

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

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

Call to Order
Meeting Statement
Roll Call

WORKSHOP: 6:30PM

Fee Schedule
Alcohol Ban at Community Center

EXECUTIVE SESSION: 7:00PM

Attorney-Client Privilege:	Open Space Grant Scope of Work Highlands Business Partnership
Litigation:	Shore Drive Pump Station Hilltop at Linden

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Consent Agenda

R-19-062	Approve Payment of the Bills
R-19-063	Appoint Representatives to the Monmouth County Regional Health Commission #1
R-19-064	Authorize Monmouth County Mosquito Control Division to Conduct Aerial Operations
R-19-065	Authorize Refund of Tax Overpayment
R-19-066	Authorize Refund of Sewer Escrow
R-19-067	Amend Recreation Committee Membership
R-19-068	Authorize Amendment to the 2019 Temporary Budget
R-19-069	Approve Waiver of Alcohol Ban at Community Center
R-19-070	Appoint Alternative Deputy & Sub Registrar

Resolutions

R-19-071	Authorize Release of Performance Guarantee for Birchwood LLC
R-19-072	Support Path to Progress Recommendations by the NJ Economic & Fiscal Policy Workgroup
R-18-073	Appoint Full Time Heavy Equipment Operator

Ordinance: Introduction & First Reading

O-19-02	Amend Restricted Parking
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Other Business

Administrator's Report
Police Chief's Report

Public Comments:

Adjourn



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-062

AUTHORIZING BILLS LIST

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated February 1st 2019, which totals as follows:

Current Fund	\$1,638,047.50
Sewer Account	\$ 25,387.37
Capital Fund	\$ 13,881.88
Trust-Other	\$ 69,550.76
Federal/State Grants	\$ 9,287.69
Total	\$1,756,155.20

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$1,756,155.20** be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at www.highlandsborough.org and on file in the Municipal Clerk's office for reference.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-063

RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE MONMOUTH COUNTY REGIONAL BOARD OF HEALTH COMMISSION #1

BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Borough Administrator, Kim Gonzales, is hereby appointed to serve as the Borough's representative on the Monmouth County Board of Health Commission commencing January 1, 2019.

BE IT FURTHER RESOLVED, that William F. Brunt, Jr., Code Enforcement Officer for the Borough of Highlands, is hereby appointed to serve as the Alternate Representative for the Borough of Highlands.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-064

AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF HIGHLANDS

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Par 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Highlands is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

- 1) The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-065

AUTHORIZING REFUND OF TAX OVERPAYMENTS

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
52	6	2018	\$703.72	Caplinger, James Jr.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-066

RESOLUTION AUTHORIZING REFUND OF REMAINING UNUSED SEWER ESCROW FUNDS

WHEREAS, the Sewer Clerk has reviewed the following escrow account:

<u>Account #</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
T03-56-850-000-001	Robert Davis	91	9	\$500.00

and

WHEREAS, no further review is needed for the above account and the applicant has requested that the remaining funds be refunded; and

WHEREAS, the Sewer Clerk has received authorization from the Department of Public Works Supervisor that the work was completed satisfactorily and that there are no outstanding invoices due.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Chief Financial Officer is hereby authorized and directed to refund the above referenced applicants their remaining escrow funds.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-067

RESOLUTION AMENDING R-19-028 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:

Position:	Name:	Term:	Expiration:
Council Liaison	Kenneth Braswell/Rosemary Ryan		
Member	Scott Keller	1 Year	12/31/2019
	Jen Strehl		
	Rebecca Kane-Wells		
	<i>Diane Knox</i>		
	Jacqui Kane		
	Greg Wells		
	<i>Steve Solop</i>		
	<i>Ellen Williams</i>		
	<i>Jill Careri</i>		

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, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-068

AUTHORIZING AMENDMENT TO THE 2019 TEMPORARY BUDGET

WHEREAS, the Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2019;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2019 and the adoption of the Local Budget for the Borough of Highlands, County of Monmouth and State of New Jersey for the fiscal Year 2019:

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries</u>	<u>Other Expenses</u>
20-100	Administration	\$ 27,000.00	\$ 687.50
20-110	Mayor and Council	0.00	13,800.00
20-120	Municipal Clerk	17,500.00	10,375.00
20-130	Finance	36,250.00	4,375.00
20-131	Grants Writer		7,500.00
20-135	Annual Audit		10,500.00
20-145	Tax Collection	20,500.00	2,500.00
20-150	Assessment of Taxes	7,125.00	6,750.00
20-152	Central Services	3,750.00	10,500.00
20-155	Legal Services and Costs		57,500.00
20-165	Engineering Services & Costs		52,500.00
21-180	Land Use Board	1,750.00	17,750.00
22-195	Construction Official	0.00	0.00
22-200	Code Enforcement	19,375.00	4,075.00
22-201	Code Substandard Housing		18,750.00
23-210	Insurance-Other		100,000.00
23-210	Insurance-Flood		20,000.00
23-215	Workers Compensation Insurance		100,000.00
23-220	Medical-Surgical Insurance		600,000.00
23-220	Medical-Group Stipend	6,250.00	
25-240	Police	425,000.00	48,500.00
25-250	Police Dispatch	58,800.00	375.00
25-251	911 Telecommunications		3,500.00
25-252	Emergency Management	1,025.00	5,612.50
25-260	First Aid Contribution		8,275.00
25-262	PEOSHA		1,125.00
25-263	Fire Department		23,860.00
25-265	Uniform Fire Safety	8,750.00	1,250.00
25-275	Municipal Prosecutor	4,750.00	
26-290	Streets & Roads	64,537.50	15,750.00
26-292	Snow Removal	0.00	0.00

