

**Highlands Borough Mayor & Council Meeting Minutes
Community Center, 22 Snug Harbor Avenue, Highlands
Wednesday, January 1, 2020– Meeting Minutes**

The Meeting was called to Order at Noon.

Municipal Clerk Conlon Read the Open Public Meeting Statement

This meeting of January 1, 2020, is called pursuant to the provisions of the Open Public Meetings Law and was included in a list of meetings notice transmitted to the Two River Times and the Asbury Park Press, and posted on the bulletin board in the Municipal Building on December 30, 2019. The meeting notice has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. Official action may be taken at this meeting.

The Pledge of Allegiance was recited by the Council and Gallery

Former Mayor O'Neil gave a few remarks wishing the Incoming Mayor and Council the best of luck and thanking them for their time together. He spoke to the gallery and stated "You are all in good hands."

Roll Call

Councilmember Kenneth Braswell, Councilmember Carolyn Broullon, Councilmember Linda Mazzola and Council President Rosemary Ryan were all present.

Also present were First Lady of New Jersey Tammy Snyder Murphy, Federal Court Judge and former Highlands Mayor the Honorable Anna Little Administrator Kimberly Gonzales, Chief of Police Robert Burton, Engineer Douglas Rohmeyer, Fire Chief Joseph Blewett, Counsel Brian Chabarek, Revered PR McGrail and Registered Municipal Clerk Matthew Conlon.

Oath of Office

Carolyn Broullon, Mayor – Administered by The Honorable Anna Little, Judge, Federal Immigration Court of San Francisco

Mrs. Tammy Snyder Murphy, First Lady of New Jersey spoke welcoming Mayor Broullon.

"Good Afternoon, It is an honor to be here in Highlands on this special day. First of all I wanted to wish everyone here a very happy and healthy 2020. Today's swearing in of Mayor Carolyn Broullon is a wonderful and remarkable day for this city and our state and I am really thrilled. For more than seventeen years Carolyn has been a local business owner, a neighbor and a friend to many of you. She has been a conscientious member of the community who four years ago took her commitment to the community and community service to a new level by serving on town council. Taking on a leadership position in the community in which you live is both a privilege and an honor; but, as people who are here today can attest it is also lots of responsibility and hard work. Serving in municipal government requires being available and accountable to everyone in the community and we are grateful to all of those who take up the mantle of public office. Mayor Broullon's victory was especially significant for a few reasons. First, it absolutely proved the importance of every single vote and reminds us that our individual voices can and do make a difference. At a time when we seem to be constantly surrounded by cynicism that is a message of which we all needed to be reminded. What is more, Mayor Broullon's victory also represents a bright future and encourages equality and inclusivity. As the second female Mayor in Highlands' history and the first openly gay mayor in Monmouth County, she represents New Jersey's commitment to ensuring that every voice is heard and we all are proud of our diversity. She is a leader for the community and a roll model for future generations who will look up to her. We are in a critical time in our nation's history where broad representation is needed. Every young member of the LGBTQ+ community deserves to see that their opportunities are not limited, especially in New Jersey where discrimination is not tolerated and diversity is embraced. Today marks the first step in a new journey and an exciting future here in Highlands. Congratulations Mayor Broullon. Phil and I both look forward to seeing how you will support and motivate your community and how we can all work together as we move forward. Thank you. Happy New Year."

Revered PR McGrail presented an invocation

My heavenly father, you are known by many names in our growing and challenging multicultural community. You are known by many signs throughout this beautiful world, so today here at high

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noon, we pose and pause as a community for a moment at the beginning of our new year to invoke your blessings upon the newly elected Carolyn Broullon and these who are chosen and trusted leaders that we are going to need in a moment in our community. May the year ahead provide the Mayor and the Council and the other elected and trusted leaders with the wisdom and the ability to confront the challenges that will inevitably come, and to do so in the best interests of this community that is bursting with great potential and great opportunities. I am so thankful for that.

Roll Call

Councilmember Kenneth Braswell, Councilmember Linda Mazzola and Council President Rosemary Ryan and Mayor Carolyn Broullon were all present.

Also present were First Lady of New Jersey Tammy Snyder Murphy, Federal Court Judge and former Highlands Mayor the Honorable Anna Little Administrator Kimberly Gonzales, Chief of Police Robert Burton, Engineer Douglas Rohmeyer, Fire Chief Joseph Blewett, Counsel Brian Chabarek, Revered PR McGrail and Registered Municipal Clerk Matthew Conlon.

Acknowledgement of Services of Mayor Richard W. O’Neil

A Proclamation in Honor of Former Mayor Richard W. O’Neil was read into the record by Mayor Carolyn Broullon

WHEREAS, The Honorable Richard W. O’Neil has served the Borough of Highlands as both Councilmember and Mayor since 1996, with his most recent term as Mayor ending on December 31, 2019; and

WHEREAS, during his terms of service to the Borough of Highlands, Mayor O’Neil and his fellow Council members have navigated many difficult and challenging situations which required the exercise of patience, wisdom and leadership; and

WHEREAS, the Borough of Highlands, through the leadership of Mayor O’Neil and its Governing Body, has made many significant improvements for the benefit of its citizens; and

NOW, THEREFORE BE IT PROCLAIMED by the Mayor and Council of the Borough of Highlands, on behalf of the citizenry, that Mayor O’Neil has demonstrated the finest qualities of integrity, leadership and excellence and the Borough of Highlands is deeply grateful for his honorable service.

Resolutions

Resolution R 20 001

A Resolution Temporarily Appointing Cody Valkos to the Borough of Highlands Council

WHEREAS, Councilmember Broullon was elected as Mayor for a term beginning on January 1, 2020, thus vacating her position as Councilmember with a term expiring on December 31, 2021; and

WHEREAS, by operation of law, the Governing Body may fill the vacancy temporarily by appointment to serve until the qualification of a person elected for the remainder of the unexpired term at the next general election; and

WHEREAS, the Borough has determined to appoint Cody Valkos as Councilmember until that position can be filled by the 2020 general election.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highlands, that Cody Valkos is hereby temporarily appointed as Councilmember to fill the position vacated by Councilmember Broullon until said position can be filled by the 2020 general election for the remainder of the term expiring on December 31, 2021.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
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BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
BROULLON	X		X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Councilmember Valkos was sworn in by Mayor Carolyn Broullon

Roll Call

Councilmember Kenneth Braswell, Councilmember Linda Mazzola, Councilmember Cody Valkos, Council President Rosemary Ryan and Mayor Carolyn Broullon were all present.

Also present were First Lady of New Jersey Tammy Snyder Murphy, Federal Court Judge and former Highlands Mayor the Honorable Anna Little Administrator Kimberly Gonzales, Chief of Police Robert Burton, Engineer Douglas Rohmeyer, Fire Chief Joseph Blewett, Counsel Brian Chabarek, Revered PR McGrail and Registered Municipal Clerk Matthew Conlon.

A Motion was made by Mayor Broullon to move Resolutions R 20 31, R 20 32 and R 20 33 out of order on the agenda.

The motion was seconded by Council President Ryan. All were in favor

Resolution 20-030

A Resolution Appointing Joseph Blewett, Jr. as Special Law Enforcement Officer Class II

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

WHEREAS, the Chief of Police has made a recommendation to the Governing Body regarding appointment of a Special Law Enforcement Officer Class II.

WHEREAS, full medical clearance is still pending, and any appointment is necessarily contingent upon the receipt of such required clearance.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Highlands that Joseph Blewett, Jr. be and is hereby appointed a Special Law Enforcement Officer Class II of the Borough of Highlands for a one-year term beginning January 1, 2020 and expiring December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

RESOLUTION 20-031

A Resolution Appointing Alex Braswell as Special Law Enforcement Officer Class II

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

WHEREAS, the Chief of Police has made a recommendation to the Governing Body regarding appointment of a Special Law Enforcement Officer Class II; and

WHEREAS, full medical clearance is still pending, and any appointment is necessarily contingent upon the receipt of such required clearance.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Alex Braswell be and is hereby appointed a Special Law Enforcement Officer Class II of the Borough of Highlands for a one-year term beginning January 1, 2020 and expiring December 31, 2020; and

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BE IT FURTHER RESOLVED that the appointment of Alex Braswell is contingent upon receipt of full medical clearance.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL					X	
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

RESOLUTION 20-032

A Resolution Appointing Kevin Connor as Special Law Enforcement Officer Class I

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

WHEREAS, the Chief of Police has made a recommendation to the Governing Body regarding appointment of a Special Law Enforcement Officer Class I.

WHEREAS, full medical clearance is still pending, and any appointment is necessarily contingent upon the receipt of such required clearance.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Highlands that Kevin Connor be and is hereby appointed a Special Law Enforcement Officer Class I of the Borough of Highlands for a one-year term beginning January 1, 2020 and expiring December 31, 2020; and

BE IT FURTHER RESOLVED that the appointment of Kevin Connor is contingent upon receipt of full medical clearance.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA	X		X			
RYAN		X	X			
VALKOS			X			
BROULLON			X			

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Special Officer Joseph Blewett, Jr. was sworn in by Mayor Broullon
Special Officer Alex Braswell was sworn in by Councilmember Braswell
Special Officer Kevin Connor was sworn in by Mayor Broullon
New Fire Chief Brian Burton was sworn in by Mayor Broullon

Resolution 20-002

A Resolution Appointing Council President for the Calendar Year 2020

WHEREAS, Borough Code §2-3.3 sets forth that at its annual meeting, the council shall elect one of their number as Council President; and

WHEREAS, in accordance with Borough Code §2-3.3, the Council President shall serve in the place of the Mayor in the event of their absence, disability, or refusal to act.

NOW, THEREFORE, BE IT RESOLVED by the members of the Borough Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that Rosemary Ryan is hereby elected Council President for the year 2020 or until the next annual meeting.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-003

A Resolution Authorizing Award of a Non-Fair and Open Contract for Professional Services for the Borough of Highlands Municipal Auditor

WHEREAS, the Borough of Highlands has a need for professional auditing services for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional services can only be provided by licensed professionals; and

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

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2020 budget.

