

Highlands Borough Mayor & Council Meeting Agenda
Community Center
22 Snug Harbor Avenue, Highlands
Wednesday, April 18th 2018, 7:00 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

EXECUTIVE SESSION: 7:00PM

Personnel: Sewer Plant Strategic Planning

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Consent Agenda

R-18-095 Authorize Payment of the Bills
R-18-096 Permitting One Hour Extension of Notice Ordinance Provisions on 6/1/18 for Bonfire
R-18-097 Approval of Memorial Bench in Ederle Park in Honor of Dodie Bower

Resolutions

R-18-098 Approval of 2017 LOSAP Contributions
R-18-099 Request Six Month Extension from NJDOT for Award of Improvements to Valley Street
R-18-100 2018 Municipal Budget Adoption
R-18-101 Authorize Promotion of Sergeant George Roxby to Captain
R-18-102 Appoint Alternative C2 Operator

Ordinances: Introduction & First Reading

O-18-11 Renaming Lighthouse Point Road to Paradise Lane

Ordinances: Public Hearing & Possible Adoption

O-18-08 Add Chapters 4-14 AND 4-15 Concerning Short Term Rentals & Bonds for Damage
O-18-09 Amend Section 7-3.5 to Restrict Parking Near Municipal Buildings on Shore Drive
O-18-10 Amend Schedule A of the 2018 Salary Ordinance

Other Business:

Town Appearance Issues
Engineer's Report
Administrator's Report
Police Chief's Report

Public Comments:

Adjourn



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-095

AUTHORIZING BILLS LIST

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated April 13, 2018, which totals as follows:

Current Fund	\$174,548.10
Sewer Account	\$ 53,001.70
Capital Fund	\$120,617.51
Trust-Other	\$ 21,811.98
Federal/State Grants	\$ 545.00
Total	\$370,524.29
Addendum 04/17/2018	\$ 59,570.33
Total w/ Addendum	\$430,094.62

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$430,094.62** 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 18-096

RESOLUTION PERMITTING A ONE (1) HOUR EXTENSION OF NOISE ORDINANCE RESTRICTIONS ON JUNE 1, 2018 FOR THE BONFIRE EVENT

WHEREAS, the Borough of Highlands has adopted ordinances pursuant to its general police powers to control noise within the Borough; and

WHEREAS, Borough Code, Chapter 3-2 et seq., regulates noise and sets forth the enforcement mechanism pertaining to the same; and

WHEREAS, Borough Code, Chapter 3-2.2 et seq., sets forth prohibited noise which shall be unlawful during nighttime hours; and

WHEREAS, Borough Code, Chapter 3-2.1(f) sets forth, in part, that nighttime hours shall mean 10:00p.m. through 7:00a.m., Friday, Saturday and legal holidays; and

WHEREAS, a request has been made that the noise ordinance be extended for a period of one (1) hour to 11:00 p.m. on June 1, 2018, for a Bonfire Event; and

WHEREAS, the governing body has determined that it would be appropriate, proper and in the best interests of the Borough to allow for this limited exemption for the Bonfire event on June 1, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands that the request made, to extend the nighttime hours established by the Noise Ordinance in Chapter 3, Section 2.1(f) of the Borough Code, is hereby granted, wherein the nighttime hours established by the aforesaid Borough Code are hereby extended for a period of one (1) hour, until 11:00 p.m. on June 1, 2018, for the Bonfire Event on the said date; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to transmit a certified copy of this Resolution to the Chief of Police and the Code Enforcement Officer for the Borough of Highlands.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-097

RESOLUTION REQUESTING APPROVAL FOR THE HIGHLANDS GARDEN CLUB TO PLACE A MEMORIAL BENCH IN EDERLE PARK IN HONOR OF DODIE BOWER

WHEREAS, Ederle Park is part of the Borough of Highlands Municipal Open Space.

WHEREAS, the Highlands Garden Club is requesting approval to place a memorial bench in Ederle Park in honor of Dodie Bower.

WHEREAS, the Highlands Garden Club will be paying for the bench from their club funds;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands formally approves the placement of the memorial bench in Ederle Park in honor of Dodie Bower.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-098

CERTIFYING AND APPROVING 2017 LOSAP CONTRIBUTIONS

WHEREAS, the Length of Service Award Program (LOSAP) has been implemented in accordance with Chapter 388 of the Laws of 1997 (**N.J.S.A** 40A: 14-183 et seq.), to reward members of the Columbia Hose and Star Hook and Ladder Company and the Highlands First Aid Squad for their loyal, diligent and devoted services to the residents of the Borough of Highlands; and,

WHEREAS, LOSAP shall provide for annual contributions, by the Borough of Highlands, to a deferred income account, for each eligible member that meets the criteria as outlined in Ordinance 04-09; and,

WHEREAS, the following Fire Department and First Aid members have met all criteria required to receive a LOSAP contribution in the amount set opposite their name.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the LOSAP annual contributions, from the Borough of Highlands, to a deferred income account for each volunteer member listed below, having met the criteria, be made in accordance with the plan established by the Borough of Highlands pursuant to P.L. 1997, c. 388.

BE IT FURTHER RESOLVED that a certified copy of this resolution be returned to each emergency service organization, where it shall be posted for no less than 30-days, as well as in the office of the Municipal Clerk.

Dept.	Name	Points	Amount
First Aid	Kerry Gowan	156	\$1,150.00
	Bronwyn Link	176	\$1,150.00
	Warren J. Terwilliger	184	\$1,150.00
	Jacob Link	134	\$1,150.00
	Melanie Robinson	162	\$1,150.00
	Billy Mount	188	\$1,150.00
	Marcie Mount	115	\$1,150.00
	Katie Mason	129	\$1,150.00
	Ed Cetron	172	\$1,150.00
	Bryan Foeri	115	\$1,150.00
Fire Department	James Davis	188	\$1,150.00
	Michael Armstrong	233	\$1,150.00
	Joseph Blewett Sr.	148	\$1,150.00
	Gary Branin Sr.	130	\$1,150.00
	Brian Burton	165	\$1,150.00
	Bonnie Burton	105	\$1,150.00
	William Caizza	225	\$1,150.00
	Christopher Creighton	102	\$1,150.00
	Edward Edelbach	148	\$1,150.00
	Wallace Hartsgrove	117	\$1,150.00
Martin Hawley Sr.	191	\$1,150.00	

