

**Highlands Borough Mayor & Council Meeting Agenda
Community Center, 22 Snug Harbor Avenue, Highlands
Wednesday, June 19th 2019, 7:00 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

EXECUTIVE SESSION: 7:00PM

Litigation: Good Neighbors LLC
Attorney Client Privilege: Captain's Cove
Building Height
Land Use Ordinance
Fair Share Housing

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Certificates of Appreciation

Valerie Browning
Cranston Dean
Telegraph Hill Records

Approval of Minutes

January 1, 2019
January 16, 2019
April 17, 2019
May 1, 2019
May 15, 2019
June 5, 2019

Consent Agenda

R-19-164 Approve Payment of the Bills
R-19-165 Renew Liquor Licenses for 2019/2020 Term
R-19-166 Appoint Temporary Summer Seasonal Recreation Employees
R-19-167 Appoint Temporary Summer Seasonal Recreation Employees for Food Service Program
R-19-168 Approve Insertion of \$13,688.71 into the 2019 Budget as Revenue Available from the Clean Communities Program Grant
R-19-169 Approve First Aid Membership Applications
R-19-170 Authorize New Emergency Management Plan

R-19-171 Accept Resignation of Bonnie Brookes

Resolutions

R-19-172 Authorize Execution of Municipal Open Space Agreement with the Monmouth County – Snug Harbor Park Improvements

R-19-173 Authorize Execution of Municipal Open Space Program Grant Agreement with Monmouth County – Highlands Beach & Snug Harbor Beach Park Revitalization

R-19-174 Approve Settlement Agreement Regarding the Borough’s Mt. Laurel Declaratory Judgement Action

R-19-175 Amend Municipal Assistance/Shared Service with Colts Neck Township

R-19-176 Authorize Purchase of Radio Communications Equipment & Accessories

R-19-177 Appoint Acting Municipal Clerk

R-19-178 Appoint Secretary

R-19-179 Appoint Registrar of Vital Statistics

Other Business

Building Height

Burbio

Brush Ordinance

Landscape Design for New Borough Hall

Administrator’s Report

Engineer’s Report

Police Chief’s Report

Public Comments:

Adjourn



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-164

AUTHORIZING BILLS LIST

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated June 19th 2019, which totals as follows:

Current Fund	\$ 869,887.36
Sewer Account	\$ 71,590.15
Capital Fund	\$ 751,377.94
Trust-Other	\$ 28,189.52
Federal/State Grants	\$ 0.00
Total	\$1,721,044.97

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,721,044.97** be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at www.highlandsborough.org and on file in the Municipal Clerk's office for reference.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-165

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 1st 2019 to June 30th 2020, is hereby authorized:

License Number	Licensee	Establishment
- Plenary Retail Consumption Licenses -		
1317-33-003	Claddagh of Highlands, LLC	NA
1317-33-004	Bay Avenue Entertainment LLC	NA
1317-33-005	Sandy Hook Holdings LLC	One Willow
1317-33-010	J. WalkerBlack LLC	NA



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-166

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

WHEREAS, the Borough has a need for temporary summer seasonal employees to work with the Summer Recreation Program; and

WHEREAS, Kim Gonzales, Borough Administrator has made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed below have been included in the Municipal Budget within the Recreation Department;

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

NAME	POSITION	HOURLY
Parounakia, Stephanie	Counselor, Theater Director	\$ 17.00
Mosca, KyraJo	Counselor/ after care	\$ 11.00
Dodge, Claire	Counselor	\$ 13.00
Vogt, Amelia	Counselor- No Fridays	\$ 10.25
Dotts, Darryl	Counselor- Only Fridays/ After Care Everyday	\$ 10.00
Lin, Connie	Counselor	\$ 10.00
Mohr, Makayla	Counselor	\$ 9.00
Schneider, Jackie	Counselor	\$ 9.00
Nobile, Jennifer	Counselor	\$ 13.00
Lopez, Naisset	Counselor	\$ 10.00
Hertel, Danielle	Medical Director	\$ 12.00
Kalaka, Michael	Counselor	\$ 10.00
Souza, Alina	Counselor	\$ 10.00
Campbell, Amanda	Counselor	\$ 13.00
Pepsny, Brianna	Counselor	\$ 10.00



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-167

RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL RECREATION EMPLOYEES FOR THE SUMMER FOOD SERVICE PROGRAM FOR THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough has a need for temporary summer seasonal employees to work with the Summer Recreation Program for the Summer Food Service Program; and

