

**Highlands Borough Mayor & Council Meeting Agenda  
Community Center, 22 Snug Harbor Avenue, Highlands  
Wednesday, June 5th 2019, 6:30 p.m.**

**As per requirement of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Mayor and Council and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.**

Call to Order  
Meeting Statement  
Roll Call

**WORKSHOP: 6:30PM**

Economic Development Officer  
Fees

**EXECUTIVE SESSION: 7:00PM**

Contract Negotiations:	Economic Development Officer
Litigation:	NJNG Litigation
Attorney Client Privilege:	Grant Opportunity Personnel Issues

**REGULAR MEETING: 8:00PM**

Call to Order  
Pledge of Allegiance  
Roll Call

**Consent Agenda**

R-19-148	Approve Payment of the Bills
R-19-149	Authorize Refund of Tax Overpayment
R-19-150	Accept Resignation of Rosa Pace
R-19-151	Accept Resignation of Jennifer Strehl
R-19-152	Renewal Liquor Licenses for 2019/2020 Term

**Resolutions**

R-19-153	Authorize Purchase of a Vehicle
R-19-154	Authorize Shared Service Agreement with Freehold Township for C2 Operator & Backup
R-19-155	Authorize Parking & Pick Up Locations for Taxi
R-19-156	Approve Settlement Agreement in the Matter of Civil Service Appeal
R-19-157	Authorize Municipal Assistance/Shared Service with Colts Neck Township
R-19-158	Approve Place to Place Transfer of Liquor License 1317-33-005
R-19-159	Authorize Award of Non-Fair & Open Contract for Drainage Improvements to North St.
R-19-160	Appoint Temporary Recreation Coordinator
R-19-161	Appoint Per-Diem Recreation Aide
R-19-162	Appoint Permanent Full-Time Cashier
R-19-163	Appoint Temporary Summer Seasonal Employees for DPW & Recreation

**Ordinances: Second Reading & Public Hearing**

O-19-11 Amend Chapter 2, Section 41A – Summer Recreation Fees  
O-19-12 Bond Ordinance Providing Improvements to Cornwell Street & John Street  
O-19-13 Amend Section 2-8.5 to Establish Eligibility of New Construction of Certain Dwellings for  
Tax Abatements

**Other Business**

Miller Beach  
BID Planters  
Administrator's Report  
Police Chief's Report

**Public Comments:**

**Adjourn**



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

# RESOLUTION 19-148

## AUTHORIZING BILLS LIST

**WHEREAS**, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated June 3rd 2019, which totals as follows:

Current Fund	\$ 867,749.20
Sewer Account	\$ 67,585.13
Capital Fund	\$ 77,675.98
Trust-Other	\$ 2,782.16
Federal/State Grants	\$ 1,285.64
Total	<b>\$1,017,078.11</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,017,078.11** 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](http://www.highlandsborough.org) and on file in the Municipal Clerk's office for reference.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-149

### AUTHORIZING REFUND OF TAX OVERPAYMENTS

**WHEREAS**, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes: and

**WHEREAS**, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

**NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes to the individuals and property owners of the specific properties listed below, and attached hereto:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
19	4	2019	\$1,834.61.00	Ditech Financial LLC (Green Tree)



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-150

### RESOLUTION ACCEPTING RESIGNATION OF ROSA PACE

**WHEREAS**, by way of R-18-133, duly adopted on June 6, 2018, Rosa Pace was appointed as a Full-Time Cashier and Deputy Municipal Clerk and for the Borough of Highlands; and

**WHEREAS**, by way of Resolution R-19-041, duly adopted January 1, 2019, Rosa Pace was appointed as the Alternate Land Use Board Secretary for the Borough of Highlands; and

**WHEREAS**, by way of Resolution R-19-070, duly adopted February 6, 2019, Rosa Pace was appointed as the Sub-Registrar for the Borough of Highlands; and

**WHEREAS**, Rosa Pace has submitted a letter of resignation from her positions of Full-Time Cashier, Deputy Municipal Clerk, Alternate Land Use Board Secretary, and Sub-Registrar effective May 30, 2019; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor & Council of the Borough of Highlands that the Borough hereby accepts the resignation of Rosa Pace, Full-Time Cashier, Deputy Municipal Clerk, Alternate Land Use Board Secretary, and Sub-Registrar, and wishes her well in her future endeavors.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-151

