ON MATTHEWS STREET**

**WHEREAS**, Chapter 7A (Traffic Schedules), Section 7A-1 (Schedule I: No Parking) of the Borough Code establishes parking restrictions on certain streets; and

**WHEREAS**, the Chief of Police and Municipal Engineer have analyzed and evaluated the Borough Code and recommended certain changes; and

**WHEREAS**, Matthews Street has approximately a 15 foot wide roadway width, where the Residential Site Improvement Standards requires that a neighborhood street with parking on one side should have a minimum of 23 feet of roadway width, thereby necessitating no parking on Matthews Street; and

**WHEREAS**, the governing body finds that these recommendations should be adopted for the general safety, health and welfare of the Borough; and

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**WHEREAS**, the Borough of Highlands is authorized to control parking on local roads pursuant to N.J.S.A. 39:4-8(b)(1) and N.J.S.A. 39:4-197(1)(f).

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

**SECTION I.** Borough Code Section 7A-1 entitled "Schedule 1: No Parking" is hereby amended by adding the following street:

Name of Street	Sides	Locations
Matthews Street	Both	North of its intersection with Shore Drive to its terminus

**ALL OTHER STREETS CONTAINED IN SCHEDULE I: NO PARKING REMAIN UNCHANGED.**

**SECTION II. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION III. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION IV. EFFECTIVE DATE.** This Ordinance shall take effect after final passage and publication as provided by law.

Mr. Ball to explained the Ordinance when asked by Mayor Broullon and asked Mr. Bennett to expand on further details. Mr. Bennett stated that Chief Burton asked for his review and he concluded that the width of the street did not meet the minimum requirement for parked vehicles and one-way traffic.

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

Clerk Tran stated motion carried to pass this ordinance on first reading with a public hearing to be held on June 21, 2023.

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

**ORDINANCE O-23-09**

**VACATING A PORTION OF OCEAN-VIEW AVENUE ADJACENT TO LOT 2, BLOCK 5 IN THE  
BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, N.J.S.A. 40:67-1, et seq., authorizes the governing body of every municipality to make, amend, repeal and enforce ordinances to vacate any public street, highway, lane or alley, or any part thereof; and

**WHEREAS**, pursuant to Section 8-3 of the Borough Code, an application for the instant street vacation was submitted by the adjacent property owner; and

**WHEREAS**, the portion of Ocean-View Avenue requested to be vacated is a paper street and was never opened by the Borough of Highlands; and

**WHEREAS**, the governing body of the Borough of Highlands has determined that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to the rights of way known as a portion of Ocean-View Avenue



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adjacent to Lot 2, Block 5 as shown on Schedule A attached hereto.

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

**SECTION I.**

A strip of land, ranging between 5.37 feet along Hillside Avenue and 7.64 feet along Thompson Avenue, being a portion of Ocean-View Avenue, more particularly described in the Description of a Portion of Ocean-View Avenue dated March 14, 2023 prepared by Robert K. Sanchez, P.L.S., of CME Associates attached hereto as Schedule A, is not needed for public purposes and, accordingly, all public right, title and interest in that portion of Ocean-View Avenue, subject to the exception for public utilities set forth in Section II below, are hereby abandoned, vacated, released and extinguished. This portion of the right of way shall become part of Block 5, Lot 2 in the Borough of Highlands.

**SECTION II.**

Pursuant to N.J.S.A. 40:67-1, this Ordinance expressly reserves and excepts from vacation all rights and privileges then possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186 (C. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, as described in Schedule A.

**SECTION III.**

An approximately 12-foot wide strip of land being a portion of Ocean-View Avenue, more particularly described in the Description of a Portion of Ocean-View Avenue dated March 14, 2023 prepared by Robert K. Sanchez, P.L.S., of CME Associates attached hereto as Schedule A, shall remain a right of way.

**SECTION IV.**

The Borough Clerk shall file a certified copy of this Ordinance with the Monmouth County Clerk's Office to be recorded in a book with proper index to be provided for the purpose and entitled 'vacations' pursuant to N.J.S.A. 40:67-21.

**SECTION V. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION VI. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION VII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage, publication, and recording with the Monmouth County Clerk's Office in accordance with law.

