BOROUGH OF HIGHLANDS, N. J.

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MAYOR
BRIAN GEOGHEGAN
ADMINISTRATOR
CAROLYN M. CUMMINS
BOROUGH CLERK

RICK O'NEIL

MAYOR AND COUNCIL REORGANIZATION MEETING SUNDAY, January 1, 2017 2:00 P.M.

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

Call to Order Meeting Statement Roll Call

Oath of Office:

Rick O'Neil, Mayor

Oath of Office:

Fire Chief

First Aide Captain

RESOLUTIONS

R-17-001 - Appointing Municipal Attorney for the Calendar Year 2017

R-17-002 - Appointing Council President for the Calendar Year 2017

R-17-003 - Appointing Municipal Auditor for the Calendar Year 2017

R-17-004 - Approving Professional Bond Counsel Services

R-17-005 - Awarding Labor Counsel

R-17-006 - Awarding Professional Legal Counsel for Tax Appeal and Tax Litigation

R-17-007 - Appointing Borough Prosecutor as a Non-Fair and Open Contract

R-17-008 - Appointing of Municipal Public Defender

R-17-009 - Appointing Members to the Borough of Highlands Housing Authority

R-17-010 - Council Member Appointments

R-17-011 - Appointing Juvenile Officer

R-17-012 - Resolution Designating Official Newspapers of the Borough of Highlands

R-17-013 - Setting The Schedule for Meetings of the Mayor and Council

R-17-014 - Establishing a Green Team

- R-17-015 Amending R-98-42, R-09-50, R-14-23 and R-16-25 Auth. Cash Management Plan
- R-17-016 Authorizing Payment of Bills
- R-17-017 Temporary Municipal Budget
- R-17-018 Appointing Clean Communities Coordinator
- R-17-019 Appointing Special Police Officers
- R-17-020 Appointing Tax Assessment Searcher
- R-17-021 Appointing Members of the Highlands Business Partnership
- R-17-022 Appointing Fire Police
- R-17-023 Shade Tree Advisory
- R-17-024 Open Space Committee
- R-17-025 Animal Control Officer
- R-17-026 Appoint Zoning Officer
- R-17-027 Communications Committee
- R-17-028 Appointing Class III Members Land Use Board
- R-17-029 Community Development
- R-17-030 Designating a Public Agency Compliance Officer (P.A.C.O.)
- R-17-031 Environmental Advisory Board
- R-17-032 Recreation Committee

MAYOR'S COMMITTEE APPOINTMENTS:

Public Safety

Building/Housing

Parks & Recreation

Public Works

Finance/Budget

Public Relations

Environmental/Shade Tree Liaison

Sewer Department

Mayoral Appointments to the Land Use Board

Adjourn:



RESOLUTION 17-001

RESOLUTION APPOINTING MUNICIPAL ATTORNEY FOR THE CALENDAR YEAR 2017 & AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES CONTRACT

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2017 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the Mayor has offered the name of Brian J. Chabarek, Esq. of the law firm of Dwyer, Bachman & Newman, LLC. and it is so recognized;

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

WHEREAS, the Law Firm of Dwyer, Bachman & Newman, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that their Law Office has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will provide to prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Law Firm of Dwyer, Bachman & Newman, LLC. has completed and submitted a Political Contribution Disclosure form in accordance with P.L 2005, c271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for an amount not to exceed \$66,000.00 plus reimbursable expenses for Professional Legal Services provided to the Borough for the period of January I, 2017 through December 31, 2017 at the rate of a monthly retainer in the amount of \$5,500.00 and an hourly rate of \$150 per hour for services outside of the contract.

WHEREAS, Dwyer, Bachman & Newman, LLC., has submitted the attached contract for Professional Legal Services for the calendar year 2017; and

WHEREAS, the Governing Body has reviewed the attached contract for Professional Legal Services for 2017; and

WHEREAS, certification of the availability of funds has been provided by the

Chief Financial Officer contingent upon the adoption of the 2017 Budget.

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

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

- 1. Brian J. Chabarek of the Law Firm of Dwyer, Bachman & Newman, LLC is hereby appointed Borough Attorney for the calendar 2017 and is awarded a professional service contract for an amount not to exceed \$66,000.00 for professional legal services provided for the period of January 1, 2017 through December 31, 2017.
- 2. The attached Professional legal services Contract is hereby approved and the Mayor and Borough Clerk are hereby authorized to sign the contract.
- 3. This contract is awarded without competitive bidding as "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(I)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
- 4.A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
- 5. The Borough Clerk is hereby directed to publish notice of this award as required by law.



