



Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 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.

PROCLAMATIONS:

Mayor Broullon read the Child Abuse Awareness and Prevention Month Proclamation.

APPROVAL OF MINUTES:

April 5, 2023 Meeting Minutes

Motion: Olszewski

Second: Melnyk

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

Abstain: None

Absent: None

April 5, 2023 Executive Session Minutes

Motion: Mayor Broullon

Second: Chelak

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

Abstain: None

Absent: None

April 12, 2023 Special Meeting Minutes

Motion: Olszewski

Second: Mayor Broullon

Ayes: Melnyk, Olszewski, Mayor Broullon

Abstain: Cervantes, Chelak

Absent: None

INTRODUCTION OF PROPOSED ORDINANCES:

ORDINANCE O-23-10

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$3,035,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,979,193 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$3,035,000, said sum being inclusive of all appropriations heretofore made therefor, including \$1,546,860 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), \$148,000 grant funds expected to be received from the Monmouth County Municipal Open Space Grant (MCOSG) Program, \$149,000 grant funds expected to be received from the State of New Jersey Department of Community Affairs Local Recreation Improvement Grant (LRIG) Program, \$75,000 grant funds expected to be received from the New Jersey Department of Environmental Protection (NJDEP), and the sum of \$55,807 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$2,979,193, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

i) reconstruction of Bayside Drive and Marie Avenue, with a total appropriation and estimated cost of \$560,000 including \$246,860 grant funds expected to be received from the NJDOT, estimated maximum amount of bonds and notes therefor of \$544,343, and an average period of usefulness of ten (10) years;

ii) road improvements to Washington Avenue, with a total appropriation and estimated cost of \$150,000, estimated maximum amount of bonds and notes therefor of \$142,500, and an average period of usefulness of ten (10) years;

iii) sidewalk/curb improvements at or in the vicinity of the Borough Municipal Building, with a total appropriation and estimated cost of \$75,000, estimated maximum amount of bonds and notes therefor of \$71,250, and an average period of usefulness of ten (10) years;

iv) various improvements to Overlook Park, with a total appropriation and estimated cost of \$250,000, including \$148,000 grant funds expected to be received from the MCOSG Program and \$74,000 grant funds expected to be received from the LRIG Program, estimated maximum amount of bonds and notes therefor of \$248,600, and an average period of usefulness of fifteen (15) years;

v) reconstruction of Linden Avenue, Waterwitch Avenue and Bay Avenue, with a total appropriation and estimated cost of \$1,300,000 including \$1,300,000 grant funds expected to be received from the NJDOT, estimated maximum amount of bonds and notes therefor of \$1,300,000, and an average period of usefulness of ten (10) years;

vi) various improvements to Veterans Memorial Park, with a total appropriation and estimated cost of \$150,000 including \$75,000 grant funds expected to be received from the LRIG Program, estimated maximum amount of bonds and notes therefor of \$146,250, and an average period of usefulness of fifteen (15) years;

vii) various improvements to Frank Hall Park, with a total appropriation and estimated cost of \$50,000, estimated maximum amount of bonds and notes therefor of \$47,500, and an average period of usefulness of fifteen (15) years;

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

viii) various improvements to the skatepark at Snug Harbor Park, including, but not limited to, fencing and sound buffering improvements, with a total appropriation and estimated cost of \$50,000, estimated maximum amount of bonds and notes therefor of \$47,500, and an average period of usefulness of fifteen (15) years;

ix) landscape design for various municipal parks within the Borough, with a total appropriation and estimated cost of \$50,000, estimated maximum amount of bonds and notes therefor of \$47,500, and an average period of usefulness of five (5) years;

x) acquisition of a public works pickup truck and lawnmower, and acquisition and installation of various hardware/software and related equipment for the Borough, with a total appropriation and estimated cost of \$250,000, estimated amount of bonds and notes therefor of \$237,500, and an average period of usefulness of 6.60 years; and

xi) acquisition and installation of an electric vehicle charging station for the municipal parking lot, with a total appropriation and estimated cost of \$150,000 including \$75,000 grant funds expected to be received from the NJDEP, estimated maximum amount of bonds and notes therefor of \$146,250, and an average period of usefulness of fifteen (15) years, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$2,979,193, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,035,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$3,035,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$55,807 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10.7168 years.

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,979,193 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$607,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Muscillo gave an overview of the purpose of the Bond Ordinance. Mayor Broullon explained that the Borough has to pay for the projects first and then it would get reimbursed with the awarded grant monies.

Motion: Mayor Broullon

Second: Chelak

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 May 3, 2023.

OTHER BUSINESS: Marine Place East Walkway Project Presentation

Mr. Matlack explained the CDBG grant. Mayor Broullon asked if this was different from the Open Space Grant for the Overlook Park project. Mr. Matlack said yes and then gave an overview of the proposed project. Mr. Matlack fielded questions from Mayor Broullon and Councilmember Melnyk

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

and stated that the design would mirror the recently completed Marine Place West Walkway Project, taking into consideration of the public's input in the design. Council President Olszewski asked about the chipped paint of Marine Place West Walkway and Mr. Muscillo stated that he's working with the contractor and maintenance bond people and hopes to report back with an answer before the public hearing.

