

BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900

171 BAY AVENUE
07732
COUNTY OF MONMOUTH
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FRANK L. NOLAN
MAYOR
TIM HILL
ADMINISTRATOR
CAROLYN M. CUMMINS
BOROUGH CLERK

**MAYOR AND COUNCIL
BOROUGH OF HIGHLANDS
REORGANIZATION/REGULAR MEETING
JANUARY 1, 2016
12:00 P.M.**

MEETING LOCATION: Robert D. Wilson Memorial Community Center, 22 Snug Harbor Ave, Highlands, NJ

Call to Order
Pledge of Allegiance
Meeting Statement
Roll Call

Oath of Office:

Carolyn Broullon, Councilwoman
Claudette D'Arrigo, Councilwoman

Oath of Office:

Fire Chief
First Aide Captain

RESOLUTIONS:

1. R-16-01 Resolution Appointing Borough Attorney
2. R-16-02 Resolution Appointing Council President
3. R-16-03 Resolution Appointing Borough Prosecutor
4. R-16-04 Resolution Appointing Alternate Borough Prosecutor
5. R-16-05 Resolution Appointing Municipal Court Judge
6. R-16-06 Resolution Authorizing Appointment of Municipal Public Defender
- ~~7. R-16-07 Resolution Appointing Members of the Zoning Board~~
- ~~8. R-16-08 Resolution Appointing Council Representative to Planning Board~~
9. R-16-09 Resolution Appointing Community Development Representatives
10. R-16-10 Resolution Appointing Juvenile Officer
11. R-16-11 Resolution Appointing Clean Communities Coordinator
12. R-16-12 Resolution Appointing Special Police Officer
13. R-16-13 Resolution Appointing Search Officers

14. R-16-14 Resolution Appointing Members of the HBP
15. R-16-15 Resolution Appointing Fire Police
16. R-16-16 Resolution Appointing Environmental Commission
17. R-16-17 Resolution Appointing Members of the Shade Tree Commission
18. R-16-18 Resolution Appointing Municipal Engineer & Award Prof Services
19. R-16-19 Resolution Appointing Members to the Open Space Committee
20. R-16-20 Resolution Appointing Bond Counsel & Approving Contract
21. R-16-21 Resolution Appointing Labor Attorney & Approving Contract
22. R-16-22 Resolution Professional Legal Services for Tax Appeals
23. R-16-23 Resolution Appointing Office of Emergency Management Coordinator
24. R-16-24 Resolution Appointing Fire Official Prevention Officers
25. R-16-25 Resolution Amending Cash Management Plan
26. R-16-26 Resolution Authorizing Award of Professional Auditing Contract
27. R-16-27 Resolution Designating Official Newspapers
28. R-16-28 Resolution Setting 2016 Meeting Schedule
29. R-16-29 Resolution Appointing Animal Control
30. R-16-30 Resolution Appointing Zoning Officer
31. R-14-31 Resolution Approving Temporary Budget
32. R-15-32 Resolution Rescinding R-14-220 – Social Media Resolution
33. R-15-33 Resolution Providing Public Comment Period

Ordinance: Introduction & Setting of a Public Hearing Date

1. O-16-1 Ordinance Combining Planning & Zoning Board

Mayor's Committee Appointments:

Public Safety
Building/Housing
Parks & Recreation
Public Works
Finance/Budget
Public Relations
Environmental/Shade Tree Liaison
Sewer Department

Mayor's Appointments to the Planning Board

Public Portion:

Adjourn:

12/30/2015 11:47 AM

*Mayor Appointment w/ Council Consent

R-14-01

**RESOLUTION APPOINTING MUNICIPAL ATTORNEY FOR THE
CALENDAR YEAR 2016 &
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL LEGAL SERVICES CONTRACT**

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2016 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the Mayor has offered the name of _____, Esq. of the law office of _____ and it is so recognized;

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the law office of _____, has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of _____ 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 provide to prohibit the _____, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Law Office of _____ has completed and submitted a Political Contribution Disclosure for in accordance with P.L 2005, c271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A.-19:44A-20.5 for an amount not to exceed \$ _____ plus reimbursable expenses for Professional Legal Services provided to the Borough for the period of January 1, 2016 through December 31, 2016 at rate of a monthly retainer in the amount of \$ _____ and an hourly rate of \$ ___ per hour for services outside of contract.

WHEREAS, _____, Esq., has submitted the attached contract for Professional legal services for the calendar year 2015; and

WHEREAS, the Governing Body has reviewed the attached contract for Professional Engineering Services for 2015; and

WHEREAS, certification of the availability of funds is hereby provided contingent upon the adoption of the 2016 Budget by the Chief Financial Officer.

Legal Other Expenses
Sewer Utility Other expenses

Patrick DeBlasio, CFO

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. _____, of the Law Office of _____, LLC is hereby appointed as Borough Attorney for the calendar 2016 and is awarded a professional service contract for an amount not to exceed \$ _____ for professional legal services provided for the period of January 1, 2016 through December 31, 2016.
2. The attached Professional legal services Contract is hereby approved and the Mayor and Borough Clerk are hereby authorized to sign the contract.
3. This contract is awarded without competitive bidding as "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
5. The Borough Clerk is hereby directed to publish notice of this award as required by law.

DATE: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

BOROUGH CLERK/DEPUTY CLERK

Governing Body Appointment

R-16-02
RESOLUTION
APPOINTING COUNCIL PRESIDENT
FOR THE CALENDAR YEAR 2016

BE IT RESOLVED that _____ be appointed Council President for the one (1) year term to expire December 31, 2016.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify that this is a true copy of a Resolution adopted by the Governing Body of the Borough of Highlands at their meeting held on January 1, 2016.

Borough Clerk/Deputy Clerk

Governing Body Appointment

R-16-03
RESOLUTION
APPOINTING BOROUGH PROSECUTOR
AS A NONFAIR AND OPEN CONTRACT

WHEREAS, there exists the need for professional legal services for the Borough of Highlands; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be printed in a newspaper of general circulation not more than ten days after passage of the resolution;

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

1. _____, Esq. is hereby appointed Prosecutor of the Borough of Highlands for the one (1) year term to expire December 31, 2015 at an annual salary of \$15,246.00
2. The appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Highlands.

BE IT FURTHER RESOLVED that a copy of this resolution be published in an official newspaper of the Borough within ten days of its passage.

DATE: **January 1, 2016**

Governing Body Appointment

R-16-04
RESOLUTION
APPOINTING ALTERNATE BOROUGH PROSECUTOR
AS A NONFAIR AND OPEN CONTRACT

WHEREAS, there exists the need for professional services for the Borough of Highlands; and

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) requires that the resolution awarding the contract state the supporting reasons and be printed in a newspaper of general circulation not more than ten (10) days after passage of the resolution;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that _____ Esq. be appointed Alternate Borough Prosecutor for the one (1) year term to expire December 31, 2016; and.