Mayor Broullon explained that an agreement has been executed to rectify the dead sod in the area before opening for public hearing. With no comments from the public, Mayor Broullon closed public portion.

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

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

**RESOLUTIONS:**

**RESOLUTION 23-136**

**AUTHORIZING THE AWARD OF A CONTRACT FOR SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES**

**WHEREAS**, the Borough of Highlands currently has a contract with Suburban Disposal, Inc. for solid waste and recyclable collection services and said contract is near its expiration date; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-1 et. seq., the Borough advertised and solicited bids for solid waste and recyclable material collection services; and

**WHEREAS**, in accordance with the aforesaid advertisement and solicitation of bids, Suburban Disposal, Inc. submitted the only bid for such services; and

**WHEREAS**, the Borough has determined that the aforesaid bid proposal met the specifications of this bid and Suburban Disposal, Inc. was determined to be a responsible bidder; and

**WHEREAS**, in accordance with the aforesaid base bid, Suburban Disposal, Inc., set forth the following proposal to provide solid waste and recyclable collection material to the Borough for a period of three (3) years with an option to extend the contract for a fourth and fifth year:

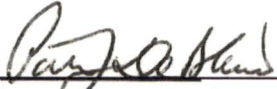
	<u>Solid Waste</u>	<u>Recycling</u>	<u>Total</u>
Year 1	\$ 406,000.00	\$ 102,000.00	\$ 508,000.00
Year 2	\$ 418,000.00	\$ 105,000.00	\$ 523,000.00
Year 3	\$ <u>435,000.00</u>	\$ <u>109,000.00</u>	\$ <u>544,000.00</u>
Totals:	\$1,259,000.00	\$ 316,000.00	\$1,575,000.00; and

**WHEREAS**, if the Borough elects to extend the contract beyond the three (3) year period, the contract may be extended for year four (4) in an amount not to exceed \$592,000.00 and for year five (5) in an amount not to exceed \$651,000.00; 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:

Acct # 3-01-26-306-000-284 & 3-01-26-309-000-220



Patrick DeBlasio, Chief Financial Officer

**NOW, THEREFORE BE IT RESOLVED**, that the Borough hereby awards the contract for solid waste and recycling collection services to Suburban Disposal, Inc., for a period of three (3) years at the aforesaid rates, beginning June 15, 2023 and ending June 15, 2026, with an option to extend the contract for an additional one (1) or two (2) years in the amounts set forth above, in accordance with the terms contained in the Bid Specifications and Proposal.

**BE IT FURTHER RESOLVED**, that this award is subject to the continued appropriation of necessary funds in the local municipal budget beyond the current year.

**BE IT FURTHER RESOLVED**, that the Mayor be and is hereby authorized to execute such contract as well as any and all documents necessary to effectuate the award of this contract as contained herein.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby directed to cause notice of this award to be published in accordance with applicable law and shall maintain a copy of the Contract on file for public inspection.



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**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to Suburban Disposal, Inc., the Public Works Superintendent, the Borough Engineer and the Borough Attorney.

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

**RESOLUTION 23-137  
APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2023-2024 TERM**

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

**WHEREAS**, the submitted, renewal application has been accepted via POSSE ABC, the Municipal Fees have been paid, a Tax Clearance Certificate, and, if necessary, a 12.39 Special Ruling was submitted and received approval from the State Alcohol Beverage Control Director, has been received 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 2023-2024 license term be and are hereby authorized:

<b>License Number</b>	<b>Licensee</b>	<b>Establishment</b>
1317-33-001-004	Bahrs Landing LLC	Active
1317-33-003-008	Claddagh of Highlands LLC	Inactive
1317-33-005-005	Sandy Hook Holdings LLC	Active
1317-33-007-003	Inlet Café Inc.	Active
1317-33-008-006	Seastreak LLC	Active
1317-32-009-008	Grala LLC	Active
1317-44-011-003	Monir Inc.	Active
1317-33-012-006	SmokeNMirrors LLC	Active
1317-33-015-007	Chilangos Restaurant Inc.	Active
1317-32-018-005	DDS Enterprises LLC	Active
1317-33-019-012	Atlantic Street Innkeepers LLC	Active
1317-32-021-003	Andy's Shore Bar	Active
1317-33-022-010	M&D Inc.	Active
1317-31-028-001	Highlands Post 6902	Active

