

BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900



HISTORIC "TWIN LIGHTS"

42 SHORE DRIVE
07732
COUNTY OF MONMOUTH

732-872-1224 PH
732-872-0670 FX

WWW.HIGHLANDBOROUGH.ORG

CAROLYN BROULLON
MAYOR

KIMBERLY GONZALES
ADMINISTRATOR

MATTHEW CONLON, RMC
BOROUGH CLERK

This petition packet is for candidates who are running for the Borough of Highlands Council Seat with a Term Expiring on 12/31/2021 (This is not a full term, but an unexpired term of a vacant seat.)

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MATTHEW CONLON, RMC
BOROUGH CLERK

July 13, 2020

TO: Candidates for Borough Council
FROM: Matthew Conlon, Municipal Clerk
RE: Filing Requirements, Municipal Petitions

Please be advised that the filing deadline for a petition for the Borough of Highlands Borough Council is **Monday, August 31, 2020 at 4 p.m.** Petitions may be submitted earlier but **cannot be accepted after that time.** Petitions must be submitted to the Municipal Clerk's office at the Borough of Highlands Borough Hall, 42 Shore Drive, Highlands, New Jersey. Petitions cannot be submitted to any other office or location. Petition packets can be downloaded from the Borough of Highlands website (www.highlandsborough.org) under the elections tab.

For this election there are two categories of Council seat. Two council seats will be run on the same ballot with an expiring term ending 12/31/2023 and one separate council seat will be run as a separate ballot position with an unexpired term ending 12/31/2021. **THERE ARE TWO SEPARATE PETITIONS, ONE FOR EACH EXPIRING TERM LENGTH. YOU MUST FILE THE PETITION WITH THE RESPECTIVE TERM YOU ARE RUNNING FOR ENDING IN EITHER 2023 OR 2021.**

Candidates submitting for the term ending in 2023 may bracket their campaigns together on the ballot with a common slogan by submitting the correct form. Candidates submitting for the term ending in 2021 cannot bracket.

A minimum number of **35 signatures** are required to have your name placed on the ballot. Non-registered voters as well as persons signing more than **two** petitions for a term expiring on 12/31/2023, and one petition for a term expiring on 12/31/2021, shall be disqualified. Many defects on a petition can be corrected; however, the number of signatures cannot be changed under any circumstances. My suggestion is that you collect enough extra signatures to ensure that if your signee is disqualified, you will still have enough signatures to qualify for the ballot.

Should you have any questions please contact me at (908) 309-3271.

Matthew Conlon, RMC
Borough of Highlands
Municipal Clerk

This Packet Contains the Following Information and Documents:

Information Pages

- Candidates Information Sheet
- Schedule of Important Dates
- Campaign Contribution and Expenditures Information
- Requirements for Petition Signatures
- Electioneering Information
- Election Signs & Distribution of Material Regulations (3 pages)
- District Map of Highlands

Documents

- Affidavit of Candidate for Office (separate for terms expiring 12/31/21 and 12/31/23)
- Affidavit of Campaign Manager
- Candidate's Request for Designation on the Ballot (For a Candidate running Individually)
- Candidates' Request for Designation & Bracketing (Grouped Together - Filled out only if more than one Candidate for each position is to be grouped together with ONE designation. CANDIDATES FOR THE 2021 TERM CANNOT BRACKET)
- Petitions of Nomination – Make copies as necessary. Remember, the number of signatures cannot change so it is advised you seek extra signatures.

Forms and Petitions of Nomination must be Returned to the Clerk's Office by August 31st 2020 by 4:00PM

CANDIDATES INFORMATION SHEET

The following information is offered as a guide to be used by candidates seeking the office of **Councilmember (2 Seats with a term expiring 12/31/2023) and Unexpired Term of Councilmember (1 Seat with a term expiring 12/31/2021)** at the Municipal Election to be held during the General Election on **November 3th 2020**. The election laws are quite voluminous and, in some cases, inconsistent. The Municipal Clerk cannot be responsible for interpretations nor any omissions. The candidate should consult with his/her personal attorney concerning any legal questions requiring interpretations or legal advice. For more detailed information, please refer to Title 19 and Title 40 of New Jersey Statutes Annotated. You will also find a comprehensive summary at nj.gov/state/elections/index.shtml. You may obtain additional copies of any forms from the office of the Municipal Clerk. If the Clerk's Office may be of any assistance to you, please do not hesitate to let us know.