BE IT FURTHER RESOLVED that a copy of this resolution be published in an official newspaper within ten (10) days of its passage.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Mayor Appointment with Council Consent

R-16-05

RESOLUTION APPOINTING MUNICIPAL COURT JUDGE

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the _____, Esq. be and hereby is appointed Municipal Court Judge for the 3-year term to expire December 31, 2018.

BE IT FURTHER RESOLVED that _____ be compensated at an annual salary of \$13,500.00

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointment

R-16-06

RESOLUTION

AUTHORIZING APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER

WHEREAS, the Borough of Highlands is in need of a Municipal Public Defender pursuant to Public Law 1997 C.256; and

WHEREAS, pursuant to Ordinance 98-02 the Municipal Public Defender shall be paid an annual salary of not less than \$1,500.00, which shall be apportioned pro rata for the portion of the year in which the Public Defender serves; and

WHEREAS, the Municipal Public Defender shall only be required to attend Court when his clients are listed on the calendar; and

WHEREAS, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be printed in a newspaper of general circulation not more than ten days after passage of the resolution;

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

1. _____, Esq. is hereby appointed Public Defender for the unexpired (1) one year term to expire December 31, 2016.
2. The appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

BE IT FURTHER RESOLVED that a copy of this resolution be published in an official newspaper of the Borough within ten days of its passage.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES		NO	

Date: January 1, 2016

CAROLYN CUMMINS
Borough Clerk

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointments

R--16-07

RESOLUTION APPOINTING MEMBERS OF THE ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following appointments be and are hereby appointed to the Zoning Board of Adjustment:

1. _____

Regular Member for 4-year term to
Expire 12/31/19

2. _____

Alternate #2 Member for a 2-year term
to expire 12/31/17

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

BOROUGH OF HIGHLANDS
Appointment Detail Report
ZONING

Department/Commission Name	Title	Last Name	First Name	Begin Term	End Term	App. Date	Length
* ZONING BOARD OF ADJUSEMENT	REGULAR MEMBER	KUTOSH	BRUCE NJ	01/01/12	12/31/15		4-YEAR
ZONING, BOARD OF ADJUSEMENT	REGULAR MEMBER OF ZONING E	KNOX 225 BAY AVENUE	ROBERT HIGHLANDS NJ 07732	01/05/11	12/31/18		4-YEAR
ZONING, BOARD OF ADJUSEMENT	REGULAR MEMBER ZONING BOA	ZIEMBA	LINDA HIGHLANDS NJ 07732	10/21/15	12/31/16		4-YEAR
ZONING, BOARD OF ADJUSEMENT	REGULAR MEMBER OF ZONING E	BRASWELL 62 GRAVELLY POINT ROAD	KENNETH HIGHLANDS NJ 07732	01/01/14	12/31/17		4-YEAR
ZONING, BOARD OF ADJUSEMENT	REGULAR MEMBER OF ZONING E	FOX 148 NAVESINK AVE. UNIT #	JAMES HIGHLANDS NJ 07732	01/05/11	12/31/18		4-YEAR
ZONING, BOARD OF ADJUSEMENT	REGULAR MEMBER OF ZONING E	MULLEN 11 MARINE PLACE	PETER HIGHLANDS NJ 07732	01/01/13	12/31/16		4-YEAR
ZONING, BOARD OF ADJUSEMENT	ALTERNATE #1 MEMBER	COLBY	LARRY	10/21/15	12/31/16		2 YEAR
ZONING BOARD OF ADJUSTMENT	REGULAR MEMBER	PEZZULLO	MICHELE HIGHLANDS NJ 07732	01/01/15	12/31/18		4-YEAR
* ZONING, BOARD OF ADJUSEMENT	ALTERNATE 2 MEMBER	VACANT	HIGHLANDS NJ 07732	01/07/15	12/31/15		2 YEARS

Carolyn Cummins

From: Bruce Kutosh <brucekutosh@gmail.com>
Sent: Monday, October 05, 2015 6:54 AM
To: ccummins@highlandsborough.org
Subject: zoning board

Hi Carolyn,

This is to let you know that I would like to continue on the zoning board after my term is up in December. If you have any questions you can email me or call me on my cell phone at 973-981-4888.

Thanks Bruce

Bruce Mitchell Kutosh, owner/managing member Bruce Mitchell, LLC
LICENSE # 13VH06-450500
732.291.5062
brucekutosh@gmail.com

Governing Body Appointment

R-16-08
RESOLUTION APPOINTING COUNCIL REPRESENTATIVE
TO THE HIGHLANDS PLANNING BOARD

BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following appointment be and is hereby confirmed to the Highlands Planning Board:

1. _____ Borough Council Representative for
a (1) year term to expire 12/31/2016

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointments

R-16-09
RESOLUTION APPOINTING
COMMUNITY DEVELOPMENT REPRESENTATIVES

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that _____ be appointed Community Development Representative for the Borough of Highlands for a one year term to expire December 31, 2016.

BE IT FURTHER RESOLVED, that _____ be appointed Alternate Community Development Representative for the Borough of Highlands for a one year term to expire on December 31, 2016.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA YES NO						

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointment

**R-16-10
RESOLUTION
APPOINTING JUVENILE OFFICER**

BE IT RESOLVED by the Governing Body of the Borough of Highlands that George Ruth is hereby appointed Juvenile Officer for the one (1) year term to expire December 31, 2016.

BE IT FURTHER RESOLVED that compensation for said position shall be as set forth in the Municipal Salary Ordinance.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointment

R-16-11
RESOLUTION
APPOINTING CLEAN COMMUNITIES COORDINATOR

BE IT RESOLVED by the Governing Body of the Borough of Highlands that _____ be and hereby is appointed Clean Communities Coordinator for the one (1) year term to expire December 31, 2016.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointment

R-16-12
RESOLUTION APPOINTING
SPECIAL POLICE OFFICER

WHEREAS, the Borough of Highlands from time-to-time has the need to employ Special Police Officers; and

WHEREAS, the Chief of Police has made recommendations to the Governing Body regarding appointment of said officers;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following persons be and hereby are appointed Special Officers of the Borough of Highlands for a one year term to expire December 31, 2016:

Diane Alvator, Highlands	-	Special Officer Class I
Brian Anderson		Special Officer Class II

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Governing Body Appointments

R-16-13
RESOLUTION APPOINTING
TAX SEARCH AND ASSESSMENT SEARCH OFFICERS

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made for the terms to expire December 31, 2014:

Tax Search Officer - Debby Dailey

Assessment Search Officer - Carolyn Cummins

BE IT FURTHER RESOLVED that Debby Daily, Deputy Borough Clerk be appointed Alternate Assessment Search Officer and that Carolyn Cummins be appointed alternate Tax Search Officer.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

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Governing Body Appointment

R-16-14

**RESOLUTION APPOINTING MEMBER
OF THE HIGHLANDS BUSINESS PARTNERSHIP**

WHEREAS, Borough Ordinance 17-7(a) provides that members of the Board of Directors of the Highlands Business Partnership shall include a member of the Governing Body selected by the Governing Body and a member of the Planning Board selected by the Governing Body; and

WHEREAS, these members serve at the pleasure of the appointing authority; and

WHEREAS, the appointing authority (Governing Body) desires to make new appointments at this time;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following persons shall and hereby are appointed to the Highlands Business Partnership:

_____ Governing Body Representative:

_____ Planning Board Member Representative:

; and

BE IT FURTHER RESOLVED that the above appointments shall be effective immediately and shall serve until replaced by the Governing Body of the Borough of Highlands.

Date: January 1, 2016

Carolyn Cummins, Borough Clerk

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Mayor Appointment

R-16-15
RESOLUTION APPOINTING FIRE POLICE

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following persons be and hereby are appointed Fire Police for the year 2016:

Chief – Edward Sulkowski
Tom Snow
Charles Roemmele
Christopher Creighton
John McKay
Robert Capano
Patrick Mason
Robin Dowd
Stanley Pape

Date: January 1, 2016

Borough Clerk

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Highlands Fire Department

Station 17-1

Est. 1900



December 9, 2015

Carolyn Cummins
Highlands Borough Clerk

Dear Carolyn,

Please have the following appointed to the Highlands Fire Police for 2016:

Edward Sulkowski, Chief of Fire Police

- Tom Snow
- Pat Mason Jr.
- Robin Dowd
- John Mc Kay
- Chris Creighton
- Charles Roemelle
- Stanley Pape
- Robert Capano

Sincerely,

Edward Sulkowski
Chief Highlands Fire Police

Mayors Appointments w/ Consent of Council

R-16-16

APPOINTING ENVIRONMENTAL COMMISSION

BE IT RESOLVED that the following listed persons be appointed to the Highlands Environmental Commission:

1. _____ Regular Member 3 year term to expire 12/31/18
2. _____ Regular Member 3 year term to expire 12/31/18
3. _____ Regular Member 3 year term to expire 12/31/18
4. _____ Regular Member 3 year term to expire 12/31/18
5. _____ Regular Member 3 year term to expire 12/31/18

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

BOROUGH OF HIGHLANDS
Appointment Detail Report
ENV COMM

Department/Commission Name	Title	Last Name	First Name	Begin Term	End Term	App. Date	Length
ENVIRONMENTAL COMMISSION	ENVIORMENTAL COMMISSION ME	FRANCY 36 FIFTH STREET	CHRIS HIGHLANDS NJ 07732	01/07/15	12/31/17		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION M	IANUCCI	BARBARA HIGHLANDS NJ 07732	01/01/14	12/31/16		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION M	SZULECKI 116 HIGHLAND AVENUE	STEPHEN HIGHLANDS NJ 07732	01/01/13	12/31/15		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION M	MCALEER 52 BARBERIE AVENUE	MELISSA HIGHLANDS NJ 07732	01/07/15	12/31/15		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION PE	MULLEN 11 MARINE PLACE	PETER HIGHLANDS NJ 07732	01/07/15	12/31/15		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION M	RYAN 117 HIGHLAND AVENUE	ROSEMARY HIGHLANDS NJ 07732	01/01/13	12/31/15		3-YEAR
ENVIRONMENTAL COMMISSION	ENVIRONMENTAL COMMISSION M	CARD	DOUG HIGHLANDS NJ 07732	01/07/15	12/31/15		3-YEAR

Mayors Appointments with Consent of Council

R-16-17

RESOLUTION APPOINTING MEMBERS OF THE SHADE TREE COMMISSION

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made to the Shade Tree Commission:

- | | | |
|----|-------|--------|
| 1. | _____ | Member |
| 2. | _____ | Member |
| 3. | _____ | Member |
| 4. | _____ | Member |
| 5. | _____ | Member |

BE IT FURTHER RESOLVED that all appointments shall be for the term of 1 year with an expiration date of December 31, 2016.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

BOROUGH OF HIGHLANDS
Appointment Detail Report
SHADE

Department/Commission Name	Title	Last Name	First Name	Begin Term	End Term	App. Date	Length
SHADE TREE COMMITTEE	SHADE TREE COMMISSIONER	FRANCY	CHRIS HIGHLANDS NJ 07732	04/15/15	12/31/15		1-YEAR
SHADE TREE COMMITTEE	SHADE TREE COMMISSION MEMI	KOVIC 3 WOODLAND STREET	MIKE HIGHLANDS NJ 07732	01/07/15	12/31/15		1-YEAR
SHADE TREE COMMITTEE	SHADE TREE COMMISSION MEMI	ECKHARDT J-1 TWIN LIGHTS COURT	SUZANNE HIGHLANDS NJ 07732	01/07/15	12/31/15		1-YEAR
SHADE TREE COMMITTEE	SHADE TREE MEMBER	SLOAN 154 BAY AVENUE	TONY HIGHLANDS NJ 07732	01/07/15	12/31/15		1-YEAR
SHADE TREE COMMITTEE	SHADE TREE MEMBER	FUOG 50 VALLEY STREET	ARNIE HIGHLANDS NJ 07732	01/07/15	12/31/15		1-YEAR

Mayor Appointment with Consent of Council

R-16-18

**RESOLUTION APPOINTING A MUNICIPAL ENGINEER AND
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES AND APPOINTING BOROUGH
ENGINEER**

WHEREAS, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and _____, P.E. of the firm _____, NJ 07748 is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

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

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A.-19:44A-20.5 for an amount not to exceed \$_____ plus reimbursable expenses for Professional Engineering Services provided to the Borough for the period of January 1, 2016 through December 31, 2018 at rate of a monthly retainer in the amount of \$_____ and an hourly rate of \$____ per hour for services outside of contract.

WHEREAS, _____, Esq., has submitted the attached contract for Professional Engineering services for the calendar year 2016; and

WHEREAS, the Governing Body has reviewed the attached contract for Professional Engineering Services for 2016, 2017 and 2018; and

WHEREAS, certification of the availability of funds is hereby provided contingent upon the adoption of the 2016 Budget by the Chief Financial Officer.

