

Police Chief's Report

Public Comments:

Adjourn



**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

RESOLUTION 18-138

AUTHORIZING BILLS LIST

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated June 15, 2018, which totals as follows:

Current Fund	\$709,744.39
Sewer Account	\$100,967.39
Capital Fund	\$ 76,248.98
Trust-Other	\$ 37,292.95
Federal/State Grants	\$ 2,749.50
Total	\$927,003.21

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$927,003.21 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 18-139

REQUESTING APPROVAL OF INSERTION OF \$12,266.61
THE 2018 BUDGET REVENUE AVAILABLE FROM THE
CLEAN COMMUNITIES PROGRAM GRANT

WHEREAS, N.J.S.A. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highlands hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$12,266.61 which item is now available as a revenue from the Clean Communities Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$12,266.61 be and the same is hereby appropriated under the caption of:

Clean Communities Program Grant



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-140

RENEWAL OF LIQUOR LICENSES FOR FOR THE 2018-2019 TERM

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (ABC) has implemented a new electronic, web based licensing called POSSE ABC; and,

WHEREAS, renewal applications have been filed or submitted through the POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal fees have been paid and a Tax Clearance Certificate has been received for the following licensee[s]; and,

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and,

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2018-2019 term from July 1st 2018 to June 30th 2019, is hereby authorized:

License Number	Licensee	Establishment
- Club License -		
1317-31-028-001	American Legion Twinlight Post 14	American Legion Twinlight Post 14
- Plenary Retail Consumption Licenses -		
1317-33-005-002	Sandy Hook Holdings LLC	Bay Point Inn
1317-33-010-011	JWalkerBlack LLC	NA
1317-33-030-008	Water Witch Highlands LLC	Scuba & the Beast 2



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-141

RESOLUTION APPOINTING THE PUBLIC OFFICER

WHEREAS, in accordance with N.J.S.A. 40:48-1 et seq., the governing body of every municipality may make, amend, repeal and enforce ordinances to provide for the removal or destruction of any building, wall or structure which is or may become dangerous to life or health, or might tend to extend a conflagration; and to assess the cost thereof as a municipal lien against the premises; and

WHEREAS, in accordance with N.J.S.A. 40:48-2.3, whenever any municipality of this State finds that there exists in such municipality any building or buildings which are unfit for human habitation or occupancy, or use, due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitation facilities, or due to other conditions rendering such building or buildings, or part thereof, unsafe or insanitary, or dangerous or detrimental to the health or safety or otherwise inimical to the welfare of the residents of said municipality, power is hereby conferred upon such municipality to exercise its police powers to repair, close or demolish, or cause or require the repairing, closing or demolition of such building or buildings or parts thereof, in the manner herein provided; and

WHEREAS, in accordance with N.J.S.A. 40:48-2.3a, any building or buildings, or parts thereof, which have been damaged to such an extent that nothing remains but the wall, or parts of the walls and other supports, shall, regardless of the safety and sturdiness of those remaining walls and other parts thereof, be deemed inimical to the welfare of the residents of the municipality wherein it is located, and the municipality may exercise its police power to repair, demolish, or cause the repairing or demolishing of the building or buildings, or parts thereof; and

WHEREAS, in accordance with N.J.S.A. 40:48-2.5, upon the adoption of a resolution finding that building conditions of the character described in N.J.S.A. 40:48-2.3 exist within a municipality, the governing body of such municipality is hereby authorized to adopt an ordinance relating to buildings within such municipality which are unfit for human habitation or occupancy or use. Such ordinance shall include (a) that a public officer be designated or appointed to exercise the powers prescribed by the ordinance; and

WHEREAS, the Code of the Borough of Highlands, Section 10-4 sets forth a Declaration of Necessity for buildings unfit for Human Habitation, Occupancy or Use in accordance with N.J.S.A. 40:48-2.3; and

WHEREAS, the Code of the Borough of Highlands, Section 10-4.2 establishes the position of Public Officer; and

WHEREAS, the Code of the Borough of Highlands, Section 10-4.2 provides for the appointment of the public officer for a term of one (1) year, wherein he/she shall be nominated by the Mayor and confirmed by the governing body and when so appointed shall exercise the powers prescribed in the aforesaid Section of the Borough Code; and

WHEREAS, the Mayor has offered the name of Dave Mercado, Code Enforcement Officer, to serve as the aforesaid Public Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the Borough hereby appoints Dave Mercado, Code Enforcement Officer, to serve as the Public Officer who shall exercise the powers prescribed in Borough Code Section 10-4 concerning buildings unfit for human habitation, occupancy or use.

