



Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
March 20, 2024 – Meeting Minutes

COUNCIL REGULAR MEETING: Meeting came to order at 7:00 PM

MEETING STATEMENT: The Borough Clerk read the public meetings statement.

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, 2024. Items listed on the agenda are subject to change.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Also in attendance were Administrator Michael Muscillo, Borough Attorney Andrew Ball, Esq., Borough Engineer Joseph Raftery, and Municipal Clerk Nancy Tran.

APPROVAL OF MINUTES

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Motion: Olszewski

Second: Mayor Broullon

Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

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Motion: Chelak

Second: Cervantes

Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

PUBLIC HEARING ON PROPOSED ORDINANCES: Borough Clerk Tran read the following ordinance by title:

ORDINANCE O-24-03

AMENDING CHAPTER 21 (ZONING AND LAND USE REGULATIONS), PART VII (FLOOD DAMAGE PREVENTION) ARTICLE XXIV (FLOOD DAMAGE PREVENTION), SECTION 21-112 (PERMITS)

WHEREAS, the governing body desires to revise Section 21-112 of the Zoning and Land Use Regulations, by adding a new application review fee.

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

SECTION I.

Borough Code Chapter Borough Code Chapter 21 (Zoning and Land Use Regulations), Part VII (Flood Damage Prevention), Article XXIV (Flood Damage Prevention), Section 21-112 (Permits), shall be amended as follows (all additions are shown in **bold with underlines**).

Section 21-112.6 Floodplain Development Permit Fees

The fee for the review of a Floodplain Development Permit Application shall be as follows:
One & Two-Family Dwellings: \$150

Nonresidential & Mixed Use: \$200

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 immediately upon its passage and publication in accordance with law.

With no comments from the Council and none from the public, Mayor Broullon made the motion to approve.

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

Borough Clerk Tran stated the ordinance passed on second and final reading.

INTRODUCTION OF PROPOSED ORDINANCES: Borough Clerk Tran read the following ordinance by title:

ORDINANCE O-24-04

AMENDING CHAPTER 22 (ENVIRONMENTAL PROTECTION) SECTIONS 22-1.2 (PURPOSE), 22-1.3 (DEFINITIONS AND WORD USAGE), 22-1.7 (REVIEW OF APPLICATIONS), ADDING NEW SECTION 22-1.8 (TREE REPLACEMENT REQUIREMENTS) AND APPENDIX A (BOROUGH OF HIGHLANDS SUGGESTED TREES AND SHRUBS) AND RENUMBERING THE REMAINING SECTIONS

WHEREAS, the governing body desires to amend Chapter 22 (Environmental Protection) Sections 22-1.2 (Purpose), 22-1.3 (Definitions And Word Usage), 22-1.7 (Review of Applications), add a new Section 22-1.8 (Tree Replacement Requirements) and renumber the remaining sections.

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

SECTION I.

Borough Code Chapter 22 (Environmental Protection), Section 22-1.2 (Purpose), shall be amended as follows (additions are shown in **bold with underlines**).

Section 22-1.2 Purpose

A.-B. No Change.

C. An ordinance to establish requirements for tree removal and replacement in The Borough of Highlands to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II.

Borough Code Chapter 22 (Environmental Protection), Section 22-1.3 (Definitions and Word Usage), shall be amended by adding the following definitions (additions are shown in **bold with underlines**).

Section 22-1.3 Definitions and Word Usage

CRITICAL ROOT RADIUS (CRR)

Means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

HAZARD TREE

Means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. 1. Has an infectious disease or insect infestation; 2. Is dead or dying; 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective; 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or 5. Is determined to be a threat to public health, safety

PLANTING STRIP

Means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

Means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

STREET TREE

Means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

TREE CALIPER

Means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

TREE REMOVAL

Means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III.

Borough Code Chapter 22 (Environmental Protection), Section 22-1.7 (Review of Applications), shall be amended as follows (additions are shown in **bold with underlines**).