Engineer Other Expenses
Sewer Utility Other expenses

Patrick DeBlasio, CFO

WHEREAS, _____ has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. _____, P.E. of _____ is hereby retained as Borough Engineer to provide professional engineering services as described above for a three year term to expire on 12/31/18.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of the Resolution 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.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Mayors Appointments with Consent of Council

R-16-19 RESOLUTION APPOINTING MEMBERS OF THE OPEN SPACE COMMITTEE

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made to the Open Space Committee:

1. _____

Council Representative Member

1 year term expiring 12/31/16

2. _____

Regular Member 3 year term

to expire 12/31/18

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

BOROUGH OF HIGHLANDS
Appointment Detail Report
OPEN SPACE

Department/Commission Name	Title	Last Name	First Name	Begin Term	End Term	App. Date	Length
OPEN SPACE COMMITTEE	COUNCIL MEMBER REPRESENTA	KANE 194 LINDEN AVENUE	RECECCA HIGHLANDS NJ 07732	01/07/15	12/31/15		1-YEAR
OPEN SPACE COMMITTEE	CITIZEN MEMBER	WIDMAN 15 OCEAN STREET	DOUGLAS HIGHLANDS, NJ 07732	01/01/13	12/31/15		3-YEAR TER
OPEN SPACE COMMITTEE	CITIZEN MEMBER	CARD 230 BAY AVENUE	RUSSELL HIGHLANDS NJ 07732		12/31/16		3-YEAR TER
OPEN SPACE COMMITTEE	CITIZEN MEMBER	BURTON 45 SECOND STREET	NANCY HIGHLANDS NJ 07732	01/07/15	12/31/17		3-YEAR TER
OPEN SPACE COMMITTEE	CITIZEN MEMBER	SKORKA	KIM	01/01/14	12/31/16		3 YEAR TER
OPEN SPACE COMMITTEE	CITIZEN MEMBER	GULLY 15 ATLANTIC STREET	JEREMY HIGHLANDS NJ 07732	01/01/14	12/31/16		3-YEAR TER
OPEN SPACE COMMITTEE	CITIZEN MEMBER	SALKA 1 PORTLAND RD #21	LAURIE HIGHLANDS NJ 07732	01/07/15	12/31/17		3-YEAR TER

Governing Body Appointment for Professional Services

R-16-20

**RESOLUTION APPROVING PROFESSIONAL BOND COUNSEL SERVICES
AND AWARDING A NON-FAIR AND OPEN CONTRACT**

WHEREAS, the Borough of Highlands has a need for professional bond counsel services in connection with the authorization and issuance of bonds or notes; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of _____, PC is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$20,000 plus reimbursable expenses for professional bond counsel services for the Borough of Highlands for the period January 1, 2016 through December 31, 2016. All rates based on the services utilized are provided for in the contract between _____, PC and the Borough of Highlands; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the law office of _____, PC has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of _____ 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 provide prohibit the law office from making any reportable contributions through the term of the contract; and

WHEREAS, the Law Office of Archer & Greiner, PC has completed and submitted a Political Contribution Disclosure for in accordance with P.L 2005, c271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2016 budget.

:

Legal
Sewer Utility
Various Bond Ordinances

Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. The firm of _____, PC is hereby retained to provide professional bond counsel services as described above for an amount not to exceed \$20,000 plus reimbursable expenses for the period of January 1, 2016 through December 31, 2016.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the 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.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held January 1, 2016.

BOROUGH CLERK/DEPUTY CLERK

**RESOLUTION PROFESSIONAL LABOR COUNSEL SERVICES
AS A NON-FAIR AND OPEN CONTRACT**

WHEREAS, the Borough of Highlands has a need for professional labor counsel services as a non-fair and open contract pursuant to the provisions of N.J.S.A.-19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and _____, Esq., of the law firm of _____, LLC is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, this contract is to be awarded at an hourly rate of \$ _____ per hour for an amount not to exceed \$20,000 plus reimbursable expenses for professional bond counsel services for the Borough of Highlands for the period January 1, 2016 through December 31, 2016. All rates based on the services utilized are provided for in the contract between _____ and the Borough of Highlands; and

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

WHEREAS, the firm of _____, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided contingent upon adequate funding being provided in the 2016 adopted budget.

Current Fund Legal = \$20,000

Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. That _____, Esq. of the firm of _____, LLC is hereby retained to provide professional labor counsel services as described above for an amount not to exceed \$20,000 plus reimbursable expense for the period of January 1, 2016 through December 31, 2016.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the 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.
5. The attached contract is hereby approved and the Mayor and Borough Clerk area hereby authorized to execute contract.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES		NO	

Date: January 1, 2016 _____

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held January 1, 2016.

BOROUGH CLERK/DEPUTY CLERK

**RESOLUTION APPOINTING THE _____ FIRM, LLC
AS PROFESSIONAL LEGAL COUNSEL FOR TAX APPEAL AND TAX
LITIGATION
THROUGH THE NON-FAIR AND OPEN PROCESS**

WHEREAS, the Borough of Highlands has a need for professional legal counsel services for tax appeal and tax litigation matters and special litigation matters: and

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of _____, NJ 0__ is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, this contract is to be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A.-19:44A-20.5 through December 31, 2016 at an hourly rate of \$115.00 per hour for the period January 1, 2016 through December 31, 2016 in an amount not to exceed \$15,000 plus reimbursable expenses for professional legal counsel services for the Borough of Highlands. All rates based on the services utilized are provided for in the contract between _____ Firm LLC and the Borough of Highlands; and

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

WHEREAS, the _____, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2016 Municipal Budget

Current Fund Legal = \$15,000

Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

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

1. That _____ Esq., of _____ LLC is hereby appointed and retained to provide professional legal counsel services as described above through December 31, 2016.
2. That _____, Esq., of _____ is hereby retained at an hourly rate of \$115.00 per hour for the period January 1, 2016 through December 31, 2016 in an amount not to exceed \$15,000 plus reimbursable expenses for professional legal counsel services for the Borough of Highlands.
- 3 The contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the contract.
- 4 A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 5 The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held January 1, 2016.

