

**Mayor and Council
Agenda
Community Center,
22 Snug Harbor Avenue, Highlands
Wednesday, April 19, 2017
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 Resolution

EXECUTIVE SESSION: 7:00PM

**Attorney-Client Privilege: Captain's Cove Marina
Personnel: Clerk Position**

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Approval of Minutes: March 15, 2017 - Regular Meeting

Public Comments on Consent Agenda

**R 17-095 - Authorizing Award of Contract to Wright National Flood Insurance Company
R 17-096 - Accepting Resignation of Office of Emergency Management Coordinator
R 17-097 - Appointing Office of Emergency Management Coordinator
R-17-098 - Authorizing Payment of Bills
R-17-099 - Appointing Licensed C2 Operator and Alternate Operator for Sewer Operation Services**

Resolutions

R-17-100 - 2017 Budget Adoption

Ordinances: Introduction

O 17-11 - Amending the Borough Code by Adding Registration Fees for Summer Rec Program

Ordinances: Public Hearing/Possible Adoption

**O-17-09 - Amending Chapter 3-7 of the Borough Code about the Separation of Recyclables
O-17-10 - Amending Chapter VII, "Traffic," of the Borough Code About Stop Intersections**

Other Business:

**Public Comments:
Adjourn:**



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17- 095

RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WRIGHT NATIONAL FLOOD INSURANCE COMPANY

WHEREAS, the Borough has a need to insure the Community Center, located at 22 Snug Harbor Avenue, for flood insurance; and

WHEREAS, **the Borough's** Insurance Agent, Brown & Brown Benefit Advisors, solicited quotes for various coverages for flood insurance for the Community Center located at 22 Snug Harbor Avenue; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to award a contract for flood insurance to the Wright National Flood Insurance Company, which provides coverage for the building at \$500,000 and the contents at \$100,000 with a \$10,000 deductible, at a yearly premium rate of \$7,498.00; and

WHEREAS, the said Flood Insurance will become effective thirty (30) days after receipt of the executed proposal for a one (1) year period; and

WHEREAS, insurance, including the purchase of insurance coverage, is exempt from public bidding in accordance with N.J.S.A. 40A:11-5(1)(m) and the purchase of insurance coverage shall be in accordance with the requirements set forth in N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary unspecifiable service, wherein the contract shall be made available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, that the governing body is hereby authorizing the award of a contract for flood insurance for the Community Center, located at 22 Snug Harbor Avenue, by and through the Wright National Flood Insurance Company, which provides coverage for the building at \$500,000 and the contents at \$100,000 with a \$10,000 deductible, for a yearly premium rate in the amount of \$7,498.00, for a one (1) year period with an effective date as set forth above.

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 40A:11-5 et seq., the aforesaid contract is awarded without competitive bidding as an extraordinary unspecifiable service and that the Borough officials, including, but not limited to, the Borough Administrator are hereby authorized to execute any and all necessary documents in order to effectuate the aforesaid insurance policy.

BE IT FURTHER RESOLVED, that a copy of this Resolution as well as the approved Contract shall be placed on file with the Borough Clerk of the Borough of Highlands and that the Borough Clerk shall publish notice as required by law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-096

RESOLUTION ACCEPTING RESIGNATION OF OFFICE OF EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, by way of Resolution R-16-023, Dave Parker was appointed to serve as the Office of Emergency Management Coordinator for a three (3) year term set to expire on December 31 2018; and,

WHEREAS, by way of correspondence dated March 31, 2017 Dave Parker submitted a letter of resignation from his position as the Office of Emergency Management Coordinator with thirty (30) days' notice, effective May 1, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Borough hereby accepts the resignation of Dave Parker from his position as the Office of Emergency Management Coordinator and thanks him for his service to the Community.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17- 097

RESOLUTION APPOINTING _____ TO POSITION OF
OFFICE OF EMERGENCY MANAGEMENT COORDINATOR FOR
UNEXPIRED TERM DUE TO VACANCY CREATED

Mayoral Appointment

WHEREAS, by way of Resolution R-16-23, Dave Parker was appointed to serve as the Office of Emergency Management Coordinator for the Borough of Highlands for a three (3) year term expiring December 31, 2018; and

WHEREAS, by way of correspondence dated March 31, 2017 Dave Parker submitted a letter of resignation from the position of Emergency Management Coordinator **with thirty (30) days' notice effective May 1, 2017; and**

WHEREAS, in accordance with the aforesaid written resignation and N.J.S.A. 40A:9-12.1, a vacancy exists in the position of Emergency Management Coordinator wherein the appointing authority shall forthwith fill the Emergency Management Coordinator position for the unexpired term in the manner prescribed by law; and

WHEREAS, in accordance with N.J.S.A. App.A:9-40-1, the mayor shall appoint a municipal emergency management coordinator from among the residents of the municipality.