RESOLUTION 17-002

RESOLUTION APPOINTING COUNCIL PRESIDENT FOR THE CALENDAR YEAR 2017

WHEREAS, Borough Code §2-3.3 sets forth that that at its annual meeting, the council shall by vote of a majority of its number elect a 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 his 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 **Carolyn Broullon** is hereby elected Council President for the year 2017 or until the next annual meeting.



RESOLUTION 17-003

RESOLUTION APPOINTING MUNICIPAL AUDITOR FOR THE CALENDAR YEAR 2017 & AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR PROFESSIONAL AUDITING SERVICES

WHEREAS, the Borough of Highlands has a need for professional auditing services for the calendar year 2017; and

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

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

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

WHEREAS, the office of Holman, Frenia, Allison, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that the Auditing Office of Holman, Frenia, Allison, P.C. has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will provide to prohibit the auditing office of Holman, Frenia, Allison, P.C. from making any reportable contributions through the term of the contract; and

WHEREAS, the firm of Holman, Frenia, Allison, P.C. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, this contract is awarded as a fair and open contract pursuant to the firm of Holman, Frenia, Allison, P.C, for an amount not to exceed \$ 56,950.00 plus reimbursable expenses for Professional auditing services provided to the Borough for the period of January 1, 2017 through December 31, 2017.

WHEREAS, this contract is to be awarded as provided in the proposal with the certification of funds being provided by the Chief Financial Officer contingent upon the adoption of the 2017 municipal budget.

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

- 1. That the firm of, Holman, Frenia, Allison, P.C., is hereby retained to provide professional auditing services for an amount not to exceed \$56,950.00 for a 12-month period to expire December 31, 2017.
- 2. The contract is awarded through the fair and open process as a Professional Service in accordance with N.J.S.A. 19:44A-20.5 et seq. and in accordance with N.J.S.A. 40A: 11-5(1)
- (a) because it is for services performed by persons authorized by law to practice a recognized profession.
- 3. A copy of this Resolution as well as the contract/proposal shall be placed on file with the Clerk of the Borough of Highlands.
- 4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.



RESOLUTION 17-004

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

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

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

WHEREAS, this contract is to be awarded for an amount not to exceed \$20,000 plus, reimbursable expenses for professional bond counsel services for the Borough of Highlands for the period January I, 2017 through December 31, 2017. All rates based on the services utilized are provided for in the contract between Archer & Griener, PC and the Borough of Highlands; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17.500; and

WHEREAS, the law office of Archer & Griener, PC has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of Archer & Griener has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will provide to prohibit the law office from making any reportable contributions through the term of the contract; and

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

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2017 budget.

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

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

- 1. The firm of Archer & Griener, PC is hereby retained to provide professional bond counsel services as described above for an amount not to exceed \$20,000 plus reimbursable expenses for the period of January 1, 2017 through December 31, 2017.
- 2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the contract.
- 3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 4. The Borough Clerk is hereby directed to publish notice of this award as required by law.



RESOLUTION 17-005

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

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

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of Appruzzese, McDermott, Mastro & Murphy, P.C. is so recognized; and

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

WHEREAS, this contract is to be awarded at an hourly rate of \$150 per hour for an amount not to exceed \$20,000 plus reimbursable expenses for professional labor counsel services for the Borough of Highlands for the period January 1, 2017 through December 31, 2017. All rates based on the services utilized are provided for in the contract between Appruzzese, McDermott, Mastro & Murphy, P.C. and the Borough of Highlands; and

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

WHEREAS, the firm of Appruzzese, McDermott, Mastro & Murphy, P.C. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds has been provided contingent upon adequate funding being provided in the 2017 adopted budget.

