

**Highlands Borough Mayor & Council Meeting Agenda**  
**Community Center**  
**22 Snug Harbor Avenue, Highlands**  
**Wednesday, July 18<sup>th</sup> 2018, 6:00 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

**WORKSHOP: 6:30PM**  
**Kevin Settembrino – New Municipal Building Schematics**

**EXECUTIVE SESSION: 7:00PM**

Litigation:	Block 56, Lot 13
Attorney-Client Privilege:	Shadowlawn Redevelopment PBA Contract CBD Zone Use of Community Center Gravelly Point Drainage
Contract Negotiations:	Forensic Accountant
Personnel	DPW Superintendent

**REGULAR MEETING: 8:00PM**

Call to Order  
Pledge of Allegiance  
Roll Call

**Resolution**

R-18-148      Authorize Promotion of Police Officer to Sergeant

**Swearing In**

Police Sergeant Ian Dobens

**Resolution & Public Hearing**

R-18-164      Authorize Preparation & Submittal of CDBG Application for Fiscal Year 2019

**Consent Agenda**

R-18-149      Authorize Release of Maintenance Bond for First Hartford Realty Corp/CVS  
R-18-150      Extension of Noise Ordinance for Scuba & the Beast  
R-18-151      Support NJ DOT Bus Stops Along Route 36  
R-18-152      Approve Change of Location of Disabled Parking Space  
R-18-153      Renewal of Liquor License for the 2017-2018 Term  
R-18-154      Renewal of Liquor Licenses for the 2018-2019 Term  
R-18-155      Approval of Fire Department Membership Application  
R-18-156      Support Submission of Application NJDOT's Safe Routes to School Program  
R-18-157      Authorize Advertisement to Bid the 2017 Road Improvements to Valley Street  
R-18-158      Authorize Advertisement to Bid for an Emergency Sanitary Sewer Repair Contractor

**Resolutions**

- R-18-159 Authorize Release of Performance Guarantees of Navesink Shore Sandy Hook Bay (Block 101, Lot 27.03)
- R-18-160 Authorize Payment of the Bills
- R-18-161 Approve Request for Waiver of Alcohol Ban for Community Center Rental
- R-18-162 Appoint Part-Time Police Communications Operators
- R-18-163 Authorize Purchase from State Contract
- R-18-165 Authorize Change Order No. 1 for Cedar Street

**Ordinances: Introduction & First Reading**

- O-18-16 Renaming Paradise Lane to Harbor Side Pointe Road

**Ordinances: Public Hearing & Possible Adoption**

- O-18-14 Bond Ordinance Providing for Various Capital Improvements & Appropriating \$500,000
- O-18-15 Capital Ordinance Providing for Various Capital Improvements & Appropriating \$500,000

**Other Business:**

- Engineer's Report
- Administrator's Report
- Police Chief's Report

**Public Comments:**

**Adjourn**



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-148

### 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 Police Officer Ian Dobens to the position of Police Sergeant.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that Police Officer Ian Dobens is hereby promoted to Sergeant Ian Dobens.

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 determined by said contract.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-164

### AUTHORIZING THE PREPARATION AND SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPLICATION FOR FISCAL YEAR 2019

WHEREAS, the Mayor and Borough Council recognize that Shore Drive, 2<sup>nd</sup> Street, and Cedar Street are in need of improvements; and

WHEREAS, the Mayor and Borough Council wish to submit an application for the Community Development Block Grant in order to help offset the costs of said improvements; and

WHEREAS, the Borough Administrator and Engineer have presented the concept to be included in the application at a hearing on this date; and

WHEREAS, the Mayor and Borough Council recognize that the aforementioned proposed road improvement project is in the best interest of the Borough of Highlands; and

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

1. The Borough Administrator is authorized to prepare and submit a Community Development Block Grant Application to the Monmouth County Community Development Office for the Shore Drive, 2<sup>nd</sup> Street, and Cedar Street Road Improvement Project.
2. A copy of the within Resolution shall be forwarded to the Borough Administrator, Borough Attorney, the Municipal Finance Officer, and a copy shall be maintained in the office of the Borough Clerk for public inspection.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-149

RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE  
BOND FOR FIRST HARTFORD REALTY CORP., CVS  
PHARMACY LOCATED AT BLOCK 108, LOTS 2.02 AND 2.03  
AND BLOCK 101, LOTS 17.02, 27 AND 27.01

WHEREAS, the applicants Hartford Realty Corp. and CVS Pharmacy posted a 10% cash bond in the amount of \$62,140.00, in connection with improvements at Block 108, Lots 2.02 and 2.03 and Block 101, Lots 17.02, 27 and 27.01; and

WHEREAS, the Borough Engineer performed an inspection of the aforesaid improvements and in connection with the same has authorized the release of said maintenance guarantee as per T & M Associates letter dated June 20, 2018.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the Borough Clerk and Chief Financial Officer be and are hereby directed to release and refund the Maintenance Guarantees for First Hartford Realty Corp., CVS Pharmacy located at Block 108, Lots 2.02 and 2.03 and Block 101, Lots 17.02, 27 and 27.01, plus any inspection funds posted plus accrued interest, less any outstanding invoices.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 18-150**

### **RESOLUTION PERMITTING AN EXTENSION OF NOISE ORDINANCE RESTRICTIONS ON JULY 21, 2018 FOR A BENEFIT BEING HELD BY SCUBA AND THE BEAST**

**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 10:00 p.m. through 7:00 a.m., Friday, Saturday and legal holidays; and

**WHEREAS**, a request has been made that the noise ordinance be extended for two (2) hours to 12:00 a.m. on July 21, 2018 for a benefit being held by Scuba and the Beast; 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 Scuba and the Beast benefit event being held on July 21, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Highlands governing body 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 (2) hours, until 12:00 a.m. on July 21, 2018 for the Scuba and the Beast benefit event; 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 18-151

### RESOLUTION IN SUPPORT OF NEW JERSEY DEPARTMENT OF TRANSPORTATION TRAFFIC REGULATION ORDER APPROVING BUS STOPS ALONG ROUTE 36

**WHEREAS**, the New Jersey Department of Transportation (“DOT”) has inventoried all bus stops along Route 36 in the Borough of Highlands, and has recommended all such bus stops for approval; and

**WHEREAS**, the DOT has indicated that a Traffic Regulation Order issued by the DOT is necessary to formally establish these locations as bus stops; and

**WHEREAS**, the DOT has further indicated that a Resolution of Support is necessary to promulgate such a Traffic Regulation Order.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Highlands, that the Borough supports the formal establishment of the following Bus Stops within the Borough of Highlands:

**Along Route NJ 36, northbound, on the easterly side at:**

A. Miller Street – (near-side) (NJ Transit ID# 24652)  
Beginning at the southerly curb line of Miller Street and extending 105 feet southerly therefrom.

B. Waterwitch Avenue – (far-side) (NJ Transit ID# 24653)  
Beginning at the northerly curb line of Waterwitch Avenue and extending 100 feet northerly therefrom.

C. Orchard Avenue – (near- side) (NJ Transit ID# 24654)  
Beginning at the southerly curb line of Orchard Avenue and extending 105 feet southerly therefrom.

**Along Route NJ 36, southbound, on the westerly side at:**

A. Miller Street – (near-side) (NJ Transit ID# 24655)  
Beginning at the northerly curb line of Miller Street and extending 105 feet northerly therefrom.

**BE IT FURTHER RESOLVED**, that the Borough of Highlands concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this Resolution be rescinded upon approval of the Traffic Regulation Order



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-152

### RESOLUTION APPROVING CHANGE OF LOCATION OF DISABLED PARKING SPACE

WHEREAS, Ms. Pam Occhipinti was approved for a Disabled Parking Spot at her residence through Resolution 16-221; and

WHEREAS, notification has been received by the Police Department that Ms. Pam Occhipinti will be moving from her current residence at 128 Highlands Avenue to 48 Fourth Street effective August 1<sup>st</sup> 2018; and