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

**RESOLUTION 23-138  
AUTHORIZING COLLIERS ENGINEERING & DESIGN TO SUBMIT AN EMERGENCY AUTHORIZATION  
APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)  
FOR DISCRETIONARY AID FUNDING**

**WHEREAS**, excessive flooding occurred during a recent storm as a result of the inadequacy of the storm drainage network along Linden, Waterwitch and Bay Avenues in the Borough of Highlands; and



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**WHEREAS**, unless immediate action is taken to remediate the storm drainage network, the Borough is susceptible to similar flooding and damage in future significant storm events; and

**WHEREAS**, the flooding has been worsening each month and time is of the essence to remediate the problem, which remediation consists of the following:

- (a) Remediate the storm network flowing down Linden Avenue and Waterwitch Avenue.
- (b) Remove the undersized pipes and inlets along Waterwitch and Bay Avenues up to Snug Harbor Avenue at Jones Creek.
- (c) Install larger culvert pipes, additional inlets and a substantially larger pre-cast concrete box culvert, beneath Bay Avenue, with a direct connection to the terminating timber bulkheading of Jones Creek.
- (d) Remove or remediate the 36-inch Steel Swing Tide Gate on Jones Creek; and

**WHEREAS**, the excessive loss of property and closure of businesses can be mitigated if the culvert system and tide gate remedial work is implemented immediately; and

**WHEREAS**, expediting the culvert work and remedial work could result in potential saving of lives as the flood events result in flood water depths in excess of two (2) feet putting the public, residents, children and motorists' lives at risk; and

**WHEREAS**, the flooding occurrence results in "flash flooding" where the flood waters rise at Bay Avenue and Snug Harbor Avenue as much as three (3) feet above road grade within a four (4) hour window.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Highlands, that it hereby declares the remediation of the flooding hazard which negatively impacts the health and safety of motorists, pedestrians, business owners and residents an emergency.

**BE IT FURTHER RESOLVED**, by the governing body of the Borough of Highlands, that it hereby authorizes Colliers Engineering & Design to submit an emergency authorization application to the NJDEP for Discretionary Aid funding in order to expedite the design, obtain a Soil Erosion and Sediment Control Permit, receive authorization to advertise from local aid, and construct the new storm drainage network in a timely fashion thus meeting the needs of the Discretionary Aid Grant.

**BE IT FURTHER RESOLVED**, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, Colliers Engineering & Design and the Borough Attorney.

Mayor Broullon explained the need for making the emergency declaration in order to get going.

Motion: Mayor Broullon

Second: Melnyk

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

Abstain: None

Absent: None

**RESOLUTION 23-139**

**ACKNOWLEDGING PARTICIPATION IN THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
LEAD GRANT ASSISTANCE PROGRAM AND AUTHORIZING EXECUTION OF GRANT AGREEMENT**

**WHEREAS**, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent



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local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by the New Jersey Department of Community Affairs (“DCA”), or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

**WHEREAS**, pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

**WHEREAS**, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

**WHEREAS**, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

**WHEREAS**, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

**WHEREAS**, the Borough of Highlands has been awarded a grant for lead-based paint inspections in the estimated amount of \$7,600; and

**WHEREAS**, it is necessary for the Borough of Highlands to enter into the attached Grant Agreement with the DCA in order to receive the LGAP funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Highlands does hereby authorize the Mayor to execute the attached Grant Agreement, and thus bind Borough of Highlands to the Grant Agreement’s terms in order to receive the grant from the DLGS in the estimated amount of \$7,600.

Mayor Broullon explained the resolution prior to making the motion to approve.

Motion: Mayor Broullon

Second: Chelak

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

Abstain: None

Absent: None

Councilmember Melnyk motioned for R 23-141 to be moved out of Consent Agenda for discussion and voting. Mayor Broullon seconded. All were in favor.