- a. No change.
- b. When reviewing applications, the Tree Commissioner will, after inspecting the site, evaluating soil, location, grading, drainage and other conditions on the site and adjacent properties and consulting with such other officials, agencies, committees, boards and commissions as the Commissioner deems appropriate, determine if the regulated activity proposed is prohibited, permitted or restricted in accordance with this section. **If an application is for activity on a property that has a site plan or subdivision application pending with the Land Use Board, the Tree Commissioner shall not approve of any activity until the Land Use Board has rendered its decision. If no site plan or subdivision application is pending, then the Tree Commissioner shall not approve of any activity until after the Land Use Board provides its recommendation.**

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1. Prohibited regulated activities include:
 - (a) Clear cutting areas, outside of the limits of removal which collectively exceed forty (40%) percent of a lot.
 - (b) Removal of any trees.
 - (c) Any action that will substantially increase the potential of erosion.
 - (d) Removal of any vegetation, including trees with a DBH less than four (4) inches on a slope.
 - (e) Any action that will substantially change drainage patterns.
 - (f) Any action inconsistent with other land use approvals or regulations affecting the site.
 - (g) Any action that would create a potential hazard to persons or property.
 2. Restricted regulated activities include:
 - (a) All regulated activities, which are neither prohibited nor permitted, are restricted. Applications may propose a combination of prohibited, permitted and restricted activities. In such cases, the Tree Commissioner may segregate the activities proposed and take the appropriate action on each type of activity.
 - (b) Applications for restricted activities shall be referred to the Land Use Board for recommendation to the Tree Commissioner.
- c. No change.
d. No change.

SECTION IV.

Borough Code Chapter 22 (Environmental Protection), Section 22-1.8, shall be amended by adding a new Section 22-1.8 (additions are shown in **bold with underlines**).

NOTE TO CODIFIER: Re-number the following sections.

Section 22-1.8 Tree Replacement Requirements

A. Tree Replacement Requirements

1. **Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under subsection (C), shall be subject to the requirements of the Tree Replacement Requirements Table below.**
2. **Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6" or more per acre, unless otherwise detailed under subsection (C), shall be subject to the requirements of the Tree Replacement Requirements Table.**

The species type and diversity of replacement trees shall be in accordance with Appendix

A.

Replacement tree(s) shall:

1. **Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;**
2. **Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Tree Commissioner;**
3. **Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and**
4. **Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.**

Tree Replacement Requirements Table:

<u>Category</u>	<u>Tree Removed (DBH)</u>	<u>Tree Replacement Criteria (See Appendix A)</u>	<u>Application Fee</u>
<u>1</u>	<u>DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"</u>	<u>Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed</u>	<u>\$240.00</u>

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<u>2</u>	<u>DBH of 13" to 22.99"</u>	<u>Replant 2 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>\$420.00</u>
<u>3</u>	<u>DBH of 23" to 32.99"</u>	<u>Replant 3 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>\$840.00</u>
<u>4</u>	<u>DBH of 33" or greater</u>	<u>Replant 4 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>\$1,680.00</u>

B. Replacement Alternatives:

1. If the Tree Commissioner determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the Tree Commissioner.
 - b. Pay a fee as set forth in the Tree Replacement Requirements Table per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

C. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Tree Commissioner by all persons claiming an exemption:

1. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.
2. Tree farms in active operation, nurseries, fruit orchards, and garden centers; Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;
3. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
4. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
5. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
6. Hazard trees may be removed with no fee or replacement requirement.

NOTE TO CODIFIER: Existing Sections 22-1.8 (Protection of Existing Trees), 22-1.9 (Emergency Action) and 22-1.10 (Violations and Penalties) should be renumbered as 22-1.9 (Protection of Existing Trees), 22-1.10 (Emergency Action) and 22-1.11 (Violations and Penalties).

SECTION V.

Borough Code Chapter 22 (Environmental Protection), Appendix A, shall be added as follows:

Borough of Highlands Suggested Trees and Shrubs

Shrubs

- Boxwood
- Yew (dense yew)
- Emerald Green Arborvitae
- Laurel
- Scarlet Firethorn

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Red Twig Dogwood
Privet hedge
Japanese black pine
Leyland Cypress
Holly
Euonymus

Medium Trees [under 30 feet]

Eastern Redbud
Japanese Tree Lilac
Purple leaf plum
Crabapple

Large trees [over 30 feet]

Magnolia
Dogwood
Hornbeam
Linden
Zelkova
Hackberry

Replacement trees shall be planted in the fall prior to mid-October when possible, or at such other time as directed by the Tree Commissioner. Replacement trees shall not be planted in the winter.