WHEREAS the Chief of Police has reviewed the request to relocate the disabled parking spot and recommends the approval of said Disabled Parking Designation being relocated to Ms. Occhipinti's new address and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the request the Disabled Parking Designation for the following is hereby approved:

Name: Pam Occhipinti  
Location: 48 Fourth Street





BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-153

### RENEWAL OF LIQUOR LICENSES FOR THE 2017-2018 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 2017-2018 term from July 1<sup>st</sup> 2017 to June 30<sup>th</sup> 2018, is hereby authorized:

License Number	Licensee	Establishment
- Plenary Retail Consumption Licenses Who Received a Special 12:128 & 12:39 Ruling by ABC -		
1317-33-016-003	Filip Enterprises Inc	NA



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-154

### RENEWAL OF LIQUOR LICENSES 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 1<sup>st</sup> 2018 to June 30<sup>th</sup> 2019, is hereby authorized:

License Number	Licensee	Establishment
- Plenary Retail Consumption Licenses with Broad Package Privilege -		
1317-32-009-008	Grala LLC	The Chubby Pickle
- Plenary Retail Consumption Licenses -		
1317-33-015-007	Chilango's Inc.	Chilango's
- Plenary Retail Consumption Licenses Who Received a Special 12:18 & 12:39 Ruling by ABC -		
1317-33-016-003	Filip Enterprises Inc.	NA



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-155

### RESOLUTION APPROVING FIRE DEPARTMENT MEMBERSHIP APPLICATION

WHEREAS, David J. Jackson of Highlands, has submitted a Membership Application to the Highlands Fire Department; and

WHEREAS, Michael Armstrong, Chief of the Fire Department has approved the membership application; and

NOW THEREFORE BE IT FURTHER RESOLVED, that by the Governing Body of the Borough of Highlands that the Fire Department Membership Application of David J. Jackson is hereby approved.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-156

RESOLUTION “**SUPPORT SUBMISSION OF** APPLICATION FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION [SAFE ROUTES TO SCHOOL OR TRANSPORTATION ALTERNATIVES] **PROGRAM**”

WHEREAS, Borough of Highlands is applying for funding to conduct Safe Routes to School along the school route for Highlands Elementary School and within the Borough of Highlands; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children, residents, and the business district; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Highlands with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Highlands that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-157

### RESOLUTION AUTHORIZING ADVERTISEMENT TO BID THE 2017 ROAD IMPROVEMENTS TO VALLEY STREET

WHEREAS, the Borough of Highlands desires to advertise for the receipt of bids for the 2017 Road Improvements to Valley Street.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that CME Associates, Project Engineer, is hereby authorized to prepare bid specs for the 2017 Road Improvements to Valley; and

BE IT FURTHER RESOLVED, that CME Associates is hereby authorized to advertise for the receipt of bids.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-158

### RESOLUTION AUTHORIZING ADVERTISEMENT TO BID FOR AN EMERGENCY SANITARY SEWER REPAIR CONTRACTOR

WHEREAS, the Borough of Highlands desires to advertise for the receipt of bids for an emergency sanitary sewer repair contractor.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the Purchasing Agent is hereby authorized to prepare bid specs for the emergency sanitary sewer repair contractor; and

BE IT FURTHER RESOLVED, that the Purchasing Agent is hereby authorized to advertise for the receipt of bids.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-159

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR  
THE NAVESINK SHORE SANDY HOOK BAY, BLOCK 101, LOT 27.03

WHEREAS, the Borough Engineer performed an on-site review of the conditions of the Navesink Shore Sandy Hook Bay, Block 101, Lot 27.03 and found the work has been substantially completed in general conformance with the approved plans; and

WHEREAS, the Borough Engineer has, in a letter dated June 14, 2018, recommended that the remaining performance guarantees be released, subject to certain conditions, including the posting of a cash guarantee/escrow deposit and maintenance bond as well as providing a detailed schedule of the remaining items to be completed along with specific deadlines acceptable to the Borough; and

