



Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
June 1, 2022– Meeting Minutes

MEETING: Meeting came to order at 7:00 PM

MEETING STATEMENT: The following public meetings statement was read.

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2022. Items listed on the agenda are subject to change.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

APPROVAL OF MINUTES:

May 18, 2022 Regular Meeting Minutes

Motion: Mayor Broullon

Second: Chelak

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

Absent: None

May 18, 2022 Executive Session Minutes

Motion: Mayor Broullon

Second: Olszewski

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

Absent: None

PUBLIC HEARING ON PROPOSED ORDINANCES:

O-22-12 Ordinance Removing Restricted Parking Space in Front of Residence Occupied by Person with Disabilities Mayor Broullon explained the ordinance before opening for Public. With no comments from the Public, Mayor Broullon motioned to close public hearing and to carry to adopt.

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

Second: Melnyk

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

Nays: None

Abstain: None

Absent: None

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

RESOLUTIONS:

RESOLUTION 22-133

APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2022-2023 TERM

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

WHEREAS, the submitted, renewal application has been accepted via POSSE ABC, the Municipal Fees have been paid and a Tax Clearance Certificate 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

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

License Number	Licensee	Establishment
1317-33-001-004	Bahrs Landing LLC	Active
1317-33-003-008	Claddagh of Highlands LLC	Inactive
1317-33-005-005	Sandy Hook Holdings LLC	Active
1317-33-006-005	Harbor Pointe Yacht Club LLC	Inactive
1317-33-007-003	Inlet Café Inc.	Active
1317-33-008-006	Seastreak LLC	Active
1317-32-009-008	Grala LLC	Active
1317-33-010-012	181 Hospitality LLC	Inactive
1317-44-011-003	Monir Inc.	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 Inc.	Active
1317-33-024-017	La Bise LLC	Inactive
1317-31-028-001	Highlands Post 6902 VFW of US	Active

Motion: Mayor Broullon

Second: Melnyk

Ayes: Chelak, Melnyk, Olszewski, Mayor Broullon

Nays: None

Recuse: Cervantes

Absent: None

RESOLUTION 22-134

APPROVING CLOSE OUT CHANGE ORDER AND DECLARING ACCEPTANCE OF THE CONTRACT FOR DRAINAGE IMPROVEMENTS TO BARBERIE AVENUE

WHEREAS, by way of Resolution 22-049 duly adopted on January 19, 2022 Compass Construction was awarded a contract associated with drainage improvements to Barberie Avenue; and

WHEREAS, the contract awarded to Compass Construction was in the amount of \$35,275.00; and

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

WHEREAS, CME Associates has advised that the Closeout Change Order results in a decrease in the project cost from the original amount of \$35,275.00 to an adjusted total of \$34,400.00, for a decrease of \$875.00, as specifically set forth in their correspondence dated May 23, 2022; and

WHEREAS, in accordance with the requirements of the aforesaid contract, Compass Construction has submitted a two (2) year Maintenance Bond in the amount of \$5,160.00, which represents fifteen (15) percent of the final Contract Amount; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, that based on the above recommendations from the Project Engineer, CME Associates, that the Closeout Change Order changing the original contract amount to \$34,400.00, for a decrease of \$875.00, be and is hereby approved.

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

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BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands that it authorizes the acceptance of the two (2) year Maintenance Bond No. B 1256932 in the sum of \$5,160.00 issued by Selective Insurance Company.

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

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release Performance Bond No. 1256932 issued by Selective Insurance Company in the amount of \$35,275.00.

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

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

Mayor Broullon noted that the project was completed under budget prior to motioning.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-135
RESOLUTION AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated May 27, 2022, which totals as follows:

Current Fund	\$ 106,900.45
Sewer Account	\$ 9,251.04
Capital Fund	\$1,070,937.66
Trust-Other	\$ 13,011.21
Federal/State Grants	\$ 35,424.42
Total	\$ 1,235,524.78

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,235,524.78** 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: Melnyk

Second: Chelak

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION 22-136
IN SUPPORT OF CANNABIS ESTABLISHMENT**

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

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

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

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

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

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

WHEREAS, Bridge City Collective Highlands LLC has expressed interest in the siting of such a facility within the Borough of Highlands.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council supports the safe and appropriate siting of an adult-use cannabis dispensary within the Central Business District zone(s) of the Borough of Highlands by Bridge City Collective Highlands LLC 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.

Mayor Broullon noted that there were edits to review. Mr. Ball gave overview of the resolution and the edits for consideration – change of title and addition of last paragraph. He also noted that the Governing Body is not approving the license and that any applicant will have to go to State for approval.

Council President Olszewski asked if doing this closes the door to other interested parties. Mayor Broullon answered that there were 6 interested parties but this is the only one to come this far. Councilmember Chelak noted that the applicant is a medical dispensary for many years. Mayor Broullon added that they currently operate in 4 states. Councilmember Cervantes asked if the process is the liquor license process. Mayor Broullon answered that this is just a letter of support and there will only be 1 business in Highlands. Councilmember Melnyk added that this is an important vetting process.