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

SECTION VIII. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

Mayor Broullon explained the purpose of the ordinance. Council President Olszewski asked for clarification of the reason behind the measurements.

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

Borough Clerk Tran stated motion carried on first reading with a public hearing on April 17, 2024.

CONSENT AGENDA: Borough Clerk Tran read the following resolutions by title. Prior to her vote, Councilmember Chelak asked for purpose of the vehicle in R 24-088 and Mr. Muscillo answered that it was to replace a rusted vehicle. The consent vote is as noted:

**RESOLUTION 24-085
AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR GRINDER REPLACEMENT AT
THE SHORE SEWER PUMP STATION**

WHEREAS, the Borough of Highlands has a need to replace one of the grinders located at the Shore Sewer Pump Station; and

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WHEREAS, N.J.S.A. 40A:11-6.1 permits the award of a contract less than the bid threshold after soliciting at least two (2) competitive quotations; and

WHEREAS, the Borough has solicited quotations from at least two (2) contractors; and

WHEREAS, in a proposal dated March 18, 2024, Franklin Miller Inc. provided a quotation in the amount of \$15,742.00 for the Taskmaster Grinder, Model TM8524; and

WHEREAS, the Borough recommends awarding the contract to Franklin Miller Inc. in the amount of \$15,742.00 as it is the most advantageous, price and other factors considered.

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

1. That Franklin Miller Inc. is hereby awarded a contract for the sale of the Taskmaster Grinder, Model TM8524 for an amount not to exceed \$15,742.00.
2. That the contract and/or services to be rendered shall be in compliance with the Laws of the State of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract in accordance with this Resolution.
4. This contract is awarded without competitive bidding through the competitive quotation process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-6.1.
5. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Highlands. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

RESOLUTION 24-086

AUTHORIZING THE RELEASE OF A COMMUNITY CENTER RENTAL SECURITY DEPOSIT

WHEREAS, Noelle Pistilli submitted check #181 in the amount of \$250.00 as a security deposit for her dog training classes to be held at the Highlands Community Center;

WHEREAS, the check was deposited on June 20, 2023 in Account # T-03-56-850-023;

WHEREAS, upon the completion of all of her contracted events, the Borough's Community Center staff performed an inspection and confirmed that the Center was in satisfactory condition after the event; and

WHEREAS, Ms. Pistilli has requested a return of the security deposit; and

WHEREAS, the Borough's Recreation Supervisor has recommended the return of the aforementioned escrow deposit.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the Borough's Finance Officer is hereby authorized to return the security deposit in the amount of \$250.00 to Noelle Pistilli.

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BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this Resolution to the following:

1. Borough Finance Officer
2. Noelle Pistilli

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

**RESOLUTION 24-087
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:

BLOCK	LOT	YEAR	AMOUNT	NAME
100	18	2023/2024	\$8,614.87	Michael Eckert

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

**RESOLUTION 24-088
AUTHORIZING THE PURCHASE OF A 2024 FORD SUPER DUTY F-450 TRUCK
THROUGH SOURCEWELL**

WHEREAS, pursuant to N.J.S.A. 52:34-6.2(b)(3), the Borough may by resolution and without advertising for bids, purchase any goods or services using a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit; and

WHEREAS, the Borough of Highlands wishes to purchase a 2024 Ford Super Duty F-450 DRW (F4H) XL 4WD Reg Cab 145" WB 60" CA, Galion Model truck utilizing Sourcwell National Cooperative Purchasing Program Contract No. 091521-NAF, in the total amount of \$115,905.04; and

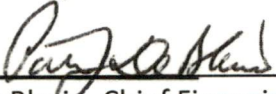
WHEREAS, National Auto Fleet Group, with offices located at 490 Auto Center Drive, Watsonville, CA 95076, is an authorized vendor under Sourcwell Contract No. 091521-NAF; and

WHEREAS, National Auto Fleet Group has submitted a re-configured proposal dated February 6, 2024, quoting a 2024 Ford Super Duty F-450 truck in the total amount of \$115,905.04; 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# C-04-23-101-000-210



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highlands authorizes the purchase of a 2024 Ford Super Duty F-450 DRW (F4H) XL 4WD Reg Cab 145" WB 60" CA, Galion Model truck in an amount not to exceed \$115,905.04.