### RESOLUTION ACCEPTING RESIGNATION OF JENNIFER STREHL

**WHEREAS**, by way of R-11-125, duly adopted on June 1, 2011, Jennifer Strehl was appointed as a Recreation Assistant for the Borough of Highlands; and

**WHEREAS**, Jennifer Strehl has submitted a letter of resignation from her position of Recreation Assistant effective May 31, 2019; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor & Council of the Borough of Highlands that the Borough hereby accepts the resignation of Jennifer Strehl, Recreation Assistant and wishes her well in her future endeavors.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

# RESOLUTION 19-152

## RENEWAL OF LIQUOR LICENSES FOR FOR THE 2019-2020 TERM

**WHEREAS**, the New Jersey Division of Alcoholic Beverage Control (ABC) has implemented a new electronic, web-based licensing called POSSE ABC; and,

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

**WHEREAS**, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal fees have been paid and a Tax Clearance Certificate has been received for the following licensee[s]; and,

**WHEREAS**, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and,

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2019-2020 term from July 1<sup>st</sup> 2019 to June 30<sup>th</sup> 2020, is hereby authorized:

License Number	Licensee	Establishment
<b>- Club License -</b>		
1317-31-027-001	American Legion Twinlight Post 14	American Legion Twinlight Post 14
1317-31-028-001	Highlands Post 6902 VFW of US	Highlands Post 6902 VFW of US
<b>- Plenary Retail Consumption Licenses with Broad Package Privilege -</b>		
1317-32-018-005	Driftwood Liquors	DDS Enterprises LLC
1317-32-021-003	Andy's Shore Bar Inc.	Andy's Shore Bar
<b>- Plenary Retail Consumption Licenses -</b>		
1317-33-001-004	Bahrs' Restaurant LLC	Bahrs Landing – Moby's
1317-33-007-003	Inlet Café	Inlet Café Inc.
1317-33-008-006	Seastreak	Seastreak LLC
1317-33-012-006	Proving Ground	SmokeNMirrors, LLC
1317-33-015-007	Chilango's Inc.	Chilangos
1317-33-019-012	Atlantic Street Innkeepers LLC	The Seafarer
1317-33-022-010	Off the Hook	M&D Inc.
<b>- Plenary Retail Consumption License Who Received a Special 12:39 Ruling by the ABC -</b>		
1317-33-006-004	John J. Tomanini	N/A
<b>- Plenary Retail Distribution Licenses -</b>		
1317-44-011-003	Bay Spirits	Monir Inc.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

# RESOLUTION 19-153

## AUTHORIZING PURCHASE OF VEHICLE

**WHEREAS**, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Highlands Police Department has the need to replace a patrol car, purchasing a Chevy Tahoe using Educational Services Commission of New Jersey, Contract #65MCESCCPS, from Mall Chevrolet; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available using budget #8-01-25-240-000-29 in the amount of \$5,750.00 and budget number T-03-56-850-000-005 in the amount of \$38,000.00, totaling \$43,750.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Highlands authorizes the purchase of this vehicle for the Borough of Highlands Police Department in the amount of \$43,750.00.





BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-154

### **RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND TOWNSHIP OF FREEHOLD**

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

**WHEREAS**, the Township of Freehold has offered to provide, through a Shared Services Agreement, a C2 Sewer Operator and a Back Up Sewer Operator to inspect and upkeep the Borough's sewer lines and stations; and

**WHEREAS**, it is in the best interest of the Borough of Highlands to enter into the proposed Shared Services Agreement with the Township of Freehold.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute the attached Shared Services Agreement with the Township of Freehold.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this Resolution, along with the executed Shared Services Agreement to the following:

1. Terri Patino, Clerk, Township of Freehold.
2. Peter R. Valesi, Administrator, Township of Freehold.
3. Patrick DeBlasio, Chief Financial Officer, Borough of Highlands.
4. Elizabeth Perez, Monmouth County Shared Services.
6. NJ Department of Local Government Services.
7. Brian J. Chabarek, Esq., Borough of Highlands.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-155