WHEREAS, Sandy Hook Developers LLC has paid the required cash guarantee/escrow deposit in the amount of \$29,100 to cover 120% of the total cost of the remaining items as outlined in the Borough Engineer's letter dated June 14, 2018: and

WHEREAS, Sandy Hook Developers, LLC has posted the required maintenance bond in the amount of \$24,493.00; and

WHEREAS, by way of Resolution R-16-98 duly adopted on April 6, 2016, and Resolution R-16-188, duly adopted on September 7, 2016, the Performance Guarantees were reduced as follows:

Original Performance Guarantee	\$3,221,750.00
Bond Amount	\$2,899,575.00
Cash Posted	\$322,175.00
Original Reduced Performance Guarantee	\$1,216,670.00
Bond Amount	\$1,095,003.00
Cash	\$121,667.00
Second Reduced Performance Guarantee	\$481,140.00
Reduced Bond Amount	\$433,026.00
Cash to Remain on Deposit	\$48,114.00
Third Reduced Performance Guarantee	\$365,001.00
Reduced Bond Amount	\$328,501.00

Cash to Remain on Deposit \$36,500.00

WHEREAS, in accordance with Resolution R-16-188, the Performance Guarantees were reduced to an amount totaling \$365,001.00, wherein \$328,501.00 was posted in the form of a Surety Bond and \$36,500.00 was posted in the form of cash.

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

1. It has reviewed, agrees with and hereby adopts all recommendations by the Borough Engineer as set forth in their letter dated June 14, 2018.
2. It hereby authorizes the release of the performance guarantees set forth above, subject to the conditions set forth in the Borough Engineer's letter dated June 14, 2018.
3. In accordance with the performance guarantees remaining, the Borough be and is hereby authorized to release the following performance guarantees:

Third Reduced Performance Guarantee	\$365,001.00
Reduced Bond Amount	\$328,501.00
Cash to Remain on Deposit	\$36,500.00

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

- A. Borough Engineer;
- B. Borough Chief Financial Officer;
- C. Developer;
- D. Borough Construction Official;
- E. Borough Attorney;
- F. Borough Land Use Secretary.





BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-160

### AUTHORIZING BILLS LIST

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

Current Fund	\$246,768.97
Sewer Account	\$147,541.56
Capital Fund	\$ 82,454.75
Trust-Other	\$132,731.68
Federal/State Grants	\$ 3,089.08
<b>Total</b>	<b>\$612,586.04</b>
Addendum 07/18/2018	\$135,625.64
<b>Total w/ Addendum</b>	<b>\$748,211.68</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$748,211.68** 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](http://www.highlandsborough.org) and on file in the Municipal Clerk's office for reference.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 18-161**

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

**WHEREAS**, the Borough of Highlands has received an application for rental of the Community Center from a resident seeking to host a baby shower; and

**WHEREAS**, the resident has requested a waiver of the alcohol prohibition in order to serve a champagne punch to the guests of this private event; and

**WHEREAS**, the resident has represented that she will obtain any necessary insurance coverage required to allow alcohol at the private event.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Highlands, that Betty O'Donnell's request for a waiver of the alcohol prohibition is approved for the private event to be hosted on October 7, 2018;

**BE IT FURTHER RESOLVED**, that as a condition of this approval the applicant must provide the Borough Clerk with a certificate of insurance coverage naming the Borough of Highlands as an additional insured prior to September 1, 2018, subject to the Borough Administrator's review and approval.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-162

### RESOLUTION APPOINTING PART-TIME POLICE COMMUNICATIONS OPERATORS

WHEREAS, there exists a need within the Police Department to appoint part-time Police Communications Operators in order to cover the monthly scheduling needs due to the resignations of two part-time Police Communications Operators; and

WHEREAS, it is the recommendation of the Chief of Police that Christopher C. Fisler and Ross O. Culp both be appointed as part-time Police Communications Operators.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Christopher C. Fisler and Ross O. Culp be hereby appointed as part-time Police Communications Operators effective July 11<sup>th</sup> 2018.