BE IT FURTHER RESOLVED that Dave Mercado, Code Enforcement Officer, shall serve in the position of public officer for a one (1) year term to expire June 20, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-142

RESOLUTION AMENDING APPOINTMENT OF SPECIAL COUNSEL FOR THE REPRESENTATION OF THE BOROUGH WITH REGARD TO THE FAIR HOUSING ACT AND THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGULATIONS

WHEREAS, by way of Resolution 16-168, the Borough retained Gluck Walrath, LLP to provide professional legal services to the Borough of Highlands with regard to the Fair Housing Act and the Council on Affordable Housing (COAH) Regulations; and

WHEREAS, by way of Resolution 16-216, the Borough authorized Special Counsel representing the Borough with regard to the Fair Housing Act and Council on Affordable Regulations (COAH) to proceed with the filing of a Complaint in the Superior Court of New Jersey seeking a declaration of approval of the Borough's Housing Element and Fair Share Plan; and

WHEREAS, the aforesaid Complaint was filed in the Superior Court of New Jersey by Andrew Bayer Esq. and the said matter is currently pending; and

WHEREAS, Andrew Bayer, Esq. changed law firms and is now affiliated with the law firm of Pashman, Stein, Walder, Hayden, P.C.; and

WHEREAS, the law firm of Pashman, Stein, Walder, Hayden, P.C. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, in light of the aforesaid Special Counsel's change in law firms, the governing body wishes to amend and replace the award of contract so as to reflect Special Counsel's new law firm; and

WHEREAS, this amended contract is awarded to Andrew Bayer, Esq. of the law firm of Pashman, Stein, Walder, Hayden, P.C.; and

WHEREAS, this amended contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for an amount not to exceed \$15,000.00 for the aforesaid Professional Legal Services provided to the Borough at an hourly rate of \$175 per hour; and

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

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

1. Resolution 16-168 be and is hereby amended to reflect that Andrew Bayer, Esq. of the law firm of Pashman, Stein, Walder, Hayden, P.C. is hereby retained to provide professional legal services as described above for an amount not to exceed \$15,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Borough Clerk.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.



RESOLUTION 18-143

AUTHORIZING AWARD OF CONTRACT THROUGH THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

WHEREAS, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Highlands has the need to remove (2) 2,000 gallon concrete above ground storage tanks (ATs); and

WHEREAS, Independence Constructors, Inc. was awarded a State Contract Number as follows:

<u>VENDOR</u>	<u>T-Number</u>	<u>Contract Number</u>
Independence Constructors, Inc.	T-0849	42270

WHEREAS, Independence Constructors, Inc. has submitted a proposal to perform the aforesaid work in the amount of \$18,825.00; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$18,825.00 for the aforesaid services; and

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

WHEREAS, Independence Constructors, Inc. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Highlands authorizes the award of a contract through the State of New Jersey Cooperative Purchasing Program for the removal of (2) 2,000 gallon concrete above ground storage tanks to Independence Constructors, Inc. in the amount of \$18,825.00.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-144

RESOLUTION APPROVING THE AMENDED HIGHLANDS BUSINESS PARTNERSHIP 2018 EVENTS CALENDAR

WHEREAS, the Highlands Business Partnership has provided the Borough with their 2018 events calendar; and

WHEREAS, the governing body has reviewed the Highlands Business Partnership 2018 Events Calendar which is as follows:

Highlands Business Partnership 2018 Events Calendar

Sunday	January 28	9 th Annual Beef & Brew Pre-Super Bowl Bash St. Patrick's Parade Day Parade Fundraiser Off The Hook - 3 - 7PM
Sunday	February 25	6 th Annual Chili Cook-Off St. Patrick's Day Parade Fundraiser Inlet Cafe - 3 - 7PM
Saturday	March 10	5 th Annual Highlands Guinness Run St. Patrick's Day Parade Fundraiser Bahrs Landing 2PM - 3PM Pub Crawl 3 - 5PM
Saturday	March 24	16 th Annual St. Patrick's Day Parade, Bay Avenue 2PM
Saturday Sunday	May - TBD May	Brew by the Bay, The Seafarer, 1 Atlantic St. Rain date
Sunday	May 27 Raindate: June 30th	18 th Annual Seaport Craft Show, Huddy Park 10AM-5PM
Saturday	June 23	7 th Annual Taste of Highlands, Noon-6PM Check in at Huddy and Veterans Park
Saturdays	July - October	24 th Annual Farmer's Market, Huddy Park 8:30AM
Thurs-Sun	Aug 2 - Aug 5	24 th Annual Clamfest, Huddy Park
Saturday Sunday	September 15 September 16	Highlands Car Show & Concert, Huddy Park, 2-6PM Rain date

Sunday	September 23 September 30th	17 th Annual Twin Lights Bike Ride, Huddy Park 7AM
Saturday	October 6	18 th Annual Oktoberfest, Veterans Park 2-9PM
Sunday	October 7	Rain date
Saturday	October 20	4 th Annual Zombie Parade Check in at Huddy & Judging at Veterans Park
Friday	November 30	23 rd Annual Tree Lighting, Huddy Park 6PM
Saturday	December 1	Rain date
Saturday	December 15	Winter Wonderland Run, Proving Ground, 12PM
Saturday	December 22	6 th Annual Holiday Lights Contest