Fire Department	William Kane	248	\$1,150.00
	Rebecca Kane Wells	113	\$1,150.00
	Peter Lynch	113	\$1,150.00
	Patrick Mason	133	\$1,150.00
	John McKay	309	\$1,150.00
	Matt Mezey	151	\$1,150.00
	Paul Murphy	121	\$1,150.00
	Kevin O'Donnell Sr.	143	\$1,150.00
	David Parker	119	\$1,150.00
	Charles Roemmele	248	\$1,150.00
	Thomas Snow	269	\$1,150.00
	Andrew Soyka	127	\$1,150.00
	Edward Silkowski	189	\$1,150.00
	Rudolph Trivett Sr.	169	\$1,150.00
	Rudolph Trivett Jr.	194	\$1,150.00
	Ramon Vargas	277	\$1,150.00
	Charlie Wells	103	\$1,150.00
TOTAL			\$43,700.00



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-099

APPROVAL TO REQUEST A SIX-MONTH EXTENSION OF TIME FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE AWARD OF THE IMPROVEMENTS TO VALLEY STREET (FY2016)

WHEREAS, the New Jersey Department of Transportation is requiring a Resolution of the governing body in order to seek a six-month extension of time for the project identified as PRO-2016- Valley Street-00593 in the form of the within Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Highlands formally approves the extension of time for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to request the extension of time for the project identified as PRO-2016-Valley Street-00593 from the New Jersey Department of Transportation on behalf of the Borough of Highlands.

Certified as a true copy of the Resolution adopted by the Council
On this _____ day of _____, 2018.

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreements and approve the combining of the grant allotments as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
(Clerk) (Presiding Officer)

SECTION 2 - UPON ADOPTION FOR YEAR
 (Only to be Included in the Budget as Finally Adopted)

2018

RESOLUTION 18-100

Be it Resolved by the Mayor and Borough Council of the Borough of Highlands, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 7,792,549.39 (Item 2 below) for municipal purposes, and
- (b) \$ _____ (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 30,401.98 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 0.00 (Item 5 below) Minimum Library Tax

RECORDED VOTE
 (Insert last name)

Ayes {

Nays {

Abstained }

Absent {

SUMMARY OF REVENUES

1. General Revenues				
Surplus Anticipated			08-100	\$ 1,250,000.00
Miscellaneous Revenues Anticipated			13-099	\$ 1,112,731.09
Receipts from Delinquent Taxes			15-499	\$ 730,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			07-190	\$ 7,792,549.39
3. AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 41		07-195		\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191		\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only				
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:				
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY				
Total Revenues			13-299	\$ 10,885,280.48

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS		XXXXXX	XXXXXXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXXXXXX
(a&b) Operations including Contingent		34-201	\$ 7,294,340.00
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 574,398.38
(g) Cash Deficit		46-885	\$
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 380,662.09
(c) Capital Improvements		44-999	\$ 670,000.00
(d) Municipal Debt Service		45-999	\$ 845,880.01
(e) Deferred Charges - Municipal		46-999	\$ 20,000.00
(f) Judgments		37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		29-405	\$
(g) Cash Deficit		46-885	\$
(k) For Local District School Purposes		29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		50-899	\$ 1,100,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		07-195	\$
Total Appropriations		34-499	\$ 10,885,280.48

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 18th day of April, 2018. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2018 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 18th day of April, 2018 _____ Clerk
signature



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-101

RESOLUTION AUTHORIZING THE PROMOTION OF A POLICE OFFICER

WHEREAS, there exists a need within the Police Department to make certain promotions; and

WHEREAS, based on the results of the current Civil Service promotional examination, Chief Burton hereby recommends the promotion of Sergeant George Roxby to the position of Police Captain.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Sergeant George Roxby is hereby promoted to Captain George Roxby effective May 1st 2018.

BE IT FURTHER RESOLVED, that as per PBA Local 48 Collective Bargaining Agreement with the Borough of Highlands, said promotion will be compensated at a rate of determined by said contract.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-102

RESOLUTION APPOINTING ALTERNATE OPERATOR FOR SEWER OPERATION SERVICES

WHEREAS, by way of Resolution 17-099 the Borough appointed David Bahrle to **serve as the Borough's Alternate Licensed Sewage Plant Operator; and**

WHEREAS, David Bahrle is being removed **from his appointment as the Borough's** Alternate Licensed Sewage Plant Operator; and

WHEREAS, it is in the best interest of the Borough to appoint Steven Ussman to **serve as the Borough's Alternate Licensed C2 Operator and to replace David Bahrle,** wherein Steven Ussman will be provided compensation in the amount of \$5,000.00 on an annual basis for performing such duties.

NOW, THEREFORE, BE IT RESOLVED, by the governing body that David Bahrle **is removed from his position as the Borough's Alternate** Licensed Sewage Plant Operator effective April 18th 2018.

BE IT FURTHER RESOLVED by the governing body of the Borough of Highlands **that Steven Ussman be and is hereby appointed to serve as the Borough's Alternate** Licensed C2 Operator, replacing David Bahrle, effective April 19th 2018 through December 31st 2018, wherein Steven Ussman shall receive compensation in the amount of \$5,000.00 on an annual basis for performing such duties.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-11

AN ORDINANCE RENAMING LIGHTHOUSE POINT ROAD TO PARADISE LANE

WHEREAS, the governing body of the Borough of Highlands has determined that it is in the best interest of the residents to change the street name for the newly named street **“Lighthouse Point Road” to avoid confusion with the previously-existing “Lighthouse Road”**.

WHEREAS, pursuant to N.J.S.A. 40:67-1(k) the governing body is empowered with the authority to name and rename streets.

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

SECTION I.

“Lighthouse Point Road” which begins at its intersection with Shore Drive and runs northerly until its terminus, shall hereafter be known as “Paradise Lane”.

Proper markers designating and identifying said “Paradise Lane” shall be posted in conspicuous locations of said street.

The Tax Map of the Borough of Highlands shall be amended to rename “Lighthouse Point Road” to “Paradise Lane”.

A certified copy of this ordinance shall be filed with the Monmouth County Clerk, the Monmouth County Board of Elections, the New Jersey Secretary of State, the Highlands Postmaster, and any other County, State or Federal agency which requires a notification of a street name change.

