

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands September 1, 2021– Meeting Minutes**

EXECUTIVE SESSION 6:30PM

REGULAR MEETING: 8:00PM - MEETING STATEMENT:

The Borough Clerk read the public meetings statement.

This is a meeting of the Borough Council September 1, 2021. 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, 2021.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Martin, Councilmember Mazzola, Councilmember Melnyk, Council President Olszewski, and Mayor Broullon were all Present.

Absent: None

Also in attendance were Borough Attorney Brian Chabarek, Esq., Administrator Michael Muscillo, Engineer Bennett Matlack, and Municipal Clerk Michelle Hutchinson

Certificate of Appreciation/Proclamation

Mayor read Proclamation for Hunger Action Month September 2021

Approval of Minutes

August 18, 2021 Executive Meeting Minutes

August 18, 2021 Regular Meeting Minutes

August 23, 2021 Special Meeting Minutes

Offered by Mayor Broullon Seconded by Council President Olszewski to adopt minutes.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES:

Borough Clerk Michelle Hutchinson read the following ordinance by title:

1. O-21-30 An Ordinance Amending Section 2-41.2 Of The Borough Code Regarding Application Procedure For Requests For Use Of The Community Center

Mayor opened to the public.

No comment.

Mayor opened to Council.

No Comment.

It was moved by Mayor Broullon and seconded by Councilmember Mazzola to close public hearing and carried to adopt this ordinance on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Abstention: None

Absent: None

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

2. O-21-31 An Ordinance Amending Chapter 4-14 Of The Borough Code Regarding Short-Term Rentals
Councilmember Mazzola inquired why the number of units were changed.

Mayor explained.

A Motion was made to amend the Ordinance to correct a typographical error contained in Section 4-14.3(b)(6) which read “Not more than two units in any mixed-used building” and replace the word “used” with the word “use”, so it reads, “Not more than two units in any mixed-use building.”

Motion was made by Mayor Broullon, Seconded by Councilmember Mazzola.

Roll Call Vote to amend the Ordinance:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

Nays: None

Mayor opened to the public.

No comment.

Mayor opened to Council.

No Comment.

It was moved by Mayor Broullon and seconded by Councilmember Mazzola to close public hearing and carried to adopt this ordinance as amended on second and final hearing.

Roll Call Vote:

Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon

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Nays: None
Abstention: None
Absent: None
Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

3. O-21-32 An Ordinance Amending Chapter 7-3.8 Of The Borough Code Regarding Permit Parking For Residents
Mayor opened to the public.
No comment.
Mayor opened to Council.
No Comment.
It was moved by Mayor Broullon and seconded by Councilmember Mazzola to close public hearing and carried to adopt this ordinance on second and final hearing.
Roll Call Vote:
Ayes: Martin, Mazzola, Melnyk, Olszewski, Mayor Broullon
Nays: None
Abstention: None
Absent: None
Borough Clerk Hutchinson stated motion carried to pass this ordinance on second and final reading.

RESOLUTIONS:

RESOLUTION 21-171
RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated, August 25, 2021 which totals as follows:

Current Fund	\$176,601.56
Sewer Account	\$ 2,512.14
Capital Fund	\$ 4,770.00
Trust-Other	\$ 20,240.55
Federal/State Grants	\$ 7,223.78
Total	\$211,348.03

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$211,348.03 to 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 to Approve R-21-171:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-172
A RESOLUTION GRANTING PERMISSION AS THE UPLAND OWNER FOR FLOATING DOCKS IN CONNECTION WITH A TIDELANDS LICENSE RENEWAL APPLICATION SUBMITTED BY HIGHLANDS WATERFRONT, LLC.

WHEREAS, Highlands Waterfront LLC., is the owner of property located at Block 50, Lot 1 and is

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the purported owner of the Riparian Grants located at Block 50, Lots 1.01 and 1.02, 52 Shrewsbury Avenue, Highlands, NJ 07732; and

WHEREAS, the aforesaid property is currently occupied by Twin Lights Marina; and

WHEREAS, Highlands Waterfront LLC, has submitted an application for the renewal of a Tidelands License to the State of New Jersey, Department of Environmental Protection, Division of Land Resource Protection, Bureau of Tidelands Management; and

WHEREAS, the aforesaid owner of the property was notified by the Bureau of Tidelands Management that they would require written permission from the adjacent upland owners to allow for floating docks that encroach upon the outshore of Borough Property, namely Jackson Street; and