Mayor Broullon opened the floor to the public. A gentleman asked if the rising sea bed was considered in designing the project. Mr. Matlack answered that the project does not include changing the current bulkhead and concluded the presentation with no other input from the public.

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 23-101.

APPOINTING BOROUGH PLANNER FOR BUSINESS DISTRICT AND RESIDENTIAL DEVELOPMENT MODIFICATIONS FOR THE CALENDAR YEAR 2023 AND AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, Phillips Preiss Grygiel Leheny Hughes LLC has served as the Borough Planner since 2020 providing professional services for business district and residential redevelopment modifications; and

WHEREAS, the Borough of Highlands continues to have a need for professional planning services to be provided to the Borough of Highlands for the calendar year 2023 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and Phillips Preiss Grygiel Leheny Hughes LLC are so recognized; and

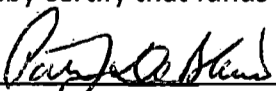
WHEREAS, Phillips Preiss Grygiel Leheny Hughes, LLC has set forth its proposed services in a written proposal dated April 10, 2023, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, Phillips Preiss Grygiel Leheny Hughes, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Phillips Preiss Grygiel Leheny Hughes, LLC 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 Phillips Preiss Grygiel Leheny Hughes, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, Phillips Preiss Grygiel Leheny Hughes, 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;

I hereby certify that funds are available as follows: 3-01-21-180-000-242



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. Phillips Preiss Grygiel Leheny Hughes, LLC is hereby appointed to serve as Borough Planner to provide professional services for business district and residential redevelopment

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

modifications for the calendar year 2023 and is awarded a professional services contract for the period of January 1, 2023 through December 31, 2023 for an amount not to exceed \$25,000.

2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Melnyk

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

Abstain: None

Absent: None

RESOLUTION 23-102

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE 2023 DISCRETIONARY AID PROJECT KNOWN AS ROADWAY AND DRAINAGE IMPROVEMENTS TO LINDEN AVENUE, WATERWITCH AVENUE, BAY AVENUE AND JONES CREEK

WHEREAS, the Borough of Highlands has a need for professional engineering services for the 2023 Discretionary Aid Project known as Roadway and Drainage Improvements to Linden Avenue, Waterwitch Avenue, Bay Avenue and Jones Creek pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Colliers Engineering & Design, Inc. has set forth its proposed services in a written proposal dated March 29, 2023, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the scope of work includes approximately 2,250 linear feet of new storm drains, inlets, pipes, curbs, pavement repair, new box culvert at Bay Avenue/Snug Harbor, and dredging/cleaning of Jones Creek; and

WHEREAS, the said proposal includes the following: Survey Services, CCTV Video of Culverts Down Linden Avenue and Waterwitch Avenue, Engineering Design Services and Traffic Control Plans, NJDOT and SCD Permits, and Environmental Permitting; and

WHEREAS, the proposed amount of the contract with Colliers Engineering & Design is \$117,500.00 and consists of the following:

Phase 1.0 – Survey Services	\$ 8,000.00
Phase 2.0 – CCTV Video of Culverts Down Linden Avenue And Waterwitch Avenue	\$ 6,000.00
Phase 3.0 – Engineering Design Services and Traffic Control Plans	\$ 52,000.00
Phase 4.0 – NJDOT and SCD Permits	\$ 6,000.00
Phase 5.0 – Environmental Permitting	\$ 37,500.00
Phase 6.0 – Estimate/PS&E Submission	\$ 5,000.00
Reimbursables	\$ <u>3,000.00</u>
Total Fee:	\$117,500.00; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, Inc., 2000 Midlantic Drive, Suite 100, Mount Laurel,

Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes

New Jersey 08054 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Colliers Engineering & Design, Inc. for the proposed professional engineering services in connection with the 2023 Discretionary Aid Project known as Roadway and Drainage Improvements to Linden Avenue, Waterwitch Avenue, Bay Avenue and Jones Creek; and

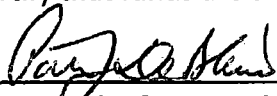
WHEREAS, this contract is to be awarded for an amount not to exceed \$117,500.00 for professional engineering services as stated in Colliers Engineering & Design, Inc.'s proposal dated March 29, 2023; and

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

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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

I hereby certify that funds are available as follows: Account #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. Colliers Engineering & Design, Inc. is hereby retained to provide professional engineering services for the 2023 Discretionary Aid Project known as Roadway and Drainage Improvements to Linden Avenue, Waterwitch Avenue, Bay Avenue and Jones Creek as outlined above in an amount not to exceed \$117,500.00.
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: Melnyk

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

Abstain: None

Absent: None

RESOLUTION 23-103

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 22-189, duly adopted on August 17, 2022, and 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 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: 3-01-20-15-000-258



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 2023, in an amount not to exceed \$18,587.25.
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.