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 upon adoption and publication according to law and filing with the Monmouth County Clerk.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-08

AN ORDINANCE ADDING CHAPTERS 4-14 AND 4-15 OF BOROUGH CODE CONCERNING SHORT TERM RENTALS AND BONDS FOR DAMAGE CAUSED BY CERTAIN RENTAL PROPERTIES

WHEREAS, the governing body of the Borough of Highlands has determined that no regulation currently exists for the rental of residential property on a short-term basis, and if left unregulated, could adversely affect the health, safety, and general welfare of the citizens of the Borough;

WHEREAS, the governing body of the Borough of Highlands has determined that it is in the best interest of the residents to establish a permitting process for short-term rental of residential properties and to require bonds to cover damage caused by the rental of certain residential properties.

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

SECTION I.

The following Section of Chapter 4, Section 4-14 **entitled "SHORT-TERM RENTALS" of the Borough Code shall be added to provide as follows:**

4-14 SHORT-TERM RENTALS.

4-14.1 Purpose and scope.

This Section aims to regulate the increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods, on a short-term basis to transient guests. This practice has been popularized and facilitated by various websites that advertise and broker these rentals. Left unregulated, this practice could adversely affect the health, safety, and general welfare of the citizens of the Borough. This Section seeks to balance the rights of the owners of residential dwelling units and the needs of the community at large.

This Section does not apply to lawfully established and operating hotels, motels, rooming houses, boardinghouses, and bed-and-breakfast establishments.

4-14.2 Definitions.

As used in this Section (4-14), the following terms shall have the meanings indicated below:

Owner shall mean an individual or entity holding title to a property proposed for short-term rental, by way of a legally recorded Deed.

Owner-Occupied shall mean the owner of the property resides in the short term rental property (also referenced as “STRP”), or in the principal residential unit with which the STRP is associated on the same lot, and identifies same as his or her principal residence as that term is defined in this Section (4-14). For purposes of this Section (4-14), if the owner of the property is an entity other than an individual or individuals, then at least one principal or member of the owner entity must reside in the STRP, or in the principal residential unit with which the STRP is associated on the same lot, and identify same as his or her principal residence as that term is defined in this Section (4-14).

Principal Residence shall mean the address: (1) where at least one of the property owners spends the majority of his or her non-working time, and (2) which is most clearly the center of his or her domestic life, and (3) which is identified on his or her driver’s license or State Identification Card as being his or her legal address. All the above requirements must be met in order for an address to constitute being a principal residence for purposes of this Section (4-14).

Property shall mean a parcel of real property located within the boundaries of the Borough of Highlands.

Responsible Party shall mean both the short-term rental property owner and a person (or property manager) designated by the owner to be called upon and be responsible at all times during the period of a short-term rental and to answer for the maintenance of the property, or the conduct and acts of occupants of the short-term rental property, and, in the case of the property manager, to accept service of legal process on behalf of the owner of the short-term rental property.

Short-Term Rental (also referenced as “STR”) shall mean the accessory use of a dwelling unit for occupancy by someone other than the unit’s owner or permanent resident for a period of thirty (30) or less consecutive days, but for not less than three consecutive days, up to a cumulative total period of not to exceed ninety (90) days in a calendar year, which dwelling unit is regularly used and kept open as such for the lodging of guests, and which is advertised or held out to the public as a place regularly rented to transient occupants, as that term is defined in this Section (4-14).

Short-Term Rental Property (also referenced as “STRP”) shall mean a dwelling unit as defined in Section 10-3.1 of the Code of the Borough of Highlands, that is used and/or advertised for rent as a short-term rental by transient occupants as guests, as those terms are defined in this Section (4-14). Dwelling units rented to the same occupant for more than thirty (30) continuous days, licensed Bed and Breakfast establishments, licensed rooming or boarding houses, hotels, and motels shall not be considered Short-Term Rental Property.

Transient Occupant shall mean any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: (1) registered as a short-term rental property, or (2) satisfies the definition of a short-term rental property, as such term is defined in this Section (4-14). It shall be a rebuttable presumption that any person who holds themselves

out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

4-14.3 Regulations Pertaining to Short-Term Rentals.

a. It shall be unlawful for any owner of any property within the geographic bounds of the Borough of Highlands, to rent or operate a short-term rental contrary to the procedures and regulations established in this Section (4-14) or applicable State statute.

b. Short-term rentals shall be permitted to be conducted in the following classifications of property in the Borough of Highlands:

1. Condominium units, where the Condominium Association By-Laws and Master Deed do not prohibit a short-term rental, and where the owner of the unit legally identifies the address as his or her principal residence;

2. Individually or collectively owned single-family residences, which one of the owners legally identifies as the address of his or her principal residence, as that term is defined herein;

3. One unit within a two-family residential dwelling, where the other unit is occupied by the owner and identified by the owner as his or her principal residence, as that term is defined herein;

4. Not more than one unit in any multi-family residential dwelling, where one other unit in the same dwelling is occupied by the owner and identified by the owner as his or her principal residence, as that term is defined herein; and

5. Not more than one room within a single-family residential dwelling unit, where the room shares common kitchen and bathroom facilities with the occupant of the dwelling unit, and the remainder of the single-family dwelling unit is occupied by the owner and identified by the owner as his or her principal residence, as that term is defined herein.

c. Notwithstanding the provisions of sub-paragraph (b) above, short-term rentals shall not be permitted in boarding or rooming houses, dormitories, foster homes, adult family care homes, assisted living facilities, community residences for developmentally disabled persons, community shelters for victims of domestic violence, or nursing homes. Further, short term rental of the following properties is prohibited:

1. Condominiums or townhomes, where the Condominium Association By-Laws or Master Deed, or Condominium Rules and Regulations, do not permit such short-term rental of condominium units in the development;

2. An individually or collectively owned single-family residential dwelling unit, which address none of the owners legally identifies as his or her principal residence;

3. A unit in a two-family residential dwelling, where the other unit is not occupied by the owner nor legally identified by the owner as his or her principal residence;

4. Two or more units in a multi-family residential dwelling, and where one of the other units is not occupied by the owner nor legally identified by the owner as his or her principal residence;

5. A room within a single-family, two-family or multi-family residential dwelling unit, where the room shares common kitchen and bathroom facilities with the occupant(s) of the dwelling unit in which it is located, which occupant(s) is neither the owner of the dwelling unit nor identifies the remainder of the dwelling unit in the single-family, two-family or multi-family residence as his or her principal residence.

