

# BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900

171 BAY AVENUE  
07732  
COUNTY OF MONMOUTH  
PHONE: 732-872-1224  
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FRANK L. NOLAN  
MAYOR  
TIM HILL  
ADMINISTRATOR  
CAROLYN M. CUMMINS  
BOROUGH CLERK

## MAYOR AND COUNCIL REGULAR MEETING WEDNESDAY, FEBRUARY 17, 2016 7:00 P.M.

**Meeting Location: Robert D. Wilson Memorial Community Center, 22 Snug Harbor Avenue, Highlands**

Call to Order  
Meeting Statement  
Roll Call  
Executive Session Resolution

**EXECUTIVE SESSION:** 7:00 p.m.

Litigation:

Contract Negotiation:

**Review of Tilt Up Demo RFP's  
Shared Services – Sewer Operations  
Twin Light Terrace Condo Mun Serv  
Agreement**

Real Estate:

**Facility Update - DPW**

Personnel:

Investigation:

Attorney-Client Communications:

**Cat Ordinance Amendment Update  
Snow Ordinance, Emergency Repairs  
Branin Bill – 5 Gravelly Point Road,**

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Call to Order  
Pledge of Allegiance  
Opening Prayer/Moment of Silence  
Roll Call

**REGULAR MEETING:** 8:00 p.m.

**Public Portion - Resolutions**

**HBP 2016 Budget**

1. Public Hearing
2. R-16-67 Resolution Adopting HBP 2016 Budget

**Consent Agenda:**

1. R-16-65 Resolution - Mosquito Control Commission Aerial Spraying
2. Payment of Bills
3. Minutes – January 20, 2016

**Other Resolutions:**

1. R-16-66 Resolution Appointing Members to Recreation Committee

**Ordinances: Introduction & Setting of a Public Hearing Date for March 16th**

1. O-16-4 Zoning Ordinance Amendment

**Ordinances: 2<sup>nd</sup> Reading, Public Hearing, Adoption**

1. O-16-2 Ordinance Amending Clerks Duties
2. O-16-3 Ordinance Council to Serve Without Compensation

**Other Business:**

1. Borough Engineers Status Report
2. Borough Emails
3. Green Team Update

**PUBLIC PORTION: Please sign up prior to the meeting**

**Adjourn:**

2/12/2016 1:41 PM

**NOTE: Formal Action May Be Taken on Any and All Agenda Items**

**Borough of Highlands  
Public Notice  
NOTICE OF Highlands Business Partnership  
2016 Budget**

*P. H. Redington  
Feb 17/16*

The Highlands Business Partnership 2016 Budget Resolution published here with was introduced and passed upon first reading at a meeting of the governing body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on January 20, 2016. It will be further considered for final passage and adoption, after public hearing thereon, at a meeting of the governing body to be held at the Robert D. Wilson Memorial Community Center located at 22 Snug Harbor Avenue, Highlands, NJ on February 17, 2016 at 8:00 clock PM. Copies of Budget are available at no cost during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The Clerk's office is located at 42 Shore Drive, Highlands, NJ 07732.

**R-16-37  
RESOLUTION APPROVING INTRODUCTION OF THE HBP 2016  
BUDGET AND  
HIGHLANDS BUSINESS IMPROVEMENT DISTRICT  
District Management Corporation  
Highlands Business Partnership  
January 1, 2016– December 31, 2016**

**COMMERCIAL DISTRICT 2016  
PROGRAM BUDGET  
EXPENSE**

**Visual  
Improvement.....\$20,000.00**

- Beautification
- Maintenance
- Holiday & Seasonal
- Street Banners

**Special Events Calendar.....  
\$50,000.00**

- Creation of events

**Marketing &  
Communications.....\$25,000.00**

- Ad campaigns – online, newspaper, magazine, shows

- Tourism
- Public Relations
- Image Building
- Visitor Guide
- Audio & Video Media
- Maintain Website & Database & Graphic Ad Design