NOW, THEREFORE, BE IT RESOLVED, that Mayor O'Neil hereby appoints _____ to serve as the Office of Emergency Management Coordinator for the Borough of Highlands, County of Monmouth, State of New Jersey for the unexpired term, beginning May 1, 2017 and expiring December 31, 2018, and that he/she shall be compensated with an annual salary of \$3,650.00.



BOROUGH OF
HIGHLANDS COUNTY
OF MONMOUTH

RESOLUTION 17-098

RESOLUTION AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated April 12, 2017, which totals as follows:

Current Fund	\$ 69,965.13
Sewer Account	\$ 15,904.59
Capital Fund	\$ 0.00
Trust-Other	\$ 1,910.51
Federal/State Grants	\$ 727.23

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$88,507.46** be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is on file in the Municipal Clerk's office for reference.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-099

RESOLUTION APPOINTING LICENSED C2 OPERATOR AND ALTERNATE OPERATOR FOR SEWER OPERATION SERVICES AND PROVIDING FOR A STIPEND/SALARY FOR PERFORMING SUCH DUTIES

WHEREAS, by way of Resolution R-17-086, the Borough terminated the Shared Services Agreement between the Borough of Highlands and the Borough of Atlantic Highlands for a licensed C2 Operator, On Call Emergency Services, and Operation and Maintenance of Highlands Pump Station, ID # PDES/PWSID 0025402, located at 40 Shore Drive, Highlands, NJ 07732 effective April 30, 2017 at 11:59p.m.; and

WHEREAS, by way of Resolution R-17-092, the Borough accepted the Resignation of Barry Leeser as the Sewage Plant Operator, effective March 24, 2017; and

WHEREAS, by way of Resolution R-17-086, the Borough appointed Mark Philpot, **CPWM, the Superintendent of the Department of Public Works as the Borough's licensed C2 operator** on an interim basis effective May 1, 2017; and

WHEREAS, it is in the best interest of the Borough to appoint Mark Philpot to serve **as the Borough's licensed C2 operator and to provide a stipend in the amount of \$15,000** on an annual basis for performing such duties; and

WHEREAS, it is also in the best interest of the Borough to appoint an individual to **serve as the Borough's alternate licensed operator; and**

WHEREAS, it is in the best interest of the Borough to appoint David Bahrle to serve **as the Borough's alternate licensed C4 operator and to provide a salary in the amount of \$5,000** on an annual basis for performing such duties.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Mark Philpot, CPWM, the Superintendent of the Department of Public Works, **who was appointed as the Borough's licensed C2 operator effective May 1, 2017** shall receive a stipend in the amount of \$15,000 on an annual basis for performing such duties.

BE IT FURTHER RESOLVED, that David Bahrle is hereby appointed to serve as **the Borough's alternate licensed C4 operator and shall receive a salary in the amount of \$5,000** on an annual basis for performing such duties.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 17-09

AN ORDINANCE AMENDING CHAPTER 3-7 OF THE BOROUGH CODE CONCERNING THE SEPARATION AND COLLECTION OF ALUMINUM, BUILDING MATERIALS, DEBRIS, GARBAGE, GLASS, METAL AND NONMETAL OBJECTS, PAPER AND TRASH

WHEREAS, Borough Code Section 3-7 addresses the Separation and Collection of Aluminum, Building Materials, Debris, Garbage, Glass, Metal and Nonmetal Objects, Paper and Trash; and

WHEREAS, the Governing Body has determined that it is in the best interest of the residents of the Borough to amend Code Section 3-7 to provide for the within changes; and

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

SECTION I.

The following sections of Chapter 3, Section 7 of the Borough Code shall be 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 Chapter 3, Section 7 that will remain unchanged are shown in normal type).

3-7 SEPARATION AND COLLECTION OF ~~ALUMINUM~~, BUILDING MATERIALS, DEBRIS, GARBAGE, *RECYCLABLE MATERIAL*, ~~GLASS, METAL AND NONMETAL OBJECTS~~, PAPER AND TRASH.

3-7.1 Definitions.

For the purposes of Section 3-7 of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

Aluminum shall mean all products made of aluminum including aluminum cans, foil, wrappers, containers for prepared dinners or other foods, or manufactured aluminum items.

Applicant shall mean the person that owns, rents, occupies, or controls the property and registers takes responsibility for application for dumpsters or PODS. Building materials shall be materials customarily used in the construction, renovation or demolition of any structure.

Containerized shall mean the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

Debris shall mean stones, dirt, demolition material, broken concrete, bituminous asphalt materials and other like material, brush, branches, trees and bushes.