### RESOLUTION AUTHORIZING PARKING AND PICK UP LOCATIONS FOR TAXI

**WHEREAS**, the Borough of Highlands Code, Chapter 4.7-5, requires that taxis operating the Borough to have their parking locations approved by the Borough Council; and

**WHEREAS**, Scooter Dudes has filed a Mercantile Application to operate in the Borough of Highlands; and

**WHEREAS**, Scooter Dudes has provided all required documentation to operate in the Borough of Highlands including a list of places the taxis would be parking and picking up passengers within the Borough which follows:

1- Andy's Shore Bar, Feed & Seed, Fresh Farm to Table, Younique Yoga  
150 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

2- Bahr's Restaurant, Moby's, Logowear Pros  
2 Bay Ave, Highlands, NJ 07732

Pickup point: Parking lot of businesses

3- Bay Avenue Bakery & Café, Circle K, Bay Spirits  
111 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

4- Chilango's, Francesco's  
272 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

5- Chubby Pickle, Veteran's Park  
23 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

6- Driftwood Bar & Liquors, Girls Café, Welsh Farms-Blimpie  
300 Bay Ave, Highlands, NJ 07732

Pickup point: Parking lot of businesses

7- Hinlickity's Ice Cream, Il Lago, Spiritual Beauty  
120 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

8- Inlet Café, Proving Ground

3 Cornwall St, Highlands, NJ 07732

Pickup point: corner of Shrewsbury & Cornwall

9- Katz's Luncheonette

208 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

10-Lusty Lobster

88 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

11-Off The Hook

1 NJ-36, Highlands, NJ 07732

Pickup point: Parking lot of business

12-Porcini

168 Bay Ave, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

13-Municipal Parking

326 Shore Drive, Highlands, NJ 07732

Pickup point: East & West side of Bay Avenue

14-Seafarer

1 Atlantic St, Highlands, NJ 07732

Pickup point: Parking lot of business

15-Kranky Cycles, Waterwitch Coffee, In The Garden, Et Al Fine Foods, Valley National Bank

321 Bay Ave, Highlands, NJ 07732

Pickup point: North & South side of Waterwitch Ave

16-Seatreak

326 Shore Dr, Highlands, NJ 07732

Pickup point: Parking lot of business

17-Trama's

1 Willow St, Highlands, NJ 07732

Pickup point: Parking lot of business

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Highlands hereby authorizes the above parking and pick up locations for Scooter Dudes taxi service.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 19-156**

### **RESOLUTION APPROVING THE SETTLEMENT AGREEMENT IN THE MATTER OF CIVIL SERVICE APPEAL OF DANIEL FLANNIGAN (“APPELLANT”)**

**WHEREAS**, there is currently an appeal of a working test period removal filed against the Borough; and

**WHEREAS**, the Borough and the Appellant in that matter have reached an agreement to resolve the Civil Service appeal; and

**WHEREAS**, pursuant to that agreement Appellant will resign his employment with the Borough of Highlands; and

**WHEREAS**, it has been determined by the Mayor and Council that the terms agreed to by the parties, which are contained in a written agreement, will provide a fair and cost-effective means of resolving this personnel matter; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council approve the terms of the Settlement Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Administrator are hereby authorized to execute any agreement and other related documents necessary to effectuate the conditions of the settlement agreement on behalf of the Borough.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-157

### **RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND COLTS NECK TOWNSHIP**

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

**WHEREAS**, the Borough of Highlands has offered to provide municipal assistance/services to Colts Neck Township; and

**WHEREAS**, it is in the best interest of the Borough of Highlands to enter into the proposed Municipal Assistance/Shared Services Agreement with Colts Neck Township.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute the attached Municipal Assistance/Shared Services Agreement with Colts Neck Township.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this Resolution, along with the executed Municipal Assistance/Shared Services Agreement to the following:

1. Beth Kara, Clerk, Colts Neck Township.
2. Kathleen M. Capristo, Administrator, Colts Neck Township.
3. Patrick DeBlasio, Chief Financial Officer, Borough of Highlands.
4. David Milmoie, Public Works Superintendent, Borough of Highlands.
5. Elizabeth Perez, Monmouth County Shared Services.
6. NJ Department of Local Government Services.
7. Brian J. Chabarek, Esq., Borough of Highlands.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 19-158**