Mayors Appointment

R-16-23

APPOINTMENT OF OFFICE OF EMERGENCY MANAGEMENT COORDINATOR

Mayor Nolan does hereby appoint Dave Parker as the Office of Emergency Management Coordinator for the Borough of Highlands, County of Monmouth, State of New Jersey for a three Year term Expiring 12/31/18 and that he be compensated with an annual salary of \$3,650.00

January 1, 2016

Frank L. Nolan, Mayor

I hereby certify this to be a true copy of the appointment made on January 1, 2016 by Mayor Nolan

Carolyn Cummins, Borough Clerk

Governing Body Appointments

R-16-24

RESTOLUTION APPOINTING FIRE OFFICIAL PREVENTION OFFICERS

Whereas, the Code of the Borough of Highlands, Section 11-5.1 establishes the position of Fire Official Prevention Officer within the Department of Buildings and Housing; and

Whereas, the Code provides for appointment by the Governing Body for a minimum term of one (1) year; and

Whereas, the Borough wishes to reappoint a Dave Parker as a part-time Fire Official Prevention Officer for a one year term of January 1, 2016 through December 31, 2016 with an annual salary of \$23,400.00; and

Whereas, the Borough wishes to reappoint Charlie Wells as Deputy Fire Official Prevention Officer and shall be compensated at an hourly rate of \$20.00.

Now, therefore, be it resolved by the Mayor and Council of the Borough of Highlands, that the Borough hereby appoints Dave Parker to serve as the Fire Official Prevention Officer for the period of January 1, 2016 through December 31, 2016.

Be It further resolved that Charlie Wells be appointment as Deputy Fire Official Prevention Officer for a one year term to expire 12/31/16 and be compensated at an hourly rate of \$20.00.

DATE: January 1, 2016

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Resolution R-16-24 adopted by the Governing Body of the Borough of Highlands at a meeting held on January 1, 2016.

BOROUGH CLERK/DEPUTY CLERK

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-16-25

**RESOLUTION AMENDING R-98-42, R-09-50, R-14-23
AUTHORIZING CASH MANAGEMENT PLAN**

WHEREAS, R-98-42 Authorizing Cash Management Plan was adopted by the Governing Body of the Borough of Highlands on February 18, 1998, and

WHEREAS, the adopted Cash Management Plan included a list of designated depositories of the Borough of Highlands, and

WHEREAS, the Chief Financial Officer has requested that the list of designated depositories be amended as follows:

TD Bank, National Association
Two River Community Bank
United Roosevelt

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that Resolution R-98-42 be amended as stated above.

BE IT FURTHER RESOLVED that said banks are hereby authorized to honor checks drawn upon said banks, signed by the Mayor, Chief Financial Officer, Administrator and/or the Borough Clerk. All checks require two signatures, one of which maybe a facsimile signature. The payroll account checks may utilize two facsimile signatures.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

DATE: January 1, 2016

CAROLYN CUMMINS
Borough Clerk

Mayor Appointment with Consent of Council

R-16-26
RESOLUTION APPOINTING MUNICIPAL AUDITOR FOR THE CALENDAR YEAR
2016 &
AUTHORIZING THE AWARD OF A “FAIR AND OPEN” CONTRACT
FOR PROFESSIONAL AUDITING SERVICES

WHEREAS, the Borough of Highlands has a need for professional auditing services for the calendar year 2016; and

WHEREAS, the Borough has gone through the fair and open process, advertised on its website and in a newspaper, the solicitation for receipt of proposals from professional auditing firms for said services; and

WHEREAS, the Borough has reviewed all proposals received and it was determined that the firm of _____, LLP, satisfies the requisites contained in the request for proposals to be considered for professional services that the Borough may require during the contract year; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the office of _____, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that the Auditing Office of _____, LLP 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 provide prohibit the auditing office _____, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the firm of _____, LLP has completed and submitted a Political Contribution Disclosure for in accordance with P.L 2005, c271; and

WHEREAS, this contract is awarded as a fair and open contract pursuant to the firm of Larsen & Fallon for an amount not to exceed \$60,400 plus reimbursable expenses for Professional auditing services provided to the Borough for the period of January 1, 2016 through December 31, 2016 in the amount not to be exceeded \$60,400.

WHEREAS, this contract is to be awarded for the price not to exceed \$60,400 as provided in the proposal with the certification of funds being provided by the Chief Financial Officer contingent upon the adoption of the 2016 municipal budget.

Account #5-01-20-135-000-157 - \$39,400
#5-05-55-502-000-157- \$21,000

Patrick DeBlasio, Chief Financial Officer

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

1. That the firm of _____, LLP, _____, NJ is hereby retained to provide professional auditing services for an amount not to exceed \$60,400 for a 12 month period to expire December 31, 2016.
2. The contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1) (a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract /proposal shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

DATE: January 1, 2016

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Resolution R-16-26 adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Borough Clerk/Deputy Clerk

R-16-27
RESOLUTION DESIGNATING OFFICIAL
NEWSPAPERS OF THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough of Highlands is required to designate the official newspapers of the Borough;

NOW, THEREFORE, BE IT RESOLVED that the official newspapers of the Borough shall be and hereby are designated for a one year term to expire on December 31, 2016 as follows:

THE ASBURY PARK PRESS
THE TWO RIVER TIMES

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

R-16-28
RESOLUTION SETTING THE SCHEDULE FOR
MEETINGS OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF HIGHLANDS FOR THE CALENDAR YEAR 2016

BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following schedule is hereby designated as the official Meeting Calendar of the Governing Body for the year 2016. The official meeting days shall be the first and third Wednesdays of each month (unless otherwise noted). Meetings held on the first Wednesday will be considered Workshop/Regular Meetings where official action will be taken on all agenda items. Meetings on the third Wednesday will be Regular Business Meetings where official action will be taken on all agenda items.

DATE

WORKSHOP/REGULAR MEETINGS

No 1st Wednesday Meeting
February 3, 2016
March 2, 2016
April 6, 2016
May 4, 2016
June 1, 2016
No 1st Wednesday Meeting
No 1st Wednesday Meeting
September 7, 2016
October 5, 2016
November 2, 2016
December 7, 2016

REGULAR MEETINGS

January 20 2016
February 17, 2016
March 16, 2016
April 20, 2016
May 18, 2016
June 15, 2016
July 20, 2016
August 17, 2016
September 21, 2016
October 19, 2016
No 3rd Wednesday Meeting
December 21, 2016

BE IT FURTHER RESOLVED that all meetings will be held at the Robert D. Wilson Memorial Community Center located at 22 Snug Harbor Avenue, Highlands, NJ. All meetings begin at 7:00 p.m. for Executive Session and at 8:00 p.m. for Business Meetings; and

BE IT FURTHER RESOLVED that all Meetings shall have a General Public Portion as required by law.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

R-16-29

**RESOLUTION APPROVING ANIMAL CONTROL SERVICES CONTRACT
FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016**

WHEREAS, the Borough of Highlands has a need to provide Animal Control Services to the Borough; and

WHEREAS, Kerry Gowan, a Licensed Animal Control Officer is so qualified to provided Animal Control Services to the Borough of Highlands; and

WHEREAS, Kerry Gowan will provide Animal Control Services to the Borough at a rate of \$30.00 per animal control response.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands Mayor & Council that Kerry Gowan is hereby awarded a contract to provide Professional Animal Control Services to the Borough of Highlands for the period of January 1, 2016 through December 31, 2016 and the Borough Administrator is hereby authorized to execute attached agreement.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD						
KANE						
REDMOND						
RYAN						
NOLAN						
ON CONSENT AGENDA			YES	NO		

DATE: January 1, 2016

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 1, 2016.