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Melnyk

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

Abstain: None

Absent: None

RESOLUTION 23-104

**AUTHORIZING THE PREPARATION AND SUBMITTAL OF A COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDING APPLICATION FOR FISCAL YEAR 2024**

WHEREAS, the Mayor and Borough Council recognize that Marine Place is in need of improvements; and

WHEREAS, the Mayor and Borough Council wish to submit an application for the Community Development Block Grant in order to help offset the costs of said improvements; and

WHEREAS, the Borough Administrator and Engineer have presented the concept to be included in the application at a hearing on April 19, 2023; and

WHEREAS, the Mayor and Borough Council recognize that the aforementioned proposed improvement project is in the best interest of the Borough of Highlands; and

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

1. The Borough Administrator is authorized to prepare and submit a Community Development Block Grant Application to the Monmouth County Community Development Office for the Marine Place Pedestrian Improvements project.
2. A copy of the within Resolution shall be forwarded to the Borough Administrator, Borough Attorney, the Municipal Finance Officer, and a copy shall be maintained in the office of the Borough Clerk for public inspection.

Motion: Mayor Broullon

Second: Melnyk

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

Abstain: None

Absent: None

RESOLUTION 23-105

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;

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes**

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, Scarlet Reserve Room 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 and Highway Oriented Business zones of the Borough of Scarlet Reserve Room 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: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon
Abstain: None
Absent: None

**RESOLUTION 23-106
AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated April 14, 2023, which totals as follows:

Current Fund	\$ 942,698.03
Sewer Account	\$ 75,197.70
Capital Fund	\$ 668,769.21
Trust-Other	\$ 79,855.55
Federal/State Grants	\$ _____
Total	\$ 1,766,520.49

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 1,766,520.49 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: Cervantes, Chelak, Melnyk, Olszewski, Mayor Broullon
Abstain: None
Absent: None

Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
April 19, 2023 – Meeting Minutes

REPORTS:

Councilmember Melnyk: reported that the Borough was recognized by Tree City USA. He stated that several trees were lost since last year's planting and asked Mr. Muscillo if they would be replaced. Mr. Muscillo answered yes.

Councilmember Melnyk also reported that the Communications Committee is working on the Borough's mission statement and that the Open Space Committee is continually looking for grant opportunities. Mayor Broullon added that she's expect plans from the Landscape Architect for the Frank Hall Park by the end of the month.

Council President Olszewski: noted her anticipation of the mediation meeting on Friday for the Regionalization funding formula.

Councilmember Cervantes: reminded everyone of the upcoming 2nd Annual Fiesta de Mayo event on May 6th.

Mayor Broullon: reported on the Snug Harbor Park Improvements and noted that the basketball and tennis courts will be closed until Monday to allow the courts' surfacing and paint job time to cure.

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

PUBLIC PORTION:

Tina Kemmer, Linden Ave., stated her hope for better traffic management for the May 6th event and future townwide events. She thanked the Council for the recent Meet & Greet event and thought it was a great event to interact with Borough Council and staff. Ms. Kemmer then asked for clarification of O-23-10 and the payment of bills. Mr. Muscillo explained that the Linden Avenue project was to address the flooding from Monmouth Hills and that normally DPW handles brush pick up but Suburban Disposal assisted.

Bob Zilinski and Mark Zill, both Portland Rd., came to the podium to give an update on the HAT study that the Environmental Commission gave a presentation at a previous Council meeting. They also talked about the Army Corps of Engineer project specifically for Highlands and the Bayshore area that has approved funding. They wanted to make sure action is taken before another natural disaster should strike and volunteered their time to ensure that the agenda moves forward.

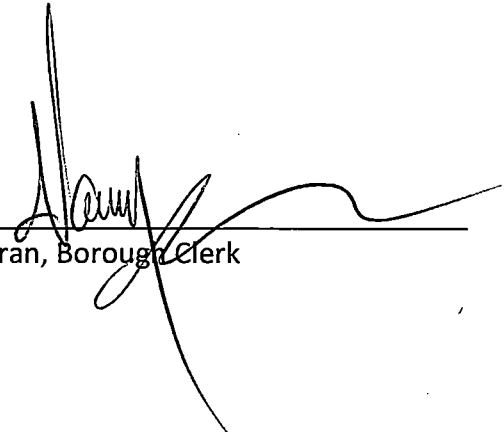
Joseph Dorin, Valley Ave., asked about the 14 North Peak Street property. Mayor Broullon and Clerk Tran reported the applicant's Land Use Board status.

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

ADJOURNMENT:

Offered by Mayor Broullon and seconded by Councilmember Melnyk. All in Favor. None opposed. Meeting adjourned at 7:33pm

Approve: 
Carolyn Broullon, Mayor

Attest: 
Nancy Tran, Borough Clerk