6. Two or more individual rooms within a single-family, two-family or multi-family residential dwelling unit, where the rooms share common kitchen and bathroom facilities with the occupant(s) of the dwelling unit(s) in which they are located, which occupant(s) is neither the owner of the dwelling unit nor identifies the remainder of the dwelling unit in the single-family, two-family or multi-family residence as his or her principal residence.

d. The provisions of this Section (4-14) shall apply to short-term rentals as defined in Subsection 4-14.3 above. The following do not qualify as a privately-owned residential dwelling unit, as that term is used herein, and therefore do not need to obtain a short-term rental permit pursuant to this Section (4-14): any hotel, motel, studio hotel, rooming house, dormitory, public or private club, bed and breakfast inn, convalescent home, rest home, home for aged people, foster home, halfway house, transitional housing facility, or other similar facility operated for the care, treatment, or reintegration into society of human beings; any housing owned or controlled by an educational institution and used exclusively to house students, faculty or other employees with or without their families; any housing operated or used exclusively for religious, charitable or educational purposes; or any housing owned by a governmental agency and used to house its employees or for governmental purposes.

4-14.4 Short-Term Rental Permit, Permit Registration Fee/Application, and Certificate of Occupancy.

a. In addition to any land use requirement(s) set forth by the Zoning and Land Use Regulations of the Borough of Highlands, the owner/operator of a short-term rental property shall obtain a short-term rental permit from the Borough of Highlands Municipal Clerk, before renting or advertising for rent any short-term rental.

b. No person or entity shall operate a STRP, or advertise a residential property for use as a STRP, without the owner/operator of the property first having obtained a STR permit issued by the Borough of Highlands Municipal Clerk. The failure to obtain a valid STR permit prior to advertising the short-term rental property in any print, digital, or internet advertisement or web-based platform, and/or in the MLS or any realtor's property listing shall be a violation of this Ordinance. No STR permit issued under this Section (4-14) may be transferred or assigned or used by any person or entity, other than the owner to whom it is issued, or at any property location or dwelling unit other than the property for which it is issued.

c. An owner of property intended to serve as a short-term rental property, as defined herein, or any agent acting on behalf of the owner, shall submit to the Borough of Highlands Municipal Clerk, a short-term rental permit application provided by the Borough, along with an annual application/registration fee as follows:

1. \$400.00 annually for short-term rental property to be rented to separate Transient Occupants not more than five (5) times per month; or
2. \$500.00 annually for short-term rental property to be rented to separate Transient Occupants six (6) or more times per month.

Any owner who submits a short-term rental permit application for the rental to separate Transient Occupants not more than five (5) times per month and thereafter rents the STRP six (6) or more times in a single month shall immediately owe the difference in permit application/registration fees of \$100.00 to the Borough within ten (10) days of the sixth rental. Failure to pay within that time frame shall constitute a violation of this Section 4-14.

The annual application/registration fee shall be non-refundable, including in the event that the application is denied. The fee shall also constitute the required fee for the rental Certificate of Occupancy application, referenced below.

d. The short-term rental permit, if granted, shall be valid for a period of one year from the date of issuance.

e. The owner of a short-term rental property, as defined herein, or any agent acting on behalf of the owner, who intends to rent all of the property, or any permitted part thereof as a short-term rental, shall also make application to the Municipal Clerk, in conjunction with the short-term rental permit application, for the issuance of a rental Certificate of Occupancy for the short-term rental property, on such forms as required by that Department.

f. A short-term rental permit and rental Certificate of Occupancy shall be renewed on an annual basis, based upon the anniversary of the original permit issuance, by submitting to the Municipal Clerk, a short-term rental permit application and rental Certificate of Occupancy application and a registration fee as set forth in subsection 4-14.4(c).

g. The short-term rental permit shall expire automatically when the short-term rental property changes ownership, and a new initial application and first-time registration fee will be required in the event that the new owner intends to use the property as a short-term rental property. A new application and registration fee shall also be required for any short-term rental that had its short term rental permit revoked or suspended.

4-14.5 Application Process for Short-Term Rental Permit and Inspections.

a. Applicants for a short-term rental permit shall submit, on an annual basis, an application for a short-term rental permit to the Borough of Highlands Municipal Clerk. The application shall be furnished, under oath, on a form specified by the Borough Administrator, accompanied by the non-refundable application fee as set forth in in subsection 4-14.4 above. Such application shall include:

1. The name, address, telephone number and email address of the owner(s) of record of the dwelling unit for which a permit is sought. If such owner is not a natural person, the application must include and identify the names of all partners, officers and/or directors of any such entity, and the personal contact information, including address and telephone numbers for each of them;

2. The address of the unit to be used as a short-term rental;

3. A copy of the driver's license or State Identification Card of the owner of the short-term rental property, confirming, as set forth in this Section (4-14), that the property is the principal residence, as that term is defined herein, of the owner making application for the STR permit;

4. The owner's sworn acknowledgement that they comply with the requirement that the short-term rental property constitutes the owner's principal residence, as defined in subsection 4-14.2 above;

5. The name, address, telephone number and email address of the short-term rental property responsible party, which shall constitute his or her 7 day a week, 24-hour a day contact information;

6. The owner's sworn acknowledgement that he or she has received a copy of this Ordinance, has reviewed it, understands its requirements and certifies, under oath, as to the accuracy of all information provided in the permit application;

7. The number and location of all parking spaces available to the premises, which shall include the number of legal off-street parking spaces and on-street parking spaces directly adjacent to the premises. The owner shall certify that every effort will be made to avoid and/or mitigate issues with on-street parking in the neighborhood in which the short-term rental is located, resulting from excessive vehicles generated by the short-term rental of the property, in order to avoid a shortage of parking for residents in the surrounding neighborhood;

8. The owner's agreement that all renters of the short-term rental property shall be limited to one (1) vehicle per four occupants in the short-term rental property;

9. The owner's agreement to use his or her best efforts to assure that use of the premises by all Transient Occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties; and

10. Any other information that this Chapter requires a property owner to provide to the Borough in connection with an application for a rental certificate of occupancy. The Borough Administrator his or her designee shall have the authority to obtain additional information from the STRP owner/applicant or amend the permit application to require additional information, as necessary, to achieve the objectives of this Chapter.

b. Every application for a short-term rental permit shall require inspections every three months **for the STRP's compliance with the Borough's fire safety regulations and property**

maintenance code. In addition, each application is subject to review to verify the STRP's eligibility for use as a short-term rental and compliance with the regulations in this Section (4-14).