Motion: Mayor Broullon to approve amended resolution

Second: Melnyk

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

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Nays: None
Abstain: None
Absent: None

CONSENT AGENDA: Acting 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 22-137

AUTHORIZING PLEDGE OF MUNICIPAL SUPPORT FOR NEW JERSEY'S WILDLIFE ACTION PLAN

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities,

WHEREAS, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people,

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats,

WHEREAS, it is more cost—effective to prevent species from becoming imperiled than it is to recover them once their populations have declined,

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non—profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State,

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey,

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, we, the Borough of Highlands, resolve to take the following steps with regard to our municipal land—use decisions with the intent of making the Borough of Highlands an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

We will identify imperiled species, critical habitat and unique ecosystems in our Environmental Resource Inventory.

Acknowledging that it is more cost—effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.

Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.

We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.

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We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.

When possible and appropriate, we will work with neighboring municipalities to implement the principles across municipal boundaries.

When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-138

MUNICIPAL SUPPORT FOR RESPONSIBLE PET OWNERSHIP PROGRAMS IN THE COMMUNITY

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

WHEREAS, legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s);

WHEREAS, there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS, New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS, State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS, the New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS, New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators;

WHEREAS, New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities;

WHEREAS, approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3000 every month;

WHEREAS, free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS, stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals;

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WHEREAS, it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS, all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats;

WHEREAS, all municipalities are required to canvass their residents to locate unlicensed dogs;

NOW THEREFORE, we the municipality of the Borough of Highlands resolve to take the following steps with regard to our municipal responsibilities with the intent of making the Borough of Highlands a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR programs.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.
- Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.
- Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.
- Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-139

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR BEACH SIFTING AT SNUG HARBOR BEACH AND MILLER STREET BEACH FOR THE SUMMER OF 2022

WHEREAS, the Borough of Highlands has a need for beach sifting services at Snug Harbor Beach and Miller Street Beach for the Summer of 2022 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Andrew Fitzpatrick has submitted a proposal in the amount of \$8,220.00 to sift Snug Harbor Beach and Miller Street Beach once a week for twelve (12) weeks beginning on June 18, 2022 until Labor Day, September 5, 2022; and

WHEREAS, said proposal will not exceed the Borough's bid threshold; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$8,220.00 for the aforesaid services; and

WHEREAS, the Borough has obtained at least two competitive quotations pursuant to N.J.S.A. 40A:11-6.1; and

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WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Andrew Fitzpatrick to perform beach sifting services at Snug Harbor Beach and Miller Street Beach for the Summer of 2022, as his response is most advantageous to the Borough, price and other factors considered; and

WHEREAS, Andrew Fitzpatrick has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 Andrew Fitzpatrick from making any reportable contributions through the term of the contract; and

WHEREAS, Andrew Fitzpatrick has completed and submitted a Political Contribution 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 #2-01-28-376-000-181



Patrick DeBlasio, Chief Financial Officer

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

1. Andrew Fitzpatrick is hereby retained to provide beach sifting services at Snug Harbor Beach and Miller Street Beach once a week for twelve (12) weeks beginning on June 18, 2022 until Labor Day, September 5, 2022 in an amount not to exceed \$8,220.00.
2. The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-140

APPROVING REQUEST FOR WAIVER OF ALCOHOL BAN FOR COMMUNITY CENTER RENTAL

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that Dina Picchione's request for a waiver of the alcohol prohibition is approved for the private event to be hosted on July 17, 2022, from 12-4pm;

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

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

RESOLUTION 22-141
APPOINTING NANCY TRAN TO SERVE IN THE POSITION OF REGISTRAR

WHEREAS, pursuant to N.J.S.A. 26:8-15, “Any vacancy occurring in the office of local registrar shall be filled in the same manner as an original appointment but for the unexpired term only”; and

WHEREAS, by way of Resolution 22-042, duly adopted January 1, 2022, Donna Conrad was appointed to serve as Registrar to fill the unexpired term of Michelle Hutchinson who had resigned her position; and

WHEREAS, by way of Resolution 22-042 and in accordance with N.J.S.A. 26:8-15, Donna Conrad was appointed to serve as Registrar to fill the unexpired term until September 2, 2023; and

WHEREAS, the position of Registrar became vacant on May 26, 2022, due to the resignation of Donna Conrad; and

WHEREAS, the Borough wishes to appoint Nancy Tran to serve as the Registrar for the remainder of the unexpired term.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Nancy Tran is hereby appointed to serve as Registrar until September 2, 2023, effective May 27, 2022.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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

RESOLUTION 22-142
Urging the Swift Passage of S-330 Which Restores Energy Tax Receipts

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State’s General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been

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able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highlands in the county of Monmouth urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assemblyman Scharfenberger, Assemblywoman Flynn, Congressman Pallone Jr., Senator O'Scanlon, Senator Menendez, Senator Booker, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

RESOLUTION 22-143

AUTHORIZING CONTRACT FOR CONSULTING SERVICES TO ASSIST THE BOROUGH OF HIGHLANDS POLICE DEPARTMENT WITH DEVELOPING A CUSTOMIZED POLICY MANUAL, ACCREDITATION AND AN ONLINE IN-SERVICE TRAINING MODULE PROGRAM