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

1. That the firm of, Holman Frenia Allison PC, is hereby retained to provide professional auditing services for an amount not to exceed \$57,950 for a 12-month period to expire December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. 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(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Highlands. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-003

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Mayor Broullon noted for the record that the auditor firm is Holman Frenia Allison PC

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Resolution 20-004

A Resolution Authorizing Award of a Fair and Open Contract for
Professional Services as Borough Bond Counsel

WHEREAS, The Borough of Highlands, a municipal corporation with its Borough Hall at 40 Shore Drive, Highlands, New Jersey, 07732, has a need to contract for Municipal Bond Counsel; and,

WHEREAS, the position of Municipal Bond Counsel is a position/appointment for specialized legal work and services in connection with matters of public finance and other matters as directed by the Borough Governing Body, including but not limited to the authorization, issuance, sale and delivery of Bonds and/or Bond anticipation notes for the Borough, the preparation of any bond ordinances or resolutions authorizing financing; and,

WHEREAS, The Borough of Highlands, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 solicited proposals from qualified attorneys for the appointment and position of Municipal Bond Counselor for the calendar year 2020; and,

WHEREAS, proposals were received up until 10:45 AM on November 26, 2019, and later evaluated by the Governing Body, for the individual who was most advantageous, with due consideration to the qualifications, experience, compensation and other factors and criteria; and,

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

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2020 budget.

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

1. Meghan Bennett Clark of the law firm of, Gluck Walrath LLP, is hereby retained to provide professional services as Bond Counsel for an amount not to exceed \$20,000 in a 12-month period to expire December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. This contract is awarded without competitive bidding as "Professional Services" 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.
5. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Highlands.
6. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-005

A Resolution Authorizing Award of a Fair and Open Contract for
Professional Services as Borough Labor Counsel

WHEREAS, The Borough of Highlands, a municipal corporation with its Borough Hall at 40 Shore Drive, Highlands, New Jersey, 07732, has a need to contract for Municipal Bond Counsel; and,

WHEREAS, the position of Municipal Labor Counsel is a position/appointment for specialized legal work and services in connection with matters of labor law, contracts and negotiations, personnel and other matters as directed by the Borough Governing Body, and,

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WHEREAS, The Borough of Highlands, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 solicited proposals from qualified attorneys for the appointment and position of Municipal Labor Counsel for the calendar year 2020; and,

WHEREAS, proposals were received up until 10:45 AM on November 26, 2019, and later evaluated by the Governing Body, for the individual who was most advantageous, with due consideration to the qualifications, experience, compensation and other factors and criteria; and,

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

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2020 budget.

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

1. That the firm of, Apruzzese, McDermott, Mastro & Murphy, is hereby retained to provide professional services – Labor Counsel for an amount of \$180.00 per hour, not to exceed \$20,000 plus reimbursable expenses for professional labor counsel services for the Borough of Highlands for a 12-month period to expire December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. 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.
5. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Highlands.
6. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-006

A Resolution Authorizing Award of a Fair and Open Contract for Professional Legal Services for Tax Appeal & Tax Litigation

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services for Tax Appeal and Tax Litigation Legal services; and

WHEREAS, proposals were received up until 10:45 AM on November 26, 2019, and later evaluated by the Governing Body, for the individual who was most advantageous, with due consideration to the qualifications, experience, compensation and other factors and criteria; and,

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

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

1. That Blake Laurence of the law firm of, Davison, Eastman, Muñoz, & Paone, PA is hereby retained to provide professional services – Tax Appeal & Tax Litigation for an amount not to exceed \$15,000 plus reimbursable expenses for professional

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legal services provided to the Borough, at an hourly rate of \$150 per hour for the period of January 1, 2020 through December 31, 2020.

2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services Contract in accordance with this Resolution.
4. **This contract is awarded without competitive bidding as "Professional Services" 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.**
5. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Highlands.
6. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-007

A Resolution Appointing Municipal Prosecutor for the Calendar Year 2020 & Authorizing the Award of a Fair and Open Contract for Professional Legal Services Contract

WHEREAS, P.L. 1999, CHAPTER 349, requires each municipal court in this State to have at least one municipal prosecutor, who shall be an attorney-at-law of this State in good standing, be appointed by the governing body of the municipality, for a term of one year from the date of his or her appointment, in accordance with applicable laws, ordinances and resolutions; and,

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services for a Municipal Prosecutor were received in the Office of the Municipal Clerk no later than 11:30 AM on December 17th, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contract between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

WHEREAS, James Butler, Esq. is an attorney-at-law licensed by the State of New Jersey and who is experienced with municipal law.

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

1. James N. Butler is hereby appointed Borough Prosecutor for the calendar year 2020 and is awarded a professional service contract for an amount not to exceed \$15,240.00 for professional legal services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.

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4. This contract is awarded without competitive bidding as "Professional Services" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-008

A Resolution Appointing Public Defender for the Calendar Year 2020 & Authorizing the Award of a Fair and Open Contract for Professional Legal Services Contract

WHEREAS, the municipal public defenders serve as defense attorney for all indigent persons accused of violations of the State disorderly persons act or motor vehicle statutes, or any offense or charge which carries a potential penalty of a substantial fine, incarceration or a loss of driving privileges.; and,

WHEREAS, at the discretion of the municipal court judge, and based upon the defendant's financial situation, the Court may appoint the municipal public defender to represent the individual's interests; and,

WHEREAS, N.J.S.A. 2B:24-4 requires a municipal public defender to be an attorney-at-law of this State in good standing, and shall serve for a term of one year from the date of his appointment, and may continue to serve in office pending re-appointment or appointment of a successor; and,

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Municipal Public Defender were received in the Office of the Municipal Clerk no later than 11:30 am on December 17, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of _ professional services contracts between the following listed persons/firms and the Borough for the provision_ of said services for the year of 2020; and

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

1. Kevin P. Wigenton of the Wigenton Law Firm is hereby appointed Public Defender for the calendar year 2020 and is awarded a professional service contract for an amount not to exceed \$5,000.00 for professional legal services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. This contract is awarded without competitive bidding as "Professional Services" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.

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6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

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DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-009

A Resolution Appointing a Municipal Attorney for the Calendar Year 2020 & Authorizing the Award of a Fair and Open Contract for Professional Legal Services Contract

WHEREAS, N.J.S.A 40A: 9-139 requires the appointment of a Municipal Attorney; and,

WHEREAS, The position of Borough Attorney shall be a one-year appointment, for the calendar year 2020 or until the successor is appointed, during which time general routine legal services and attendance at meetings will be provided at the rate specified and approved, and in addition other legal services of an extraordinary nature may be authorized pursuant to which the attorney shall be compensated at an hourly rate plus out-of-pocket expenses, as established in the contract agreement executed with the Borough of Highlands; and,

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, The Borough of Highlands, a municipal corporation with its Borough Hall at 40 Shore Drive, Highlands, New Jersey, 07732 through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 solicited proposals from qualified attorneys for the appointment and position of Borough Attorney for the calendar year 2020; and,

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Municipal Attorney were received in the Office of the Municipal Clerk no later than 10:45 am on November 26, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contract between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

WHEREAS, Kimberly Gonzales, QPA has determined and is certifying that the value of the contract will exceed \$17,500 and the terms of this contract will terminate on December 31, 2020; and,

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2020 budget.

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

1. Brian J. Chabarek, Esq. of the Law Firm of Davison, Eastman, Muñoz, & Paone, P.A. is hereby appointed Borough Attorney for the calendar year 2020 and is awarded a professional services contract for an amount not to exceed \$66,000 plus reimbursable expenses for professional legal services for the period of January 1, 2020 through December 31, 2020 at the rate of a monthly retainer in the amount of \$5,500 and an hourly rate of \$150 per hour for services outside of the contract.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. **This contract is awarded without competitive bidding as "Professional Services" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.**

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5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

R-20-009

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-010

A Resolution Appointing Members of Council as Liaisons to Borough of Highlands Committees and Commissions

WHEREAS, The Borough of Highlands Municipal Code provides for the appointment of various Committees and Commissions to serve the needs of the Borough; and,

WHEREAS, these Commissions and Committees are required or recommended to have members of the Borough Council to serve as liaisons;

NOW THEREFORE IT IS RESOLVED, by the Mayor and Council of the Borough of Highlands that the following appointments are made for members of Council to serve as liaisons until December 31, 2020 as follows:

COUNCIL COMMITTEE/DEPARTMENT:	LIAISON:
Board of Education – HES & HHRHS	Rosemary Ryan
Communications & Public Relations	Cody Valkos
Environmental	Rosemary Ryan
Green Team	Cody Valkos
Open Space	Linda Mazzola

Mayor Broullon noted a correction to the resolution indicating that Councilmember Valkos was to be liaison to the Green Team as well.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-011

A Resolution Designating the Official Newspapers of the Borough of Highlands for 2020

WHEREAS, N.J.S.A 40:53-2 requires that all ordinances or other public notices which any municipality, except cities, may be required by any law to publish, where the manner of publication is not otherwise specifically provided for, shall be published in at least one official newspaper published and circulating in the municipality; and,

WHEREAS, N.J.S.A 40:53-1 provides that the governing body of every municipality may designate an official newspaper or newspapers for the publication of all advertisements and notices required by law to be published by the municipality; and

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WHEREAS "Official Newspapers" as defined by N.J.S.A. 10:4 means paid, published and circulated in the municipality, and if there be no such newspaper, then in at least one published in the county in which the municipality is located and said newspaper is circulated; and

WHEREAS P.L. 1975 c.231 provides that a public body may provide electronic notice of any meeting of the public body through the Internet and defines "Electronic Notice" as advance notice available to the public via electronic transmission of at least forty-eight (48) hours, giving the time, date, location and, to the extent, known the agenda of any Regular, Special or Rescheduled Meeting, which notice shall accurately state whether formal action may or may not be taken at such meeting; and

WHEREAS Nothing in P.L. 1975 c.231 shall be construed as affecting or superseding the adequate notice requirements that are imposed by the "Open Public Meetings Act" and no electronic notice issued pursuant to this act shall be deemed to substitute for, or be considered in lieu of, such adequate notice.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Asbury Park Press, The Two River Times, and The Star Ledger be designated as the official newspapers for the advertising of ordinances and other public notices, which the municipality may be required by any law to publish, for the year ending December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-011

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-012

A Resolution Setting the Schedule for Meetings of the Mayor and Council
of the Borough of Highlands for the Calendar Year 2020