Garbage shall mean putrescent animal, fish, fowl, fruit or vegetable waste incident to and resulting from the use, preparation, cooking and/or consumption of food.

Glass shall mean all products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all material commonly known as glass excluding, however, blue and flat glass and glass commonly known as window glass. ~~For purposes of this section, glass is divided into separate categories—clear (flint), brown or green.~~

Leaves. For purposes of this section, leaves are recyclable.

Metal shall mean all products made of metal, exclusive of aluminum including, but not limited to, washers, dryers, refrigerators, stoves, hot water heaters, tire rims, springs, bicycles, bi-metal cans (tin cans) or scrap metal.

Occupant shall include a resident, tenant, owner and other third party who resides at or who occupies a premises or dwelling - commercial, residential, or institutional.

Paper products shall mean all uncontaminated paper material such as used newsprint, magazines, books, corrugated cardboard and high grade paper.

Receptacles shall mean containers generally made out of aluminum, or plastic having an average size 35 gallons, and shall not exceed 40 pounds when filled to capacity.

Recyclable Material shall include the following: aerosol cans (empty); aluminum cans (rinsed); clean aluminum foil wrap/containers (rinsed); cardboard; glass containers: glass bottles and jars; mixed papers including chip board (cereal boxes), magazines, soft cover books, white/color paper, wrapping paper/non-metallic, newspapers (including inserts) and shredded papers; plastic bottles/containers #1-7; steel and tin cans.

Roll-off dumpster or dumpster shall mean a bulk storage container for waste materials that can be hauled by private companies directly to the point of disposal.

Single Stream Recycling shall mean the ability of residents to place recyclable material into one blue recycling container, wherein recyclable material does not need to be separated from other recyclable material.

Street shall mean any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

Trash shall mean ashes, plastic material, ceramics, blue and flat glass, nonputrescible solid waste, contaminated paper, and other similar materials.

3-7.2 Program Established.

a. There is hereby established a program for the mandatory separation of aluminum, glass, metal and nonmetal objects, recyclable material, ~~paper~~, trash, ~~cardboard~~, building materials debris, garbage, and other debris within the Borough of Highlands. All recyclable materials shall be separated from other garbage, debris, ~~and~~

trash and ~~recycled~~ recyclable material consistent with this ordinance. The Borough of Highlands engages in Single Stream Recycling.

b. Any multifamily complex, business or institution that is not provided recyclables collection service by municipal forces or through municipal contract shall provide the municipality with, at a minimum, an annual report describing arrangements for both solid waste and recyclable collection services, including the size, number and location of storage containers, frequency of pick-up services, the name and address of any contractor hired to provide such service, and phone and other contact information for the contractor.

3-7.3 Time for Pickup.

a. Pick-up of the solid waste items set forth herein shall be placed at the curb for collection on the days designated by the Borough and in the manner prescribed herein no later than 5:00 a.m. and not earlier than ~~3:00 p.m.~~ 5:00p.m. the day before the designated collection day.

b. Pickup of ~~aluminum, glass~~ recyclable material and ~~paper products~~ set forth herein shall be placed at the curb for collection on the days designated by the Borough and in the manner prescribed herein no later than ~~8:00 a.m.~~ 5:00 a.m. or earlier than ~~3:00 p.m.~~ 5:00p.m. on the day before the designated collection day.

c. After collection, any empty container shall be removed from curbside by 8:00 p.m. of the day of the collection.

3-7.4 Separation and Placing for Removal; Containers.

The occupant or owner of any building shall place for disposal, removal or collection the following named items at the curb in conformity with the following regulations:

~~a. — Paper products shall be bundled and tied separately or placed in paper bags tied securely. Paper products shall not be put in plastic bags of any type. Paper products shall not be placed at the curb for pickup in rainy or inclement weather.~~

~~b. a. Glass Recyclable material shall be placed in a reusable metal or rigid plastic container supplied by occupant. Glass shall be separated into one container for clear glass; one for brown, and one for green glass. Any mixed glass not separated as set forth herein will be left at the curb. It shall be the responsibility of occupant to remove same.~~

~~e. — Aluminum shall be contained in a reusable metal or rigid plastic container to be supplied by occupant or owner.~~

d. b. Garbage. The garbage receptacle shall be a container of galvanized iron or a rigid plastic container and shall be watertight with suitable handles and a tight-fitting cover that will prevent access by flies, other insects and animals to its contents. The container shall be covered at all times and shall have a capacity of not less than four gallons and not more than 32 gallons. Garbage shall not be

placed for pickup in non-rigid containers, plastic, bags or other containers not permitted herein.

e. c. Trash and debris shall be placed in metal or rigid plastic containers, ~~boxes~~ secured by a lid or securely tied.