### **PLACE TO PLACE TRANSFER OF LIQUOR LICENSE 1317-33-005**

**WHEREAS**, an application has been filed for a Place to Place transfer of Plenary Retail Consumption License 1317-33-005, in the name of Sandy Hook Holdings LLC, trading as ONE Willow, to expand the premise located at 1 Willow Street, Highlands; and,

**WHEREAS**, the submitted application form is complete in all respects, as outlined in N.J.S.A. 33: 1-1 et seq., affidavit of publications have been received by the Municipal Clerk, and the transfer fees have been paid; and,

**WHEREAS**, the Highlands Police Department has reviewed the application and the results meet ABC standards; and,

**WHEREAS**, the location meets ABC and Municipal requirements; and,

**WHEREAS**, the applicant is qualified to be licensed per Title 33 of the New Jersey Statutes and all rules and regulations promulgated there under, in addition to pertinent Borough Ordinances,

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey approves the Place to Place Transfer of the Plenary Retail Consumption License numbered 1317-33-005, Sandy Hook Holdings LLC trading as One Willow, to include the restaurant, the pier off the restaurant, the marina office and pool area but excluding the marina docks where boats are secured at 1 Willow Street Avenue, Highlands. This transfer will be effective upon final approval of the ABC.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-159

### RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR DRAINAGE IMPROVEMENTS TO NORTH STREET

**WHEREAS**, the Borough of Highlands has a need for professional land surveying and engineering services in connection with drainage improvements to North Street pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, CME Associates has set forth its proposed services in a written proposal dated May 29, 2019, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the said Proposal includes the following: Design Phase Services and Bid Phase Services; and

**WHEREAS**, the proposed amount of the contract with CME Associates is \$10,700.00, consisting of the following:

• Design Phase Services	\$7,700.00
• Bid Phase Services	<u>\$3,000.00</u>
Total	\$10,700.00

; and

**WHEREAS**, such professional land surveying and engineering services can only be provided by licensed professionals and the firm of CME Associates, 1460 Route 9 South, Howell, New Jersey 07731 is so recognized; and

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed land surveying and engineering services in connection with drainage improvements to North Street as set forth in its proposal; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$10,700.00 for professional land surveying and engineering services as stated in CME Associates' proposal dated May 29, 2019; and

**WHEREAS**, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that it 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 CME Associates from making any reportable contributions through the term of the contract; and

**WHEREAS**, CME Associates 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;

I hereby certify that funds are available as follows:

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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. CME Associates is hereby retained to provide land surveying and engineering services in connection with drainage improvements to North Street as described above in their proposal dated May 29, 2019, for an amount not to exceed \$10,700.00.
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). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.





BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 19-160**

### **RESOLUTION APPOINTING TEMPORARY RECREATION COORDINATOR**

**WHEREAS**, due to a vacancy the Borough of Highlands is in need of hiring a Temporary Recreation Coordinator within the Recreation Department; and

**WHEREAS**, the Borough Administrator has interviewed applicants for the position and has recommended that Diane Knox be appointed as Temporary Recreation Coordinator for a period up to 90 days.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that Diane Knox is hereby appointed to the position of Temporary Recreation Coordinator, working 25 hours per week, effective June 5<sup>th</sup> 2019, for a period up to 90 days.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 19-161**

### **RESOLUTION APPOINTING PER-DIEM RECREATION AIDE**

**WHEREAS**, due to a vacancy the Borough of Highlands is in need of hiring a per-diem Recreation Aide to assist within the Recreation Department; and

**WHEREAS**, the Borough Administrator has interviewed applicants for the position and has recommended that Danielle Hertel be appointed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that Danielle Hertel is hereby appointed to the per-diem position of Recreation Aide, working 12 hours per week, effective June 5<sup>th</sup> 2019.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 19-162**

### **RESOLUTION APPOINTING PERMANENT FULL-TIME CASHIER**

**WHEREAS**, the Mayor and Council of the Borough of Highlands have determined that there is a need for a permanent Full-Time Cashier and they wish to appoint Jessica Jennings to the said position; and