26-294	Storm water Management		12,500.00
26-300	Mechanical Garage		2,562.50
26-305	Sanitation	1,000.00	10,250.00
26-306	Sanitation-Contractual		58,750.00
26-308	Recycling Tax		250.00
26-309	Monmouth County Reclamation		51,250.00
26-310	Public Building & Grounds	14,250.00	24,625.00
26-312	Shade Tree Commission		250.00
26-325	Condo Services Act		6,375.00
27-335	Environmental Health		125.00
27-337	Monmouth County Regional Health		17,250.00
27-340	Dog Control		5,337.50
27-350	Substance Abuse		750.00
28-360	Community Center	26,000.00	6,725.00
28-375	Parks & Playgrounds		1,550.00
28-376	Beachfront Maintenance	1,375.00	3,425.00
28-385	Public Events		875.00
30-415	Accumulated Time	11,250.00	
30-420	LOSAP		25,000.00
31-430	Utilities-Electric		15,000.00
31-435	Street Lighting		13,500.00
31-440	Telephone		10,000.00
31-445	Utilities-Water		3,750.00
31-446	Utilities-Natural Gas		4,375.00
31-450	Telecommunications		8,000.00
31-460	Utilities-Fuel		13,750.00
31-463	Utilities-Fire Hydrants		16,500.00
36-471	Public Employees Retirement System		87,194.65
36-472	Social Security System		34,500.00
36-475	Police & Fire Retirement		263,756.75
36-477	DCRP		750.00
35-410	Contingent		2,500.00
41-714	Matching Funds for Grants		3,750.00
42-490	Shared Agreement-Court		20,000.00
42-717	Shared Agreement-A.H.-Garage		18,375.00
42-730	Shared Agreement-S.B. Life Guards		9,000.00
42-735	Shared Agreement-Middletown- UCC		50,000.00
43-490	Municipal Court	3,825.00	1,625.00
43-495	Public Defender	1,000.00	
44-901	Capital Improvement		0.00
45-910	Debt Service		0.00
			0.00
	TOTALS	<u>\$761,062.50</u>	<u>\$1,949,986.40</u>

SEWER UTILITY

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries</u>	<u>Other Expenses</u>
55-501	Operating	\$ 30,000.00	\$ 259,450.00
55-502	Shared Service-Operator		0.00
55-502	Insurances		19,500.00
55-502	Social Security		2,000.00
55-502	PERS		1,578.00
	TOTALS	<u>\$ 30,000.00</u>	<u>\$ 282,528.00</u>



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-069

RESOLUTION APPROVING REQUEST FOR WAIVER OF ALCOHOL BAN FOR COMMUNITY CENTER RENTAL

WHEREAS, the Borough of Highlands has received an application for rental of the Community Center from two residents seeking to host a wedding; and

WHEREAS, the residents have requested a waiver of the alcohol prohibition in order to serve alcohol to the guests of this private event; and

WHEREAS, the residents will obtain the necessary insurance coverage required to allow alcohol at the private event.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that Sheila Weinstock's request for a waiver of the alcohol prohibition is approved for the private event to be hosted on September 21st 2019;

BE IT FURTHER RESOLVED, that as a condition of this approval the applicant has provided the Borough Clerk with a certificate of insurance coverage naming the Borough of Highlands as an additional insured, subject to the Borough Administrator's review and approval.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-070

RESOLUTION APPOINTING JORGI CRAIG TO SERVE IN THE POSITION OF ALTERNATIVE DEPUTY REGISTRAR & ROSA PACE TO SERVE IN THE POSITION OF SUB REGISTRAR

WHEREAS, a vacancy currently exists in the positions of Alternative Deputy Registrar and Sub Registrar; and

WHEREAS, in accordance with N.J.S.A. 26:8-17, there exists a need for the appointments of Alternative Deputy Registrar and Sub Registrar for the Borough of Highlands; and

WHEREAS, the Local Registrar has determined that Jorgi Craig is the most qualified candidate to serve in the position of Alternative Deputy Registrar and to assume all of the duties thereto; and

WHEREAS, the Local Registrar has determined that Rosa Pace is the most qualified candidate to serve in the position of Sub Registrar and to assume all of the duties thereto; and

WHEREAS, the Local Registrar wishes to appoint Jorgi Craig to serve as the Alternative Deputy Registrar and Rosa Pace as the Sub Registrar, effective February 7th 2018.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands that Jorgi Craig is hereby appointed to serve as Alternative Deputy Registrar and Rosa Pace as Sub Registrar for a term expiring December 31, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-071

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR BIRCHWOOD, INC.