f. d. Brush. Branches shall be tied in bundles not to exceed four feet in length or 40 pounds in weight.

g. e. Large items such as furniture, rugs, mattresses, television sets and refrigerators shall be placed at curbside no later than 5:00 a.m. on the day designated for collection and not earlier than ~~3:00~~ 5:00 p.m. on the day before the designated collection day, of such items, otherwise, disposal of same shall be the responsibility of the occupant.

h. f. The collection and disposal of leaves shall be in accordance with the following: sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the ~~seven~~ five (5) days prior to a scheduled and announced collection, and shall not be placed closer than ten feet from any storm drain inlet. Placement of such at the curb or along the street at any other time or in any other manner is a violation of this section. If such placement occurs, the party responsible for placement must remove the leaves from the street or said party shall be deemed in violation of this section.

i. g. Disposal of building materials, demolition materials, broken concrete, bituminous materials and similar items related thereto shall be the responsibility of property owner or contractor.

~~j. h. The borough reserves the right to designate certain specific materials to be put out for collection by certain users. Container users shall separate and place for collection corrugated paper, high grade paper, aluminum and glass as defined herein.~~

k. i. Recyclable material ~~Tin and bi-metal cans~~ shall be emptied of their contents and rinsed out. These items shall be placed for collection in accordance with the terms of subsection 3-7.4**b.a.**

~~l. All business, industrial, institutional and residential properties shall separate clean and unsoiled cardboard.~~

~~All business, industrial, institutional and residential cardboard shall be separated and tied and placed curbside on the appropriate pickup day. No pizza boxes or food soiled boxes shall be allowed with residential pickup.~~

j. The Large pieces of corrugated cardboard shall be flattened and placed next to the container of recyclable material securely tied with twine or rope in flat bundles, none of which shall weigh more than 50 pounds.

Placement for collection shall be in accordance with subsection 3-7.3b.

k. Leaves shall be kept separate from other vegetative waste, and shall only be placed for collection in a manner and schedule as shall be published and distributed by the municipality. This requirement shall not prohibit any person or establishment from making arrangements to collect leaves and grass directly from their property through their own efforts or via contract with a landscape service or other appropriate company, for direct transportation to a permitted recycling operation.

l. Automotive and other vehicle or wet cell batteries, used motor oil and antifreeze shall not be disposed as solid waste. Such items are to be kept separate from other waste materials and recyclables, and brought to ~~local service stations, scrap yards or~~ publicly operated recycling facilities designed and permitted to handle such products.

m. Liquid and hazardous waste shall not be disposed of as solid waste. No liquids of any type shall be placed with recyclables, or other solid waste for collection and disposal. No chemicals, liquid paints, pesticides, herbicides, reactive polishes or cleansers, cleaning or automotive products or other hazardous waste shall be placed with recyclables, or with solid waste for collection and disposal. Such items are to be kept separate from other waste materials and recyclables, and brought to publicly operated recycling facilities designed and permitted to handle such products.

3-7.5 Collection.

The collection, removal and disposal of ~~aluminum, building materials,~~ debris, garbage, ~~glass,~~ large objects, leaves, ~~metal and nonmetal objects, paper,~~ recyclable material and trash shall be supervised by those persons designated by the borough who shall have the power to establish the time, method and routes of service. ~~and the color coding of receptacles, if applicable.~~ Collection for recyclable material shall be one (1) time per week shall be by the Highlands Borough Sanitation Department once per week only on the following routes as indicated on the borough map ~~attached.~~ Classification of Zones are available on the official Borough of Highlands website and will be available upon request at Borough Hall. and on designated days of each month from 10/1 to 4/30 with twice weekly pick up the weeks of Thanksgiving and Christmas as posted by the governing body. Twice weekly pickup shall occur from 5/1 to 9/30 on the days posted by the governing body. There will be no collection of recyclable materials on the fifth week of any month in the calendar year.

~~The borough administrator shall establish the time for collection.~~

3-7.6 Receptacle Requirements.

a. All receptacles, not to exceed four in number, required herein shall be supplied by the occupant or owner of the premises subject to paragraph c. below, and placed prior to collection between the curb and sidewalk where they shall be readily accessible to the collector. The collector shall not retrieve receptacles from private property, and as such, it shall be the resident's responsibility to ensure that receptacles are placed between the curb and sidewalk. The occupant or owner shall keep all receptacles clean and in condition for safe handling. With the exception of Bay Avenue, receptacles must be stored in the rear of the premises at all times.

1. All apartment and other multifamily complexes, businesses, schools and other public or private institutions shall provide separate and clearly marked containers for use by residents, students, employees, customers or other visitors, for trash and the various types of recyclables, as appropriate.