Highlands Borough Municipal Clerk's Office

Election Day

November 3, 2020

Voting Hours

6:00 A.M. to 8:00 P.M.

Offices Available/Terms

Councilmember Full Term (January 1, 2021 to December 31, 2023)

Councilmember Unexpired Term of Carolyn Broullon (January 1, 2021 to December 31, 2021)

Qualifications of Candidates

Each candidate shall be a registered voter of the Borough of Highlands and a resident of the Borough for at least one (1) year immediately prior to the date of the Election.

Campaign Contributions

All candidates are required to comply with the Campaign Contributions and Expenditures Act (N.J.S.A. 19:44A-1 et seq.).

All reports required by said Act are the responsibility of candidates and are to be made to the Election Law Enforcement Commission and any questions should be directed to them at 1-609-292-8700.

SCHEDULE OF IMPORTANT DATES

**November 3, 2020 – Municipal Election to be held during the General Election
(6:00 A.M. – 8:00 P.M.)**

- August 31** **LAST DAY FOR FILING THE FOLLOWING:**
(a) Petitions of Nomination (4:00 P.M.) (N.J.S.A. 40:45-8)
 No additional petitions accepted after this time.
(b) Affidavit of Candidate for Office
(c) Affidavit of Campaign Manager
(d) Request for Designation on Ballot
(e) Petition Requesting a Designation and Bracketing on the Ballot
- September 3** Last date for defects in petitions to be corrected. Names may not be added.
(N.J.S.A. 40:45-9)
- September 4** Last day to file written objections by 4:00 P.M. (N.J.S.A. 19:13-10)
- September 8** Notice to Candidates by registered mail of date, time and place for drawing
for position on ballot. (N.J.S.A. 40:45-12)
- September 14** Drawing for position. The hour set by Municipal Clerk is 3:00 P.M. (N.J.S.A. 40:45-12)
- October 13** Voter Registration Deadline for General Election
(21st day before election) (N.J.S.A. 19:31-6)
- October 21** Deadline for Filing of Challenger Appointments for General Election (N.J.S.A. 19:7-3) &
(N.J.S.A. 19:7-4)
- October 27** Deadline to apply for a Mail-In Ballot by Mail for General Election
(not less than 7 days prior to election) (N.J.S.A. 19:63-3, N.J.S.A. 19:63-5)
- October 28** Mailing of Sample Ballots for General Election
BY NOON (On or before 12:00 Noon on Wednesday preceding the election) (N.J.S.A. 19:14-25)
- November 2** Deadline for In-Person Mail-In Ballot Applications with County
IN PERSON IN THE OFFICE OF THE COUNTY CLERK BY 3:00 P.M.
(N.J.S.A. 19:63-3, 19:63-4, 19:63-5)
- November 3** **ELECTION DAY**

You may find a more comprehensive schedule at:

<https://www.state.nj.us/state/elections/assets/pdf/chrons/2020-chron-general-election-040820.pdf>

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

As a candidate for the Office of Councilmember in the Municipal Election to be held during the General Election on **November 3rd 2020**, you are permitted to expend money in furtherance or aid of your candidacy. However, before receiving any contributions or expending any money, you should familiarize yourself with the provisions of the New Jersey Campaign Contribution and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.).

You are advised that before you can accept or expend any monies in connection with the forthcoming election, you must first appoint a Campaign Treasurer and Campaign Depository and file with the New Jersey Election Law Enforcement Commission.

All reports and forms are to be filed with the Commission and all pertinent questions referred to the Commissioner:

New Jersey Election Law Enforcement Commission
28 West State Street
CN 185
Trenton, New Jersey 08625-0185
(609) 292-8700

If you wish to obtain a *Compliance Manual for Candidates* (Including a Summary of Requirements, Reporting Forms and Instruction) please go to www.elec.state.nj.us.