**RESOLUTION 23-141  
SUPPORTING ASSEMBLY BILL S3906 PROVIDING \$4.32 BILLION OF  
“GIVE IT BACK” PROPERTY TAX RELIEF**

**WHEREAS**, the Senate recently introduced legislation, S-3906, that would provide property tax relief to every town and County in the State; and

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



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**WHEREAS**, the bill appropriates \$4.32 billion to the Department of the Treasury to provide funds to municipalities and counties for debt retirement and avoidance; and

**WHEREAS**, in accordance with the proposed legislation, money would be allocated from the New Jersey Debt Defeasance and Prevention Fund for this purpose; and

**WHEREAS**, the \$4.32 billion would be disbursed to towns and counties on a per capita basis, which means every local government in New Jersey would get a fair share; and

**WHEREAS**, under the plan, the Borough of Highlands would receive \$1.49 million that could be used to retire debt or fund capital projects of the town's choosing on a pay-as-you-go basis; and

**WHEREAS**, The Mayor and Council of the Borough of Highlands supports the efforts of the Senate and urges the New Jersey Legislature to approve the bill which would provide \$4.32 billion of "Give It Back" property tax relief to every town and County in New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands, that the Borough hereby supports passage of S-3906 and the allocation of funds to towns and counties for property tax relief.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall forward a certified copy of this Resolution to Governor Phil Murphy, Senate President Nicholas Scutari and Assembly Speaker Craig Coughlin.

Prior to his vote, Councilmember Melnyk stated that he was supportive of "Give It Back" but had issues with the source of the funding. Prior to her vote, Council President asked if the program dictates how the Borough is to spend the money and Mr. Ball answered.

Motion: Mayor Broullon

Second: Chelak

Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon

Nay: Melnyk

Abstain: None

Absent: None

**CONSENT AGENDA:** 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 23-140**

**SUPPORT OF ASSEMBLY BILL NO. A-4789 SUPPORTING AN INCREASE IN MUNICIPAL ENERGY TAX RECEIPTS PROPERTY TAX RELIEF AID TO OFFSET THE INCREASE IN LOCAL GOVERNMENT COSTS FOR EMPLOYEE HEALTH CARE AND PRESCRIPTION BENEFITS COVERAGE**

**WHEREAS**, Assembly Bill No. A-4789 which supports an offset to the increase in local government costs for employee health care and prescription benefits by an equivalent increase in municipal energy tax receipts property tax relief aid is being considered for adoption by the New Jersey State Assembly; and,

**WHEREAS**, this bill provides that, in the event that a municipality, due to an annual rate increase, is required to increase the amount it expends from the prior year to provide health care and prescription benefits coverage to its officers and employees, the State will increase the amount of annual aid distributed to the municipality under the "Energy Tax Receipts Property Tax Relief Act," P.L.1997, c.167 (C.52:27D-438 et seq.) by the equivalent amount to offset the increase in the employee health care and prescription benefits coverage expenditures; and

**WHEREAS**, the provisions of the bill apply when the health care and prescription benefits are provided through self-insurance, the purchase of commercial insurance or reinsurance, an



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insurance fund or joint insurance fund, the "New Jersey State Health Benefits Program Act," P.L.1961, c.49 (C.52:14-17.25 et seq.), or in any other manner or any combination thereof; and

**WHEREAS**, under the bill, the governing body of a municipality that is required to increase its expenditures to provide employee health care and prescription benefits coverage would submit the information concerning the amount of the annual increase to the Director of the Division of Local Government Services in the Department of Community Affairs in a manner and on such forms as determined by the Director. Prior to submission, the information is required to be certified by a business administrator or the chief financial officer; and

**WHEREAS**, the bill also provides that the exclusion of certain health care costs from the property tax levy calculation would not apply to a municipality which receives an increase in energy tax receipts property tax relief aid pursuant to the bill;

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Highlands, County of Monmouth, and State of New Jersey, hereby supports Assembly Bill A-4789 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and,

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the members of the NJ State; Assembly, the members of the NJ Senate, the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerks' Association of New Jersey, and all Monmouth County municipalities.