WHEREAS N.J.S.A. 10:4-18 provides for "ANNUAL NOTICE" which means at least once each year, within seven (7) days following the annual organization or reorganization meeting of a public body, every public body shall adopt, post and distribute a schedule of its regular meetings for the coming year. The schedule must contain the date, time and location of the meeting. In addition, it shall be mailed, telephoned, telegraphed or hand delivered to at least two (2) newspapers which newspapers shall be designated by the public body to receive such notices,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, and State of New Jersey, that Workshop Meetings of the Borough Council will begin at 6:30pm and Regular Meetings of the Borough Council will be held at 8:00pm during the year 2020, at the Robert D. Wilson Community Center, 22 Snug Harbor Ave., Highlands New Jersey 07732 on the following dates:

I. Regular & Workshop Meetings shall be held on the following dates:

<i>Workshop/Regular Meetings</i>	Regular Meetings
	January 15 th
February 5 th	February 19 th
March 4 th	March 18 th
April 1 st	April 15 th
May 6 th	May 20 th
June 3 rd	June 17 th
July 15 th	
August 19 th	

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September 2 nd	September 16 th
October 7 th	October 26 th
November 13 th	
December 2 nd	December 16 th

Formal action will be taken at all Regular meetings. Public comments will be permitted at designated periods during all meetings. Executive Sessions, which are closed to the public, may be held to discuss matters authorized for closed sessions under N.J.S.A. 10:4-12. Executive Session will begin at 6:30pm, 7:00pm, or 7:30pm during the year 2020. Prior to each Executive Session, the Borough Council will convene in open session at which time a resolution will be adopted in accordance with N.J.S.A. 10:4-13. Regular, Workshop or Special meetings may be adjourned, rescheduled, or held on different dates providing such are duly noticed as provided by law

1. The Reorganization Meeting for 2021 shall be held at 12:00 noon on January 1, 2021 at the Robert D. Wilson Community Center, 22 Snug Harbor Ave., Highlands New Jersey 07732.
2. The Municipal Clerk shall post this “Annual Notice” on the official bulletin board in the Municipal Building, transmit it to the Asbury Park Press and Two River Times, and file this notice in the Office of the Municipal Clerk of the Borough of Highlands, all in accordance with the “Open Public Meetings Law.”

	INTRODUC	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-012
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-013

A Resolution Appointing Members of the Borough of Highlands Green Team

WHEREAS, Borough of Highlands Municipal Code §2-46 establishes an Advisory Committee Green Team to encourage Sustainable Practices and to Manage participation in the Sustainable Jersey Program; and

WHEREAS, pursuant to N.J.S.A. 40A:9-12.1, vacancies have occurred on the Green Team.

NOW THEREFORE IT IS RESOLVED, by the Mayor and the Council of the Borough of Highlands that the following appointments be made the Green Team Advisory Committee:

Position:	Name:	Term:	Expiration:
Council Liaison (Ex Officio) & Environmental Member	Cody Valkos	1 Year	12/31/2020
Mayor (Ex Officio)	Carolyn Broullon	1 Year	12/31/2020
Recreation Department Member	Jacqueline Kane**	3 Years	Unexpired 12/31/2020
Resident Member	Scott Keller	3 Years	12/31/2020
Resident Member	Martin Rosen*	3 Years	12/31/2022
Resident Member	Nicole Secinaro**	3 Years	Unexpired 12/31/2021
Resident Member	Amy Conrad**	3 Years	12/31/2022
Resident Member	Valerie Montecalvo**	3 Years	12/31/2022
Business Owner Member	Kim Ramin**	3 Years	Unexpired 12/31/2020
Department of Public Works Member	Joe Mista	3 Years	12/31/2022
Land Use Board Member	Christian Lee	3 years	12/31/2021

*Reappointment **New Appointment

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-013

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-014

A Resolution Amending R-98-42, R-09-50, R-14-23, R-15-25, R-17-15, R-18-15, & R-19-014 Authorizing a Cash Management Plan

WHEREAS, N.J.S.A. 40A:5-14 of the Local Fiscal Affairs Law requires that every local unit shall adopt a "Cash Management Plan" and shall deposit in an interest-bearing account, all available public funds pursuant to the plan;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highlands, County of Monmouth and State of New Jersey, hereby adopts the following "Cash Management Plan" policy to be utilized by the Borough of Highlands; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services, Borough Auditor, Chief Financial Officer of the Borough of Highlands; and,

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 may be a facsimile signature. The payroll account checks may utilize two facsimile signatures.

BE IT FURTHER RESOLVED, The Cash Management Plan for the Borough of Highlands is further set forth as follows:

CASH MANAGEMENT PLAN OF THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Highlands, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

"Certificate of Eligibility" is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking, that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

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"GUDPA" requires a bank that accepts public funds to be a public depository. A "Public Depository" is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the "GUDPA".

"The New Jersey Cash Management Fund." The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52-18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (the "Fund"). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a "common trust" fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough.

Current Fund

Grant Fund

Escrow Trust Fund

General Trust Fund

Unemployment Insurance Trust Fund Serial Bonds Refunding Trust Fund General Capital Fund

Water/Sewer Utility Operating Fund

Water/Sewer Utility Capital Fund Bond & Interest Fund Redevelopment Fund

Payroll Agency Account

Payroll Account

Workers Compensation Account

B) The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts of the Borough

1. Petty Cash Funds

2. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.

3. Deposit, retainage, or amounts posted by way of bond, held by the Borough for such things as faithful performance, if the Borough would be required by law to pay back any interest earned to the provider of the deposit, except where the Borough is required by law or court decision to invest the fund.

4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

IV. DESIGNATION OF OFFICIALS OF THE BOROUGH OF HIGHLANDS AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer, and The Borough Administrator, (The "Designated Officials") are hereby authorized and directed to deposit and/or invest the Funds referred to in the plan.

V. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.

2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough.

3. The Chief Financial Officer, under the direction of the Borough Administrator, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the Borough are protected from loss, theft, or misuse.

VI. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

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1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.
2. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:

- a. Deposit all monies collected or received from any source by or on behalf of the Borough within forty-eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
- b. Ensure that all monies deposited are in interest bearing accounts.
- c. Make recommendations of legal public depositories to the Borough Council who shall by resolution designate said depositories at the first meeting of the calendar year.
- d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by the end of the following month.
- e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-annually in the Department of Banking as of June 30 and December 31 of each year.

VII. DESIGNATION OF DEPOSITORIES

The following financial institutions are designated official depositories:

TD Bank, National Association;
Two River Community Bank;
United Roosevelt; and
Valley National Bank

Designated official depositories are required to submit to the Chief Financial Officer of the Municipality a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year.

Said notices must be available for annual audit.

VIII. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America
2. Government Money Market Mutual Funds
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4) or
8. Agreements for the repurchase of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs "1" and "3" of this subsection a;
 - b. The custody of collateral is transferred to a third party;
 - c. The maturity of the agreement is not more than 30 days;
 - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L.1970, c.236 (c.17:9-41); and
 - e. A master repurchase agreement providing for the custody and security of collateral is executed.

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For purposes of the above language, the terms "Government Money Market Mutual Fund" and "Local Government Investment Pool" shall have the following definitions:

GOVERNMENT MONEY MARKET MUTUAL FUND

An Investment company or Investment Trust:

- a. Which is registered with the Securities and Exchange Commission under the "Investment company Act of 1940," 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and
- c. re-purchase agreements that are collateralized by such U.S. Government Securities;
and
- d. Which has:
 - (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the "Investment Advisors Act of 1940," is U.S.C. Sec 806-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

"Local Government Investment Pool". An investment pool:

- a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. Which is rated in the highest category by a nationally recognized statistical rating organization;
- c. Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.Za-7 and repurchase agreements that collateralized by such U.S. Government securities.
- d. Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
- e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

IX. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Highlands, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Borough of Highlands or by a third-party custodian prior to or upon the release of the Borough of Highlands funds.

X. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Officials referred to in Section IV hereof shall supply to the governing body of the Borough of Highlands a written report of any Deposits of Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a. The name of any institution holding funds of the Borough of Highlands as a Deposit of a Permitted Investment.
- b. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- c. The class or type of securities purchased, or Deposits made.
- d. The book value of such Deposits or Permitted Investment.

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- e. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- f. The fees incurred to undertake such Deposits or Permitted Investments.
- g. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- h. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Highlands.

XI. BOROUGH AUDITOR

The Borough Investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the Borough Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

XII. SURETY BONDS

- a. The Chief Financial Officer shall be covered by surety bonds. During the annual audit, the Borough Auditor shall examine said bonds to determine that proper coverage has been obtained.
- b. Staff members of the Chief Financial officer's office other than the C.F.O. (See a above) shall be covered by a public employee's faithful performances bond in the minimum amount of \$10,000.

