



# MAYOR AND COUNCIL REGULAR MEETING, | 2018 December 19 | 8

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The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on December 19, 2018 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor LeGrice called the meeting to order at 7:00 PM.

Mayor LeGrice stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements and filed in the office of the Municipal Clerk of Atlantic Highlands, on January 02, 2018. She read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

After a silent prayer and Pledge of Allegiance the following roll call was taken:

**Present:** Councilman Dellosso, Councilman Fligor, Councilwoman Hohenleitner, Councilman Lero, Mayor Le Grice, Borough Administrator, Adam Hubeny (Not voting), Acting Municipal Clerk, Michelle Clark (Not voting), Borough Attorney, Carol Berlen (Not voting), and Borough Engineer, Douglas Rohmeyer (Not voting).

**Absent:** Councilman Boracchia, Councilman Crowley

Mr. Hubeny read Resolution 179-2018 – Appointing Scott Chenoweth, Police Officer

**Motion:** Approve Resolution 179-2018, Appointment of Scott Chenoweth – Police Officer, **Moved by** Councilwoman Hohenleitner; **Seconded by** Councilman Fligor

**Vote:** Motion carried by roll call vote (**summary:** Yes = 4).

**Yes:** Councilman Dellosso, Councilman Fligor, Councilwoman Hohenleitner, Councilman Lero

**No:** None

**Abstain:** None

**Absent:** Councilman Boracchia, Councilman Crowley

At this time Mayor LeGrice administered the Oath of Office to Officer Chenoweth. Chief Vasto presented Officer Chenoweth with his badge. Congratulations were given by the Council Members and photos were taken. There was a short recess.

Meeting resumed at 7:12 pm.

Approval of previous meeting minutes:

November 28, 2018 – Regular Meeting

**Motion:** Approve Minutes of the Regular Meeting for November 28, 2018, **Moved by** Councilman Dellosso; **Seconded by** Councilman Lero

**Vote:** Motion carried by roll call vote (**summary:** Yes = 2).



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**Yes:** Councilman Dellosso, Councilman Lero

**No:** None

**Abstain:** Councilman Fligor, Councilwoman Hohenleitner

**Absent:** Councilman Boracchia, Councilman Crowley

Councilman Crowley called in at this time 7:14 pm.

## **Reports - Council Committee, Administration, Professional, Other**

**Mayor LeGrice** reported that there would be a new Children's Librarian on January 1<sup>st</sup>. She said that the Borough reached the Bronze level for Sustainable Jersey, and thanked Mr. Krauss for all his hard work. Mr. Krauss said that it was a joint effort and thanked the Borough Employees, Jim Phillips, the Shade Tree Commission, Community volunteers and the Police Department. Mayor LeGrice said that there have been some severe weather alerts for the next few days and asked everyone to be careful.

**Finance/Personnel** – No report.

**Police** – Councilman Dellosso reported that the Police have been attending training in many different areas.

**Fire, Emergency Services** – Councilman Fligor reported that the First Aid delivered packages and food to the Food Bank from the Santa Run. Mayor LeGrice noted that the Central Jersey Blood Bank would be closing at the end of the year. Councilman Fligor thanked the First Aid for their help on a personal matter.

**Public Works/Planning Board** – Councilman Fligor reported the recycling stickers being left by the Sanitation Department seem to be working. He said that the sink hole has been repaired. The gentleman in Vehicle Maintenance are working hard to keep the employees safe. Councilman Fligor said that the Harbor has been busy preparing boats for the winter. He reported that the Denholtz application for the Planning Board would be heard on January 16<sup>th</sup> at the elementary school.

**Recreation** – Councilman Lero reported that the Holiday House Decorating winners would be posted on the website tomorrow.

**Harbor** – Councilwoman Hohenleitner deferred to Mr. Hubeny. Mr. Hubeny gave an update on the Tow Boat building. He said that the bids came in higher than expected, they will reject all bids and go back to FEMA for more money. Councilwoman Hohenleitner thanked Mr. Hubeny and Mr. Amici for all their hard work. Councilwoman Hohenleitner said that On The Deck has committed to resolve issues with the other tenant in the building.