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

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

- 1. That the Law Firm of Appruzzese, McDermott, Mastro & Murphy, P.C. is hereby retained to provide professional labor counsel services as described above for an amount not to exceed \$20,000 plus reimbursable expense for the period of January 1, 2017 through December 31, 2017.
- 2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-5(I)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the contract.
- 3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 4. The Borough Clerk is hereby directed to publish notice of this award as required by law.
- 5. The attached contract is hereby approved and the Mayor and Borough Clerk area hereby authorized to execute contract



RESOLUTION 17-006

RESOLUTION APPOINTING LANZA AND LANZA, LLP. AS PROFESSIONAL LEGAL COUNSEL FOR TAX APPEAL AND TAX LITIGATION THROUGH THE NON-FAIR AND OPEN PROCESS

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

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

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

WHEREAS, this contract is to be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A.- 19:44A-20.5 through December 31, 2017 at an hourly rate of \$125.00 per hour for the period January 1, 2017 through December 31, 2017 in an amount not to exceed \$15,000 plus reimbursable expenses for professional legal counsel services for the Borough of Highlands. All rates based on the services utilized are provided for in the contract between Lanza & Lanza, LLP. and the Borough of Highlands; and

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

WHEREAS, the firm of Lanza & Lanza, LLP. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271, and

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the 2017 Municipal Budget

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:1 1-1 et. seq. requires that notice with respect to contracts for professional services awarded

without competitive bids must be publicly advertised;

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

- 1. That John R, Lanza, Esq. of Lanza & Lanza, LLP. is hereby appointed and retained to provide professional legal counsel services as described above through December 31, 2017.
- That John R. Lanza, Esq. of Lanza & Lanza, LLP. is hereby retained at an hourly rate of \$125.00 per hour for the period January 1, 2017 through December 31, 2017 in an amount not to exceed \$15,000 plus reimbursable expenses for professional legal counsel services for the Borough of Highlands.
- 3 The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-5(I)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are authorized to sign the contract.
- 4 A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
- 5 The Borough Clerk is hereby directed to publish notice of this award as required by law.



RESOLUTION 17-007

RESOLUTION APPOINTING BOROUGH PROSECUTOR AS A NON-FAIR AND OPEN 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 in accordance with applicable laws, ordinances and resolutions, a municipality may appoint additional municipal prosecutors as necessary to administer justice in a timely and effective manner in its municipal court subject to P.L. 1999, CHAPTER 349

WHEREAS any municipal court having two or more municipal prosecutors shall have a "chief municipal prosecutor" who shall be appointed by the governing body of the county or the municipality and shall have authority over other prosecutors serving that court with respect to the performance of their duties.

WHEREAS, James Butler, Esq. and Steven Rubin, Esq. are attorneys -at-law licensed by the State of New Jersey and who are experienced with municipal law.

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

- James Butler, Esq. is hereby appointed Chief Municipal Prosecutor of the Borough of Highlands for the one (I) year term to expire December 31, 2017 at an annual salary of \$15,246.00
- Steven Rubin Esq. is hereby appointed Municipal Prosecutor for the one
 (1) year term to expire December 31, 2017; and
- These appointments are made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
- 4. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Highlands.

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



RESOLUTION 17-008

AUTHORIZING APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER

WHEREAS The municipal public defender serves as defense attorney for all indigent persons accused of violations of the State, disorderly persons' act, 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

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 reappointment or appointment of a successor.

WHEREAS Douglas J. Widman, Esq. is an attorney-at-law licensed by the State of New Jersey who is familiar and experienced with municipal defense law.

WHEREAS, pursuant to Ordinance 98-02 the Municipal Public Defender shall be paid an annual salary of not less than \$1,500.00, which shall be apportioned pro rata for the portion of the year in which the Public Defender serves and shall only be required to attend Court when his clients are listed on the calendar; and

WHEREAS, 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 printed in a newspaper of general circulation not more than ten days after passage of the resolution;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough

of Highlands as follows:

- 1. Douglas J. Widman, Esq. of the law office of Widman, Cooney, Wilson, McGann and Fitterer is hereby appointed Public Defender for the unexpired (1) one-year term to expire December 31, 2017.
- 2. The appointment is made without competitive bidding as a "'Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(I)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
- 3. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Highlands.