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

**RESOLUTION 23-142  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL  
ENGINEERING SERVICES IN CONNECTION WITH THE PREPARATION OF A  
PRELIMINARY ASSESSMENT FOR OVERLOOK PARK**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services in connection with the preparation of a Preliminary Assessment for Overlook Park, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, CME Associates has set forth its proposed services in a written proposal dated March 26, 2023, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the said proposal encompasses the preparation of a Preliminary Assessment for Block 40, Lot 11.01, 104 Navesink Avenue; and

**WHEREAS**, the proposed budget for completion of the Scope of Services with CME Associates is \$6,500.00, consisting of the following:

• Preliminary Assessment	\$ 5,500.00
• Direct Costs (Chain-of-Tile, Environmental Lien, Historical Reference Reports)	<u>\$ 1,000.00</u>
Total	\$ 6,500.00

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of CME Associates, 3759 Highway 1 South, Suite 100, New Jersey 08852 is so recognized; and

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

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CME Associates for the proposed engineering services in connection with the preparation of a Preliminary Assessment for Overlook Park as set forth in its proposal; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$6,500.00 for professional engineering services as stated in CME Associates' proposal dated March 26, 2023; and

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

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

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

I hereby certify that funds are available as follows: Acct #3-01-20-165-000-284

  
\_\_\_\_\_  
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. CME Associates is hereby retained to provide engineering services in connection with the preparation of a Preliminary Assessment for Overlook Park as described above and in their proposal dated March 26, 2023, for an amount not to exceed \$6,500.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

**RESOLUTION 23-143**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL  
ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO OVERLOOK PARK – FINAL  
DESIGN AND CONSTRUCTION PHASE SERVICES**

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

**WHEREAS**, CME Associates has set forth its proposed services in a written proposal dated May 24, 2023, a copy of which is available at the office of the Borough Clerk; and



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**WHEREAS**, the said proposal encompasses Final Design Phase Services and Construction Phase Services; and

**WHEREAS**, the proposed amount of the contract with CME Associates is \$35,300.00, consisting of the following:

• Final Design Phase Services	\$ 4,900.00
• Construction Phase Services	<u>\$ 30,400.00</u>
Total	\$ 35,300.00

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

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

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$35,300.00 for professional engineering services as stated in CME Associates' proposal dated May 24, 2023; and

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

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

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

I hereby certify that funds are available as follows: Acct #3-01-20-165-000-244

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

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

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

5. CME Associates is hereby retained to provide engineering services in connection with improvements to Overlook Park as described above and in their proposal dated May 24, 2023, for an amount not to exceed \$35,300.00.
6. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
7. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
8. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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

**RESOLUTION 23-144**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO VETERANS MEMORIAL PARK – FINAL DESIGN AND CONSTRUCTION PHASE SERVICES**

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

**WHEREAS**, CME Associates has set forth its proposed services in a written proposal dated May 24, 2023, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the said proposal encompasses Final Design Phase Services and Construction Phase Services; and

**WHEREAS**, the proposed amount of the contract with CME Associates is \$27,900.00, consisting of the following:

• Final Design Phase Services	\$ 4,700.00
• Construction Phase Services	<u>\$ 23,200.00</u>
Total	\$ 27,900.00

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

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

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$27,900.00 for professional engineering services as stated in CME Associates' proposal dated May 24, 2023; and

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

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

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

I hereby certify that funds are available as follows: Acct # 3-01-20-165-000-244

  
\_\_\_\_\_  
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.



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

9. CME Associates is hereby retained to provide engineering services in connection with improvements to Veterans Memorial Park as described above and in their proposal dated May 24, 2023, for an amount not to exceed \$27,900.00.
10. The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
11. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
12. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

**RESOLUTION 23-145**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO RUSSELL ACOUSTICS, LLC IN CONNECTION WITH MEASURING SKATE PARK SOUND LEVELS**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services in connection with measuring skate park sound levels; and

**WHEREAS**, Russell Acoustics, LLC has set forth its proposed services in a written proposal dated May 30, 2023, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the scope of work includes assessing the effects of different surface materials (and underlying construction) on sound emanations from skate park activities; and

**WHEREAS**, the proposed amount of the contract with Russell Acoustics, LLC is for an amount not to exceed \$8,000.00 inclusive of travel expenses, as set forth in its proposal dated May 30, 2023; and

**WHEREAS**, such professional services can only be provided by licensed professionals and the firm of Russell Acoustics, LLC, 633 Lacey Road, Forked River, New Jersey 08731 is so recognized; and