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**Environmental Commission** – Councilman Crowley deferred to Mr. Krauss. Mr. Krauss reported that they decided at the last Environmental meeting that they were in favor of the plastic bag and stirrer ban.

**Borough Administrator** – Mr. Hubeny reported that there are resolutions on tonight's agenda for Shared Service renewals for both Court and Planning/Zoning Board. He said that the court fee will stay flat. The Professional's RFPs are in and he has distributed a detailed memo of summary. Harbor RFPs are also in. Mr. Hubeny said that there is a posting on the website for a full time Harbor Job for Customer Service. Mr. Hubeny thanked Mr. Krauss for his work with Sustainable Jersey. He said that he has reviewed the insurance policy limits and will be increasing the auto and public official's portions. Mr. Hubeny said that the Master Plan Draft is on the website for review. He noted that there is a resolution on for 2018 Water/Sewer Adjustments and explained that reasons that someone may get an adjustment, saying that it would not be just because of a high bill. Mr. Hubeny said that there was a sewer break at East Mount and First Avenue, but they were able to get the repair made over night.

**Attorney** – Ms. Berlen had no report.

## **Professionals:**

**Engineer** – Mr. Rohmeyer had no report.

## **Others:**

**DPW Superintendent** – Mr. Phillips said the street department has been clearing the drains because of the upcoming rain.

**Environmental Commission** – Mr. Krauss gave his report earlier.

**Recreation** – No report.

**Shade Tree Commission** – Mrs. Wigginton said that the First Avenue tree trimming was complete. She asked for a Council Committee Member to be appointed to the Shade Tree. Mrs. Wigginton thanked the Beautification Committee for a job well done at the tree and wreath sale.

**Chief** – Chief Vasto reported that the accreditation was on track. There will be an on-site inspection on January 7<sup>th</sup>. The new car is at Finelines. Chief Vasto said that they now have communications on Bayside Drive, for the first time in forty years. He said that the new officers are in training. Councilwoman Hohenleitner said that it had just been mentioned to her that the Police Department is wonderful in crises. She asked if



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the speeding in excess of 20 mph was in any certain area of town. Chief Vasto said that there was no specific spot, it was all over.

## **Unfinished Business:**

Ordinance 21-2018, Bond Ordinance – 2019 Road Program – Public Hearing/Possible Adoption. Mayor LeGrice opened the meeting to public comments.

Mark Fisher, Third Avenue, asked for a description of the work. Mr. Hubeny explained that this would be road improvements to Third and Fourth Avenues. He said it will be a fifteen-year bond.

Kate Wigginton, 62 Avenue D, asked if any other roads would be included. Mr. Hubeny explained that this would only be for Third and Fourth, but that they have a State Grant of \$210,000 for other roads, plus phase two and a request to the State for Bayside Drive and local aid for the median on Memorial Parkway. Ms. Wigginton asked if there was any discussion regarding opening Bayside Drive. Mr. Hubeny said that there has not been any discussion, but that there is no money at this time.

There being no further comments Mayor LeGrice closed the public comment portion

**Motion:** Approve Ordinance 21-2018, Bond Ordinance – 2019 Road Program - Moved by Councilman Fligor; **Seconded by** Councilman Dellosso

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Councilman Crowley, Councilman Dellosso, Councilman Fligor, Councilwoman Hohenleitner, Councilman Lero

**No:** None

**Absent:** Councilman Boracchia

Ordinance 22-2018, Regulating Use of Plastic Straws and Stirrers – Public Hearing/Possible Adoption. Mayor LeGrice opened the meeting to public comments.

Val Barradale, Harborview Drive, said that there needs to be a better alternative than paper straws. She said that they should be individually wrapped, and the solution should be equal to or better than what it is replacing.

Mickey Rast, 49 Eighth Avenue, owner of the Cinema Five, said that she has a stockpile of plastic straws, because she buys in bulk. Mrs. Rast said that it is a health violation not to have the straws wrapped. She said that the paper straws disintegrate. Mrs. Rast said that she feels there are more important things to be done in town and she will not get rid of her straws until they are gone.