c. For a condominium short-term rental permit application, a letter of approval by the condominium association must be submitted with the application.

d. A Zoning Compliance Certificate, which states that the premises are not being occupied or used in violation of the Zoning and Land Use Regulations of the Borough of Highlands, shall be required.

e. A sworn statement shall be required that there have been no prior revocations or suspensions of this or a similar license, in which event a license shall not be issued, which denial may be appealed as provided hereinafter.

f. Attached to and concurrent with submission of the permit application described in this Section (4-14), the owner shall provide:

1. Proof of the owner's current ownership of the short-term rental unit;
2. Proof of general liability insurance in a minimum amount of \$1,000,000.00; and
3. Written certification from the responsible party that they agree to perform all of the respective duties specified in this Section (4-14).

g. The STRP owner/permit holder shall publish the short-term rental permit number issued by the Borough in every print, digital, or internet advertisement, and/or in the Multiple Listing Service (**hereinafter "MLS"**) or **other real estate listing of a real estate agent** licensed by the NJ State Real Estate Commission, in which the short-term rental property is advertised for rent on a short term basis.

h. Each and every time there is a change of occupancy by Transient Occupants during the year when the permit is active, the STRP owner, their agent, or the responsible party must provide the Borough with information as to the identity of all Transient Occupants who will be occupying the STRP, on a form to be made available by the Municipal Clerk or in electronic format on the Borough website. The intent is that the Borough shall have basic identifying information of all occupants of the STRP at all times, just as required by the Borough in conjunction with any standard rental Certificate of Occupancy application, **which information shall include the occupant's or occupants' names and** ages, and the dates of the commencement and expiration of the term of each short-term rental period of the respective occupant(s).

i. In no event shall a short-term rental property be rented to anyone younger than twenty-one (21) years of age. The primary occupant of all short-term rentals executing the agreement between the owner and the occupant must be over the age of twenty-one (21), and must be the party who will actually occupy the property during the term of the short-term rental. The primary occupant may have guests under the age of twenty-one (21) who will share and occupy the property with them. Both the primary occupant executing the short-term rental agreement and the STRP owner shall be responsible for compliance with this provision, and shall both be liable for a violation, where the property is not

occupied by at least one adult over the age of twenty-one, during the term of the short term rental;

4-14.6 Issuance of Permit and Appeal Procedure.

a. Once an application is submitted, complete with all required information and documentation and fees, the Municipal Clerk, following any necessary investigation for compliance with this Section (4-14), shall either issue the short-term rental permit and Certificate of Occupancy, or issue a written denial of the permit application (with the reasons for such denial being stated therein), within ten (10) business days.

b. If denied, the applicant shall have ten (10) business days to appeal in writing to the **Borough Administrator, by filing the appeal with the Borough Administrator's Office.**

c. Within thirty (30) days thereafter, the Borough Administrator or his or her designee shall hear and decide the appeal.

4-14.7 Short-Term Rental Operational Requirements.

a. All short-term rentals must comply with all applicable rules, regulations and ordinances of the Borough of Highlands and all applicable rules, regulations and statutes of the State of New Jersey, including regulations governing such lodging uses, as applicable. The STRP owner shall ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of a short term rental.

b. A dwelling unit shall be limited to a single short-term rental contract at a time.

c. The owner of a STRP shall not install any advertising or identifying mechanisms, such as signage, including lawn signage, identifying the property for rent as a short-term rental property.

d. Transient Occupants of the STRP shall comply with all ordinances of the Borough of Highlands including, but not limited to those ordinances regulating noise and nuisance conduct. Failure of Transient Occupants to comply shall subject the Transient Occupants, the owner of the STRP and the Responsible Party listed in the short-term rental permit application, to the issuance of fines and/or penalties, and the possibility of the revocation or suspension of the STRP permit.

e. The owner of a STRP shall post the following information in a prominent location within the short term rental:

1. Owner name; if owner is an entity, the name of a principal in the entity, and phone number for the owner (individual);

2. The name and phone number for the Responsible Party (as defined in this Section (4-14));

3. The phone numbers for the Highlands Police Department, the Highlands Fire Department, the Borough of Highlands Department of Code Enforcement and the Borough of Highlands Building Department;

4. The maximum number of parking spaces available onsite;

5. Trash and recycling pick-up day, and all applicable rules and regulations regarding trash disposal and recycling;

6. A copy of the this Ordinance;

7. A copy of Section 4-**15** "PROCEDURES TO REQUIRE AN OWNER OF RENTAL PROPERTY WHICH HAS BECOME SOURCE OF AT LEAST TWO (2) SUBSTANTIATED COMPLAINTS TO POST A BOND OR EQUIVALENT SECURITY TO COMPENSATE FOR ANY FUTURE DAMAGE OR EXPENSE SUFFERED FROM FUTURE REPETITION OF DISORDERLY, INDECENT, **TUMULTUOUS OR RIOTOUS CONDUCT**"; and

8. Notification that a guest, Transient Occupant, the Responsible Party or STRP owner may be cited or fined by the Borough of Highlands Police Department, Code Enforcement, or the Borough of Highlands Building Department, for violations of, and in accordance with any applicable Ordinance(s) of the Borough of Highlands;

f. In the event any complaints are received by the Highlands Police Department, Code Enforcement, or the Building Department regarding the short-term rental and/or the Transient Occupants in the STRP, and the owner of the STRP is unreachable or unresponsive, the Responsible Party listed in the short-term rental permit application shall have the responsibility to take any action required to properly resolve such complaints, and shall be authorized by the STRP owner to do so.

g. While a STRP is rented, the owner, the Responsible Party shall be available twenty-four hours per day, seven days per week for the purpose of responding within one (1) hour to complaints regarding the condition of the STRP premises, maintenance of the STRP premises, operation of the STRP, or conduct of the guests at the STRP, or nuisance complaints from the Highlands Police Department or neighbors, arising by virtue of the short-term rental of the property.

h. If the STRP is the subject of two (2) or more substantiated civil and/or criminal complaints, the Borough Administrator or his designee may revoke the short-term rental permit issued for the property, in which case, the STRP may not be the subject of a new STRP permit application for one (1) year following the date of revocation of the permit.

i. Failure to make application for, and to obtain the issuance of, a short-term rental permit prior to advertising the STRP in print publications or newspapers, on any internet-based booking platforms, or online, and/or in the MLS or other real estate listing of a real estate agent licensed by the NJ State Real Estate Commission, shall be equivalent to operation of the STRP without a permit, and shall constitute a violation of this Code, and will result in enforcement action and the issuance of a Summons, and shall subject the STRP owner and the Responsible Party to issuance of fines and/or penalties.