**WHEREAS**, Ms. Jennings will also serve as Deputy Municipal Clerk, receiving a stipend for such for a term ending 12/31/2019.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Highlands, that Jessica Jennings be and is hereby appointed to the position of Cashier and is hereby appointed Permanent Full-Time Cashier effective June 4, 2019; and

**BE IT FURTHER RESOLVED** that as set forth above, Jessica Jennings shall serve as Deputy Municipal Clerk for a term ending 12/31/2019.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 19-163

### RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL EMPLOYEES FOR THE BOROUGH OF HIGHLANDS

**WHEREAS**, the Borough has the need for temporary summer employees to work with the DPW and Recreation; and

**WHEREAS**, Kimberly Gonzales, Borough Administrator, has made the following recommendations for appointments to the Governing Body.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the following seasonal temporary appointments be and hereby are approved:

Department	Status	Position	Name
DPW	Part-Time	Laborer	Andrew Della Franco
Recreation	Full-Time	Camp Director	Jessica Picciano

**BE IT FURTHER RESOLVED** that the aforesaid temporary seasonal appointments are effective June 10, 2019.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 19-11

### AN ORDINANCE AMENDING CHAPTER 2, SECTION 41A OF THE CODE OF THE BOROUGH OF HIGHLANDS

**WHEREAS**, the Borough of Highlands runs a Summer Recreation Program for children; and

**WHEREAS**, the governing body finds that it is in the best interest of the Borough to change the registration fees as well as the age requirements for participation in the said program.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Highlands, County of Monmouth, State of New Jersey, as follows:

#### **SECTION I.**

Borough Code, Section 2-41A entitled "Registration Fees for Summer Recreation Program" shall be amended as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~strikeovers in bold italics~~).

#### **2-41A.1 Fees.**

The Borough of Highlands runs a summer recreation program **for children between the ages of five (5) and fourteen (14)** by and through the Recreation Department. In order to participate in the said recreation program registrants are required to properly complete a Registration Form. In conjunction with the completion of the said Registration Form, the following fees will be collected by the Borough:

Residents of the Borough and Non-Resident employees of the Borough who submit their Registration Forms on or before June ~~15<sup>th</sup>~~ **20<sup>th</sup>** of each year, shall pay a registration fee of ~~\$35.00 for the first two (2) children and \$10.00 for each additional child~~ **\$20.00 per week per child as well as \$5.00 per week per child for aftercare;**

Non-Residents of the Borough who submit their Registration Forms on or before June ~~15<sup>th</sup>~~ **20<sup>th</sup>** of each year, shall pay a registration fee of ~~\$50.00 for the first two (2) children and \$15.00 for each additional child~~ **\$60.00 per week per child as well as \$15.00 per week per child for aftercare;**

Residents of the Borough and Non-Resident Employees of the Borough, who submit their Registration Forms after June ~~15<sup>th</sup>~~ **20<sup>th</sup>** of each year, but at least one (1) week prior to the beginning of the program, shall pay a ~~registration fee in the amount of \$50.00 for the first two (2) children and \$15.00 for each additional child~~ **\$10.00 late fee;**

Non-Residents of the Borough, who submit their Registration Forms after June ~~15<sup>th</sup>~~ 20<sup>th</sup> of each year, but at least one (1) week prior to the beginning of the program, shall pay a ~~registration fee in the amount of \$75.00 for the first two (2) children and \$15.00 for each additional child \$30.00 late fee.~~

Registrants who submit their Registration Forms after June ~~15<sup>th</sup>~~ 20<sup>th</sup> of each year up until one (1) week prior to the beginning of the Summer Program will be accepted into the program based upon availability. Registration Forms submitted later than one (1) week prior to the beginning of the Summer Program will not be accepted. Those Registration Forms submitted with the required fees which are not accepted into the program will have the fees refunded to the applicant. Proof of residency in the Borough shall be required. For purposes of this section, a resident is defined as a person having permanent domicile within the Borough of Highlands. A determination as to entry into the program and as to the required fees shall be made by the Director of the Recreation Department and/or the Borough Administrator or his/her designee.