2. Any company or agency providing dumpsters, roll off or other containers to any apartment or other multifamily complex with shared disposal and recycling areas, or to any business, school or other institution, or for any construction/ demolition project, shall clearly mark such container for trash or for specific recyclables, as may be appropriate.

b. The use of containers or receptacles exceeding 40 pounds, shall be by special permit only.

c. The borough reserves the right to require the use of special receptacles by certain users when deemed necessary by the borough due to the nature of commodity and/or quantity involved.

d. No person shall park or leave unattended any waste or refuse container, commonly known as a roll-off dumpster, roll-off container, or mobile storage unit on or along any street, highway or public property in the borough without having first obtained a permit from the Borough of Highlands Code Enforcement, subject to police department approval. The application should specify, among other things, the size and location of said container. Said permit shall be valid for a period of seven days after issuance and may be renewed by application to the Borough of Highlands Code Enforcement, for an additional seven-day period, if necessary, at the discretion of the police chief, or his designee. The cost for each initial or renewal permit shall be twenty ~~(\$20.00)~~ \$30.00 dollars. A refundable escrow deposit of two hundred (\$200.00) dollars shall be required to indemnify the borough for any costs incurred by the borough, to reimburse the borough for any excess clean-up costs, or damages to borough property caused by improper removal of said containers.

e. Reflective Markers. Any roll-off dumpster parked on or along the street, highway or public property in the borough shall be equipped with and display markers with reflective panels having a minimum size of 18 inches in order to warn passersby of a traffic hazard. The reflective markers shall be mounted on both ends at the height of four feet from the surface of roadway.

f. A maximum of one dumpster or roll-off container is permitted on any one lot at any time.

g. Notwithstanding anything to the contrary set forth above, no permit shall be granted for use on a public street or public property, if the applicant has sufficient space on his/her/their premises to accommodate same.

3-7.7 Debris Management Plan for Construction Permits.

a. The municipality shall issue construction and demolition permits only after the applicant has provided a debris management plan identifying the estimated number and types of containers to be used for the handling of all solid waste and recyclables generated during the project, and arrangement for the proper disposition of the generated materials.

b. A refundable deposit of fifty (\$50.00) dollars to one thousand (\$1,000.00) dollars shall be submitted with the debris management plan, which will be returned after completion of the project and submittal of appropriate records documenting the quantity and disposition of solid waste and recyclables. Inadequate or incomplete documentation may result in a refundable deposit of one thousand (\$1,000.00) dollars.

3-7.8 Title, Appointment and Duties of Recycling Coordinator.

a. The position of recycling coordinator is hereby created and established within the municipality, to be appointed by the governing body of the Borough of Highlands, for a term of one year expiring on December 31 of each year.

b. The duties of the recycling coordinator shall include, but are not limited to: the preparation of annual or other reports as required by state and county agencies regarding local solid waste and recycling programs, reviewing the performance of local schools and municipal agencies and conducting recycling activities, periodic review of local residential and business recycling practices and compliance, review and recommendation and local subdivision and site plan submittals and local construction and demolition projects for appropriate waste disposal and recycling provisions, report to the governing body on the implementation and enforcement of the provisions of this section, and such other reports and activities as may be requested by the governing body.

c. The recycling coordinator shall be required to comply with the Certification Requirements for Municipal Recycling Coordinators as established by the State of New Jersey, the recycling coordinator shall have completed or be in the process of completing the

requirements for certification as a "Certified Recycling Professional" (CRP) no later than January 13, 2012, as required by the New Jersey Recycling Enhancement Act.

3-7.9 Collection by Unauthorized Persons.

From the time of placement at the curb by anyone described herein, items shall become the property of the Borough of Highlands or its authorized agent. It shall be a violation of this section for any person not authorized by the Borough of Highlands to collect or pick up or caused to be collected or picked up any such items. ~~Each such~~

3.7.10 Enforcement.

- a. The duly appointed municipal recycling coordinator, the Monmouth County Health Department and the Monmouth County Solid Waste Enforcement Team are hereby jointly and severally empowered to inspect solid waste and recycling arrangements and compliance at local residences, businesses, schools and institutions, and to enforce the provisions of this section, by issuance of warnings, notices, summons and complaints. A typical inspection may consist of sorting through containers and opening bagged solid waste to detect the presence of recyclable materials.
- b. The authorized inspector may, in his or her discretion, issue a warning rather than a summons following an initial inspection, with a follow up visit to determine compliance within a stated period of time.

3-7.11 Refrigerant Items.

- a. **Refrigerant Items to Be Recycled** All refrigerators, freezers, air conditioners and other items containing, or designed to contain, refrigerant fluid shall be recycled in accordance with the terms of this subsection.
- b. **Collection.** All refrigerators, freezers, air conditioners and items placed for collection containing or designed to contain refrigerant fluid shall be placed curbside no earlier than ~~4:00~~ 5:00 p.m. on the day before the designated collection day and not later than 5:00 a.m. of the collection day. Before placing any refrigerator or freezer for collection, any doors must be fully removed. Refrigerators and freezers shall be placed for collection with the open side facing up.