**Economic**

**Development.....\$15,000.00**

- Business Recruitment/Retention & Redevelopment

**Administrative Budget**

**Personnel.....\$40,000.00**

**Miscellaneous.....\$10,000.00**

- Legal and Audit
- Insurance
- Office Supplies
- Utilities – Telephone, fax & electric
- License & fees

**TOTAL**

**Expenses.....\$160,000.00**

HIGHLANDS BUSINESS IMPROVEMENT DISTRICT

District Management Corporation

Highlands Business Partnership

**January 1, 2016 – December 31, 2016**

**COMMERCIAL DISTRICT  
PROGRAM BUDGET  
Income**

**2016**

**Special Events**

**Income**.....~~\$80,000.00~~ 90,000

- Vendor Fees Income
- Event Income (Social Affairs & Raffle Permit income)

**Marketing &**

**Communications**.....\$10,000.00

- Sponsorship Income
- Barter Goods & Services (approx. \$12k)

**TOTAL Income**

.....~~\$90,000.00~~ 100,000

**TOTAL ASSESSMENT INCOME REQUIRED TO OPERATE -  
\$60,000.00**

**CAROLYN CUMMINS  
Borough Clerk**

**R-16-67  
RESOLUTION  
ADOPTING THE HBP 2016 BUDGET AND  
HIGHLANDS BUSINESS IMPROVEMENT DISTRICT  
District Management Corporation  
Highlands Business Partnership  
January 1, 2016– December 31, 2016**

<b>COMMERCIAL DISTRICT PROGRAM BUDGET</b>	<b>2016 EXPENSE</b>
<b>Visual Improvement.....</b>	<b>\$20,000.00</b>
<input type="checkbox"/> Beautification	
<input type="checkbox"/> Maintenance	
<input type="checkbox"/> Holiday & Seasonal	
<input type="checkbox"/> Street Banners	
<b>Special Events Calendar.....</b>	<b>\$50,000.00</b>
<input type="checkbox"/> Creation of events	
<b>Marketing &amp; Communications.....</b>	<b>\$25,000.00</b>
<input type="checkbox"/> Ad campaigns – online, newspaper, magazine, shows	
<input type="checkbox"/> Tourism	
<input type="checkbox"/> Public Relations	
<input type="checkbox"/> Image Building	
<input type="checkbox"/> Visitor Guide	
<input type="checkbox"/> Audio & Video Media	
<input type="checkbox"/> Maintain Website & Database & Graphic Ad Design	
<b>Economic Development.....</b>	<b>\$15,000.00</b>
• Business Recruitment/Retention & Redevelopment	
<b>Administrative Budget</b>	
<b>Personnel.....</b>	<b>\$40,000.00</b>
<b>Miscellaneous.....</b>	<b>\$10,000.00</b>
<input type="checkbox"/> Legal and Audit	
<input type="checkbox"/> Insurance	
<input type="checkbox"/> Office Supplies	
<input type="checkbox"/> Utilities – Telephone, fax & electric	

License & fees

**TOTAL Expenses.....\$160,000.00**

**HIGHLANDS BUSINESS IMPROVEMENT DISTRICT  
District Management Corporation  
Highlands Business Partnership  
January 1, 2016 – December 31, 2016**

**COMMERCIAL DISTRICT  
PROGRAM BUDGET** **2016  
Income**

**Special Events Income.....\$90,000.00**

- Vendor Fees Income
- Event Income (Social Affairs & Raffle Permit income)

**Marketing & Communications.....\$10,000.00**

- Sponsorship Income
- Barter Goods & Services (approx. \$12k)

**TOTAL Income .....\$100,000.00**

**TOTAL ASSESSMENT INCOME REQUIRED TO OPERATE - \$60,000.00**

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON						
CARD						
D'ARRIGO						
WELLS						
NOLAN						
ON CONSENT AGENDA			YES	NO		

Date: February 3, 2016

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Carolyn Cummins, Borough Clerk

**R-16-65**  
**RESOLUTION AUTHORIZING**  
**THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT**  
**AERIAL MOSQUITO CONTROL OPERATIONS WITHIN**

**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, 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 Part 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** 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 mosquitos 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.