Borough Clerk/Deputy Clerk

Governing Body Appointment

R-16-30

RESOLUTION APPOINTING ZONING OFFICER

Whereas, the Code of the Borough of Highlands, Section 2-12A establishes the position of Fire Official Prevention Officer within the Department of Buildings and Housing; and

Whereas, the Code provides for appointment by the Governing Body for a term of one (1) year; and

Whereas, the Borough wishes to appoint _____ as a part-time Zoning Officer for a one year term of January 1, 2016 through December 31, 2016 with an annual salary of \$ _____; and

Now, therefore, be it resolved by the Mayor and Council of the Borough of Highlands, that the Borough hereby appoints _____ to serve as the Zoning Officer for the period of January 1, 2016 through December 31, 2016.

DATE: January 1, 2016

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Resolution R-16-30 adopted by the Governing Body of the Borough of Highlands at a meeting held on January 1, 2016.

BOROUGH CLERK/DEPUTY CLERK

Mayor Nolan

offered the following and moved for its adoption

**Borough of Highlands
County of Monmouth**

**R-16-31
RESOLUTION**

2016 Temporary Municipal Budget

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided: and

WHEREAS, the date of this resolution is within the first thirty days of January 2016: and

WHEREAS, the total appropriations in the 2015 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of:

2015 Municipal Budget	\$10,149,500.60
2015 Sewer Utility Budget	\$1,275,500.00

WHEREAS, 26.25% of the total appropriations in the 2015 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2015 budget is the sum of:

2015 Municipal Budget	\$2,664,243.91
2015 Sewer Utility Budget	\$334,818.75

WHEREAS, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands, County of Monmouth, State of New Jersey that the temporary appropriations be made and a certified copy of this resolution be transmitted to the Borough Chief Financial Officer for his records:

2016 TEMPORARY APPROPRIATIONS:

MUNICIPAL BUDGET

Department	Salaries	Other Expenses	Total
"IN CAPS"			
General Government:			
Borough Council	3,250.00	16,500.00	19,750.00
Borough Clerk	17,000.00	9,012.50	26,012.50
Borough Administrator	26,500.00	950.00	27,450.00
Central Services	7,625.00	8,625.00	16,250.00
Financial Administration	31,000.00	4,625.00	35,625.00
Audit		33,900.00	33,900.00
Assessment of Taxes	6,625.00	10,375.00	17,000.00
Collection of Taxes	15,500.00	2,500.00	18,000.00
Legal Services		150,000.00	150,000.00
Municipal Prosecutor	4,625.00		4,625.00
Engineering Services		150,000.00	150,000.00
Public Buildings & Grounds	5,000.00	17,500.00	22,500.00
Municipal Land Use Law:			
Planning Board	1,500.00	5,762.50	7,262.50
Zoning Board of Adjustment	1,500.00	6,337.50	7,837.50
Shade Tree Commission		225.00	225.00
Environmental Commission		250.00	250.00
Insurance:			
Group Insurance		300,000.00	300,000.00
Other		100,000.00	100,000.00
Workers Compensation		125,000.00	125,000.00
Unemployment		0.00	0.00
Public Safety:			
Fire		16,850.00	16,850.00
Police	373,234.50	23,116.00	396,350.50
Dispatch	42,000.00	375.00	42,375.00
First Aid		7,500.00	7,500.00
911 Telecommunications		3,500.00	3,500.00
Emergency Management	1,000.00	5,000.00	6,000.00
Municipal Court	5,000.00	1,750.00	6,750.00
Public Defender	1,250.00		1,250.00
Streets and Roads:			
Road Repair & Maintenance	57,500.00	12,500.00	70,000.00
Snow Removal	30,000.00	35,000.00	65,000.00
Health & Welfare:			
Regional Health Commission		16,250.00	16,250.00
Dog Control		3,875.00	3,875.00

P.E.O.S.H.A.		1,125.00	1,125.00
Recreation & Education:			
Beachfront Maintenance	5,000.00	3,025.00	8,025.00
Parks & Playgrounds		2,800.00	2,800.00
Public Events		675.00	675.00
Community Center	25,750.00	5,625.00	31,375.00
Uniform Fire Safety Act	6,875.00	1,250.00	8,125.00
Code Enforcement Officer	17,750.00	5,750.00	23,500.00
Code - Substandard Housing		8,750.00	8,750.00
Sanitation	500.00	9,625.00	10,125.00
Sanitation - Contractual Service		53,000.00	53,000.00
Monmouth County Reclamation Center		50,000.00	50,000.00
Mechanical Garage		1,000.00	1,000.00
Condomium Services		7,000.00	7,000.00
Construction Code Official	33,750.00	5,687.50	39,437.50
Accumulated Leave	8,000.00		8,000.00
Utilities:			
Electricity		12,500.00	12,500.00
Street Lighting		13,750.00	13,750.00
Telephone		7,500.00	7,500.00
Water		2,750.00	2,750.00
Gasoline-Fuel		18,750.00	18,750.00
Natural Gas		3,750.00	3,750.00
Telecommunications		7,750.00	7,750.00
Fire Hydrants		15,250.00	15,250.00
Deferred Charges:			
PERS		25,282.50	25,282.50
Social Security System		30,000.00	30,000.00
PFRS		78,994.75	78,994.75
DCRP		1,250.00	1,250.00
TOTAL INSIDE "CAP"	727,734.50	1,440,118.25	2,167,852.75
"OUTSIDE CAPS"			
LOSAP		45,000.00	45,000.00
Recycling Tax		2,250.00	2,250.00
Stormwater Management		8,750.00	8,750.00
Interlocal:			
Atlantic Highlands			
Garage		19,250.00	19,250.00
Municipal Court		18,750.00	18,750.00
Grants:			
Alliance Grant		750.00	750.00

TOTAL OUTSIDE "CAP"	0.00	94,750.00	94,750.00
SUB-TOTAL APPROPRIATIONS	727,734.50	1,534,868.25	2,262,602.75
Statutory Additions:			
Capital Improvement Fund:		0.00	0.00
Deferred Charge-SEN		800,000.00	800,000.00
Payment of Bond Principal		400,000.00	400,000.00
Interest on Bonds		240,000.00	240,000.00
Payment of Note Principal		16,000.00	16,000.00
Interest on Notes		50,000.00	50,000.00
Lease Purchase			
Principal		51,000.00	51,000.00
Interest		12,300.00	12,300.00
SUB-TOTAL STATUTORY ADDITIONS	0.00	1,569,300.00	1,569,300.00
TOTAL TEMPORARY MUNICIPAL BUDGE	727,734.50	3,104,168.25	3,831,902.75