REQUIREMENTS FOR PETITION SIGNATURES

- Each signature on the petition shall accompany the name and address of the petitioner. No one may sign a petition for more positions than are on the ballot:
- **Each certificate shall contain the name of one candidate, and no more. Each signer must not, at the time of signing the certificate, have signed more certificates for candidates for that office than there are places to be filled for the office. All certificates not complying substantially with this act shall be rejected. For that part, only two (2) petitions for the term expiring 12/31/2023 can be signed by a registered voter and only one petition for the term expiring 12/31/2021 can be signed by a registered voter.**
- The registered voter must sign for their self; No one else can sign for them. **They must sign their legal name. CANDIDATES PLEASE ENSURE THEIR VOTER REGISTRATION INFORMATION IS CORRECT. IF THE VOTER REGISTRATION INFORMATION DOES NOT MATCH THE STATE SYSTEM THE PETITION MY BE REJECTED.**
- **It is important to make sure the signers are registered voters of Highlands Borough.** A list of registered voters in Highlands Borough can be obtained from the Monmouth County Superintendent of Elections/Commissioner of Registration's Office in Freehold. Their address is 300 Halls Mill Road, Freehold. Their telephone number is (732) 431-7780. You can also receive a copy from the Clerk's Office. Voters may contact the Clerk or Deputy Clerk to verify their individual registration on the State Voter Registration System.
- The candidate for office and his/her campaign manager shall file an oath that the statements made in the petitions are true and that each signature appended thereto is the genuine signature of the person whose name it purports to be to their best knowledge and belief.
- Petitions must be filed on or before 4:00pm –**MONDAY August 31st 2020** (N.J.S.A. 40:45-8). Persons delivering petitions must be inside the Borough Clerk's Office by 4:00 P.M. on **MONDAY August 31st 2020**. **Although the deadline is MONDAY August 31st 2020, petitions can be filed as soon as they are complete which will allow time for correction prior to the deadline.**

PLEASE BE ADVISED THAT THE FINAL DROP OFF TIME AND PLACE MAY BE AMENDED AS NECESSARY TO COMPLY WITH GUBERNATORIAL AND LOCAL EMERGENCY ORDERS. ALL PARTIES PICKING UP PETITIONS PACKAGES WILL BE NOTIFIED OF ANY CHANGES. PLEASE REMAIN IN FREQUENT CONTACT WITH THE CLERK'S OFFICE.

MINIMUM NUMBER OF SIGNATURES REQUIRED*

<u>SIGNATURE NEEDED</u>	<u>REGISTERED VOTERS</u>
35	3,500

**This figure reflects one (1%) percent of the registered voters in the Borough of Highlands as of the last General Election in 2019.*

ELECTIONEERING
[N.J.S.A. 19:34-5 TO 19:34-15]

- A. No person shall, during an election, with intent to hinder or delay same, or to hinder or delay any voter in the preparation of his ballot, remove or destroy any of the ballots or pencils placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot.
- B. Any person willfully violating any of the provisions of this section shall be guilty of disorderly persons offense.
- C. Obstruction or Interfering with Polling Place or Voters:
1. No person shall tamper, deface or interfere with polling booth.
 2. No person shall obstruct the entrance to any polling place.
 3. No person shall obstruct or interfere with any voter.
 4. No person shall loiter in or near the polling place, or, with the purpose to obstruct or interfere with any voter or to unduly delay other voters from voting, or spend an inordinate amount of time in the polling booth
 5. No person shall electioneer within the polling place.
 6. No person shall electioneer within one hundred feet (100) of any polling place.
 7. This shall not be construed to prohibit a minor from entering a polling place on the day of an election to vote in a simulated election at that polling place as permitted by N.J.S.A. 19:34-6b.
- D. Electioneering Within or About Polling Place:
1. No person shall distribute or display any circular or printed matter.
 2. No person shall suggest or solicit any support for any candidate, party or public question **WITHIN 100 FEET OF THE OUTSIDE ENTRANCE TO ANY POLLING PLACE OR ROOM.**
- E. Persons Allowed in Polling Place:
1. Officers connected with the election;
 2. Candidates;
 3. Duly authorized challengers;
 4. Voters as are present for the purpose of voting.
 5. Persons connected with the operation of a simulated election for minors and minors present for the purpose of voting in a simulated election as permitted by N.J.S.A. 19:34-6b.