**R-16-66**  
**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 Member:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the above named persons are hereby appointed to the Recreation Committee for a one year term to expire December 31, 2016.

DATE: February 17, 2016

# **Recreation Committee Meetings**

at the Robert D. Wilson Memorial Community Center

7:30 pm

February 29, 2016

March 28, 2016

April 25, 2016

May 23, 2016

June 27, 2016

July 25, 2016

August 22, 2016

September 26, 2016

October 24, 2016

November 21, 2016

December 12, 2016

**Borough of Highlands  
Public Notice**

The bond ordinance published here with was introduced and passed upon first reading at a meeting of the governing body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on January 20, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Robert D. Wilson Memorial Community Center located at 22 Snug Harbor Ave, Highlands, NJ on February 17, 2016 at 8:00 clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The Clerks office is located at 42 Shore Drive, Highlands, NJ 07732.

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH  
O-16-2**

**AN ORDINANCE SUPPLEMENTING SECTION 2-5.7  
OF THE CODE OF THE BOROUGH OF  
HIGHLANDS DESIGNATING THE DUTIES OF  
SECRETARY OF THE ZONING BOARD OF  
ADJUSTMENT AND PLANNING BOARD (OR ANY  
COMBINED LAND USE BOARD) TO THE  
BOROUGH CLERK**

WHEREAS, the Borough Clerk has performed the duties of secretary to the Zoning Board of Adjustment and the Planning Board; and

WHEREAS, the Clerk's salary is based, in part, on performing those duties; and

WHEREAS, the governing body wishes to formally include those duties in the Borough Code.

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

SECTION ONE: Section 2-5.7 of the Borough Code, "Other Laws and Ordinances," shall be supplemented as follows (additions are underscored):

In addition to such other functions, powers and duties as may be prescribed by ordinance, and subject to the supervision and direction of the mayor and council, the clerk shall:

- a. Perform all of the functions required of municipal clerks by the General Election Law (Title 19 of the Revised Statues) and any other law or ordinance.

- b. Serve as registrar of dog licenses.
- c. Administer the provisions of borough ordinances with reference to the licensing of occupations and activities for which licenses are required by law or ordinance to be obtained from the clerk.
- d. Perform the duties of Secretary of the Zoning Board of Adjustment and Planning Board, or combined Land Use Board, as the case may be.
- e. Have such other, different and additional functions, powers and duties as may be prescribed by law or ordinance or delegated to him by the mayor and council.

SECTION TWO. 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 THREE. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

**CAROLYN CUMMINS**  
**Borough Clerk**

**Borough of Highlands  
Public Notice**

The bond ordinance published here with was introduced and passed upon first reading at a meeting of the governing body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on January 20, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Robert D. Wilson Memorial Community Center located at 22 Snug Harbor Ave, Highlands, NJ on February 17, 2016 at 8:00 clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The Clerk's office is located at 42 Shore Drive, Highlands, NJ 07732.

**O-16-3  
BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**AN ORDINANCE SUPPLEMENTING SECTION 2-3.1  
TO PROVIDE THAT THE MAYOR AND COUNCIL  
SHALL SERVE WITHOUT COMPENSATION**

WHEREAS, the governing body finds that volunteer service is a valuable community service and wishes to serve without compensation.

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

SECTION ONE: Section 2-3.1 shall be supplemented as follows (additions are underscored):

2-3.1       Composition, Election, Term.

The council shall consist of the mayor and four councilmen. The mayor and members of the council shall be elected at large by the voters of the municipality and shall serve for a term of three years, beginning on the first day of January next following their election. The mayor and council shall serve without compensation.

SECTION TWO. 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 THREE. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

**CAROLYN CUMMINS**  
**Borough Clerk**

HIGHLANDS.NJ.US