SEWER UTILITY:

	Salaries	Other Expenses	Total
Operating:	21,500.00	236,875.00	258,375.00
Sewer Operator-Atlantic Highlands		37,500.00	37,500.00
Statutory Expenditures:			
Group Insurance		6,625.00	6,625.00
PERS		1,875.00	1,875.00
Social Security System		1,750.00	1,750.00
Workers Compensation		5,500.00	5,500.00
Unemployment Insurance		0.00	0.00
Insurance-Other		7,000.00	7,000.00
Sub-Total	21,500.00	297,125.00	318,625.00
Statutory Additions:			
Payment of Bond Principal		160,800.00	160,800.00
Interest on Bonds		184,028.51	184,028.51
Principal/ Interest on Notes/Loans		126,453.96	126,453.96
Total Statutory Additions	0.00	471,282.47	471,282.47
Total Sewer Utility Budget	21,500.00	768,407.47	789,907.47

Seconded by
ROLL CALL:
AYES
NAYES
ABSENT
ABSTAIN
Date:

and adopted on the following roll call vote:

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify the above Resolution was duly adopted by the Borough Council of the Borough of Highlands at a meeting held January , 2016.

BOROUGH CLERK/DEPUTY CLERK

Mayor Nolan made the following appointments to the Mayor's Committees on January 1, 2016:

PUBLIC SAFETY – _____

BUILDING/HOUSING – _____

PARKS & RECREATION – _____

PUBLIC WORKS – _____

FINANCE – _____

PUBLIC RELATIONS – _____

ENVIORNMENTAL/SHADE TREE – _____

SEWER DEPARTMENT – _____

Mayor Nolan hereby makes the following appointments to the Planning Board:

1. _____
2. _____
3. _____
4. _____

Borough Official Member for 1 year term
to expire 12/31/16
Regular Member for a 4-year term to expire
12/31/19
Regular Member for 4-year term to expire
12/31/19
Alt #2 Member for a 2-year term to expire
12/31/17

:

DATE: January 1, 2016

BOROUGH OF HIGHLANDS
Appointment Detail Report
PLAN BD

Department/Commission Name	Title	Last Name	First Name	Begin Term	End Term	App. Date	Length
PLANNING BOARD	REGULAR MEMBER OF PLANNING BOARD	STOCKTON 31 GRAND TOUR	ANDREW HIGHLANDS NJ 07732	01/01/14	12/31/17		4-YEAR
PLANNING BOARD	REGULAR MEMBER OF PLANNING BOARD	LEE	CHRISTIAN HIGHLANDS NJ 07732	10/21/15	12/31/15		4-YEAR
PLANNING BOARD	MAYOR MEMBER OF PLANNING BOARD	NOLAN 51 WATERWITCH AVENUE	FRANK HIGHLANDS NJ 07732		12/31/16		
PLANNING BOARD	COUNCIL REP TO PLANNING BOARD	REDMOND	KEVIN NJ 07732	01/01/14	12/31/15		1-YEAR
PLANNING BOARD	BOROUGH REP TO PLANNING BOARD	HILL	TIM HIGHLANDS NJ 07732		12/31/15		1-YEAR
PLANNING BOARD	REGULAR MEMBER TO PLANNING BOARD	FRANCY	CHRIS HIGHLANDS NJ 07732	12/03/14	12/31/17		4-YEAR
PLANNING BOARD	REGULAR MEMBER TO PLANNING BOARD	COLBY	LARRY HIGHLANDS NJ 07732	01/01/14	12/31/17		4-YEAR
PLANNING BOARD	REGULAR MEMBER TO PLANNING BOARD	WELLS	GREG	10/21/15	12/31/16		4-YEAR
PLANNING BOARD	REGULAR MEMBER TO PLANNING BOARD	VACANT		05/21/14	12/31/15		4-YEAR
PLANNING BOARD	ALT #1 MEMBER OF PLANNING BOARD	ROSEMARY	RYAN HIGHLANDS NJ 07732	10/21/15	12/31/16		2-YEAR
PLANNING BOARD	ALT #2 MEMBER OF PLANNING BOARD	REED	KATIE	10/21/15	12/31/15		2-YEAR

R-16-32

**BOROUGH OF HIGHLANDS COUNTY OF MONMOUTH
RESOLUTION RESCINDING R-14-220 A RESOLUTION CONCERNING THE
FACEBOOK PAGE "HIGHLANDS NJ" AND POSTINGS THEREON, OR ON
ANY SOCIAL MEDIA SITE, BY ELECTED OFFICIALS OF THE BOROUGH OF
HIGHLANDS AND OTHER OFFICIALS, EMPLOYEES, AGENTS,
REPRESENTATIVES AND VOLUNTEERS**

WHEREAS, the governing body recognizes that individuals possess a First Amendment right to comment on any item in any forum; and

WHEREAS, the Governing Body finds that R-14-220 is not necessary and such concerns are properly addressed by the Employee Handbook; and

WHEREAS, the Governing Body desires to rescind R-14-220.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that Resolution R-14-220 be and hereby is rescinded, effective immediately.

**Borough of Highlands
County of Monmouth**

R-16-33

**Resolution Providing Public Comment to Address Agenda Items of Three
(3) Minutes Per Person**

WHEREAS, by Resolution R-14-161, the Borough adopted procedures for public comment at meetings of the governing body; and

WHEREAS, by Resolution R-14-202, the Borough adopted procedures to increase the time limit for speakers at during the public comment portion of meetings of the governing body to three (3) minutes of public comment per person; and

WHEREAS, the Borough wishes to increase public comment for speakers at the beginning of meetings of the governing body to address agenda items only.

NOW, THEREFORE, BE IS RESOLVED that the governing body of the Borough of Highlands amends the previously-adopted resolution R-14-202 to provide for three (3) minutes of public comment per person at the beginning of the meetings of the governing body to address agenda items only.

_____ offered the following ordinance and moved on its introduction and setting of a public hearing date of January 20, 2016 at 8:00 PM:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

O-16-1

**AN ORDINANCE AMENDING CHAPTER 21 OF THE
CODE OF THE BOROUGH OF HIGHLANDS AND
COMBINING THE FUNCTIONS OF THE ZONING BOARD
OF ADJUSTMENT AND THE PLANNING BOARD**

WHEREAS, the Borough has established a Planning Board and Zoning Board of Adjustment; and

WHEREAS, the governing body of the Borough of Highlands finds that it is in the best interest of the Borough to establish a combined Land Use Board to perform the functions of both of the aforementioned boards.