WHEREAS, Kim Gonzales, Borough Administrator has made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed below have been included in the 2019 Summer Food Service Program Approved Grant and the 2019 Summer Food Service Program Carryover (Excess) Funds;

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

NAME	POSITION	HOURLY
Romeo, Louise	Food Prep	\$ 11.00
Lopez, Isael	Food Prep	\$ 9.50



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-168

REQUESTING APPROVAL OF INSERTION OF \$13,688.71 INTO THE 2019 BUDGET AS REVENUE AVAILABLE FROM THE CLEAN COMMUNITIES PROGRAM GRANT

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highlands hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$13,688.71 which item is now available as a revenue from the Clean Communities Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$13,688.71 be and the same is hereby appropriated under the caption of:

Clean Communities Program Grant



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-169

RESOLUTION APPROVING FIRST AID MEMBERSHIP APPLICATIONS

WHEREAS, Nancy Trans and Christian Castro of Highlands, has submitted Membership Applications to the Highlands First Aid Squad; and

WHEREAS, Jay Terwiliger, Captain of the First Aid Squad has approved the membership applications; and

NOW THEREFORE BE IT RESOLVED, that by the Governing Body of the Borough of Highlands that the First Aid Squad Membership Applications of Nancy Trans and Christian Castro are hereby approved.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-170

RESOLUTION AUTHORIZING NEW EMERGENCY OPERATIONS PLAN

WHEREAS, P.L. 1989, c. 222 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Borough of Highlands ("the Borough") in correlation with its Office of Emergency Management to better prepare and manage jurisdiction-wide emergencies; and

WHEREAS, the Borough must submit an Emergency Operations Plan through the County Office of Emergency management to the State Office of Emergency Management for initial review and approval, and will require recertification every four (4) years; and

WHEREAS, the Borough is in receipt of an Emergency Operations Plan and a request from its Office of Emergency Management for formal adoption;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands in the County of Monmouth, State of New Jersey that it hereby authorizes and adopts a newly revised Municipal Emergency Operations Plan attached hereto and made part hereof.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized and directed to send a certified true copy of this Resolution to the Monmouth County Office of Emergency Management Coordinator.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-171

RESOLUTION ACCEPTING RESIGNATION OF BONNIE BROOKES

WHEREAS, by way of R-17-115, duly adopted on May 18th 2017, Bonnie Brookes was appointed as a Deputy Municipal Clerk/Registrar for the Borough of Highlands; and

WHEREAS, by way of R-17-189, duly adopted on December 6th 2017 Bonnie Brookes was appointed as a Municipal Clerk/Registrar for the Borough of Highlands; and

WHEREAS, Bonnie Brookes has submitted a letter of resignation from her position of Municipal Clerk/Registrar effective July 2, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Highlands that the Borough hereby accepts the resignation of Bonnie Brookes, Municipal Clerk/Registrar and wishes her well in her future endeavors.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-172

RESOLUTION AUTHORIZING EXECUTION OF MUNICIPAL OPEN SPACE PROGRAM GRANT AGREEMENT WITH THE COUNTY OF MONMOUTH FOR THE SNUG HARBOR PARK IMPROVEMENTS PROJECT (APPLICATION NO. 18-22)

WHEREAS, the Borough of Highlands made application to the County of Monmouth for financial assistance under the Municipal Open Space Program for the Snug Harbor Park Improvements Project; and

WHEREAS, the County has reviewed the application and has found it to be in conformance with the scope and intent of the Municipal Open Space Program and has approved the Borough's request for funding.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the Borough Administrator is hereby authorized to execute the aforesaid Agreement with Monmouth County and the Borough Clerk is hereby authorized to attest to the execution of the said Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Borough Clerk to be a true copy will be forwarded to the Board of Chosen Freeholders, County of Monmouth.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-173

RESOLUTION AUTHORIZING EXECUTION OF MUNICIPAL OPEN SPACE PROGRAM GRANT AGREEMENT WITH THE COUNTY OF MONMOUTH FOR THE HIGHLANDS BEACH AND SNUG HARBOR BEACH PARK REVITALIZATION PHASE 1 PROJECT (APPLICATION NO. 16-10)

WHEREAS, the Borough of Highlands made application to the County of Monmouth for financial assistance under the Municipal Open Space Program for the Highlands Beach and Snug Harbor Beach Park Revitalization Phase 1 Project; and