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Highlands that the governing body hereby approves the Highlands Business Partnership 2018 Events Calendar.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-145

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR WIRELESS TELECOMMUNICATIONS CONSULTING SERVICES TO FSD ENTERPRISES, LLC

WHEREAS, the Borough is in need of consulting services from a wireless telecommunications consultant; and

WHEREAS, said wireless telecommunications consulting services are professional services and therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, FSD Enterprises, LLC has set forth its proposed services in its written proposal dated May 29, 2018, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the Borough has determined to retain FSD Enterprises, LLC for the proposed New Tenant Services set forth in its proposal; and

WHEREAS, the proposed amount of the contract with FSD Enterprises, LLC is a \$2,000.00 initial retainer, and thirty-five percent (35%) of the first year lease payment from each wireless telecommunications tenant **secured through FSD Enterprises, LLC's** services; and

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

WHEREAS, FSD Enterprises, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands:

I hereby certify that funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

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

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

1. FSD Enterprises, LLC is hereby retained to provide professional wireless telecommunications consulting services as described above and in their proposal dated May 29, 2018 for a \$2,000.00 initial retainer, and thirty-five percent (35%) of the first year lease payment from each wireless **telecommunications tenant secured through FSD Enterprises, LLC's services.**
2. The contract is awarded **without competitive bidding as a "Professional Service"** in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-146

RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL RECREATION EMPLOYEES FOR THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough has a need for temporary summer seasonal employees to work with the Summer Recreation Program; and

WHEREAS, Kim Gonzales, Borough Administrator has made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed below have been included in the Municipal Budget within the Recreation Department;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following temporary summer seasonal appointments be and hereby are approved:

<u>Rec. Dept.</u>	<u>Name</u>	<u>Hourly Rate</u>
Summer Rec. 7/2/18 - 8/22/18	Kim Karaman	\$21.00
	Stephanie Paroumakian	\$19.50
	Michael Gannon	\$18.00
	Amanda Campbell	\$14.50
	Laura Simms	\$12.50
	Danelle Hertel	\$12.50
	Amelia Vogt	\$10.25
	Maggie Fitzgerald	\$ 9.50
	Alexis Liberatore	\$ 9.00
	Catarina Breithoff	\$ 9.00
	Brian Bremekamp	\$ 9.00
	Walter Schaefer	\$ 9.00
	Katey Manrodt	\$ 8.75
	Amanda Yingling	\$ 8.75
Naisset Lopez	\$ 8.75	



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-147

RESOLUTION APPOINTING TEMPORARY SUMMER SEASONAL RECREATION EMPLOYEES FOR THE SUMMER FOOD SERVICE PROGRAM FOR THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough has a need for temporary summer seasonal employees to work with the Summer Recreation Program for the Summer Food Service Program; and

WHEREAS, Kim Gonzales, Borough Administrator has made the following recommendations for appointments to the Governing Body; and

WHEREAS, the positions listed below have been included in the 2018 Summer Food Service Program Approved Grant and the 2017 Summer Food Service Program Carryover (Excess) Funds;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, that Jennifer Strehl shall serve as the Director of the Summer Food Service Program and shall receive a stipend not to exceed \$577.50 for the six (6) week program.

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Highlands, that Amanda Campbell shall serve as the Record Keeper of the Summer Food Service Program and shall receive a stipend not to exceed \$435 for the six (6) week program.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Highlands that the following temporary summer seasonal appointments be and hereby are approved:

<u>Rec. Dept.</u>	<u>Name</u>	<u>Hourly Rate</u>	
Summer Food	Louise Romeo	\$11.50	(25 hrs/wk)
7/9/18 - 8/17/18	TBD	\$	(25 hrs/wk)
	TBD	\$	(25 hrs/wk)



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE NO. O-18-14

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water/Sewer Utility improvements to be undertaken in and by the Borough of Highlands, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$500,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$500,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various Sewer Utility improvements, including, but not limited to, repairs to sanitary sewer mains and laterals, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$500,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$500,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water/Sewer Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$500,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's **gross debt in** accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$100,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as

part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-15

CAPITAL ORDINANCE PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS, AND APPROPRIATING \$500,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough Council of the Borough of Highlands, in the County of Monmouth, **New Jersey (the "Borough")** has determined to provide for various general capital improvements, and

WHEREAS, the Borough has available \$500,000 in the **Borough's** Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough. For the improvements or purposes described in Section 2, there is hereby appropriated \$500,000, said sum being inclusive of \$500,000 **from the Borough's** Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of various general capital improvements, including, but not limited to, road improvements, building improvements, and stormwater improvements, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2018 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$100,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied

either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.