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Regina Hawley, 219 East Highland Avenue, said that there are alternatives to plastic straws. She said that JUS has bio-degradable cups, lids, spoons, knives, straws and bags. She said that the intent of the Ordinance is for businesses to be given time to use their supply.

Mark Fisher, Third Avenue, asked if the State was proposing something banning straws. Mayor LeGrice thought the State issue was with bags. Mr. Hubeny said that the State is looking to regulate all single use plastics.

Bill Eaton, 84 Bay Avenue, said that he was not aware of the Straw Ordinance, but thought that maybe a commercial tax credit could cover the inventory for the businesses, so that they could phase in the use.

Councilman Fligor moved to close the public comments, seconded by Councilman Dellosso. By voice vote, all were in favor. Mayor LeGrice closed the Public comments.

Councilman Crowley noted that Mr. Krauss said that this ordinance has the support of the Environmental Commission. He said that straws were in the top five items found in beach clean-ups. Councilman Crowley said that this is the first step and that there are thousands of plastic straws used in town. He said this is necessary and easy to do. Councilman Crowley said that he is in favor of the businesses using up their inventory. He explained that plastic straws could be handed out if requested. He would like this to be an educational experience. He said that paper straws have come a long way.

**Motion:** Approve Ordinance 22-2018, Regulating Use of Plastic Straws and Stirrers - Moved **by** Councilwoman Hohenleitner; **Seconded by** Councilman Crowley

**Vote:** Motion failed to pass by roll call vote (**summary:** Yes = 2, No = 3).

**Yes:** Councilman Crowley, Councilwoman Hohenleitner

**No:** Councilman Dellosso, Councilman Fligor, Councilman Lero

**Absent:** Councilman Boracchia

Ordinance 23-2018, Regulating Use of Single Use Plastic Bags – Public Hearing/Possible Adoption. Ms. Berlen said that after some additional research on this ordinance there were changes made which she feels are substantial and she suggests that the Ordinance be withdrawn.

**Motion:** Withdraw Ordinance 23-2018, Regulating Use of Single Use Plastic Bags - Moved **by** Councilman Fligor; **Seconded by** Councilman Dellosso

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Councilman Crowley, Councilman Dellosso, Councilman Fligor, Councilwoman Hohenleitner, Councilman Lero



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**No:** None

**Absent:** Councilman Boracchia

Councilman Crowley disconnected his phone call at this time 8:00 pm

## **New Business:**

**Consent Agenda:** These items were enacted by one motion. If detailed deliberation was desired on any item, Council could have removed that item from the consent agenda and considered it separately.

Resolution 177-2018 – Refund of Tax Sale Premium

Resolution 178-2018 – Authorizing Sale of Surplus Property – Harbor Van

~~Resolution 180-2018 – 2018 Water/Sewer Adjustments~~

Resolution 181-2018 – Extending Shared Services Agreement with Highlands Court

Resolution 182-2018 – Extending Shared Services Agreement with Highlands Planning Secretary

Resolution 183-2018 – Approving Increase for State Certification & Appointment of Clerk

Resolution 184-2018 – Shared Service with Sea Bright – School Feasibility Study

Resolution 185-2018 – Transfer of Funds

Resolution 186-2018 – Payment of Bills \$318,924.25

Resolution 187-2018 – Refund of Water/Sewer Overpayment

**Motion:** Approve Resolutions [Consent Agenda]; not to include 180-2018 **Moved by** Councilman Lero; **Seconded by** Councilman Fligor

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).