XIII. TERM OF PLAN

The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

	INTRODUC	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-015

A Resolution Approving the 2020 Temporary 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 2020 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 2020: and WHEREAS, the total appropriations in the 2019 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of:

2019 Municipal Budget **\$9,808,712.72**

2019 Sewer Utility Budget **\$1,305,212.50**

WHEREAS, 26.25% of the total appropriations in the 2019 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2019 budget is the sum of:

2019 Municipal Budget **\$2,574,787.09**

2019 Sewer Utility Budget **\$ 342,618.28**

NOW THEREFORE, BE IT RESOLVED by the Governing Body 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 their records:

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2020 Temporary Appropriations Municipal Budget

Department	Salaries	Other Expenses	Total
General Government:			
Mayor and Borough Council	-	\$ 17,950.00	\$ 17,950.00
Borough Clerk	\$ 18,000.00	\$ 11,000.00	\$ 29,000.00
Borough Administrator	\$ 27,500.00	\$ 950.00	\$ 28,450.00
Central Services	\$ 4,000.00	\$ 8,500.00	\$ 12,500.00
Financial Administration	\$ 54,250.00	\$ 4,700.00	\$ 58,950.00
Grants Writer	\$ 0.00	\$ 6,250.00	\$ 6,250.00
Audit	\$ 0.00	\$ 10,500.00	\$ 10,500.00
Assessment of Taxes	\$ 8,250.00	\$ 15,537.50	\$ 23,787.50
Collection of Taxes	\$ 25,875.00	\$ 15,537.50	\$ 28,787.50
Legal Services	\$ 0.00	\$ 56,625.00	\$ 56,625.00
Municipal Prosecutor	\$ 0.00	\$ 4,750.00	\$ 4,750.00
Engineering Services	\$ 0.00	\$ 57,500.00	\$ 57,500.00
Public Buildings & Grounds	\$ 14,375.00	\$ 20,687.50	\$ 35,062.50
Municipal Land Use Law	\$ 1,500.00	\$ 15,987.50	\$ 17,487.50
Master Plan	\$ 0.00	\$ 1,250.00	\$ 1,250.00
Shade Tree Commission	\$ 0.00	\$ 250.00	\$ 250.00
Environmental Commission	\$ 0.00	\$ 125.00	\$ 125.00
Insurance:			
Group Insurance	\$ 0.00	\$ 400,000.00	\$ 400,000.00
Group Insurance Stipend	\$ 6,250.00	0.00	\$ 6,250.00
General Liability	\$ 0.00	\$ 150,000.00	\$ 150,000.00
Workers' Compensation	\$ 0.00	\$ 150,000.00	\$ 150,000.00
Flood Insurance	\$ 0.00	\$ 20,000.00	\$ 20,000.00
Unemployment	\$ 0.00	\$ 0.00	\$ 0.00
Public Safety:			
Fire	\$ 0.00	\$ 23,975.00	\$ 23,975.00
Police	\$ 458,000.00	\$ 42,346.25	\$ 500,346.25
First Aid	\$ 0.00	\$ 8,125.00	\$ 8,125.00
911 Telecommunications	\$ 0.00	\$ 3,500.00	\$ 3,500.00
Emergency Management	\$ 975.00	\$ 5,850.00	\$ 6,825.00
School Crossing Guards	\$ 7,000.00	\$ 1,250.00	\$ 8,250.00
Municipal Court	\$ 4,000.00	\$ 1,625.00	\$ 5,625.00
Public Defender	\$ 1,000.00	\$ 0.00	\$ 1,000.00
Streets and Roads:			
Road Repair & Maintenance	\$ 66,750.00	\$ 69,612.50	\$ 136,362.50
Snow Removal	\$ 20,000.00	\$ 20,000.00	\$ 40,000.00
Health and Welfare:			
Dog Control	\$ 0.00	\$ 5,400.00	\$ 5,400.00
Substance Abuse Program	\$ 0.00	\$ 750.00	\$ 750.00
P.E.O.S.H.A.	\$ 0.00	\$ 1,125.00	\$ 1,125.00
Recreation and Education:			
Beachfront Maintenance	\$ 1,250.00	\$ 3,150.00	\$ 4,400.00
Parks & Playgrounds	\$ 0.00	\$ 2,000.00	\$ 2,000.00
Public Events	\$ 0.00	\$ 2,500.00	\$ 2,500.00
Community Center	\$ 29,500.00	\$ 6,425.00	\$ 35,925.00
Uniform Fire Safety Act	\$ 9,000.00	\$ 1,177.50	\$ 10,177.50
Code Enforcement Officer	\$ 13,750.00	\$ 2,800.00	\$ 16,550.00
Code – Substandard Housing	\$ 0.00	\$ 12,500.00	\$ 12,500.00
Sanitation	\$ 875.00	\$ 10,875.00	\$ 11,625.00
Sanitation- Contractual Service	\$ 0.00	\$ 68,750.00	\$ 68,750.00

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Monmouth Cty Reclamation Svc	\$ 0.00	\$ 51,250.00	\$ 51,250.00
Mechanical Garage	\$ 0.00	\$ 3,000.00	\$ 3,000.00
Condominium Services	\$ 0.00	\$ 6,500.00	\$ 6,500.00
Construction Code Official	\$ 0.00	\$ 4,625.00	\$ 4,625.00
Accumulated Leave	\$ 11,250.00	\$ 0.00	\$ 11,250.00
Utilities:			
Electricity	\$ 0.00	\$ 16,500.00	\$ 16,500.00
Street Lighting	\$ 0.00	\$ 14,250.00	\$ 14,250.00
Telephone	\$ 0.00	\$ 10,000.00	\$ 10,000.00
Water	\$ 0.00	\$ 3,750.00	\$ 3,750.00
Gasoline-Fuel	\$ 0.00	\$ 13,750.00	\$ 13,750.00
Natural Gas	\$ 0.00	\$ 4,375.00	\$ 4,375.00
Telecommunications	\$ 0.00	\$ 8,000.00	\$ 8,000.00
Fire Hydrants	\$ 0.00	\$ 17,000.00	\$ 17,000.00
Deferred Charges:			
PERS	\$ 0.00	\$ 27,699.75	\$ 27,699.75
Social Security System	\$ 0.00	\$ 35,250.00	\$ 35,250.00
PFRS	\$ 0.00	\$ 87,125.50	\$ 87,125.50
DCRP	\$ 0.00	\$ 750.00	\$ 750.00
Contingent	\$ 0.00	\$ 2,500.00	\$ 2,500.00
TOTAL INSIDE "CAP"	\$ 783,350.00	\$ 1,555,999.00	\$ 2,339,349.00
"OUTSIDE CAPS"			
Matching Funds for Grants		\$ 3,750.00	\$ 3,750.00
LOSAP	\$ 0.00	\$ 12,500.00	\$ 12,500.00
Recycling Tax	\$ 0.00	\$ 750.00	\$ 750.00
Stormwater Management	\$ 0.00	\$ 13,750.00	\$ 13,750.00
Interlocal:			
Atlantic Highlands:			
Garage	\$ 0.00	\$ 18,375.00	\$ 18,375.00
Municipal Court	\$ 0.00	\$ 20,000.00	\$ 20,000.00
Middletown Township:			
UCC Construction		\$ 50,000.00	\$ 50,000.00
Sea Bright Lifeguards		\$ 9,500.00	\$ 9,500.00
911 Dispatch		\$ 25,000.00	\$ 25,000.00
Grants:			
Alliance Grant	\$ 0.00	\$ 1,997.50	\$ 1,997.50
TOTAL OUTSIDE "CAP"	\$ 0.00	\$ 155,622.50	\$ 155,622.50
SUB TOTAL APPROPRIATIONS	\$ 765,350.00	\$ 1,729,621.50	\$ 2,494,971.50
Statutory Additions:			
Capital Improvement Fund		\$ 100,000.00	\$ 100,000.00
Payment of Bond Principal		\$ 395,000.00	\$ 395,000.00
Interest on Bonds		\$ 164,118.00	\$ 164,118.00
Payment on Note Principal		\$ 352,229.00	\$ 352,229.00
Interest on Notes		\$ 114,464.06	\$ 114,464.06
Loan Principal		\$ 35,000.00	\$ 35,000.00
Lease Purchase			
Principal		\$ 59,000.00	\$ 59,000.00
Interest		\$ 6,960.00	\$ 6,960.00
SUB-TOTAL STATUTORY ADDITIONS	\$ 0.00	\$ 1,226,971.06	\$ 1,226,942.56

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TOTAL TEMPORARY MUNICIPAL BUDGET	\$ 765,350.00	\$ 2,956,592.56	\$ 3,721,942.56
SEWER UTILITY:			
	Salaries	Other Expenses	Total
Sewer Operating	\$ 25,750.00	\$ 248,975.00	\$ 274,725.00
Group Insurance		\$ 7,250.00	\$ 7,250.00
Workers Compensation		\$ 5,500.00	\$ 5,500.00
Insurance Other		\$ 5,000.00	\$ 5,000.00
PERS		\$ 1,578.13	\$ 1,578.13
Social Security System		\$ 2,000.00	\$ 2,000.00
Sub Total	\$ 25,750.00	\$ 278,975.00	\$ 274,725.00
Statutory Additions:			
Payment of Bond Principal		\$ 197,000.00	\$ 197,000.00
Interest on Bonds		\$ 173,205.00	\$ 173,205.00
Principal/Interest on Notes/Loans		\$ 95,324.05	\$ 95,324.05
Total Statutory Additions	\$ 0.00	\$ 465,529.05	\$ 465,529.05
Total Sewer Utility Budget	\$ 25,750.00	\$ 735,832.18	\$ 761,582.18

I hereby certify the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held January 1, 2020.

Matthew Conlon, RMC
Municipal Clerk

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-016

A Resolution Appointing a Clean Communities Coordinator

BE IT RESOLVED by the Governing Body of the Borough of Highlands that David Milmoie be and hereby is appointed Clean Communities Coordinator for the one (1) year term to expire December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

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Resolution 20-017

A Resolution Appointing Kimberly Gonzales as Borough Administrator

WHEREAS, by way of Resolution 18-033 Kimberly Gonzales was appointed to serve as Borough Administrator, with an effective date of January 1, 2018 and has served in the said capacity since that time; and

WHEREAS, the Mayor and Council of the Borough of Highlands have determined that there is a need for a Borough Administrator; and

WHEREAS, the Borough of Highlands finds and determines that Kimberly Gonzales meets and exceeds all qualification requirements for appointment to said position; and

WHEREAS, based on the foregoing, the governing body of the Borough of Highlands has determined that Kimberly Gonzales is qualified to serve as the Borough Administrator of the Borough of Highlands and will be able to perform the duties of Borough Administrator.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands, that Kimberly Gonzales is hereby appointed Borough Administrator, beginning January 1, 2020, for a two (2) year term to expire on December 31, 2021, wherein she shall be responsible for performing all of the duties of Borough Administrator as delineated in Borough Code, Chapter 2-6.5.

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to execute an Employment Agreement governing the terms and conditions of Kimberly Gonzales' employment as aforesaid.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-018

A Resolution Appointing a Tax Search and Assessment Search Officer

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made for the term to expire December 31, 2020:

Tax Search Officer	Donna Conrad
Assessment Search Officer	Donna Conrad

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

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Resolution 20-019

A Resolution Appointing Members of the Borough of
Highlands Economic Development Review Board

WHEREAS, Borough of Highlands Municipal Code §2-49 (Created by Ordinance O-19-19) establishes the Borough of Highlands Economic Development Review Board to advise the Governing Body and provide recommendations to address the economic development needs of the Borough; and

WHEREAS, The Economic Development Officer and the Borough Administrator shall be members of the Economic Development Review Board. The Chair of the Economic Development Review Board shall be the Economic Development Officer. If no Economic Development Officer is appointed, then the Borough Administrator shall act as Chair.