WHEREAS, in accordance with N.J.S.A. 12:3-23, the owner has requested permission from the Borough to allow for the use of the floating docks that currently encroach upon the outshore of Borough Property; and

WHEREAS, the property owner has represented that the aforesaid plastic docks are wave runner docks that are attached to the southern concrete docks at the property which contain no associated pilings or permanent structures on Borough property; and

WHEREAS, the property owner has advised that they have no alternative location available for the said floating docks; and

WHEREAS, it is in the best interests of the Borough to grant such permission to the property owner, upon certain conditions.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands that the Borough, as the upland owner, grants permission to Highlands Waterfront, LLC. for the use of the aforesaid floating docks, pending approval by the New Jersey Department of Environmental Protection, for the portion of the docks that encroach upon the outshore of Borough property, namely Jackson Street, wherein this consent is conditioned upon the location of the encroaching docks remaining static and that there are no other encroachments upon the outshore of Borough property.

BE IT FURTHER RESOLVED, that the aforesaid consent is for the duration of the Tidelands License to be issued by the New Jersey Department of Environmental Protection and not for any renewal or subsequent Tidelands licenses.

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

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be transmitted to Highlands Waterfront, LLC.

Motion to Approve R-21-172:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

PUBLIC HEARING ON A 2021 MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT FOR SNUG HARBOR SKATE PARK PROJECT:

Kelsey Howard gave an update on the Skate Park Project. September 16, 2021, deadline for application. Total project cost is \$583,110.00. Grant amount \$250,000.00. Balance to be paid by Borough \$333,110.00. Any letters of support should be sent in by September 7th or 8th. Councilmember Mazzola questioned if grant money that was received by Borough for a different area could be utilized for another project. Ms. Howard stated that the County prefers to see Municipalities utilizing the funds.

RESOLUTION 21-173
A RESOLUTION AUTHORIZING THE BOROUGH OF HIGHLANDS TO APPLY FOR A 2021
MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT FOR THE
SNUG HARBOR SKATE PARK PROJECT

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Highlands desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the Snug Harbor Skate Park project, located at Snug Harbor Avenue and Bay Avenue, Block 97, Lot 1, that consists of the renovation and upgrade of an existing skate park facility at Snug Harbor Park; and

WHEREAS, the total cost of the project including all matching funds is \$583,110.00; and

WHEREAS, the Borough of Highlands is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Highlands **THAT:**

1. Michael Muscillo, Administrator or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above-named municipality; and
2. The Borough of Highlands is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Carolyn Broullon, Mayor or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Motion to Approve R-21-173:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X		X			

RESOLUTION 21-174
RESOLUTION APPOINTING AN ACTING SERGEANT WITHIN THE POLICE DEPARTMENT

WHEREAS, there exists a need within the Police Department to appoint an acting Sergeant; and

WHEREAS, it is the recommendation of the Chief of Police that due to a resignation within the Police Department, that Ryan Schoellner be appointed; and

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

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that Ryan Schoellner is hereby appointed to serve as acting Sergeant of the Borough of Highlands Police Department, effective August 6, 2021.

Motion to Approve R-21-174:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

OTHER BUSINESS:

None

REPORTS:

Administrator’s Report

Michael Muscillo gave report. Bid opening was held for Construction Management Services for the New Municipal Building. Park equipment was received. Waiting for the rest to be delivered before installing. Schedule of instillation to be provided.

Engineer’s Report

Bennett Matlack gave report. King and Matthews Street project survey has been completed advancing with construction plans. Tentative call with the NJDEP and I Bank to get authorization to go out to bid.

PUBLIC PORTION:

Mayor opened public portion.

Mike Cannon, 10 Central Avenue – Expressed concern regarding resident’s only sign located at Harborside public access. Suggested Borough identify all public access easements located within the Borough. Requested explanation of resolution R-21-172 A Resolution Granting Permission as The Upland Owner for Floating Docks in Connection with A Tidelands License Renewal Application Submitted by Highlands Waterfront, LLC. Mayor explained it is regarding Twinlight’s Marina jet ski dock and a riparian grant with the Borough. Attorney Chabarek explained further.

ADJOURN:

Upon motion by Mayor Broullon, seconded by Councilmember Martin, motion carries to adjourn at 8:23 P.M. All in Favor.

Approve: _____
Carolyn Broullon

Attest: _____
Michelle Hutchinson, Borough Clerk