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

SECTION ONE: There is hereby established in the Code of the Borough of Highlands Sections 21-17A.1 through 21-17A.8. It is the intent of this ordinance to combine the land use powers of the Planning Board and Zoning Board of Adjustment into a single board to be known as the "Land Use Board," which shall exercise all of the powers and duties of the individual boards according to the Municipal Land Use Law. The new section of the Borough Code shall read as follows:

§ 21-17A.1. Nine-member Land Use Board.

There is hereby established a nine-member Borough of Highlands Land Use Board, which shall exercise, to the same extent and subject to the same restrictions, all of the powers of a Planning Board and a Zoning Board of Adjustment as set forth in the Municipal Land Use Law and the Code of the Borough of Highlands. Any reference to the Planning Board or Zoning Board of Adjustment in any existing Borough of Highlands Ordinance shall be deemed to refer to the Land Use Board.

§ 21-17A.2. Land Use Board members.

All members of the Land Use Board shall be municipal residents and, pursuant to the Municipal Land Use Law, members shall be appointed and shall consist of the four following classes as set forth below:

A. Class I. The Mayor or Mayor's designee in the absence of the Mayor.

B. Class II. One of the officials of the Borough other than a member of the governing body, to be appointed by the Mayor.

C. Class III. A member of the governing body to be appointed by it.

D. Class IV. Six other citizens of the Borough, to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, position or employment except that one member may be a member of the Board of Education. For purposes of this section, a membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.

E. Alternate members. Four alternates meeting qualifications of Class IV members and appointed by the Mayor and designated as, respectively, "Alternate No. 1, 2, 3 and 4." Alternate members may participate in all matters but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote and if Alternate No. 1 is unavailable, then in descending order of numerical designation.

F. Pursuant to N.J.S.A. 40:55D-10.2, a member of the Land Use Board who was absent for one or more of the meetings for which a hearing was held or was not a member of the Land Use Board at that time shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his or her absence from one or more of the meetings; provided, however, that such Board member has available to him or her the transcript or recording of all of the hearings from which he or she was absent or was not a member, and certifies in writing to the Board that he or she has read such transcript or listened to such recording.

§ 21-17A.3. Terms of Land Use Board members.

A. Class I. The term of the member composing Class I shall correspond to the Mayor's official tenure or, if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure.

B. Class II. The term of the member composing Class II shall be for one year or terminate at the completion of that member's term of office, whichever occurs first.

C. Class III. The term of the member composing Class III shall be for one year or terminate at the completion of that member's respective term of office, whichever occurs first.

D. Class IV. The terms of the members of Class IV shall be four years. The term of a Class IV member who is also a member of the Board of Education shall terminate whenever that member is no longer a member of such other body or at the completion of the Class IV term, whichever occurs first. The terms of all Class IV members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after the appointments.

E. Alternates. The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than two alternate members shall expire in any one year. In no instance shall the terms of the alternate members first appointed exceed two years.

F. General membership terms and provisions.

(1) If a vacancy in any class shall occur otherwise than by expiration of the Land Use Board term, it shall be filled by appointment as provided by regular members, for the unexpired term.

(2) No member of the Land Use Board shall be permitted to act on any matter on which the member has, either directly or indirectly, any personal or financial interest.

(3) Any member other than a Class I member, after a public hearing if the member requests one, may be removed by the governing body for cause.

(4) The governing body may provide that the term of appointment of any class of member commence on January 1.

§ 21-17A.4. Land Use Board officers and professionals.

A. The Land Use Board shall elect a Chairman and Vice Chairman from the members of Class IV. The Land Use Board may also select a Secretary, who may or may not be a member of the Land Use Board or a municipal employee, and fill such other offices as established by ordinance.

B. The Land Use Board may employ or contract for and fix compensation of an Attorney, an Engineer, and such other experts and staff as it may deem necessary. The Land Use Board shall not authorize expenditures which exceed, exclusive of gifts or grants, the amount appropriated by the Borough governing body for its use. The appointments of all staff members, including that

of the Land Use Board Attorney and Engineer shall be made at the organization meeting of the Land Use Board and shall continue for one year until the next organization meeting of the Land Use Board, at which time said appointments shall expire and may be renewed.

C. The Mayor may appoint one or more persons as a Citizens' Advisory Committee to assist or collaborate with the Land Use Board in its duties, but such person or persons shall have no power to vote or take other action required of the Land Use Board. Such person or persons shall serve at the pleasure of the Mayor.

§ 21-17A.5. Powers and duties of the Land Use Board.

A. The Land Use Board is authorized to adopt bylaws, rules and regulations governing its procedural operations which shall be consistent with Municipal Land Use Law, ordinances of the Borough, and other applicable law.

B. The Land Use Board shall also have the powers and duties as set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., for planning boards and zoning boards of adjustment.

C. The Land Use Board shall perform such other advisory duties as are assigned to it by ordinance or resolution of the governing body for the aid and assistance of the governing body or other agencies or officers not inconsistent with the purposes and intent of N.J.S.A. 40:55D-1 et seq. and such other applicable general law.

D. Any approvals granted by the Land Use Board shall be subject to and conditioned upon approval of any other federal, state or local agency as may be applicable.

§ 21-17A.6. Application, submission and approval procedures.

A. Unless otherwise specified by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., ordinance or governing body resolution, procedures for any development application, subdivision approval, site plan approval, variance or appeal from an administrative officer shall be as set forth in rules and regulations adopted by the Borough Land Use Board.

B. Regular meetings of the Land Use Board shall be scheduled no less than once a month and shall comply with the Open Public Meetings Act, as applicable.

C. A verbatim recording shall be made of all hearings before the Land Use Board.

D. Twenty copies of any applications shall be filed with the appropriate designated administrative officer.

E. Every application for development shall be accompanied by a certification from the Tax Collector of the Borough that no taxes or assessments for local improvements are due or delinquent on the property for which any application is made.

§ 21-17A.7. Inconsistent ordinance provisions repealed.

Any section or provision of the Code of the Borough of Highlands which contains provisions contrary to the provisions of this chapter shall be and hereby is repealed to the extent of any such inconsistency.

§ 21-17A.8. Notice.

All applications or matters which come before the Borough of Highlands Land Use Board shall be subject to the notice requirements of N.J.S.A. 40:55D-12 et seq. and shall be submitted not later than 21 days prior to the next hearing date.

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

SECTION FOUR. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.