WHEREAS, the remaining members of the Review Board shall be: (1) the Mayor or his or her designee, and (2) the Governing Body member appointed as Class III member of the Land Use Board;

NOW THEREFORE, IT IS RESOLVED, by the Mayor and the Council of the Borough of Highlands in accordance with §2-49 that the Economic Development Review Board for 2020 shall be composed as follows:

<u>Name</u>	<u>Position</u>
Mayor Carolyn Broullon	Mayor
Linda Mazzola	Council Member of the Land Use Board
Kimberly Gonzales	Borough Administrator
Cliff Moore	Economic Development Officer, Board Chairman

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-020

A Resolution Appointing Fire Police for the Year 2020

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following persons are hereby appointed as Fire Police for the year 2020:

Officers: Tom Snow
Charles Roemmele
John McKay
Pat Mason Jr.
Marty Hawley
Marty Hawley Jr.
Chris Creighton
Ali Quast
Robin Dowd
Edward A.Sulkowski – Chief

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	INTRODUC	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

R 20 020
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-021

A Resolution Appointing the Borough of Highlands Shade Tree Commission
WHEREAS, the Borough of Highlands Municipal Code §2-21 establishes the Shade Tree Advisory Commission to advise the Mayor and Council regarding the planting and care and/or removal of shade and ornamental trees and shrubbery, and other duties as enumerated;

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

Position:	Name:	Term:	Expiration:
Members	Christian Lee - Commissioner	1 Year	12/31/2020
	Chris Francy		
	Nancy Messina		
	Nancy Valinoti		
	Patrica Japngie		

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-022

A Resolution Removing and Appointing Members of the Borough of Highlands Open Space Committee

WHEREAS, Borough of Highlands Municipal Code §2-43.1 establishes an Open Space Committee to recommend parcels and/or properties which should be acquired for development, whether it be in fee or for development rights only and other duties as enumerated; and

WHEREAS, pursuant to N.J.S.A 40A:9-12.1, two (2) vacancies have occurred in the Open Space Committee due to certain resident members failure to attend and participate at meetings without excuse for a period of four (4) consecutive regular meetings;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that the following appointments be made for vacancies which exist in the Open Space Committee for the unexpired terms noted below:

(2020 Appointments in Bold)

Position:	Name:	Term:	Expiration:
Council Representative	Linda Mazzola*	1 Year	12/31/2020
Resident Member	Greg Wells	3 years	12/31/2020
Resident Member	Vincent DeSantis**	3 years	12/31/2022
Resident Member	Bruce Kutosh	3 Years	12/31/2020

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Resident Member	Amy Conrad**	3 Years	Unexpired 12/31/2020
Resident Member	Laurie Salka	3 Years	12/31/2020
Resident Member	Nicole Secinaro**	3 Years	Unexpired 12/31/2021

*Reappointment **New Appointment

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-023

A Resolution Appointing the Communications Committee for 2020

WHEREAS, by way of Resolution R-16-74, the Borough of Highlands established a Communications Committee that would advise the Governing Body as to email, website, social media, and re-branding in order to provide a consistent message by and for the Borough of Highlands; and

WHEREAS, the Borough of Highlands is desirous of establishing a Communications Committee for the year 2020 for the purpose of advising the Governing Body as to email, website, social media and re-branding in order to provide a consistent message by and for the Borough of Highlands; and

WHEREAS, the Communications Committee shall be advisory in nature and shall consist of not less than five (5) and not more than nine (9) resident members in order to streamline Borough messages to residents, businesses and investors; and

WHEREAS, all appointments shall be for a one-year term to expire on December 31, 2020 and all members shall serve until their respective successors are duly appointed and qualified; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that the following appointments shall be made to the Communications Committee:

Position:	Name:	Term:	Expiration:
Council Liaison	Cody Valkos	1 Year	12/31/2020
Regular Member	Douglas Widman		
	Larry Chesal		
	Greg Wells		
	Miranda Nash		
	Ray Goddard		
	Sheila Weinstock		
	Stephanie Reese Zahn		
	Stephen Cassidy		

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

R-20-023
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-024

A Resolution Appointing Members to the Borough of Highlands Land Use Board
WHEREAS, Borough Code § 21-17A.1 establishes the Borough of Highlands Land Use Board which 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; and,

WHEREAS, vacancies exist on the Land Use Board as to a Class II member consisting of a Borough Official to be appointed by the Mayor, a Class III member consisting of a member of the governing body to be appointed by it, four Class IV members appointed by the Mayor, and four Alternate Members appointed by that Mayor; and

WHEREAS, the appointment terms are being re-staggered to comply with the Municipal Code of the Borough of Highlands as well as N.J.S.A. 40:55D-23(b) and N.J.S.A. 40:55D-23.1;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following appointment be and is hereby confirmed to the Land Use Board:

Position:	Name:	Term:	Expiration:
Mayor – Class I	Carolyn Broullon**	3 Years	12/31/2022
Borough Official – Class II	Robert Burton*	1 Year	12/31/2020
Councilmember – Class III	Linda Mazzola*	1 year	12/31/2020
Member – Class IV	Andrew Stockton*		12/31/2020
Member - Class IV	Bruce Kutosh**	Staggered	12/31/2020
Member – Class IV	Christian Lee**	As	12/31/2021
Member – Class IV	Rob Knox	Applicable	12/31/2022
Member – Class IV	Larry Colby		12/31/2022
Member – Class IV	Laurie Larussa**		12/31/2023
Alternative 1	Jaclyn Walsh**		12/31/2021
Alternative 2	Frank Montecalvo	Staggered	12/31/2020
Alternative 3	Miranda Nash**	as	12/31/2021
Alternative 4	Annemarie Tierney**	Applicable	12/31/2020

* Reappointment

** New Appointment

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON			X			

R 20 024
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

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Resolution 20-025

A Resolution Appointing a Borough Economic Development Officer for the Calendar Year 2020 & Authorizing the Award of a Non-Fair and Open Contract for Professional Economic Development Services

WHEREAS, the Borough of Highlands has a need for an Economic Development Officer for the Borough of Highlands for the calendar year 2020; and

WHEREAS, the Borough previously appointed Clifford J. Moore, III as its Economic Development Officer for the calendar year 2019; and

WHEREAS, the Borough has determined to reappoint Clifford J. Moore, III as Economic Development Officer and to authorize the execution of a contract between Clifford J. Moore, III and the Borough for the provisions of said services for the year of 2020; and

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

1. Clifford J. Moore, III is hereby appointed Economic Development Officer for the calendar year 2020 and is awarded a contract for an amount not to exceed \$35,000 for economic development officer services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for such services in a form to be reviewed and approved by the Borough Attorney.
4. This contract is awarded without competitive bidding because it does not exceed the bid threshold as established by N.J.S.A. 40A:11-3 and **Borough Resolution 15-145**.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R 20-025

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 19-026

A Resolution Designating a Public Agency Compliance Officer (P.A.C.O)

WHEREAS, in accordance with N.J.A.C. 17:27-3.2 et. seq., each public agency shall annually designate an officer or employee to serve as its Public Agency Compliance Officer (P.A.C.O); and

WHEREAS, the individual designated as the Public Agency Compliance Officer will be the point of contact for all matters concerning implementation and administration of the legal requirements of the Equal Employment Opportunity Monitoring Program; and

WHEREAS, the Public Agency Compliance Officer is also responsible for administering contracting procedures pertaining to equal employment regarding both the public agency and its service providers; and

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, each public agency shall notify the State of New Jersey, Department of the Treasury, Division of Purchase & Property, Contract Compliance Audit Unit, EEO Monitoring Program of its designation by January 10th of each year; and

WHEREAS, the Borough wishes to designate Matthew Conlon, Borough Clerk, to serve as its Public Agency Compliance Officer for the calendar year 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Matthew Conlon, RMC is hereby designated to serve as its Public Agency Compliance Officer for the calendar year 2020.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

R 20 26
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-027

A Resolution Appointing Members of the Borough of Highlands Environmental Advisory Commission

WHEREAS, The Borough of Highlands Municipal Code §2-16 establishes an Environmental Advisory Commission; and

WHEREAS, vacancies exist within the Environmental Advisory Commission; and

WHEREAS, the governing body desires to fill this position with the Environmental Advisory Commission;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the following person shall be appointed to the Highlands Environmental Advisory Commission:

Position:	Name:	Term:	Expiration:
Member	Chris Francy	3 Years	12/31/2021
Member	Peter Mullen	3 Years	12/31/2021
Member	Steve Szuleki	3 Years	12/31/2021
Member	Mark Zill**	3 Years	Unexpired 12/31/2020
Member	Cody Valkos	3 Years	12/31/2020
Member & LUB	Laurie LaRussa**	3 Years	12/31/2022
Council Liaison	Rosemary Ryan*	1 Year	12/31/2020

*Reappointment

**New Appointment

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-028

A Resolution Appointing the 2020 Recycling Coordinator

WHEREAS, the Borough of Highlands Municipal Code §2.32 A.1 provides for the appointment of a Recycling Coordinator by the Mayor with the advice and Consent of Council; and,

WHEREAS, in accordance with Borough Code § 2-32A.2, the term of the recycling coordinator shall be for one (1) calendar year, expiring on December 31 of each year and any vacancy during the year shall be filled for the unexpired term; and

WHEREAS, the Mayor and Council have determined that David Milmo is qualified for the position of Recycling Coordinator and will be able to perform the duties of Recycling

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Coordinator as delineated by statute and in the Borough Code, Chapter 2-32A.4 to expire December 31, 2020; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that David Milmo be and is hereby appointed to serve as Recycling Coordinator through December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

R 20 28

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-029

A Resolution Authorizing Reduction of Performance Guarantees for Home & Land Development, Deauville Project(s)

WHEREAS, the developer of Home & Land Development, Deauville Project(s), has requested that performance guarantees be reduced due to the completion of a number of items required pursuant to the posted performance guarantees; and

WHEREAS, the Borough Engineer has made an inspection of the subject property and has reported to the Borough Council by letter dated December 23, 2019, attached hereto as Exhibit "A", and has made certain recommendations concerning the amount of the performance guarantees which should remain; and

WHEREAS, the Borough Council is in agreement with the recommendations of the Borough Engineer and adopts them by reference as though specifically set forth herein.