j. The person offering a dwelling unit for short-term rental use must be the owner of the dwelling unit. A tenant of a property may not apply for a short-term rental permit, nor shall the property or any portion thereof be sub-leased by the tenant on a short-term basis, or operated as a STRP by the tenant. This STRP regulation shall supersede any conflicting provision in a private lease agreement permitting sub-leasing of the property, or any portion of the property. Violation of this Section (4-14) will result in enforcement action against the tenant, the STRP owner, and the Responsible Party, and will subject all such parties to the issuance of a Summons and levying of fines and/or penalties.

k. In the event that the Borough receives three (3) substantiated complaints concerning excessive vehicles belonging to the transient occupants of a STRP, the short-term rental permit for the property is subject to revocation by the Borough Administrator or his designee.

l. The STRP owner must be current with all tax and sewer charges assessed to the property prior to the issuance of a short-term rental permit. In the event that any code violations have been issued by the Borough relating to the STRP, a short-term rental permit shall not be issued until such time as such violations have been properly abated. The STRP owner must also close any open construction permits for the property prior to the issuance of a short-term rental permit.

m. All fines or penalties issued by the Municipal Court for the Borough of Highlands for any past code violations relating to the STRP, including penalties for failure to appear in Court, must be satisfied in full prior to the issuance of a short-term rental permit.

4-14.8 Violations and Penalties.

A violation of any provision of the within Section (4-14) may subject the STRP owner, Transient Occupant(s), and the Responsible Party or their agents to fines assessed by the Court up to \$2,000.00 per violation, per day that the violation exists.

SECTION II.

The following Section of Chapter 4, Section 4-**15** entitled "PROCEDURES TO REQUIRE AN OWNER OF RENTAL PROPERTY WHICH HAS BECOME SOURCE OF AT LEAST TWO (2) SUBSTANTIATED COMPLAINTS TO POST A BOND OR EQUIVALENT SECURITY TO COMPENSATE FOR ANY FUTURE DAMAGE OR EXPENSE SUFFERED FROM FUTURE REPETITION OF DISORDERLY, INDECENT, TUMULTUOUS OR RIOTOUS CONDUCT" **of the Borough Code shall be added** to provide as follows:

4-15 PROCEDURES TO REQUIRE AN OWNER OF RENTAL PROPERTY WHICH HAS BECOME SOURCE OF AT LEAST TWO (2) SUBSTANTIATED COMPLAINTS TO POST A BOND OR EQUIVALENT SECURITY TO COMPENSATE FOR ANY FUTURE DAMAGE OR EXPENSE SUFFERED FROM FUTURE REPETITION OF DISORDERLY, INDECENT, TUMULTUOUS OR RIOTOUS CONDUCT.

4-15.1 Legislative Findings.

The Borough Council finds, determines and declares that:

- a. Highlands is a resort community and its citizens have experienced disturbances, damage and public expense resulting from carelessly granted and inadequately supervised rentals to irresponsible vacationers by inept or indifferent landlords.
- b. This section is enacted to preserve the peace and tranquility of the community for its permanent residents, and to maintain the municipality as a viable vacation resort for all persons and families availing themselves of the facilities in the community.
- c. The enactment of this section is necessary and desirable to provide a means to curb and discourage those occasional excesses arising from irresponsible rentals.
- d. The Legislature of the State of New Jersey enacted N.J.S.A. 40:48-2.12(n) et seq. to enable certain communities to take effective action to assure that excesses, when they occur, shall not be repeated, and that landlords offering rentals be held to sufficient standards of responsibility.

4-15.2 Definitions.

For the purpose of this section, the following meanings shall apply:

Hearing Officer shall mean a licensed attorney of the State of New Jersey appointed by the Mayor, subject to the advice and consent of the Borough Council. The hearing officer shall not own or lease any real property within the Borough of Highlands, nor hold any interest in the assets of or profits arising from the ownership of such property.

Landlord shall mean the person or persons who own or purport to own any building in which there is rented or offered for rent housing space for living or dwelling under either a written or oral lease, including but not limited to any building subject to the "Hotel and Multiple Dwelling Law," P.L. 1967, c.76 (N.J.S.A. 55:13A-1 et seq.), owner-occupied two-unit premises, and short-term rentals pursuant to Section 4-14.

Rental shall mean any rental of residential accommodations.

Substantiated complaint shall mean an act of disorderly, indecent, tumultuous or riotous conduct, including by way of example but not limited to, simple assault, terroristic threats, harassment, urinating in public, lewdness, criminal mischief, or excessive noise, upon or in proximity to any rental premises, and attributable to the acts or incitements of any of the tenants of those premises which have been substantiated by prosecution and conviction in any court of competent jurisdiction.

4-15.3 Hearing, Penalty.

- a. If, in any twelve (12) month period, two (2) complaints, as defined in subsection 4-15.2 hereof, on separate occasions, of disorderly, indecent, tumultuous or riotous conduct, including by way of example, but not limited to, simple assault, assault, terroristic threats, harassment, lewdness, urinating in public, criminal mischief, or excessive noise, upon or in proximity to any rental premises, and attributable to the acts or incitements of any of the tenants of those premises, have been substantiated by prosecution and conviction in any court of competent jurisdiction, the Borough Council or any officer or employee of the Borough so designated by the Borough Council for this purpose, may institute proceedings to require the landlord of the rental premises to post a bond against the consequences of future incidents of the same character.