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator and Borough Clerk be and are hereby authorized and directed to take all steps necessary to purchase the aforementioned 2024 Ford Super Duty F-450 truck from National Auto Fleet Group, including executing a contract.

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

**RESOLUTION 24-089
AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated March 20, 2024, which totals as follows:

Current Fund	\$ 1,296,018.45
Sewer Account	\$ 71,697.85
Capital Fund	\$ 136,640.72
Trust-Other	\$ 27,202.59
Federal/State Grants	\$ 2,315.00
Total	\$ 1,533,874.61

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 1,533,874.61 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: Olszewski
Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon
Nays: None
Abstain: None
Absent: Melnyk

**RESOLUTION 24-090
ACCEPTING DONATION BY THE HIGHLANDS GARDEN CLUB FOR THE INSTALLATION OF A
SPRINKLER SYSTEM AT THE DOUGHBOY MONUMENT**

WHEREAS, as a donation to the Borough of Highlands, the Highlands Garden Club (hereafter the "Garden Club") has offered to install a sprinkler system at the Doughboy Monument in the Borough of Highlands, with the installation being performed by the Garden Club's contractor and the cost of installation to be borne by the Garden Club; and

WHEREAS, the Borough of Highlands is authorized to accept donations by gift of in-kind items and services for the maintenance of public parks pursuant to N.J.S.A. 40:12-29; and

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WHEREAS, pursuant to N.J.S.A. 40:12-29, any solicitation for a donation of \$7,500 or more in value shall be made a matter of public record by the municipality by adoption of a Resolution; and

WHEREAS, the material and labor to be provided by the Garden Club's contractor equates to \$7,800; and

WHEREAS, after the installation of the sprinkler system, the Borough of Highlands shall maintain and repair the system.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Highlands, hereby accepts the donation from the Highlands Garden Club to install a sprinkler system at the Doughboy Monument, with the installation being performed by the Garden Club's contractors and the cost of installation, which equates to \$7,800, being borne by the Garden Club.

Motion: Mayor Broullon

Second: Olszewski

Ayes: Cervantes, Chelak, Olszewski, Mayor Broullon

Nays: None

Abstain: None

Absent: Melnyk

OTHER BUSINESS: Shade Tree Commissioner: Mayor Broullon asked Mr. Ball whether a temporary Shade Tree Commissioner needs to be named immediately due to the recent resignation of Mr. Christian Lee. Mr. Ball answered that an appointment can be made at the next meeting.

State Cross Acceptance: Mayor Broullon explained the necessary actions needed by Highlands that the Monmouth County Division of Planning required by April 8th. The Council discussed possible candidates for the committee.

REPORTS:

Council President Olszewski gave school updates.

Councilmember Chelak reported her recent meeting with the CRS Coordinator Kathy Shaw and gave updates regarding the Environmental Commission.

Councilmember Cervantes noted that the St. Patrick's Day parade on Saturday will take place rain or shine. Mayor Broullon added that it is low tide at the parade start time.

Council President Olszewski added that she recently attended a meeting on the Monmouth County 250th Anniversary planning and learned of some potential grant opportunities.

With no further reports, Mayor Broullon opened public portion.

PUBLIC PORTION:

Matt O'Connor, 1 Scenic Dr., shared his concerns about a recent water project that the Eastpointe Condo Association undertook and asked for assistance in investigating whether the project was done properly with required permits. Mayor Broullon asked him to forward any documents he has to Mr. Muscillo to follow up.

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.

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RESOLUTION TO ENTER EXECUTIVE SESSION

BE IT RESOLVED that the following portion of this meeting shall not be open to the public,

BE IT FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- PBA Contract

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists.

Motion: Mayor Broullon

Second: Chelak

All in favor. None opposed. Councilmember Melnyk was absent.

Council entered into Executive Session at 7:29pm and exited at 7:36pm.

ADJOURNMENT:

Offered by Mayor Broullon and seconded by Council President Olszewski. All in Favor. None opposed. Councilmember Melnyk was absent. Meeting adjourned at 7:36pm.

Approve: Carolyn Broullon
Carolyn Broullon, Mayor

Attest: Nancy Tran
Nancy Tran, Borough Clerk