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to retain Russell Acoustics, LLC for the proposed engineering services in connection with measuring skate park sound levels; and

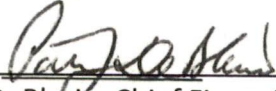
**WHEREAS**, Russell Acoustics, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit Russell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

**WHEREAS**, Russell Acoustics, LLC 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: Acct #3-01-20-165-000-244

  
\_\_\_\_\_  
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. Russell Acoustics, LLC is hereby retained to provide professional engineering services in connection with measuring skate park sound levels as outlined above for an amount not to exceed \$8,000.00 inclusive of travel expenses.
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

Abstain: None

Absent: None

**RESOLUTION 23-146**

**AFFIRMING THE BOROUGH OF HIGHLANDS CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Borough of Highlands to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to, the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and,

**WHEREAS**, the governing body of the Borough of Highlands determined that certain procedures need to be established to accomplish this policy.

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

**Section 1:** No official, employee, appointee or volunteer of the Borough of Highlands by whatever title known, or any entity that is in any way a part of the Borough of Highlands shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer or entity is engaged in or acting on behalf of the Borough of Highlands' business or using the facilities or property of the Borough of Highlands.

**Section 2:** The prohibitions and requirements of this Resolution shall extend to any person or entity, including but not limited to, any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Highlands to provide services that otherwise could be performed by the



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Borough of Highlands.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this Resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this Resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Highlands as well as all other entities subject to this Resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this Resolution.

**Section 7:** The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Borough Administrator shall cause a summary of this Resolution and the procedures established pursuant to this Resolution to be communicated within the Borough of Highlands. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this Resolution. This Resolution shall be posted on the Borough of Highlands' web site.

**Section 9:** This Resolution shall take effect immediately.

**Section 10:** A copy of this Resolution shall be published in the official newspaper of the Borough of Highlands in order for the public to be made aware of this policy and the Borough of Highlands' commitment to the implementation and enforcement of this policy.

**Section 11:** A certified copy of this Resolution shall be forwarded to the Borough Administrator, the Chief Financial Officer and the Borough Attorney.

Motion: Mayor Broullon

Second: Olszewski

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

Abstain: None

Absent: None

**RESOLUTION 23-147  
AUTHORIZING PAYMENT OF BILLS**

**WHEREAS,** certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated June 5, 2023, which totals as follows:

Current Fund	\$ 880,671.91
Sewer Account	\$ 11,318.31
Capital Fund	\$ 1,846,035.90
Trust-Other	\$ 157,065.76
Federal/State Grants	\$ 3,193.45
<b>Total</b>	<b>\$ 2,898,285.33</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ **2,898,285.33** 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  
Abstain: None  
Absent: None

**RESOLUTION 23-148  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL  
ENGINEERING SERVICES IN CONNECTION WITH THE IMPROVEMENTS TO  
BAYSIDE DRIVE AND MARIE AVENUE PROJECT**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services in connection with the Improvements to Bayside Drive and Marie Avenue project, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, CME Associates has set forth its proposed services in a written proposal dated March 1, 2023, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the said proposal encompasses sanitary sewer, storm sewer, concrete improvements and roadway resurfacing; and

**WHEREAS**, the proposed amount of the contract with CME Associates is \$46,900.00, consisting of the following:

• Survey and Base Map Services	\$ 10,000.00
• Design Phase Services	\$ 25,100.00
• Permit Phase Services	\$ 4,000.00
• Preparation of Bid Documents	\$ 3,900.00
• Bid Phase Services	<u>\$ 3,900.00</u>
Total	\$ 46,900.00

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

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed engineering services in connection with the Improvements to Bayside Drive and Marie Avenue project as set forth in its proposal; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$46,900.00 for professional engineering services as stated in CME Associates' proposal dated March 1, 2023; and

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

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



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**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: Acct #3-01-20-165-000-244

  
\_\_\_\_\_  
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:

13. CME Associates is hereby retained to provide professional engineering services in connection with the Improvements to Bayside Drive and Marie Avenue project as described above and in their proposal dated March 1, 2023, for an amount not to exceed \$46,900.00.
14. 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.
15. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
16. 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  
Abstain: None  
Absent: None