ELECTION SIGNS & DISTRIBUTION OF MATERIALS REGULATIONS

Pursuant to the Code of the Borough of Highlands the following are the regulations with respect to Election Signs.

10-7.6c Removal of Signs After Election

Sign of a temporary nature advertising any political, educational, charitable, civic, professional, religious or like campaign or event provided however that such signs shall be removed from the property not later than seven days after the event or election.

3-13.6 Damage or Removal of Property

No person shall willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railing, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

Pursuant to the Code of the Borough of Highlands the following are the regulations with respect to the distribution of materials.

3-18.2 Distributing Handbills in Public Places.

No person shall distribute, throw, deposit or deliver any commercial or non-commercial handbill or newspaper in or on any public place within the borough provided, however, that it shall not be unlawful on any street, sidewalk, or other public place within the borough, for the person to hand out or distribute to the receiver thereof any handbill or newspaper to any person willing to accept it.

3-18.3 Placing Handbills on Vehicles.

No person shall throw, attach or deposit any commercial or noncommercial handbill or newspaper in or on any vehicle, or any part thereof, provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute to the receiver thereof a handbill or newspaper to any occupant of a vehicle who is willing to accept it.

3-18.4 Distributing Handbills on Private Premises.

a. No person shall throw or deposit any commercial or noncommercial handbill or newspaper in or on any private premises which are temporarily or continuously uninhabited or vacant.

b. No person shall throw, deposit, distribute or deliver any commercial or noncommercial handbill or newspaper on any private premises if requested by anyone thereon not to do so, or if there is placed on the premises in a conspicuous position near the entrance thereof a sign bearing the words "no trespassing" or "no peddlers or agents" or such notice indicating in any manner that the occupants of the premises do not desire

to be molested or have their right of privacy disturbed, or to have any such handbills left on their premises.

c. No person shall throw, deposit, distribute or deliver any commercial or noncommercial handbill in or on private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or on such private premises. It is provided, however, that in case of inhabited private premises which are not posted as provided in paragraph b, such person unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or on such inhabited private premises by attaching same to a permanent structure in a manner as to secure or prevent it from being blown or drifted about the premises or sidewalks, streets or other public places, provided, however, that mailboxes may not be used when so prohibited by Federal postal law or regulations.

Pursuant to N.J.S.A. 19:34-15 following are the regulations with respect to Election Sign locations for Election Day.

If a person shall distribute or display any circular or printed matter or offer any suggestion or solicit any support for any candidate, party or public question within the polling place or room or within a distance of one hundred feet of the outside entrance to such polling place or room, he shall be guilty of a disorderly persons offense.

Pursuant to the New Jersey Election Law Enforcement Commission 2018 Compliance Manual for Candidates (http://www.elec.state.nj.us/pdf/files/forms/compliance/man_cf.pdf)

Q. Labeling of Political Communications (“Paid For By”)

All candidates and committees subject to the Act are required to label all political communications with a political identification statement (“paid for by” language).

The term “political communication” includes a press release, pamphlet, flyer, form letter, sign, billboard, paid advertisement printed in any newspaper or other publication or broadcast on radio or television, or telephone call featuring a recorded message, or delivered or accessed by electronic means, including, but not limited to, the Internet, or any other form of advertising directed to the electorate.

The following items are exempt from the labeling requirement:

- A bona fide news item or editorial contained in any publication of bona fide general circulation;
- Small, tangible items of de minimis value commonly used in election campaigns to convey a political message, including, but not limited to, buttons, combs, and nail files; and,
- Advertising space costing no more than \$50 in a political program book purchased by a candidate or committee and distributed at a fundraising event, provided that the payment for the advertising space is subject to reporting under the Act.

The “paid for by” language must contain the name and business or residence address of the committee, person, or group, and clearly state that the committee, person or group

financed or “paid for” the communication. Note: The name and address information of a committee must be the same information that appears on the certificate of organization and designation of depository filed by the committee. The name and address information of a person or group must be the same as that information appears in public records or a current telephone directory.