- c. **Removal by Contractor.** If someone other than the homeowner, tenant or resident shall remove an existing item containing refrigerant fluid from its premises, that person or entity shall be responsible for disposal of the item. In such cases, the item may not be placed at curbside for pick up by the borough. The provisions of this paragraph shall not apply to items which have been placed for collection by the owner, tenant or resident of residential property who has performed the work himself or herself.
- d. **Removal Permit.** Prior to placing any item referred to in this subsection at curbside for collection, the owner, tenant or resident of the premises shall complete a form provided by the ~~building department~~ Borough offices, and pay the required fee, in order to obtain a removal permit. Such permit shall be affixed to the item to be removed by the borough.
- e. **Permit Fee.** The fee for obtaining a removal permit shall be ~~twenty (\$20.00)~~ fifty (\$50.00) dollars per item.
- f. **Enforcement.** This subsection shall be enforced by the Highlands Police Department or the Highlands Code Enforcement Officer.
- g. **Penalties.** The penalty for violating any section of this subsection shall be as prescribed in subsection 3-7.~~8~~12.
- ~~h. Effective Date. This subsection shall become effective immediately upon passage and publication according to law.~~

3-7.12 Violations and Penalties.

- a. Violations or noncompliance with any of the provisions of this section, or the rules and regulations promulgated hereunder, shall be subject to a fine of not less than five hundred (\$500.00) dollars nor more than one thousand (\$1,000.00) dollars.
- b. Each day such violation or neglect is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.
- c. Fines levied and collected in municipal court pursuant to the provisions of this section shall be deposited into the municipal recycling fund. Monies in the municipal recycling trust fund shall be used for the expenses of the municipal recycling program.

~~3-7.13 Repealer.~~

~~All ordinances or part of ordinances inconsistent herewith are repealed as to such inconsistency only.~~

3-7.44-13 Refuse Containers/Dumpsters.

a. Purpose. The purpose of this subsection is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Highlands and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

b. Definitions. For the purpose of this subsection, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this subsection clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Municipal separate storm sewer system (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or "operated by the Borough of Highlands or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Refuse container shall mean any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

Stormwater shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

Waters of the State shall mean the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

c. **Prohibited Conduct.** Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must insure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm system(s) operated by the Borough of Highlands.

d. **Exceptions to Prohibition.**

1. Permitted temporary demolition containers.
 2. Litter receptacles (other than dumpsters or other bulk containers).
 3. Individual homeowner trash and recycling containers.
 4. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
 5. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).
- e. **Enforcement.** This subsection shall be enforced by the police department and/or ~~other municipal officials~~ the Code Enforcement Officer of the Borough of Highlands.
- f. **Penalties.** Any person(s) who is found to be in violation of the provisions of this subsection shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars.

3-7A NONRESIDENTIAL GARBAGE.

3-7A.1 Definition.

Bulk garbage shall mean appliances, ~~building materials, and all similar waste~~ and debris which is not ordinarily generated as household garbage or which may now or in the future be excluded by the Monmouth County Reclamation Center as acceptable residential type garbage.

3-7A.2 Collection of Bulk Garbage.

a. **Schedule.** ~~Bulk garbage shall be collected by the Highlands Borough Sanitation Department.~~ Bulk garbage shall be collected by a contracted hauler selected by the Borough.

b. **Additional Regulations.**

(a) ~~Schedule. Bulk garbage shall be collected by the Highlands Borough Sanitation Department.~~

(1) There shall be four pickups annually in March, June, September and December in accordance with the schedule set for the particular zone. Four (4) large items or the equivalency of four (4) cans can be collected. Classification of Zones are available on the official Borough of Highlands website and will be available upon request at Borough Hall.

(2) ~~The pickup for all residents Downtown, shall be the last Thursday in March, June, September and December.~~