**SECTION II. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

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

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



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 19-12

**AN ORDINANCE OF THE BOROUGH OF HIGHLANDS,  
IN THE COUNTY OF MONMOUTH, NEW JERSEY,  
PROVIDING FOR IMPROVEMENTS TO CORNWELL  
STREET AND JOHN STREET AND OTHER RELATED  
EXPENSES FOR THE BOROUGH OF HIGHLANDS  
AND APPROPRIATING \$650,000 THEREFOR  
(INCLUDING A GRANT IN THE AMOUNT OF \$225,000  
EXPECTED TO BE RECEIVED FROM THE NEW  
JERSEY DEPARTMENT OF TRANSPORTATION), AND  
PROVIDING FOR THE ISSUANCE OF \$650,000 IN  
GENERAL IMPROVEMENT BONDS OR NOTES OF  
THE BOROUGH OF HIGHLANDS TO FINANCE THE  
SAME**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$650,000 (including \$225,000 expected to be received in a grant from the State of New Jersey, Department of Transportation). No down payment is required as this bond ordinance involves a project funded by State grants or other similar programs, within the meaning of N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$650,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

- (a) The improvements hereby authorized and the purpose for which the bonds or notes are to be issued are improvements to Cornwell Street and John Street located in the Borough, including, but not limited to,
- (i) sanitary sewer improvements consisting of the replacement of

existing gravity sanitary sewer main, manholes, laterals and cleanouts, (ii) storm sewer improvements consisting of the replacement of existing pipe and structures, and (iii) roadway improvements consisting of concrete improvements and roadway reconstruction for Cornwell Street between Bay Avenue and Shrewsbury Avenue and John Street between Cornwell Street and Jackson Street, together with all purposes necessary, incidental or appurtenant thereto, and including all work and materials necessary therefor or incidental thereto.

- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and



- no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.
  - (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$650,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
  - (d) An amount not exceeding \$80,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.
  - (e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use,

expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 19-13

### AN ORDINANCE AMENDING SECTION 2-8.5 OF THE BOROUGH CODE TO ESTABLISH ELIGIBILITY OF NEW CONSTRUCTION OF CERTAIN DWELLINGS FOR TAX ABATEMENTS

**WHEREAS**, pursuant to N.J.S.A. 40A:21-4, the Borough has the authority to adopt an Ordinance setting forth the eligibility of dwellings, multiple dwellings, and commercial and industrial structures for tax exemptions or abatements in areas in need of rehabilitation; and

**WHEREAS**, Ordinance 12-24 previously renewed a five-year tax exemption and abatement program pertaining to the entirety of the Borough; and

**WHEREAS**, the governing body of the Borough of Highlands has determined that it is in the best interest of the Borough to amend Section 2-8.5 to allow for a tax abatement for the new construction of four (4) or more single family homes that are constructed on contiguous lots.

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

#### SECTION I.

Borough Code Section 2-8.5 "Exemption and Abatement from Taxation Pursuant to N.J.S.A. 40A:21-1" shall be amended as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~**strikeovers in bold italics**~~).

#### **2-8.5 Exemption and Abatement from Taxation Pursuant to N.J.S.A. 40A:21-1.**

*a. Purpose.* The Borough of Highlands seeks to encourage property owners to improve their property by offering certain tax incentives for limited periods of time upon completion of improvements or conversion or construction of structures as defined by law. Any exemption provided by this section shall not exceed five (5) years. In accordance with N.J.S.A. 40A:21-1 et seq., the eligibility for exemptions provided by this subsection shall expire in ten (10) years.

*b. Definition of Terms.* Unless otherwise specifically provided in this subsection the definition of all words and terms used in this section shall be those provided in N.J.S.A.

Highlands Borough Mayor & Council Meeting Agenda  
Community Center, 22 Snug Harbor Avenue, Highlands  
Wednesday, May 15<sup>th</sup> 2019 – 7:00 p.m.