WHEREAS, the County has reviewed the application and has found it to be in conformance with the scope and intent of the Municipal Open Space Program and has approved the Borough's request for funding.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the Borough Administrator is hereby authorized to execute the aforesaid Agreement with Monmouth County and the Borough Clerk is hereby authorized to attest to the execution of the said Project Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Borough Clerk to be a true copy will be forwarded to the Board of Chosen Freeholders, County of Monmouth.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-174

RESOLUTION APPROVING THE SETTLEMENT AGREEMENT REGARDING THE BOROUGH'S MT. LAUREL DECLARATORY JUDGMENT ACTION

WHEREAS, the Borough of Highlands (the "Borough") filed a declaratory judgment action captioned In the Matter of the Application of the Borough of Highlands, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-20012-17 (the "Mt. Laurel Litigation") following the New Jersey Supreme Court's decision in the matter of In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, wherein the Supreme Court directed that municipalities were required to file declaratory judgment actions in the Superior Court to evaluate compliance with their *Mount Laurel* obligations in order to maintain immunity from builder's remedy litigation; and

WHEREAS the Court appointed Michael P. Bolan, P.P. , AICP to serve as the Special Master in the Mt. Laurel Litigation to advise the Court and the parties on affordable housing compliance issues; and

WHEREAS, the Fair Share Housing Center ("FSHC") is a Supreme Court designated interested party in this Mt. Laurel Litigation to advocate on behalf of low and moderate income households in the State of New Jersey and the County of Monmouth; and

WHEREAS, the Borough's fair share obligation for the time period 1999-2025 has yet to be determined by the Court and the Borough participated in a mediation process with the Judge overseeing the matter along with the assistance of the Special Master in an attempt to reach a fair and reasonable resolution of the Mt. Laurel Litigation, and the Borough Council finds it is in the best interest of the Borough to enter into a Settlement Agreement with FSHC in order to avoid the expense and risk of trial and uncertain results; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands in the County of Monmouth and State of New Jersey that the Mayor is hereby authorized to execute a Settlement Agreement with Fair Share Housing Center in a form substantially similar to the Settlement Agreement attached hereto.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-175

RESOLUTION TO AMEND THE 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 entered into a Municipal Assistance/Shared Services Agreement with Colts Neck Township through Resolution 19-157; and

WHEREAS, the Borough of Highlands requested an addendum to the contract listing the services that Colts Neck Township could offer the Borough; and

WHEREAS, it is in the best interest of the Borough of Highlands to amend 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 accepts the attached amended 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 19-176

AUTHORIZING PURCHASE OF RADIO COMMUNICATIONS EQUIPMENT & ACCESSORIES

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 purchase a Radio Communications Equipment and Accessories using the New Jersey Cooperative Purchasing Program, Contract #83909, from Motorola Solutions, Inc.; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available using budget #C-04-16-102-000-201 in the amount of \$184,553.90.

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 \$184,553.90.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-177

RESOLUTION APPOINTING NINA FLANNERY TO SERVE IN THE POSITION OF ACTING MUNICIPAL CLERK

WHEREAS, the position of Municipal Clerk shall become vacant on July 2, 2019 due to the resignation of Bonnie Brookes; and

WHEREAS, N.J.S.A. 40A:9-133 provides that "Within 90 days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, the governing body may appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk for a period not to exceed one year and commencing on the date of the vacancy."; and

WHEREAS, the Borough wishes to appoint Nina Flannery to serve as the Acting Municipal Clerk for 90 days.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Nina Flannery is hereby appointed to serve as Acting Municipal Clerk, for a 90-day term effective July 2, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-178

RESOLUTION APPOINTING NINA FLANNERY TO SERVE IN THE POSITION OF SECRETARY

WHEREAS, the Borough wishes to appoint Nina Flannery to serve as a Secretary until her appointment as Acting Municipal Clerk on July 2, 2019.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Nina Flannery is hereby appointed to serve as a Secretary until July 1, 2019, effective June 20, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-179

RESOLUTION APPOINTING DONNA CONRAD TO SERVE IN THE POSITION OF REGISTRAR

WHEREAS, the position of Registrar shall become vacant on July 2, 2019 due to the resignation of Bonnie Brookes; and

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

WHEREAS, Bonnie Brookes was appointed as Registrar effective November 1, 2017, and accordingly the unexpired term extends until November 1, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Donna Conrad is hereby appointed to serve as Registrar until November 1, 2020 effective July 2, 2019.