- ~~(3) The pickup for all residents on the Hill, shall be the last Friday in March, June, September and December.~~
- (2) Zone 1 - The first (1st) Friday of the month.
Zone 2 - The second (2nd) Friday of the month.
Zone 3 - The third (3rd) Friday of the month.
Zone 4 - The fourth (4th) Friday of the month.
- (3) Materials collected cannot exceed five cubic yards (determined by the sanitation driver) for each pickup.
- (4) Appliances shall not be placed at the curb before ~~6:00 p.m.~~ 5:00 p.m. on the day before the scheduled pickup. Doors must be removed from refrigerators prior to placement at the curb.
- (5) Bulk debris shall not be placed at the curb for collection until 5:00 p.m. the day preceding the scheduled collection date.
- (6) Notwithstanding the above, appliances containing refrigerants will not be scheduled for pick up unless permit stickers are first obtained from Borough Hall. A fee of ~~twenty (\$20.00)~~ fifty (\$50.00) dollars will be assessed for each such sticker.
- (7) Notwithstanding the above, all construction debris (including carpets and tiles) regardless of whether generated by a homeowner or contractor, will not be collected by the borough, and must be removed by a duly licensed private hauler.
- (8) Every property owner, including landlords, shall be entitled to two additional annual bulk garbage collections upon payment of a ~~twenty (\$20.00)~~ fifty (\$50.00) dollar appointment fee per collection, provided that the materials collected do not exceed two items or two cubic yards, whichever is the lesser.

3-7A.2(1) Brush and Branch Pick Up

Brush and branches are scheduled to be picked up by zone during the following months: April, May, September, October, November and December. Brush and Branch placement is permitted to be placed a maximum of five (5) days prior to pick up All brush is to be placed at least ten (10) feet from any storm drain, inlet or stream. Further, all brush is to be placed at least twenty-five (25) feet from any intersection. Branches are to be bundled, not longer than 48 inches or greater than 4 inches in diameter. Additionally, residents are permitted to bring brush and branches to the recycling yard. Proof of residency is required to bring brush and branches to the recycling yard and no commercial entities are permitted to bring brush and branches to the recycling yard.

Zone 1 – The first (1st) Friday of the month.

Zone 2 – The second (2nd) Friday of the month.

Zone 3 – The third (3rd) Friday of the month.

Zone 4 – The fourth (4th) Friday of the month.

Classification of Zones are available on the official Borough of Highlands website and will be available upon request at Borough Hall.

Branch and Branches will only be picked up during the months listed above. Additional pick-ups will not be granted.

3-7A.2(2) Leaf Pick Up

Leaves are scheduled to be picked up by zone during the following months: October, November and December. Leaves are permitted to be placed a maximum of five (5) days prior to pick up. Leaves must be left out loose and placed by the curb. All leaves are to be placed at least ten (10) feet from any storm drain, inlet or stream. Further, all leaves are to be placed at least twenty five (25) feet from any intersection. Residents are permitted to bring leaves to the recycling yard. Proof of residency is required to bring leaves to the recycling yard and no commercial entities are permitted to bring leaves to the recycling yard.

Zone 1 – The first (1st) Friday of the month.

Zone 2 – The second (2nd) Friday of the month.

Zone 3 – The third (3rd) Friday of the month.

Zone 4 – The fourth Friday of the month.

Classification of Zones are available on the official Borough of Highlands website and will be available upon request at Borough Hall.

3-7A.3 Garbage Prohibited at All Times.

No person or entity shall at any time place or cause to be placed for collection by ~~the Highlands Borough Sanitation Department~~ the contracted hauler selected by the Borough any of the following:

Tires, ~~batteries~~, paints or any hazardous materials as defined by the Monmouth County Reclamation Center. Household batteries are accepted with household trash.

3-7A.4 Limited Collection of Bulk Garbage.

No person shall place or cause to be placed any bulk garbage for collection by the ~~Borough of Highlands Sanitation Department~~ the contracted hauler selected by the Borough except in accordance with the schedule contained in section 3-7A.2 hereof.

3-7A.5 Penalties.

Any person or entity violating the provisions of this section shall be subject to a fine of not more than five hundred (\$500.00) dollars.

3-7A.6 Number of Receptacles; Weight Limit.

- a. The Borough of Highlands shall collect four receptacles, not to exceed 40 pounds in weight each, for the removal of garbage, trash and refuse from business or commercial establishments. The collection of garbage beyond the four receptacles per pick up shall be the responsibility of the owners and

occupants thereof to provide for private collection of garbage, trash and refuse and to comply with all applicable federal, state and borough laws, rules and regulations regarding such collection. All businesses and commercial establishments shall also be entitled to four receptacles of 40 pounds in weight each for recycling as required by law. The remaining recycling must be disposed of by the owner or occupant of the establishment through private collection to comply with all applicable federal, state and borough laws, rules and regulations regarding such collection.

- b. For purposes of this subsection, businesses and commercial uses shall be designated as any business or commercial operation having a mercantile license issued under subsection 4-9.1 of the Revised General Ordinances of the Borough of Highlands.

3-7B GARBAGE COLLECTION — COMMERCIAL PREMISES.