40A:21-1 entitled "The Five-Year Exemption and Abatement Law" (hereinafter referred to as "the Exemption Law").

c. *Area in Need of Rehabilitation.* In accordance with N.J.S.A. 40A:12A-14 and N.J.S.A. 40A:21-3 and -4, the entire Borough of Highlands is hereby designated an area in need of rehabilitation.

d. *Eligibility.* **New Construction of four (4) or more single family homes that are constructed on contiguous lots.** Multiple dwelling, commercial and industrial structures, which qualify pursuant to the Exemption Law, shall be eligible for exemptions from taxation as provided in this section for improvements, conversions, construction or all of these. Additionally, any such property seeking an exemption as provided herein (1) must not be delinquent in property taxes owed; and (2) must comply with current Zoning Code requirements. Any property receiving an exemption pursuant to the provisions herein shall immediately forfeit the exemption should property taxes on the property become delinquent.

e. *Exemptions for Improvements to or Construction of Multiple Dwellings, Conversions of Other Buildings to Multiple Dwelling Use **or the Construction of Four (4) or More Single Family Homes that are Constructed on Contiguous Lots.*** The Borough shall provide the following exemptions to the extent permitted by law and by the provisions of these sections.

1. Exemptions for Improvements to or Construction of and Conversion to Multiple Dwellings **or New Construction of four (4) or more single family homes that are constructed on contiguous lots.**

(a) There shall be an exemption from taxation of improvements to multiple dwellings or of conversions of other buildings and structures, including unutilized public buildings, to dwelling use or both.

(1) Tax exemptions for improvements to multiple dwellings shall only be available if the number of units within the multiple dwelling complies with current zoning restrictions either at the time of the improvements or as a result of the improvements.

(2) Conversions of structures to multiple dwelling use shall not be eligible for the exemptions provided herein.

(3) In determining the value of real property, the Borough shall regard the assessor's full and true value of improvements for each dwelling unit primarily and directly affected by the improvement in any dwelling more than twenty (20) years old, as not increasing the value of the property for a period of five (5) years. During the exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the improvements, unless there is damage to the multiple dwelling through action of the elements sufficient to warrant a reduction.

**(b) There shall be an exemption from taxation for improvements of the assessed valuation of the new construction of four (4) or more single family homes that are constructed on contiguous lots, provided that the construction is in compliance with the current Zoning Code. In determining the value of the improvements, the Borough shall regard the following percentages of the assessor's full and true value of the improvements as exempt from taxation for a total of five (5) years. The exemption period and annual percentage is set forth below:**

(1) Year One: 30% of the improvements.

(2) Year Two: 24% of the improvements.

(3) Year Three: 18% of the improvements.

(4) Year Four: 12% of the improvements.

(5) Year Five: 6% of the improvements.

**In accordance with N.J.S.A. 40A:21-5(d), the annual amount of the abatement shall not exceed 30% of the total cost of the construction and the total amount of the abatements granted to any single property shall not exceed the total cost of construction.**

2. Improvements to Commercial and Industrial Structures. There shall be an exemption from taxation of improvements to all commercial and industrial structures within the Borough. In determining the value of real property, the Borough shall regard up to the assessor's full and true value of the improvements as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the improvements, unless there is damage to the structure through action of the elements sufficient to warrant a reduction.

f. *Tax Agreements for Exemption for Construction of Commercial or Industrial Structures or Multiple Dwellings.* Applicants for exemption from taxation for construction of commercial structures, industrial structures or multiple dwellings shall comply with the following procedures:

1. Complete an application that provides the Governing Body with all information required by N.J.S.A. 40A:21 -9 and its amendments or supplements.

2. After the Governing Body adopts an ordinance authorizing a tax agreement for the particular project for which the application has been made, enter into an agreement with the Governing Body for tax exemption which shall provide the applicant to pay the Borough of Highlands in lieu of full property tax payments an

amount annually to be computed by the tax phase-in basis set forth in N.J.S.A. 40A:21-10(c) and below:

- (a) In the first full year after completion, no payment in lieu of taxes otherwise due;
- (b) In the second full year after completion, an amount not less than twenty (20%) percent of taxes otherwise due;
- (c) In the third full year after completion, an amount not less than forty (40%) percent of taxes otherwise due;
- (d) In the fourth full year after completion, an amount not less than sixty (60%) percent of taxes otherwise due;
- (e) In the fifth full year after completion, an amount not less than eighty (80%) percent of taxes otherwise due.

The Governing Body shall not be required to enter into any agreement if the applicant does not agree to the same formula that the Borough determines is in the best interest of the Borough.

**SECTION II. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

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

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