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

1. It hereby authorizes the reduction of the posted performance guarantees for Home & Land Development, Deauville Project(s), to the following:

Original Guarantee, Bond #1:	\$124,940.00
Cash Portion:	\$ 12,494.00
Paper Bond:	\$112,446.00
Reduced Guarantee, Bond #1:	\$ 37,482.00
Reduced Cash Portion:	\$ 3,748.20 (Balance of \$8,745.80 cash may be released)
Reduced Paper Bond Amount:	\$ 33,733.80
Original Guarantee, Bond #2:	\$201,288.00
Cash Portion:	\$ 20,128.80
Paper Bond:	\$181,159.20
Reduced Guarantee, Bond #2:	\$ 60,386.40
Reduced Cash Portion:	\$ 6,038.74 (Balance of \$14,090.16 cash may be released)
Reduced Paper Bond Amount:	\$ 54,347.76

2. The aforementioned reduction of the cash performance guarantees are conditioned upon the Developer and its successors and/or assigns agreeing by acceptance of the reduction approved herein to post maintenance bonds for the improvements at such time as required by the Borough Engineer, but in no circumstances later than the release of the balance of the performance guarantee and upon the Developer posting an appropriate performance bond, approved by the Borough Attorney, in the decreased amount as set forth above.

BE IT FURTHER RESOLVED that the Borough Clerk, Borough Chief Financial Officer all other appropriate municipal officials are hereby authorized to execute such papers and to perform such acts as are necessary to effectuate the purpose of this Resolution.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

R-20-029
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-033

A Resolution Appointing a Redevelopment/COAH Attorney for the Calendar Year 2020 and Authorizing the Award of a Fair and Open Contract for Professional Legal Services

WHEREAS, since the original Mt. Laurel decision by the New Jersey Supreme Court denominated an obligation on municipalities under the New Jersey Constitution to foster and take affirmative steps to assist and supply affordable housing for low and moderate income households, there has been extensive litigation as to the scope and methodology of that fair share obligation; and

WHEREAS, eventually the Legislature adopted the Fair Share Housing Act which established the Council on Affordable Housing (COAH) as the regulatory agency to determine and enforce affordable housing obligations on municipalities; and

WHEREAS, COAH failed to comply with certain Supreme Court directives as to establishing Round 3 Regulations, and on March 15, 2015 the Supreme Court in Litigation initiated by the Fair Share Housing Center (FSHC) made certain rulings turning the jurisdiction and authority to establish each municipality's fair share of affordable housing obligations to designated Superior Court Judges; and

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services Redevelopment/COAH Attorney were received in the Office of the Municipal Clerk no later than 10:45 am on November 26, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2019; and

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

1. The Law Firm of Pashman Stein Walder Hayden P.C. is hereby appointed Borough Redevelopment/COAH Attorney for the calendar 2020 and is awarded a professional service contract for an amount not to exceed \$15,000 for professional legal services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. 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.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

R-20-033

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-034

A Resolution Ratifying a Collective Negotiations Agreement Between the Borough of Highlands and the New Jersey State Policeman's Benevolent Association, Sandy Hook, Local No. 48, Effective January 1, 2020 through December 31, 2023

WHEREAS, the Borough of Highlands has reached an agreement with the New Jersey State Policeman's Benevolent Association, Sandy Hook, Local 48 setting forth the terms of a Collective Negotiations Agreement ("CNA") for the years 2020, 2021, 2022 and 2023 for Members of the Collective Bargaining Unit; and

WHEREAS, the Borough Council does hereby agree to approve and ratify said Collective Negotiations Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that the Collective Negotiations Agreement between the Borough of Highlands and the New Jersey State Police Benevolent Association, Sandy Hook, Local 48 to cover the years 2020, 2021, 2022 and 2023 be and are hereby approved.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Highlands that the Mayor and Borough Administrator be and are hereby authorized to execute the Collective Negotiations Agreement for the years 2020, 2021, 2022 and 2023 between the Borough of Highlands and the New Jersey State Police Benevolent Association, Sandy Hook, Local 48.

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

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-035

A Resolution Appointing a Borough Engineer for the Calendar Year 2020 & Authorizing the Award of a Fair and Open Contract for Professional Engineering Services

WHEREAS, N.J.S.A 40A: 9-140 requires that in every Municipality, the governing body, shall provide for the appointment of a municipal engineer and fix their compensation in an annual salary or fixed fee basis or at an hourly rate, and based upon actual time and expenses agreed prior to the rendering of services; and ,

WHEREAS, the Borough of Highlands has a need for professional engineering services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Borough Engineer were received in the Office of the Municipal Clerk no later than 11:40 am on November 26, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

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

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2020 budget.

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

1. Doug Rohmeyer P.E. of CME Associates is hereby appointed Borough Engineer for the calendar 2019 and is awarded a professional service contract for an amount not to exceed \$100,000.00 for professional engineering services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Engineering Services in accordance with this Resolution.
4. 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.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

R 20-035

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-036

A Resolution Appointing a Special Projects Engineer for the Calendar Year 2020 and Authorizing the Award of a Fair and Open Contact for Professional Engineering Services

WHEREAS, the Borough of Highlands has a need for professional engineering services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Special Project Engineer were received in the Office of the Municipal Clerk no later than 11:40 am on November 26, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

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

1. CME Associates, Center State Engineering, H2M Architects & Engineers, Maser Consulting P.A., Najarian Associates Inc., Suburban Consulting Engineers LLC are hereby appointed as Borough Special Project Engineers for the calendar 2020 and are awarded a professional service contract for an amount not to exceed \$(Cost as per project approved

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by Mayor & Council) for professional engineering services provided for the period of January 1, 2020 through December 31, 2020.

2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Engineering Services in accordance with this Resolution
4. **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.**
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON		X	X			

R-20-036

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-037

A Resolution Appointing a Borough Sewer Engineer for Calendar Year 2020 and Authorizing the Award of a Fair and Open Contract for Professional Engineering Services

WHEREAS, the Borough of Highlands has a need for professional engineering services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Borough Sewer Engineer were received in the Office of the Municipal Clerk no later than 11:40 am on November 26, 2019; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2020; and

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

1. H2M Architects & Engineers is hereby appointed Borough Sewer Engineer for the calendar year 2020 and is awarded a professional service contract for an amount not to exceed \$40,000.00 for professional engineering services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Engineering Services in accordance with this Resolution
4. **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.**
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R 20 37
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-038

A Resolution Appointing the Borough of Highlands Risk Management Firm for the Calendar Year 2020 & Authorizing the Award of a Fair and Open Contract for Professional Risk Management Services

WHEREAS, the Borough of Highlands has a need for professional risk management services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

1. Dominick Cinelli of Brown & Brown Metro, Inc. is hereby appointed Borough Risk Manager for the calendar year 2019 and is awarded a professional service contract for an amount not to exceed \$6% of the assessment by the Monmouth Municipal Joint Insurance Fund for the Calendar Year 2020 for professional insurance consulting services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Services in accordance with this Resolution
4. 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.
5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

R-20-038
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

**Highlands Borough Mayor & Council Meeting Minutes
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Resolution 20-039

A Resolution Appointing Special Counsel for the Continued Representation of the Borough of Highlands with Regard to Environmental Litigation and Authorizing the Award of a Non-Fair and Open Contract for Professional Legal Services

WHEREAS, the Borough of Highlands and the Borough of Atlantic Highlands previously awarded a contract to the law firm of Scarinci Hollenbeck, LLC to provide professional legal services for environmental litigation concerning a matter which arose with the Atlantic Highlands/Highlands Regional Sewerage Authority, in connection with damages claimed related to the installation of a replacement sewer force main along Navesink Avenue and Monmouth Avenue in and around 2013; and

WHEREAS, in accordance with Resolution R-16-108, duly adopted April 20, 2016, Patrick J. McNamara, Esq. of the law firm of Scarinci Hollenbeck, LLC was retained to provide professional specialized legal services for the aforesaid environmental litigation; and

WHEREAS, the Borough of Atlantic Highlands and the Borough of Highlands have a cost sharing arrangement, wherein the Borough of Highlands is responsible for 55.05% of the costs and the Borough of Atlantic Highlands is responsible for 44.95% of the costs, in connection with the legal services referenced above; and

WHEREAS, any recovery of costs and expenses by the Borough of Atlantic Highlands and the Borough of Highlands, in connection with the said environmental litigation, is subject to the same percentage of allocation as noted above; and

WHEREAS, a Complaint was filed in the Superior Court of New Jersey, Monmouth County, in connection with the aforesaid litigation and the said matter is currently pending; and

WHEREAS, in light of the aforesaid continued litigation, the governing body wishes to award a contract to the law firm of Scarinci Hollenbeck, LLC to continue with the said environmental litigation; and

WHEREAS, the law firm of Scarinci Hollenbeck, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, this amended 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 \$50,000.00 for the aforesaid Professional Legal Services at an hourly rate of \$150.00 per hour; 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.

WHEREAS, a certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands.

I hereby certify funds are available as follows:

Account: 0-05-55-502-000-142 Amount: \$50,000



Patrick DeBlasio, Chief Financial Officer

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

1. The law firm of Scarinci Hollenbeck, LLC is hereby retained to provide professional legal services as described above for an amount not to exceed \$50,000.00.
2. This 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)(i) 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 shall be placed on file with the Borough Clerk.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-039
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-040

A Resolution Appointing a Deputy Municipal Clerk and Land Use Board Secretary
WHEREAS, Michelle Hutchinson was appointed as Deputy Municipal Clerk and Land Use Board Secretary by Resolution R-19-235; and,
WHEREAS, the Mayor and Council of the Borough of Highlands have determined that, they wish to re-appoint Michelle Hutchinson to said positions; and
WHEREAS, Ms. Hutchinson will also serve as Deputy Municipal Clerk, receiving a stipend for such for a term ending 12/31/2020; and
WHEREAS, Ms. Hutchinson will also serve as Land Use Board Secretary, receiving a stipend for such for a term ending 12/31/2020; and
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands that Michelle Hutchinson shall serve as Deputy Municipal Clerk and Land Use Board Secretary for terms ending 12/31/2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-041

A Resolution Appointing Matthew Conlon, RMC as Assistant Land Use Secretary and Deputy Registrar
WHEREAS, Matthew Conlon, RMC, was appointed as Assistant Land Use Secretary and Deputy Registrar by Resolution R-19-233; and,
WHEREAS, the Mayor and Council of the Borough of Highlands have determined that, they wish to re-appoint Matthew Conlon; and
WHEREAS, Mr. Conlon will serve as Assistant Land Use Secretary for such for a term ending 12/31/2020; and
WHEREAS, Mr. Conlon will also serve as Deputy Registrar for such for a term ending 12/31/2020; and
NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Matthew Conlon, RMC is hereby re-appointed to serve as Assistant Land Use Board Secretary and Deputy Registrar for a term ending December 31, 2020.