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

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



RESOLUTION 17-009

RESOLUTION APPOINTING MEMBERS TO THE BOROUGH OF HIGHLANDS HOUSING AUTHORITY

WHEREAS, the five (5) year appointment for Ida Tkoch to the Highlands Housing Authority expired on November 30, 2016; and

WHEREAS, the five (5) year appointment for Rick O'Neil to the Highlands Housing Authority expired on November 30, 2016 and Rick O'Neil tendered his resignation from his appointment to the Highlands Housing Authority; and

WHEREAS, the governing body desires to fill these positions with the Highlands Housing Authority.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the following appointments to the Highlands Housing Authority be and are hereby made as follows:

 Five-year term to expire November 30, 202	<u>'</u> 1
 Five-year term to expire November 30, 202	21



RESOLUTION 17-010

A COUNCILMEMBER APPOINTMENTS (1 year, ending 12/31/17)

Council Committee/Liaisons

Board of Education
Building/Housing
Substandard Housing
Environmental/Shade Tree
Finance/Budget
Finance/Budget
Parks & Recreation
Public Relations
Public Safety:
Public Works
Sewer Dept
Recreation
Recreation



RESOLUTION 17-011

RESOLUTION APPOINTING 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 α e (1) year term to expire December 31, 2017.

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



RESOLUTION 17-012

RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS OF THE BOROUGH OF HIGHLANDS

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,

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**, and the **Two River Times** 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, 2017.



RESOLUTION 17-013

RESOLUTION SETTING THE SCHEDULE FOR MEETINGS OF THE MAYOR AND COUNCIL OF THE BOROUGH OF HIGHLANDS FOR THE CALENDAR YEAR 2017

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 Regular and/or Workshop meetings of the Borough Council will be held at 8:00pm during the year 2017, at the Robert D. Wilson Community Center, 22 Snug Harbor Ave., Highlands New Jersey 07732 on the following dates:

1. Regular Meetings shall be held on the following dates:

 January 18
 July 19

 February 01 & 15
 August 16

 March 01 & 15
 September 06 & 20

 April 05 & 19
 October 04 & 18

 May 03 & 17
 November 01

June 07 & 21 December 06 & 20

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 be held at 7:00pm during the year 2017. 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.

- 2. The Reorganization Meeting for 2018 shall be held at 12:00 noon on January 1, 2018 at the Robert D. Wilson Community Center, 22 Snug Harbor Ave., Highlands New Jersey 07732.
- 3. 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."



RESOLUTION 17-014

RESOLUTION ESTABLISHING A GREEN TEAM

WHEREAS, by way of Resolution R-16-34, the Borough of Highlands established a Green Team with an effective date of January 20, 2016 through December 31, 2016; and

WHEREAS, the Borough of Highlands is desirous of establishing a Green Team for the year 2017 for the purpose of promoting sustainability in the Borough of Highlands; and

WHEREAS, the responsibilities of the Green Team can also be assumed by the existing municipal Environmental Commission; and

WHEREAS, it is also desirable to include the following departments within the Borough on the Green Team.

Members of the team:	
	- Public Works
	- Recycling
	- Environmental
	- Recreation
	- Land Use Board
	- HBP Representative
	- School Board
Brian J. Geoghegan	- Borough Administrator
Carolyn Broullon	- Council Liaison
Rick O'Neil - Mayor	
	- (1) Resident

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the establishment of a Green Team is hereby authorized effective January 1, 2017 through December 31, 2017.



RESOLUTION 17-015

RESOLUTION AMENDING R-98-42, R-09-50, R-14-23 and R-16-25 AUTHORIZING CASH MANAGEMENT PLAN

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

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

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

TD Bank, National Association;

Two River Community Bank;

United Roosevelt; and

Valley National Bank.

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

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



RESOLUTION 17-016

RESOLUTION AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated December 27, 2016, which totals as follows:

Current Fund \$50,318.74 Sewer Account \$15,348.47

Capital Fund \$0.0

Trust-Other \$53,941.00 Federal/State Grants \$1,325.29

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$120,933.50 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 on file in the Municipal Clerk's office for reference.



RESOLUTION 17-017

RESOLUTION 2017 TEMPORARY MUNICIPAL BUDGET

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2017 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 2017: and

WHEREAS, the total appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of:

2016 Municipal Budget 2016 Sewer Utility Budget

\$9,354,079.09 \$1,381,000.00

WHEREAS, 26.25% of the total appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2016 budget is the sum of:

2016 Municipal Budget 2016 Sewer Utility Budget \$2,455,445.76 \$362,512.50

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

2017 TEMPORARY APPROPRIATIONS: MUNICIPAL BUDGET

MUNICH AL BUDGET	Other		
Department	Salaries	Expenses	Total
		1	_
"IN CAPS"			
General Government:			
Borough Council	\$ -	\$ 16,500.00	\$ 16,500.00
Borough Clerk	18,000.00	16,250.00	34,250.00
Borough Administrator	28,000.00	875.00	28,875.00
Central Services	8,125.00	9,500.00	17,625.00
Financial Administration	31,750.00	4,375.00	36,125.00
Audit		8,475.00	8,475.00
Assessment of Taxes	6,875.00	9,750.00	16,625.00
Collection of Taxes	16,500.00	2,250.00	18,750.00
Legal Services		150,000.00	150,000.00
Municipal Prosecutor	4,500.00		4,500.00
Engineering Services		150,000.00	150,000.00
Public Buildings & Grounds	6,250.00	23,750.00	30,000.00
Municipal Land Use Law:			
Planning Board	750.00	5,000.00	5,750.00
Zoning Board of Adjustment	750.00	5,000.00	5,750.00
Shade Tree Commission		225.00	225.00
Environmental Commission		250.00	250.00
Insurance:			
Group Insurance		293,750.00	293,750.00
Other		100,000.00	100,000.00
Workers Compensation		100,000.00	100,000.00
Unemployment		0.00	0.00
Public Safety:			
Fire		16,000.00	16,000.00
Police	498,750.00	31,550.00	530,300.00
Dispatch	42,500.00	375.00	42,875.00
First Aid		7,125.00	7,125.00
911 Telecommunications		3,625.00	3,625.00
Emergency Management	1,000.00	4,500.00	5,500.00
Municipal Court	3,750.00	1,625.00	5,375.00
Public Defender	750.00		750.00

Streets and Roads:			
Road Repair & Maintenance	57,500.00	12,500.00	70,000.00
Snow Removal	35,000.00	35,000.00	70,000.00
Health & Welfare:			
Regional Health Commission		16,750.00	16,750.00
Dog Control		3,000.00	3,000.00
P.E.O.S.H.A.		1,125.00	1,125.00
Recreation & Education:			
Beachfront Maintenance	7,500.00	3,025.00	10,525.00
Parks & Playgrounds		2,700.00	2,700.00
Public Events		675.00	675.00
Community Center	27,500.00	5,750.00	33,250.00
Uniform Fire Safety Act	7,000.00	1,250.00	8,250.00
Code Enforcement Officer	18,750.00	3,750.00	22,500.00
Code - Substandard Housing	,	8,750.00	8,750.00
Sanitation	750.00	10,000.00	10,750.00
Sanitation - Contractual Service		56,250.00	56,250.00
Monmouth County Reclamation Center		50,000.00	50,000.00
Mechanical Garage		1,250.00	1,250.00
Condominium Services		8,250.00	8,250.00
Construction Code Official	27,500.00	2,500.00	30,000.00
Accumulated Leave	18,750.00		18,750.00
Utilities:			
Electricity		13,000.00	13,000.00
Street Lighting		12,500.00	12,500.00
Telephone		7,500.00	7,500.00
Water		3,750.00	3,750.00
Gasoline-Fuel		15,000.00	15,000.00
Natural Gas		4,000.00	4,000.00
Telecommunications		8,250.00	8,250.00
Fire Hydrants		15,750.00	15,750.00
Deferred Charges:			
PERS		21,958.75	21,958.75
Social Security System		30,500.00	30,500.00
PFRS		88,114.00	88,114.00
DCRP		1,250.00	1,250.00
"AL INSIDE "CAP"	868,500.00	1,404,847.75	2,273,347.75

"OUTSIDE CAPS"

LOSAP Recycling Tax		16,250.00 1,000.00	16,250.00 1,000.00
Stormwater Management		8,750.00	8,750.00
Interlocal:		0,750.00	0,750.00
Atlantic Highlands			
Garage		18,750.00	18,750.00
Municipal Court		19,250.00	19,250.00
Grants:		,	,
Alliance Grant		641.41	641.41
TOTAL OUTSIDE "CAP"	0.00	64,641.41	64,641.41
TOTAL OUTSIDE CAI	0.00	04,041.41	04,041.41
	0.40.700.00	4.450.400.45	• • • • • • • • • • • • • • • • • • • •
SUB-TOTAL	868,500.00	1,469,489.16	2,337,989.16
C(-) (-) A 11'd'			
Statutory Additions:		100,000.00	100,000.00
Capital Improvement Deferred Charge-SEN		100,000.00	0.00
Payment of Bond		358,000.00	358,000.00
Interest on Bonds		199,193.00	199,193.00
Payment of Note		111,160.00	111,160.00
Interest on Notes		54,100.64	54,100.64
Lease Purchase		54,100.04	34,100.04
Principal Principal		52,000.00	52,000.00
Interest		14,800.00	14,800.00
merest		11,000.00	11,000.00
SUB-TOTAL STATUTORY	0.00	889,253.64	889,253.64
TOTAL TEMPORARY	868,500.00	2,358,742.80	3,227,242.80