The requirement to label all communications applies to school board and write-in candidates, regardless of whether or not these candidates are required to file reports with the Commission. It also applies to communications that are in-kind contributions (see section on “In-kind Contributions” in this Manual). The following are examples of political identification statements:

- Example 1: “PAID FOR BY SMITH FOR ASSEMBLY, 1234 MAIN STREET, ANYTOWN, NJ”
- Example 2: “PAID FOR BY THE ANYTOWN REPUBLICANS, 123 MAIN STREET, ANYTOWN, NJ”

AFFIDAVIT OF CANDIDATE FOR OFFICE
OF UNEXPIRED TERM OF COUNCILMEMBER
FOR THE TERM EXPIRING 12/31/2021

STATE OF NEW JERSEY)
) SS
COUNTY OF MONMOUTH)

_____, of full age, being duly sworn upon his/her
oath, deposes and says:

1. I am the candidate for office named in the attached petitions of nomination.
2. The statements made in the attached petitions are true, and that each signature to the papers appended thereto is the genuine signature of the person whose name it purports to be, to the best of my knowledge and belief.
3. I hereby accept such nomination.

Signature

Sworn to and subscribed
Before me this _____ day
of _____, 2020.

Notary

AFFIDAVIT OF CAMPAIGN MANAGER

STATE OF NEW JERSEY)
) SS
 COUNTY OF MONMOUTH)

_____ , of full age, being duly sworn upon his/her oath, deposes and says:

1. I am the Campaign Manager for _____, the candidate for office named in the attached petitions of nomination.
2. The statements in the attached petitions of nomination are true and each signature thereto is the genuine signature of the person whose name it purports to be to my best knowledge and belief.

 Signature

Sworn to and subscribed

Before me this _____ day

of _____, 2020.

 Notary

CANDIDATE'S REQUEST
FOR DESIGNATION ON THE BALLOT

I, the undersigned candidate for the position of Councilperson at the November 3, 2020 General election of the Borough of Highlands in conformity with the law, do hereby request the Borough Clerk of the Borough of Highlands to print opposite my name on the ballot for the election to be held in the Municipality on Tuesday, the 3rd day of **November 2020**, the following designation.

DESIGNATION

{MUST NOT EXCEED SIX WORDS}

PRINT NAME

SIGNATURE

No designation or slogan shall include or refer to the name of any person or any incorporated association of New Jersey unless the written consent of such person or incorporated association has been filed with candidate's petition of nomination. The designation shall not indicate political party affiliation (N.J.S.A. 40:45-10).

NOMINATING PETITION

HIGHLANDS NONPARTISAN MUNICIPAL ELECTIONS

Office of Councilmember– Term to expire 12/31/2021

To: Municipal Clerk, Highlands NJ

I, the undersigned, a registered voter of the Borough of Highlands, residing at _____ certify that I do hereby join in a petition of the nomination of _____ whose residence is at _____ for the office of Councilmember (term to Expire on December 31, 2021 to be voted for at the election to be held in the municipality on the **November 3rd 2020**, and I further certify that I know this candidate to be a registered voter, for the period required by law, of the municipality and a person of good moral character, and qualified, in my judgment, to perform the duties of the office, and I further certify that I have not signed more petitions or certificates of nomination than there are places to be filled for the above office.

Signature of Voter

Type or Print Name

ATTENTION VOTER:

A REGISTERED VOTER cannot sign more petitions for candidates for the office of Councilmember than there are places to be filled for the office of Councilmember.

There are 2 full term positions (ending 12/31/2023) and 1 unexpired Term position (ending 12/31/2021). Accordingly, please only sign no more than two petitions marked with the ending term of 12/31/2023 and only one petition with the ending term of 12/31/2021) NJSA 40:45-9(5)(b)

Notice: All candidates are required by law to comply with the provisions of the 'New Jersey Campaign Contributions and Expenditures Reporting Act.' For further information, please call the Election Law Enforcement Commission at (609) 292-8700 or 1-888-313-ELEC.