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	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON			X			

R 20 041
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-042

A Resolution Appointing a Juvenile Officer

NOW THEREFORE, 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 on December 31, 2020.

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

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-043

RESOLUTION APPOINTING SPECIAL EDUCATION COUNSEL

WHEREAS, there exists a need to appoint an additional qualified Special/Conflicts Counsel in the Borough of Highlands; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a) does not require competitive bidding for this position; and

WHEREAS, due consideration being given as to the qualifications, experience, compensation and other factors and criteria were reviewed considering Vito A. Gagliardi, Jr. and Kerri A. Wright of the law firm of Porzio, Bromberg & Newman, P.C.; and

WHEREAS, the fees to be paid to Special/Conflicts Counsel are encompassed in the fees provided in Resolution No. 18-253, duly adopted by the Borough on December 19, 2018, which authorized a shared feasibility study for educational services in an amount not to exceed \$20,000.00; 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:



Patrick DeBlasio, Chief Financial Officer

Account Number: 0-01-20-110-000-251

Amount:\$20,000

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute a contract with the following for Special/Conflicts Counsel, relating to the consulting feasibility study for educational shared services by and amongst the Borough of Highlands, the Borough of Sea Bright and the Borough of Atlantic Highlands:

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Vito A. Gagliardi, Jr. & Kerri A. Wright of Porzio, Bromberg & Newman, P.C.,
BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise this award of contract according to law in the local newspaper.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-043
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-044

A Resolution Appointing Community Development Representatives

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Kimberly Gonzales be appointed Community Development Representative for the Borough of Highlands for a one-year term to expire December 31, 2020.

BE IT FURTHER RESOLVED, that Mayor Carolyn Broullon be appointed Alternate Community Development Representative for the Borough of Highlands for a one-year term to expire on December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-045

A Resolution Appointing a Borough Medical Insurance Consulting Firm for the Calendar Year 2020 & Authorizing the Award of a Non-Fair and Open Contract for Professional Medical Insurance Consulting Services

WHEREAS, the Borough of Highlands has a need for professional medical insurance consulting services to be provided to the Borough of Highlands for the calendar year 2020 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

1. Dominick Cinelli of Brown & Brown Metro, Inc. is hereby appointed Borough Medical Insurance Consulting for the calendar year 2020 and is awarded a professional service contract for an amount not to exceed \$6% of the assessed valuation of the Borough for 2020 for professional insurance consulting services provided for the period of January 1, 2020 through December 31, 2020.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Medical Insurance Consulting Services in accordance with this Resolution
4. This 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(l)(a) because it is for services performed by persons authorized by law to practice a recognized

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profession.

5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA		X	X			
RYAN	X		X			
VALKOS			X			
BROULLON			X			

R-20-045
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-046

A Resolution Authorizing the Payment of Bills

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated January 1, 2020, which totals as follows:

Current Fund	\$ 189,226.75
Sewer Account	\$ 8,924.27
Capital Fund	\$ 83,630.37
Trust-Other	\$ 162,675.99
Federal/State Grants	\$ -
Total	\$ 444,457.38

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$444,457.38 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.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.
DATE OF VOTE: 01/01/2020
Matthew Conlon, RMC, Municipal Clerk

Resolution 20-047

A Resolution Appointing a Code Enforcement Officer and Public Officer

WHEREAS, the Borough of Highlands has a need for a Code Enforcement Officer and Public Officer and wishes to fill this position; and

WHEREAS, the Borough wishes to appoint William Brunt to serve as the Code Enforcement Officer and Public Officer for the term beginning January 1, 2020 through December 31, 2020.

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WHEREAS, Mr. Brunt will receive \$35.00 per hour in his position as Code Enforcement Officer and Public Officer; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Highlands governing body that William Brunt is hereby appointed to serve as the Code Enforcement Officer and Public Officer for the term beginning January 1, 2020 through December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON		X	X			

R 20 047

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Resolution 20-048

RESOLUTION APPOINTING A TREE COMMISSIONER

WHEREAS, the uncontrolled and excessive destruction or removal of trees with the Borough of Highlands has caused or contributed to potential hazards to persons and property including but not limited to soil erosion, changes in drainage patterns, increased dust and noise pollution

WHEREAS, Borough Code §22-1.1 Establishes the Borough of Highlands Tree Removal and Protection Ordinance to prevent uncontrolled and excessive destruction and removal of trees within the Borough and to restrict the removal of other trees thereby maintaining the beauty and character of the Borough of Highlands and restricting actions which could create a hazard to persons or property; and

WHEREAS, Borough Code §22-1.3 provides that the Borough Council may appoint a Tree Commissioner by Resolution to administer permitting and enforcement of the Borough's Tree Removal and Protection Ordinance wherein the Tree Commissioner shall be a member of the Shade Tree Commission; and

WHEREAS, the Governing Body of the Borough of Highlands wishes to appoint Christian Lee to serve as the Tree Commissioner for the calendar year 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that Christian Lee be and is hereby appointed Tree Commissioner for a term of one (1) year with an expiration date of December 31, 2020.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL	X		X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Ordinances

Introduction and Set Public Hearing Date

ORDINANCE 20-01

**An Ordinance Amending Section 21-84B "Steep Slopes and Slump Blocks" of the
Borough of Highlands Municipal Code**

WHEREAS, Section 21-84B of the Borough Code entitled "Steep Slopes and Slump Blocks" addresses land use and construction requirements for properties located in steep slope and slump block areas; and

WHEREAS, the governing body of the Borough of Highlands wishes to better guide the development and preservation of the Borough's steep slope properties and has determined that it is in the best interest of the Borough to revise Section 21-84B to update and clarify these provisions to promote the public health, safety, and welfare.

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

SECTION I. Borough Code Section 21-84B "Steep Slopes and Slump Blocks" is hereby deleted in its entirety.

SECTION II. Borough Code Section 21-84B "Steep Slopes" shall be added as follows:
21-84B STEEP SLOPES.

A. Areas covered. The areas of Highlands covered by this section (referred to hereafter as "slope area") are any properties that contain or adjoin slopes of 15% or greater. These areas shall include, but shall not be limited to, any properties north of Route 36 from the Highlands Bridge at the east, to the municipal border with Atlantic Highlands at the west.

B. Permit requirement exceptions. A slope area permit is required for any work or disturbance affecting a slope area, except when the area of the proposed work or disturbance:

(1) Contains no slopes greater than 10%, nor any slope greater than 15% within 100 feet, and the work or disturbance is:

- (a) Soil disturbance of five cubic yards or less;
- (b) Change in impervious ground cover of 200 square feet or less;
- (c) Removal of five trees or less, having a circumference of up to 20 inches each, measured at four feet above the ground;
- (d) Removal or disturbance of vegetation covering 200 square feet or less.

(2) Contains no slopes greater than 15%, nor any slope greater than 20% within 100 feet; and the work or disturbance is:

- (a) Soil disturbance of three cubic yards or less;
- (b) Change in impervious ground cover of 100 square feet or less;
- (c) Removal of three trees or less, having a circumference of up to 20 inches each, measured at four feet above the ground;
- (d) Removal or disturbance of vegetation covering 100 square feet or less.

(3) Contains slopes greater than 15% and the work or disturbance is:

- (a) Soil disturbance of one cubic yard or less;
- (b) Change in impervious ground cover of 25 square feet or less;
- (c) Removal of one tree, having a circumference of up to 20 inches measured at four feet above the ground;
- (d) Removal or disturbance of vegetation covering 25 square feet or less.
- (e) All items described in Subsection B(1), (2) and (3) above represent a cumulative total per lot, per calendar year.

(4) Inspection for tree trimming.

(a) In slope areas of greater than 15%, no normal tree topping to provide a view, protecting adjacent structures or the removal of dead or unhealthy trees shall take place prior to an inspection and a determination as to how much of the tree may be trimmed or what trees may be removed. Such determination shall be subject to the Tree Commissioner and shall require a permit as set forth in Section 22-1 of the Borough Code.

(b) Where site plan or subdivision approval is also required, the slope area permit review will be performed along with that approval process, and the applicant will submit copies of all required information to the Land Use Board. Although the Board cannot grant or deny a slope area permit (except for an appeal under Subsection J), the Board shall consider all plans submitted under this section in any application for site plan or subdivision approval affecting a slope area.