SEWER UTILITY:

		Other	
	Salaries	Expenses	<u>Total</u>
Operating:	24,412.50	268,406.25	292,818.75
Sewer Operator-Atlantic		45,937.50	45,937.50
Group Insurance		7,350.00	7,350.00
Workers Compensation		5,775.00	
Insurance Other		7,350.00	
PERS		1,312.50	1,312.50

Social Security System		1,968.75	<u>1,968.75</u>	
Sub-Total	24,412.50	338,100.00	349,387.50	

Statutory Additions:			
Payment of Bond Principal		171,200.00	171,200.00
Interest on Bonds		176,750.00	176,750.00
Principal/ Interest on Notes/Loans	-	123,848.96	123,848.96
Total Statutory Additions	0.00	471,798.96	471,798.96
Total Sewer Utility Budget	24,412.50	809,898.96	821,186.46



RESOLUTION 17-018

APPOINTING CLEAN COMMUNITIES COORDINATOR

BE IT RESOLVED by the Governing Body of the Borough of Highlands that _____ be and hereby is appointed Clean Communities Coordinator for the one (1) year term to expire December 31, 2017.



RESOLUTION 17-019

RESOLUTION APPOINTING SPECIAL POLICE OFFICERS

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following persons be and hereby are appointed Special Officers of the Borough of Highlands for a one-year term to expire December 31. 2017:

Diane Alvator Special Officer Class I
Connor McGrath Special Officer Class II
Davis Osuch Special Officer Class II



RESOLUTION 17-020

RESOLUTION APPOINTING TAX SEARCH AND ASSESSMENT SEARCH OFFICERS

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made for the term to expire December 31, 2017:

Tax Search Officer

Donna Conrad

Assessment Search Officer Donna Conrad



RESOLUTION 17-021

RESOLUTION APPOINTING MEMBERS OF THE HIGHLANDS BUSINESS PARTNERSHIP

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

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

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

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

Rick O'Neil	Governing Body Representative
	Planning Board Member Representative

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



RESOLUTION 17-022

RESOLUTION APPOINTING FIRE POLICE

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following persons be and hereby are appointed Fire Police for the year 2017:

Chief – Edward Sulkowski

Officers - Robert Capano

Robin Dowd

Charles Roemelle

Tom Snow
William Pape
Chris Creighton
Pat Mason, Jr.
John McKay
Osborn Sickles



RESOLUTION 17-023

RESOLUTION APPOINTING MEMBER OF THE SHADE TREE COMMISSION (ADVISORY)

WHEREAS, Borough Code §2-21 establishes the Shade Tree Commission (Advisory).

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 (Advisory):

1	Member
2	Member
3	Member
4	Member
5	Member

BE IT FURTHER RESOLVED that all appointments shall be for a term of 1 year with an expiration date of December 31, 2017.



RESOLUTION 17-024

RESOLUTION APPOINTING MEMBERS OF THE OPEN SPACE COMMITTEE

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following appointments be made for vacancies which exist in the Open Space Committee:

Claudette term expiring December	e D'Arrigo er 31, 2017.		Council	R	epresenta	ıtive	Ме	mber	with	а	1	year
2		-	Regula	ar	Member	with	а	3-yea	r ter	m	exp	oiring



RESOLUTION 17-025

RESOLUTION APPROVING ANIMAL CONTROL SERVICES CONTRACT FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands Mayor & Council that Kerry Gowan is hereby awarded a contract to provide Professional Animal Control Services to the Borough of Highlands for the period of January 1, 2017 through December 31, 2017 and the Borough Administrator is hereby authorized to execute attached agreement.