**RESOLUTION 23-149**  
**AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MEGHAN ANN BENNETT OF DILWORTH PAXSON LLP, AS BOND COUNSEL FOR THE BOROUGH OF HIGHLANDS**

**WHEREAS** on January 1, 2023 Meghan Ann Bennett of GluckWalrath LLP was appointed as Bond Counsel; and

**WHEREAS** on June 1 2023, Meghan Ann Bennett, Esq. of GluckWalrath LLP will become affiliated with the firm of Dilworth Paxson LLP; and

**WHEREAS** the governing body desires to amend the appointment of Bond Counsel and to enter into an agreement to reflect the affiliation of Meghan Ann Bennett with Dilworth Paxson LLP.

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

1. Effective immediately, Meghan Ann Bennett of the law firm Dilworth Paxson LLP is hereby retained for the provision of bond counsel services for the balance of the one-year term ending December 31, 2023, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on January 1st, 2023 for the calendar year 2023.
2. The Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the execution of said agreement with Meghan Ann Bennett of the law firm of Dilworth Paxson LLP.
3. This resolution shall take effect immediately.



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4. That a certified copy of this resolution shall be forwarded by the Borough Clerk to the Chief Financial Officer and to Meghan Ann Bennett, Esquire.

**REPORTS:** Mayor Broullon: gave updates on the Municipal Building construction, the Waterwitch pump station project, the Skate Park project, the Sanitary Sewer project, the EV charging station project, the Jones Creek dredging project, the Overlook Park project, the Frank Hall Park project, and regionalization. She also gave an update on total grants received so far and the upcoming bid opening for the Community Ratings System Coordinator.

Mr. Muscillo: gave an update on the marine place bulkhead remediation and noted that he submitted a grant application for cybersecurity.

With no further reports from the dais, Mayor Broullon opened Public Portion.

**PUBLIC PORTION:**

Tina Kemmer, Linden Ave., praised the Sanitary Sewer crew on their exceptional work in communicating with the residents and praised the Highlands Police Department on accommodating resident traffic during the work. She wanted further details on R 23-136 and if the contract included extra recycling pickups. Mr. Muscillo stated that Suburban was the only bid received and that they did not bid on the extra option. Ms. Kemmer expressed her disappointment for the lack of additional pickups, especially with the upcoming peak season and the current construction work exacerbating the problem. Mr. Muscillo suggested that he would speak with DPW to provide extra containers but Ms. Kemmer replied that that was not a solution. Mr. Ball stated that Local Public Contracts Law prohibited the Borough from negotiating with Suburban on the extra service without going out to bid. Mayor Broullon added that the Borough is bound to comply with Local Public Contracts Law and that the Borough's hands are tied with scheduling work on County roads. Mayor Broullon asked Mr. Muscillo to talk with DPW for possible solutions.

Jerry Serghis, Matthews St., thanked the Council for all the progress going on in town. He wanted to talk about O-23-11 relating to the parking on Matthews Street. He pleaded his case for keeping parking on Matthews Street and asked the Council for reasonable handicapped parking accommodations for access to his property. He passed out documents to support his case. Mr. Matlack stated that the right of way is 20ft. but only 15ft is paved, less than the minimum requirement to allow both through traffic and parking. Mr. Ball explained the required access to public space and asked for clarification about the existing handicapped parking space and signage. Mr. Ball stated that he would look into the status of the prior handicapped parking space and potential for maintaining one in the future. Mr. Serghis offered a possible solution.

With no further comments from the public, Mayor Broullon closed the Public Portion.

**EXECUTIVE SESSION:** 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: Rent Control Ordinance
- Pending or Anticipated Litigation

**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.



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Motion: Mayor Broullon

Second: Melnyk

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

Abstain: None

Absent: None

Council entered into Executive Session at 7:55pm and exited at 8:14pm.

**ADJOURNMENT:**

Offered by Mayor Broullon and seconded by Councilmember Chelak. All in Favor. None opposed.

Meeting adjourned at 8:14pm

Approve: \_\_\_\_\_

Carolyn Broullon, Mayor

Attest: \_\_\_\_\_

Nancy Tran, Borough Clerk