WHEREAS, the developer, Birchwood Inc. for Bulk Variances/SP located at 60 5th Street, Block 66, Lot 11, has requested release of its performance guarantee and escrow previously posted with the Borough of Highlands in accordance with its previously received Land Use Board approval; and

WHEREAS, the Borough Engineer has, in a letter dated November 2, 2018, (attached hereto as Exhibit "A") recommended that the following performance guarantee be released:

T-13-58-903-000-425: \$1491.00 (Performance Bond); and

WHEREAS, in light of the release of the performance guarantee as set forth above, it is also necessary to release the following escrow:

T-03-56-856-805-124: \$12.10 (Escrow)

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

1. It has reviewed, agrees with and hereby adopts all recommendations by the Borough Engineer as set forth in Exhibit "A".
2. It hereby authorizes the release of the performance guarantee set forth in the Borough Engineer's letter attached hereto as Exhibit "A", subject to the conditions set forth therein.
3. It hereby authorizes the release of the escrow as set forth above.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Borough Clerk to be a true copy be forwarded to each of the following:

- (a) Borough Engineer
- (b) Borough Chief Financial Officer
- (c) Developer
- (d) Superintendent of Public Works
- (e) Borough Construction Official
- (f) Borough Attorney



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-072

Resolution in Support of Path to Progress Recommendations made by New Jersey Economic and Fiscal Policy Workgroup

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State's unfunded liability for pensions and retiree health benefits now tops \$150 billion – four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, municipalities cannot address other major cost drivers, such as career-end sick leave payouts in excess of \$100,000, without relief from State government; and

WHEREAS, the State must bring pension and health care costs under control before they crowd out all other important spending needs, such as reinvestment in NJ Transit, making higher education more affordable and properly funding state aid to school districts to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, that the Borough of Highlands expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution is to be forwarded to Senate President Stephen M. Sweeney, Assembly Speaker Craig J. Coughlin, Senator Declan J. O'Scanlon, Assemblywoman Amy H. Handlin, Assemblywoman Serena DiMaso, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-073

RESOLUTION APPOINTING FULL-TIME HEAVY EQUIPMENT OPERATOR IN THE DEPARTMENT OF PUBLIC WORKS - STREETS

WHEREAS, the Mayor and Council of the Borough of Highlands have determined that there is a need for a Heavy Equipment Operator in the Department of Public Works – Streets and they wish to appoint José Diaz to the said position through an intergovernmental transfer.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands, that José Diaz be and is hereby appointed Full-Time Heavy Equipment Operator, effective February 11, 2019, with the first ninety (90) days being a probationary period.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-19-02

AN ORDINANCE AMENDING CHAPTER 7-3.8 OF BOROUGH CODE CONCERNING PERMIT PARKING FOR RESIDENTS

WHEREAS, the governing body of the Borough of Highlands has determined that it is in the best interest of the residents to provide for additional guest parking for residences located on streets with limited parking.

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

SECTION I.

The following Sections of Chapter 7, Section 3.8 entitled "Permit Parking for Residents" of the Borough Code shall be amended as follows: (All additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics.***~~)

7-3.8 Permit Parking for Residents.

- a. Parking on the following "**Resident-Only**" streets or portions of said streets shall be restricted at all times to vehicles of residents, their family members and guests displaying a proper permit or placard issued by the borough clerk pursuant to this subsection.
 1. Willow Street – entire paved portion on both sides of street no parking any time; Willow Street residents may park on Locust Street.
 2. Locust Street – entire length on both sides of street to intersection with Willow Street.
 3. Shore Drive – from the intersection of Marie Avenue north to Willow Street on both sides of the street
- b. Residents shall fill out an application on a form to be established providing sufficient information to facilitate the administration of this subsection with the borough clerk and obtain a sticker to be affixed to each vehicle owned or leased to the residents of the premises on these streets.
- c. The application shall be kept on file with the borough clerk and the resident(s) shall be required to update same upon disposing of any vehicle on the application and/or acquisition or leasing of replacement or additional vehicles.

- d. Guest placards, not to exceed two per residence, shall be available at the borough clerk's office upon application. These shall be assigned permanently to the applicant for use at the residence and shall be used by guests and/or visitors while parked on ~~the said~~ **Resident-Only** streets.
- e. Upon disposing of any vehicle or moving from the residence, the person or persons so named on the application on file with the borough clerk shall advise the borough clerk in writing or in person and shall remove and surrender all permits and placards previously issued.
- f. Permits and placards shall not be sold, traded, assigned or given to another person and may only be used in connection with the street of the residence on the application.
- g. There shall be no fees charged to the residents for these permits and placards.
- h. **Residents on the following street(s), which due to their limited size or other circumstances resulting in inadequate parking, may also apply for the issuance of guest placards, not to exceed two per residence, to provide guest parking on Resident-Only streets:**

1. **Mathews Street**

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 after final passage.