RESOLUTION 17-026

RESOLUTION APPOINTING ZONING OFFICER

WHEREAS, the Code of the Borough of Highlands, Section 2-12A establishes the position of Zoning Officer within the Department of Buildings and Housing; and

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

WHEREAS, the Borough wishes to appoint Dale Leubner from T & M Associates as a part-time Zoning Officer for a one-year term of January I, 2017 through December 31, 2017 as part of the engineering contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the Borough hereby appoints Dale Leubner of T & M Associates to serve as the Zoning Officer for the period of January 1, 2017 through December 31, 2017.



RESOLUTION 17-027

RESOLUTION ESTABLISHING A COMMUNICATIONS COMMITTEE

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 with an effective date of January 20, 2016 through December 31, 2016; and

WHEREAS, the Borough of Highlands is desirous of establishing a Communications Committee for the year 2017 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, 2017 and all members shall serve until their respective successors are duly appointed and qualified; and

WHEREAS, Carolyn Broullon shall serve as Council Liaison to the Communications Committee.

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:

1				
2				
3				
4				
5				
6				
7				
8				
9.				



RESOLUTION 17-028

RESOLUTION APPOINTING MEMBER OF THE GOVERNING BODY TO THE LAND USE BOARD

WHEREAS, a vacancy exists on the Land Use Board as to a Class III-member consisting of a member of the governing body to be appointed by it.

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:

 Borough Council Representative for a one (1) year
term to expire 12/31/2017.



RESOLUTION 17-029

RESOLUTION APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVES

BE IT RESOLVED by the Mayor and Council of the B	orough of Highlands that
be appointed Community Deve	elopment Representative
for the Borough of Highlands for a one year term to expire D	December 31, 2017.
BE IT FURTHER RESOLVED, that	be appointed
Alternate Community Development Representative for the Bo	prough of Highlands for a
one-year term to expire on December 31, 2017	



RESOLUTION 17-030

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 Brian Geoghegan, Borough Administrator, to serve as its Public Agency Compliance Officer for the calendar year 2017; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Brian Geoghegan is hereby designated to serve as its Public Agency Compliance Officer for the calendar year 2017.



RESOLUTION 17-031

RESOLUTION APPOINTING MEMBER OF THE ENVIRONMENTAL ADVISORY COMMISSION

WHEREAS, Borough Code §2-16 establishes the Environmental Advisory Commission; and

WHEREAS, a vacancy exists 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:

 Regular Member three (3) year term to expire
12/31/2019

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON						
CARD						
D'ARRIGO						
WELLS						
O'NEIL						
ON CONSENT AGENDAYESNO						

DATE:	
	Dwayne M. Harris, Acting Borough Clerk



RESOLUTION 17-032

RESOLUTION APPOINTING RECREATION COMMITTEE MEMBERS

WHEREAS, Section 2-23 of the Borough of Highlands General Code creates a Recreation Committee, (Advisory) which states there shall be an advisory recreation committee in the Borough consisting of not less than five nor more than nine members. All appointments shall be for one year and members shall serve until their respective successors are appointed and qualified. The recreation committee shall advise the mayor and council on the recreation program of the Borough; and

WHEREAS, it is the desire of the Governing Body to appoint and implement the Recreation Committee and would appoint the following Members:

1.	 		
9			

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the above-named persons are appointed to the Recreation Committee for a one-year term to expire December 31, 2017.



MAYORAL APPOINTMENTS TO THE FINANCE COMMITTEE

These are one (1) year appointments for the Calendar Year 2017 wherein the terms will expire on December 31, 2017.

Finance Committee – Mayor	Rick O'Neil
Finance Committee – Council Liaison	
Finance Committee – Council Liaison	
Finance Committee – Borough Administrator	Brian Geoghegar
Finance Committee – Chief Financial Officer	Patrick DeBlasio
Finance Committee Member # 5	
Finance Committee Member # 6	
Finance Committee Member # 7	
Finance Committee Member # 8	-



MAYORAL APPOINTMENTS TO THE LAND USE BOARD

These appointments to the Land Use Board are at the sole discretion of the Mayor and do not require Council approval, N.J.S.A. 40:55D-23.

LAND USE BOARD

CLASS I MEMBER: - 1 year, ending 12/31/17 Rick O'Neil						
CLASS II MEMBER - 1 year, ending 12/31/17 One of the Officials of the Municipality other than a member of the Governing Body.						
CLASS IV MEMBERS:						
ALTERNATE #2 –	2 years, ending 12/31/18					
ALTERNATE #4 –	2 years, ending 12/31/18					