**Yes:** Councilman Dellosso, Councilman Fligor, Councilwoman Hohenleitner, Councilman Lero

**No:** None

**Absent:** Councilman Boracchia, Councilman Crowley

**Motion:** Approve Resolutions 180-2018, 2018 Water/Sewer Adjustments **Moved by** Councilman Dellosso; **Seconded by** Councilman Lero

**Vote:** Motion carried by roll call vote (**summary:** Yes = 3).

**Yes:** Councilman Dellosso, Councilwoman Hohenleitner, Councilman Lero

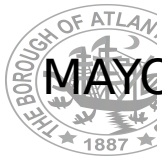
**No:** None

**Abstain:** Councilman Fligor

**Absent:** Councilman Boracchia, Councilman Crowley

## **Public Comment:**

**Richard Stryker**, 10 Ocean Boulevard, suggested that the Governing Body consider the problems in the Plastic Bag Ordinance. He felt that perhaps they should wait for the



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State Ordinance. Mr. Stryker said that the problem is disposal, not use and maybe a dumpster could be provided to help with that. He feels that it is a good ordinance, but unenforceable. Mayor LeGrice said that she also would prefer to wait for the State. Councilman Fligor agreed, feeling that this will add a cost to the businesses as well as the residents.

**Mickey Rast**, 49 Eighth Avenue, asked if the Governing Body would consider the use of disposable bags for residents putting leaves to the curb. She said that the leaves are often blown around after they are put out, they take up parking spaces and having leaves loose at the curb provides a safety issue. Mr. Hubeny said that the end user does not accept any bags. The homes on the Highway do put their leaves out in bags, but the Street Department then has to empty those bags. Mrs. Rast asked if there have been any discussions regarding parking. Mr. Hubeny said that the Vacation of Mount Avenue will be re-introduced in 2019 and that will double the parking there.

**Mark Fisher**, 91 Third Avenue noted that the parking lines in the area of the vacation are larger than anywhere else in town.

**James Krauss**, 77 Bayside Drive, said that plastic is a serious problem and a navigation problem as well. He agrees with Mr. Stryker that the burden should not be put on the town and suggests that the Legislatures be encouraged to but this ban together.

**Mark Fisher**, 91 Third Avenue, suggested that the parking spaces in the Holly Tree Lot be made Two-Hour parking to help the businesses. Mr. Fisher asked if the Harbor payment to the Borough would be increased. Mr. Hubeny said that this will be looked at with the budget and said that the budget meetings will begin on January 6<sup>th</sup>. Mr. Fisher asked if there was any movement with the marijuana ordinance. Ms. Berlen said that she has been directed to draft an ordinance to prohibit it. Mr. Fisher asked if there has been a Parking Committee meeting. Mayor LeGrice said that they will meet again in 2019.

**Regina Keelen**, 219 East Highland Avenue, said that if everyone would just do what they could, regarding the plastic bags and straws it would be a great start, and the next step would be education. Mr. Hubeny noted that there was a new service on the website called Recycling Coach and encouraged everyone to take a look. He said that the Borough does do recycling programs at the school and they have used the recycling grant monies to provide the school with recycling cans. He said that Styrofoam will be next on the list. Mrs. Keelen asked if Environmental groups could be used to give advice and alternatives. Councilwoman Hohenleitner said that she would like to explore getting some additional grant money for education. Councilman Dellosso congratulated Mrs. Keelen on her daughter's recent graduation.





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Kathleen Wigginton, 62 Avenue D, asked if there was any new news on Saint Agnes. Mr. Hubeny said that there was nothing new.

Mayor LeGrice closed the Public Comments

There being no further business before the Governing Body:

**Motion:** adjourn, **moved by** Councilman Delloso; **Seconded by** Councilman Fligor

Motion Carried by unanimous consent. [8:30]

## APPROVAL OF MINUTES:

**Motion:** Approve Minutes December 19, 2018 Regular Meeting, **moved by** Councilwoman Hohenleitner, **Seconded by** Councilman Fligor

**Vote:** Motion carried by voice vote (**summary:** Yes = 4)

**Yes:** Councilmembers Crowley, Delloso, Fligor, Hohenleitner

**No:** None

**Abstain:** Councilmembers Boracchia, Murphy

**Absent:** None

I, Michelle Clark, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 9, 2019. WITNESS my hand this 10th day of January 2019.

Michelle Clark  
Municipal Clerk