(5) Additions to a single-family residence shall be exempt from the lot coverage, impervious coverage and lot disturbance provisions of this section if the following conditions exist:

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- (a) That the size of any one-story addition, deck, patio or excavation is less than 200 square feet. Soil logs and testing for future subsurface disposal systems shall not be exempted.
 - (b) That no slope greater than 10% exists within 20 feet of the area to be disturbed.
 - (c) The applicant provides plans or a written statement describing soil erosion and stabilization measures which will be used as part of construction.
 - (d) A final inspection fee of the equivalent of one hour of the Borough Engineer's time is posted prior to the issuance of the permit.
- C.** Application for permit. An application for a slope area permit shall be made to the Highlands Construction Official. The application shall include at least:
- (1) Property description by Tax Map block and lot, and by street address if available.
 - (2) Scalable drawing of location of proposed work or disturbance along with existing and proposed topography. This drawing shall also include a delineation of the proposed limit of disturbance with area calculation.
 - (3) Areas clearly identified showing the following, as measured between ten-foot contour lines: Area 1, 30% or greater; Area 2, 20% but less than 30%; Area 3, 15% but less than 20%; Area 4, less than 15%.
 - (4) Calculation, in square footage and acres, of amount of area in the various slope categories listed above. All applications shall contain calculations demonstrating compliance with Subsections E(1) through E(4) of this Section.
 - (5) Statement of proposed work or disturbance.
 - (6) Any other additional information as is reasonably necessary to make an informed decision, including, but not limited to, the items listed below and in Subsection F:
 - (7) Where site plan or subdivision approval is required, the following exhibits shall also be submitted:
 - (a) Topographic map showing existing contours at two-foot intervals.
 - (b) Extent and erosion potential of exposed soils.
 - (c) Length, steepness and surface roughness of exposed slopes.
 - (d) Resistance of soil to compaction and stability of soil aggregates.
 - (e) High water table, water infiltration capacity and capacity of soil profile.
 - (f) Chemical, physical and biological nature of subsurface soils.
 - (g) Type and location of construction activity, including the amount of site grading, and depth of such grading.
 - (h) The time period of exposure of erodible soils during construction.
 - (i) The area and density of woodlands and forest, within the construction site and on contiguous lands for a distance of 200 feet, or such other distance as deemed appropriate by the Borough Engineer. All significant tree specimens four inches or greater in diameter, measured at four feet above the ground; all dogwood, American holly, and mountain laurel; and all other vegetation on slopes 15% or greater shall be indicated on the application plans as well as physically marked on the construction site.
 - (j) The extent of impervious surface to be constructed.
 - (k) Location of construction access roads.
 - (l) Calculation of amount of site grading, to include a cut-and-fill balance sheet, including cross sections, and indicating, where applicable, the volume of and source of off-site fill.
 - (m) Extent of on-site erosion sediment control measures, during and after construction and until any affected area is stabilized.
 - (n) Any other information as is reasonably necessary to make an informed decision.
- D.** Application review and standards of approval.
- (1) The Borough Engineer shall review every slope area application to determine whether the proposed work or disturbance may have a detrimental impact upon any slope area. Such review shall include at least an on-site inspection.
 - (2) The Borough Engineer shall thereafter approve only those applications where the proposed work or disturbance will:
 - (a) Have no detrimental impacts.
 - (b) Control velocity and rate of water runoff so that such velocity and rate are no greater after construction and development than before, and are within tolerances deemed safe by the Borough Engineer, and the project or site plan complies with all other provisions of the Borough Code and Article XXIV of the Land Use Volume of the Borough Code, Flood Damage Prevention.
 - (c) Minimize stream turbidity and changes in flow.
 - (d) Protect environmentally vulnerable areas.

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- (e) Stabilize exposed soils both during and after construction and development.
- (f) Prevent soil slippage.
- (g) Minimize number and extent of cuts to prevent groundwater discharge areas to underlying soils.
- (h) Preserve the maximum number of trees and other vegetation on the site and avoid disturbance of the critical hillside, slope and forest areas.
- (i) Control water infiltration at the top of the slope and thus decrease the tendency for shear failure and erosion.
- (j) Control the growth of vegetation, which is detrimental to slope stability and promote the establishment of plant species which add to the stabilization of the slope.
- (k) Control construction techniques to mitigate damage to steep slopes at the time of greatest vulnerability.

(3) The Borough Engineer may impose such conditions upon any approval as said Engineer deems necessary to achieve the purposes of this section. All permanent improvements necessary to achieve the purposes of this section shall require performance and maintenance bonds in forms and amounts to be reviewed and approved by the Borough Engineer and Borough Attorney. Said maintenance bond shall continue for two years after complete stabilization.

(4) Any approval may be subject to the condition that, for safety reasons, the applicant provides and adheres to a detailed construction and inspection schedule, copies of which shall be supplied to the Borough Construction Official for the purpose of monitoring the progress of the work and compliance with the construction schedule. Said approval may be further conditioned upon submission of periodic certifications by the applicant as to compliance with the construction schedule, and, in the event of noncompliance, written assurance as to the nature and time when steps will be taken to achieve compliance with the construction schedule.

(5) If the applicant does not comply with the construction schedule or any other requirements or conditions attached to the approval of the application, and the Borough Engineer or the Borough Construction Official certifies such lack of compliance, the Borough Construction Official shall thereupon revoke approval of the application, after notice to the applicant, and no further work may be performed on such site, with the exception for temporary measures necessary to stabilize the soil and to protect the site from stormwater damage or other hazards created by construction activity on the site.

E. Lot size, development density, lot coverage and disturbance. To meet the purposes, goals and standards set forth in this section, in areas of slopes greater than 15%, the applicable provisions of this chapter relating to minimum lot sizes and density of development, and maximum percentage of lot coverage, shall be modified, and limitations of maximum impervious surfaces and maximum lot disturbance shall be added.

(1) Minimum lot size; density.

(a) The minimum lot size shall be determined by multiplying the total land area in various slope categories by the following factors and totaling the results. This modified minimum lot size shall be used as the lot size in density calculations. Slope calculations shall be based on elevation intervals of 10 feet.

Slopes	Factor
30% or greater	0.1
20% but less than 30%	0.2
15% but less than 20%	0.5
Less than 15%	1.0

(b) As the result of the computation of the total density allowed, any fractional amount shall be rounded down or truncated to the nearest whole integer. If the total density allowed is less than one, and prior to this section the lot dimensions met or exceeded the minimum lot size for its zone, than the total density allowed shall be one.

(2) Determination of maximum lot coverage.

(a) The maximum lot coverage area shall be determined by multiplying the total land area in various slope categories by the following factors, totaling the results and multiplying the result by the maximum lot coverage percentage allowed for the appropriate zone. Slope calculations shall be based on elevation intervals of 10 feet.

Slopes	Factor
30% or greater	0.25
20% but less than 30%	0.50

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Slopes	Factor
15% but less than 20%	0.75
Less than 15%	1.00

(b) Where the modified maximum lot coverage area is less than the minimum gross floor area required for the proposed building, the minimum gross floor area required shall be the modified maximum lot coverage area.

(3) The maximum impervious surface area permitted in slope areas shall be determined by multiplying the total land area in various slope categories by the following percentages and totaling the results:

Slopes	Percentage
30% or greater	10%
20% but less than 30%	15%
15% but less than 20%	25%
Less than 15%	35%

(4) The maximum lot disturbance shall be no greater than 130% of the maximum impervious surface permitted for the lot.

(5) No disturbance or improvements shall be permitted in the areas within fifteen (15) feet of the top of slope and no structures shall be located within twenty-five (25) feet of the top of slope; nor shall there be any disturbance within ten (10) feet of the toe of the slope or any structures located within fifteen (15) feet of the toes of the slope

(6) Setbacks of all structures necessary for slope area stabilization shall be sufficient to allow for any future maintenance that may be necessary.

(7) All land required to be maintained as permanent open space shall be indicated as such on any approved plans.

F. Environmental appraisal and applicability.

(1) When site plan or subdivision is required, an environmental impact report or request for waiver shall be prepared. The Borough Engineer shall review and approve the report in accordance with specifications and procedures required by this section.

(2) No application for slope area permit shall be approved unless it has been affirmatively determined, after an environmental appraisal, that the proposed project:

(a) Will not result in a detrimental impact on the environment; and

(b) Has been conceived and designed in such a manner that it will not significantly impair natural processes.

G. Review and inspections fees. The applicant shall deposit an initial application filing fee of \$250 with the Chief Financial Officer. If additional escrow fees are required, the applicant shall deposit with the Chief Financial Officer an amount equal to the estimated review fee, as determined by the Borough Engineer. Inspections shall be required before, during stabilization and upon completion of the work or disturbance, during and for two years after complete stabilization, or for any other reasonable time, as determined by the Borough Engineer, to insure the purposes of this section are met. No permit will be issued until a deposit is placed with the Chief Financial Officer, equal to the estimated inspection fee, as determined by the Borough Engineer. If additional inspection fees are required, the applicant shall deposit with the Chief Financial Officer an amount equal to the new estimated inspection fee before any work can continue. The inspection fee deposit account shall remain for two years after complete stabilization. Any deposit accounts shall be maintained at levels sufficient at all times to cover all estimated fees or work may be halted. The Chief Financial Officer will keep the Borough Engineer aware of account balances as necessary.

H. Municipal liability. The granting of any permit or approval in any slope area shall not constitute a representation, guarantee or warranty of any kind by the Borough, Borough Engineer, Borough Attorney, Construction Official, or by any other official, employee or representative thereof of the practicability or safety of any structure, use or other plan proposed, and shall create no liability upon, or a cause of action against, such public body, official or employee for any damage that may result pursuant thereto.

I. Penalties. In addition to penalties already provided in Section 1-5 of the Borough Code, the Court may order any person convicted of violating this section to pay the Borough all costs for and associated with necessary stabilization or corrective measures, as determined by the Borough Engineer.

J. Appeal. The Land Use Board shall have the power to hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, decision (including review and inspection fees under Subsection G) or refusal made by the Borough Engineer based on or

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made in the enforcement of this section. All such appeals under this section from the decisions of the Borough Engineer shall be taken within 20 days by filing a notice of appeal with the Borough Engineer specifying the grounds of such appeal. The Borough Engineer shall immediately transmit to the Land Use Board all papers constituting the record upon which the action appealed from was taken. All such appeals shall be heard by the Land Use Board upon notice given by the applicant as required by Section 21-11 of the Land Use Volume of the Borough Code. The Land Use Board may permit, or require, the record on appeal to be supplemented with such documents or other evidence or information as are reasonably necessary to make an informed decision as to whether the requirements of this section have been met.

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.

First Reading and Set Hearing Date for O-20-01 on February 19, 2020

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL		X	X			
MAZZOLA			X			
RYAN			X			
VALKOS			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

Public Portion

There were no public comments

Adjournment

A motion to Adjourn was made by Council President Ryan. Mayor Broullon Seconded the motion.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN	X		X			
VALKOS			X			
BROULLON		X	X			

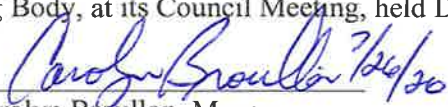
This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

Matthew Conlon, RMC, Municipal Clerk

The meeting was adjourned

I, Matthew Conlon, RMC, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held December 18, 2019

Approve: 
Carolyn Broullon, Mayor

Attest: 
Matthew Conlon, RMC, Borough Clerk