WHEREAS, pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play Laws), the Borough must award by resolution all goods and services contracts with a dollar amount between \$17,500 and \$43,999. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Borough; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services falls between \$17,500 and the bid threshold of \$44,000 in the aggregate, an approval by resolution must be in place; and

WHEREAS, the Borough of Highlands Police Department has determined there is a need for services to develop a customized policy manual and for an online, in-service training module program; and

WHEREAS, The Rodgers Group, LLC (hereafter The Rodgers Group) is the only firm that provides such services, therefore, the solicitation of quotations for such services is impracticable and additionally such services constitute extraordinary, unspecifiable services pursuant to N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, The Rodgers Group provided a quotation in the amount of \$29,900.00 to update and rewrite the Police Department written directive system including SOP's General Orders and Rules and Regulations to make them compliant with all laws, Attorney General Guidelines and the standards required for NJSACOP Accreditation, and a quotation of \$2,937.60 to provide an online in-service training module program for a total of \$32,837.60; and

WHEREAS, the Borough desires to retain the services of The Rodgers Group for a contract term not to exceed two (2) for the above-noted consulting services; and

WHEREAS, The Rodgers Group completed and submitted a Business Entity Disclosure Certification which certifies the business entity has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit The Rodgers Group from making any reportable contributions through the term of the contract.

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

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1. The Rodgers Group is hereby retained to provide the above-noted consulting services in a total amount not to exceed \$32,837.60 in accordance with the terms of a contract or contracts to be entered into between the Borough and The Rodgers Group.
2. The Mayor and Borough Clerk are hereby authorized to sign a contract or contracts with The Rodgers Group in accordance with this Resolution.

Motion: Mayor Broullon

Second: Olszewski

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

Nays: None

Abstain: None

Absent: None

REPORTS:

Mayor's Report: Mayor Broullon gave construction updates on the North Street pump upgrades, Snug Harbor Park Improvements, Skate Park, Barberie Ave. drainage, Marine Place wall, Matthew and King Streets, South Bay and Hillside Aves., Phase I Sanitary Sewer Improvements, Municipal Building, and the Waterwitch Pump Station.

She also gave updates on upcoming projects – Marine Place elevated walkway, Ederle Park, Veterans Park, Overlook Park, Frank Hall Park, Charging Station, and South Bay and Hillside Aves. Drainage.

Mayor Broullon gave updates on Redevelopment projects – Captain's Cove, Shadow Lawn, and Central Business District.

She then updated on grants awarded and submitted, upcoming events, and the new dog park at Popamora Point.

Administrator's Report: Mr. Muscillo reported recent anti-harassment training for staff. Mayor Broullon pretty much covered construction updates.

Engineer's Report: Mr. Matlack gave updates on: Phase I Sanitary Sewer, Ederle Park, South Bay and Hillside Aves. Drainage improvement, Marine Place Walkway. He's also working on getting FEMA's CRS determination for Highlands to be eligible for lower flood insurance rate. It's a long process. Mayor Broullon added that she's heard from residents who were available to volunteer if needed.

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

PUBLIC PORTION:

Barbara Domings, 247 Bay Ave., asked if the Phase I project include Atlantic Street. Mayor Broullon answered that residents will be notified as the project progresses. Ms. Domings asked if the dog park will have a small dog section. Mayor Broullon answer that she thinks so but will follow up. Ms. Domings asked for clarification of the Trust on the Payment of Bills. Mr. Muscillo answered that it is monies received for specific items/projects. Mayor Broullon answered that it was storm recovery funds that were received.

Tina Kemmer, 164 Linden, asked for the update on the Slope Ordinance. Mayor Broullon answered that the public hearing will be at the next Council meeting. Ms. Kemmer asked about the sanitation budget and if it included consideration for recycling. Mr. Muscillo answered that he's still working on it. We recently extended contract for 1 year and that additional recycling services could cost about \$50,000 per month. Ms. Kemmer asked if the cannabis business was medicinal or recreational and its proposed location. Councilmember Melnyk answered that it was recreational and that it's in the designated zone. Mr. Ball answered that we waiting for the application. Ms. Kemmer referenced Red Bank's cannabis ordinance. Mayor Broullon answered that Highlands pass its own extensive ordinance last year. Ms. Kemmer thought the Companion Animal Resolution was a good start but it does not address the town's feral animal problems. She asked if the Highlands Police Department have plans in place to address fireworks. Chief Burton, who was in the audience, said that he could discuss it further with her after the meeting.

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Joe Dorin, 102 Valley, reported his ongoing problems with the neighboring project at 14 North Peak St.

With no further comments, Mayor Broullon closed Public Portion.

EXECUTIVE SESSION: Cancelled

ADJOURNMENT:

Offered by: Mayor Broullon

Seconded: Melnyk

All in Favor.

None opposed.

Adjourned at 7:42pm

Approve: _____

Carolyn Broullon, Mayor

Attest: _____

Nancy Tran, Acting Borough Clerk