- b. The Borough Council or any officer or employee of the municipality designated by the Borough Council shall cause to be served upon the landlord, in person or by registered mail, to the address appearing on the tax records of the municipality, notice advising of the institution of such proceedings, together with particulars of the substantiated complaint upon which those proceedings are based, and of the time and place at which the hearing will be held in the matter, which shall be in the Municipal Building, Municipal Court or such other public place as designated by the Borough Council, and which shall be no sooner than thirty (30) days from the date upon which the notice is served or mailed.
- c. At the hearing convened pursuant to paragraph b. above, the hearing officer shall give full hearing to both the complaint of the municipality and to any evidence in contradiction or mitigation that the landlord, if present or represented or offering such evidence, may present. At the conclusion of the hearing, the officer shall determine whether the landlord shall be required to post a bond in accordance with the terms of this ordinance.
- d. Any bond required to be posted shall be in accordance with the judgment of the hearing officer, in light of the nature and extent of the offenses indicated in the substantiated complaints upon which the proceedings are based, to be adequate in the case of subsequent offenses to make reparation for:
 - 1. Damages likely to be caused to public or private property consequent upon disruption of affected residents' rights of fair use and quiet enjoyment of their premises; and
 - 2. Securing the payment of fines and penalties likely to be levied for such offenses; and
 - 3. Compensating the municipality for the costs of repressing and prosecuting such incidents of disorderly behavior; provided, however, no such bond shall be in an amount less than five hundred (\$500.00) dollars nor more than five thousand (\$5,000.00) dollars. The municipality may enforce a bond thus requiring an action in the Superior Court, and shall be entitled to an injunction prohibiting the landlord from making or renewing any lease of the affected premises for residential purposes until that bond or equivalent security, in satisfactory form and amount, has been deposited with the municipality.
- e. Any bond or other security deposited in compliance with paragraph d, 3. above shall remain in force for a period of four (4) years. Upon the lapse of the four (4) year period, the landlord shall be entitled to the discharge of the bond, unless prior thereto further proceedings leading to a forfeiture or partial forfeiture of the bond or other security shall have been had under subsection 4-15.4 below, in which case the security shall be renewed in an amount and for a period that shall be specified by the hearing officer. A transfer of ownership or control of the property shall not void a requirement of security imposed under this section. The person or persons to whom ownership or control is transferred shall maintain that security, and shall be subject to injunctive proceedings as authorized by paragraph d. above in the same manner as the landlord upon which the requirement was originally imposed; provided however, the Borough Council may by Resolution shorten the period for which security is required to not less than one (1) year from the date of the transfer of ownership or control, if during that year no substantiated complaints are recorded with respect to the property in question.

4-15.4 Bond Forfeiture, Extension.

- a. If during the period for which a landlord is required to give security pursuant to subsection 4-15.3 above, a substantiated complaint is recorded against the property in question, the Borough Council or its designee may institute proceedings against the landlord for the forfeiture or partial forfeiture of the security, for an extension as provided in subsection 4-15.3e. above, of the period for which the security is required, or for increase in the amount of security required, or for any or all of those purposes.
- b. Any forfeiture or partial forfeiture of security shall be determined by the hearing officer solely in accordance with the amount deemed necessary to provide for the compensatory purposes set forth in subsection 4-15.3d. above. Any decision by the hearing officer to increase the amount or extend the period of the required security shall be determined in light of the same factors set forth in subsection 4-15.3d. above, and shall be taken only to the extent that the nature of the substantiated complaint or complaints out of which proceedings arise under this action indicated the appropriateness of such change in order to effectually carry out the purposes of this ordinance. The decision of the hearing officer in such circumstances shall be enforceable in the same manner as provided in subsection 4-15.3d. above.

4-15.5 Hearing Officer, Qualifications.

The hearing officer shall be a licensed attorney of the State of New Jersey appointed by the Mayor, subject to the advice and consent of the Borough Council. A hearing officer shall not own or lease any real property within the Borough of Highlands, nor hold any interest in the assets of or profits arising from the ownership or lease of such property.

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

SECTION V. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-09

AN ORDINANCE AMENDING SECTION 7-3.5 OF BOROUGH CODE TO RESTRICT PARKING NEAR MUNICIPAL BUILDINGS ON SHORE DRIVE

WHEREAS, pursuant to N.J.S.A. 39:4-197, the Borough has the authority to pass an Ordinance, without the approval of the Commissioner of the Department of Transportation, and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, relating to the regulation of parking on streets and portions thereof; and

WHEREAS, the governing body of the Borough of Highlands has determined that additional parking is necessary at its municipal facilities to accommodate both municipal employees and residents doing business at the Borough offices; and

WHEREAS, the governing body of the Borough of Highlands has determined that it is necessary for the functionality of its municipal departments to amend Section 7-3.5 to restrict public parking during business hours along the North side of Shore Drive between Miller Street and the entrance of the Recycling Yard, thereby allowing street parking for municipal employees so residents are assured parking when doing business at the borough offices;

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

SECTION I.

Borough Code Section 7-3.5 "Regulate Public Parking on Lots 5, 6 and 10 in Block 59" **shall be amended as follows:** (All additions are shown in **bold italics with underlines**. The deletions are shown as **strikeovers in bold italics**.)

7-3.5 **Regulate Public Parking on Lots 5, 6 and 10 in Block 59 Regulation of Municipal Parking**.

All that portion of lots 5, 6 and 10 in Block 59 on the tax map of the borough not required for parking of municipal vehicles and marked for public parking are hereby opened for public parking subject to the rules and regulations herein.

a. No person shall be permitted, when posted, to park or permit any motor vehicle to remain parked in the parking area continuously for more than 30 minutes within the parking stalls so designated accessible from Bay Avenue. No person shall be permitted, when posted, to park or permit any motor vehicle to remain parked in the parking area continuously for more than eight hours in the rear of the municipal building on lots 5, 6 and 10 in Block 59 accessible from Miller Street and from Second Street. In no event shall

any person be permitted to park or permit any motor vehicle to remain parked in said parking area continuously for more than the period of times posted for any designated public parking space.

b. All vehicles shall park within the white lines designated for each separate parking space, and any person parking a vehicle over any dividing line, or parking any vehicle beyond the end of such parking lines, shall be guilty of a violation of this subsection.

c. Public parking is prohibited at the times and locations specified:

<i>Name of Street</i>	<i>Side</i>	<i>Hours</i>	<i>Locations</i>
Municipal Parking Lot at easterly terminus of Second Street	North	At all times	Parking area to the rear of the Borough Hall
Municipal Parking Lot at easterly terminus of Second Street	South	8:00 a.m. to 6:00 p.m. Mon.—Fri. (except holidays)	Parking area to the rear of the Borough Hall
<u>Shore Drive</u>	<u>North</u>	<u>7:30 a.m. to 5:30 p.m. Mon. ---Fri. (except holidays)</u>	<u>From Miller Street eastward to the entrance of the Recycling Yard except that there shall be no parking adjacent to the Fire Department at any time.</u>

d. As to the parking area on the north side of Second Street, the governing body is empowered to reserve spaces by resolution for specific borough employees, officials or departments as specified by posted signs or markings on the pavement, and the prohibitions and restrictions set forth in this chapter prior to this amendment do not apply to those borough employees, officials or departments.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

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

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-10

AN ORDINANCE AMENDING SCHEDULE A OF THE BOROUGH OF HIGHLANDS 2018 SALARY ORDINANCE

WHEREAS the Governing Body has determined that it is necessary to amend Ordinance O-17-26 which established Salaries and fixed Compensation of certain Borough Employees for the year 2018 and beyond unless amended;

NOW, THEREFORE, BE IT ORDAINED, by the by the Mayor and Borough Council of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

SECTION I.