- a. The Borough of Highlands shall ~~not~~ collect garbage, trash and refuse ~~of any kind~~ from business or commercial establishments as set forth in Chapter 3-7A.6. The collection of garbage shall be the responsibility of the owners and occupants thereof to provide for private collection of garbage, trash and refuse and to comply with all applicable federal, state and borough laws, rules and regulations regarding such collection. All businesses and commercial establishments shall also provide for recycling as required by law.

b. Collection of recyclable material for business and commercial premises shall be one (1) time per week on the same schedule as set forth in Chapter 3, Section 7.5. Collection will be performed on the routes indicated on the borough map. Classification of Zones are available on the official Borough of Highlands website and will be available upon request at Borough Hall. There will be no collection of recyclable material on the fifth week of any month in the calendar year. Any additional collection of recyclable material required by businesses and commercial premises shall be the responsibility of the occupants and owners thereof to provide for such additional collection.

- b. c. For purposes of this section, businesses and commercial uses shall be designated as any business or commercial operation having a mercantile license issued under subsection 4-9.1 of the Revised General Ordinance of the Borough of Highlands.

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 after final passage as provided by law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-17-10

AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC," OF THE CODE OF THE BOROUGH OF HIGHLANDS RELATED TO AREAS OF STOP INTERSECTIONS

WHEREAS, the Borough has determined to regulate traffic and parking within the jurisdiction of the Borough; and

WHEREAS, the Chief of Police has analyzed and evaluated the Borough Code and has recommended certain changes; and

WHEREAS, the governing body finds that these recommendations should be adopted for the general safety, health and welfare of the Borough.

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

SECTION I. The following section of Schedule IV, "Stop Intersections" of Chapter VII, "Traffic," of the Code of the Borough of Highlands shall be supplemented to include the following: (underscores represent additions; ~~strikethroughs~~ represent deletions):

SCHEDULE IV STOP INTERSECTIONS

In accordance with the provisions of subsections 7-6.1, the following described intersections are hereby designated as stop intersections:

Second Street:

- a. Stop signs shall be installed on Valley Street at both the northwest and southeast corners of its intersection with Second 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 after final passage as provided by law.

ROLL CALL:

AYE:

NAY:

ABSENT:

ABSTAIN:

DATE:

Dwayne M. Harris, Acting Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 17-11

AN ORDINANCE AMENDING CHAPTER 2, SECTION 41 OF THE CODE OF THE BOROUGH OF HIGHLANDS BY THE ADDITION THERETO OF A NEW SECTION ENTITLED REGISTRATION FEES FOR SUMMER RECREATION PROGRAM

WHEREAS, the Borough of Highlands runs a Summer Recreation Program for children between the ages of six (6) and fourteen (14); and

WHEREAS, the governing body finds that it is in the best interest of the Borough to charge a registration fee for entry into the aforesaid summer program.

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

SECTION I. The provisions of Chapter 2, Section 41 are hereby modified and amended by the addition of a new section. Said Section, Chapter 2, Section 41A entitled "Registration Fee for Summer program", shall read as follows:

The Borough of Highlands runs a summer recreation program by and through the Recreation Department. In order to participate in the said recreation program registrants are required to properly complete a Registration Form. In conjunction with the completion of the said Registration Form, the following fees will be collected by the Borough:

Residents of the Borough and Non-Resident Employees of the Borough who submit their Registration Forms on or before June 1st of each year, shall pay a registration fee of \$35.00 for the first two (2) children and \$10.00 for each additional child;

Non-Residents of the Borough who submit their Registration Forms on or before June 1st of each year, shall pay a registration fee of \$50.00 for the first two (2) children and \$15.00 for each additional child;

Residents of the Borough and Non-Resident Employees of the Borough, who submit their Registration Forms after June 1st of each year, but at least one (1) week prior to the beginning of the program, shall pay a registration fee in the amount of \$50.00 for the first two (2) children and \$15.00 for each additional child;

Non-Residents of the Borough, who submit their Registration Forms after June 1st of each year, but at least one (1) week prior to the beginning of the program, shall pay a registration fee in the amount of \$75.00 for the first two (2) children and \$15.00 for each additional child.

Registrants who submit their Registration Forms after June 1st of each year up until one (1) week prior to the beginning of the Summer Program will be accepted into the program based upon availability. Registration Forms submitted later than one (1) week prior to the beginning of the Summer Program will not be accepted. Those Registration Forms submitted with the required fees which are not accepted into the program will have the fees refunded to the applicant. Proof of residency in the Borough shall be required. For purposes of this section, a resident is defined as a person having permanent domicile within the Borough of Highlands. A determination as to entry into the program and as to the required fees shall be made by the Director of the Recreation Department and/or the Borough Administrator or his/her designee.

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 after final passage as provided by law.

ROLL CALL:

AYE:

NAY:

ABSENT:

ABSTAIN:

DATE:

Dwayne M. Harris, Acting Municipal Clerk