Schedule A of O-17-26 Establishing Salaries and Fixing Compensation of Certain Borough Employees of the Borough of Highlands for 2018 is hereby amended to provide as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as **strikeovers in bold italics**. Sections of Articles XIV and XVII that will remain unchanged are omitted below.)

SCHEDULE A

1. POSITIONS OUTSIDE COLLECTIVE BARGAINING UNITS

DEPARTMENT OF ADMINISTRATION		Minimum	Maximum
Deputy Clerk		\$4,000	\$4,416
Deputy Registrar		\$500	\$552
Land Use Board Secretary		<u>\$6,000</u> <u>\$5,500</u>	<u>\$7,000</u> <u>\$6,072</u>
Municipal Clerk		\$40,000	\$74,539
Municipal Administrator		\$24,000	\$100,000
Municipal Alliance	Hourly	\$8.00	\$17.00
Emergency Management Coordinator		\$3,650	\$4,030
Secretary to Administrator		<u>\$2,000</u> <u>\$1,000</u>	<u>\$6,000</u> <u>\$1,104</u>
BUILDING AND HOUSING			
Clerical Office Help	Hourly	Minimum Wage	<u>\$25.00</u> <u>\$19.00</u>
Fire Official		\$18,000	\$27,602
DEPARTMENT OF FINANCE			
Assessment Searcher		\$3,000	\$3,312

Cashier/Typist	Hourly	\$10.00	\$25.00 \$22.00
Chief Financial Officer		\$30,000	\$73,223
FEMA/NJOEM Coordinator	Hourly	\$25.00	\$33.00
Payroll Clerk		\$25,000	\$44,163
Qualified Purchasing Agent		\$7,000	\$15,000 \$12,000
Deputy Tax Assessor	Part Time	\$3,000	\$6,000

MUNICIPAL COURT

Judge of Municipal Court Special Sessions (Per Session)		\$13,500	\$20,000 \$19,873
Court Administrator		\$250	\$386
Deputy Court Administrator		\$150	\$331
Judge of Municipal Court		\$500	\$552
Municipal Prosecutor		\$350	\$386
Public Defender		\$350	\$386

POLICE

Chief		\$124,125	\$140,000 \$137,044
Crossing Guard	Hourly	\$10.00	\$19.00
Dispatcher [Communications Operator]	Hourly	\$10.00	\$25.00 \$23.00
Special Officer:			
Class I	Hourly	\$9.00	\$22.00
Class II	Hourly	\$15.00	\$28.00

RECREATION

Clerical Office Help	Hourly	Minimum Wage	\$20.00
Recreation Leader	Hourly	\$11.00	\$17.00
Summer Seasonal:			
Laborer	Hourly	\$10.00	\$14.00
Programmer	Hourly	\$13.00	\$18.00
Recreation Aide	Hourly	\$8.00	\$13.00
Supervisor	Hourly	\$17.00	\$21.00
Preparer	Hourly	Minimum Wage	\$11.00

2. UNITED FOOD AND COMMERCIAL WORKERS UNION, LOCAL 56

BUILDING & HOUSING

Code Enforcement Officer		\$15,000	\$74,285
Construction Official		\$18,000	\$32,018
Fire Inspector	Hourly	\$10.00	\$22.00

Property Maintenance	Part Time Salary	\$15,000	\$25,394
Property Maintenance	Part Time Hourly	\$15.00	\$22.00
Zoning Officer		\$8,000	\$13,249

DEPARTMENT OF FINANCE

Tax Assessor	Part Time	\$20,000	\$27,602
Tax Collector	Part Time	\$20,000	\$32,915

DEPARTMENT OF PUBLIC WORKS

Supervisor of Public Works		\$35,000	\$88,326
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DEPARTMENT OF RECREATION

<u>Recreation Supervisor</u>		<u>\$34,500</u>	<u>\$50,000</u>
Recreation Director		\$35,000	\$88,326

3. COMMUNICATIONS WORKERS OF AMERICA (CWA) LOCAL 1032

BUILDING & HOUSING

Fire Sub Code Official	Part Time	\$8,000	\$13,249
Plumbing Sub Code Official	Part Time Hourly	\$25.00	\$44.00
Secretary, Licensing Clerk	Full Time	\$20,000	\$34,227
Secretary, Licensing Clerk	Part Time Hourly	Minimum Wage	<u>\$22.00</u> \$20.00

DEPARTMENT OF FINANCE

Cashier/Sewer Clerk		\$20,000	\$36,435
HR Coordinator		\$32,000	\$81,000
Senior Accounting Clerk		<u>\$25,000</u> \$14,000	<u>\$85,000</u> \$60,000
Tax Clerk		\$20,000	<u>\$40,000</u> \$36,435
Tax Clerk	Part Time Hourly	Minimum Wage	<u>\$20.00</u> \$19.00
<u>Account Clerk</u>		<u>\$29,000</u>	<u>\$55,000</u>

POLICE

Records Clerk		\$25,000	<u>\$50,000</u> \$49,684
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DEPARTMENT OF PUBLIC WORKS

Equipment Operator		\$45,000	\$69,557
Laborer	Hourly	\$15.00	\$25.00 \$22.00
Recycling Yard Attendant	Part Time Hourly	\$10.00	\$17.00
Road Repairer		\$30,000	\$48,580
Senior Road Repairer		\$45,000	\$73,973
Sewer Operator		\$3,500	\$16,561
Sewer Repairer		\$30,000	\$48,580
Truck Driver		\$30,000	\$68,453

DEPARTMENT OF RECREATION

Recreation Aide	Hourly	\$8.00	\$13.00
Recreation Assistant	Hourly	\$15.00	\$22.00
<u>Recreation Coordinator</u>		<u>\$29,900</u>	<u>\$46,200</u>

SECTION II. SEVERABILITY.

If any section, subsection, sentence clause or phrase of the ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of the 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.