BE IT FUTHER RESOLVED that said appointment be compensated at an hourly rate of \$11.50 per hour.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-163

### AUTHORIZING PURCHASE FROM STATE CONTRACTS BY THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough of Highlands wishes to purchase an item from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, NJSA 40A:11-12; and

WHEREAS, the vendor Cherry Hill Winner Ford was awarded a New Jersey State Contractor Number; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the below listed vendor has been approved for the purchase of goods and services:

<u>VENDOR</u>	<u>ITEM</u>	<u>CONTRACT #</u>
Cherry Hill Winner Ford	2018 Ford F150 4x4 Crew Cab	88728



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 18-165

### RESOLUTION APPROVING CHANGE ORDER NO. 1 AND DECLARING ACCEPTANCE OF THE CONTRACT FOR THE CEDAR STREET DRAINAGE REPAIR

**WHEREAS**, by way of Resolution 18-119 duly adopted on May 16, 2018, DSC Construction, Inc. was awarded the contract associated with the Cedar Street Drainage Repair Project; and

**WHEREAS**, the contract awarded to DSC Construction, Inc., by way of Resolution 18-119, was in the amount of \$127,916.00; and

**WHEREAS**, the Project Engineer, CME Associates, has advised that the project is complete at this time, including all previously issued punch list items. The change order reflects increases and decreases in original contract quantities required to complete the project; and

**WHEREAS**, CME Associates has advised that the Closeout Change Order results in a decrease in the project cost from the original amount of \$127,916.00 to an adjusted total of \$122,146.28 for a reduction of \$5,769.72 as specifically set forth in their correspondence dated July 13, 2018; and

**WHEREAS**, in accordance with the requirements of the aforesaid contract, DSC Construction has submitted a two (2) year Maintenance Bond in the amount of \$18,321.94, fifteen (15) percent of the final Contract Amount; and

**WHEREAS**, the Project Engineer, CME Associates, has recommended authorizing the aforesaid Change Order, releasing the Performance Bond and accepting the project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands, that based on the above recommendations from the Project Engineer, CME Associates, that the Closeout Change Order changing the original contract amount to \$122,146.28 resulting in a reduction of \$5,769.72 be and is hereby approved.

**BE IT FURTHER RESOLVED**, by the governing body of the Borough of Highlands, that it hereby acknowledges that this project has been satisfactorily completed and accepts same.

**BE IT FURTHER RESOLVED**, by the governing body of the Borough of Highlands that it authorizes the acceptance of the two (2) year Maintenance Bond No. S-296765, in the sum of \$18,321.95 issued by NGM Insurance Company.

**BE IT FURTHER RESOLVED**, that any lien claims filed more than sixty (60) days after the adoption of the Resolution shall be ineffective pursuant to N.J.S.A. 2A:44-132;

**BE IT FURTHER RESOLVED**, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release Performance Bond No. S-296765 issued by NGM Insurance Company in the amount of \$127,916.00.

**BE IT FURTHER RESOLVED**, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, a voucher authorizing final payment of any sums due to the Contractor may be listed upon the bill list for action.

**BE IT FURTHER RESOLVED**, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, the Project Engineer, Purchasing Agent and DSC Construction, Inc.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 0-18-16

### AN ORDINANCE RENAMING PARADISE LANE TO HARBOR SIDE POINTE ROAD

WHEREAS, by way of Ordinance O-18-11, duly adopted on May 2, 2018, the governing body of the Borough of Highlands changed the street name of Lighthouse Point Drive to Paradise Lane in order to avoid confusion with the previously-existing "Lighthouse Road".

WHEREAS, subsequent to the adoption of Ordinance O-18-11, the residents of the aforesaid street requested that the said street name be changed to Harbor Side Pointe Road.

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 of "Paradise Lane" to "Harbor Side Pointe 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.

"Paradise Lane" which begins at its intersection with Shore Drive and runs northerly until its terminus, shall hereafter be known as "Harbor Side Pointe Road".

Proper markers designating and identifying said "Harbor Side Pointe Road" shall be posted in conspicuous locations of said street.

The Tax Map of the Borough of Highlands shall be amended to rename "Paradise Lane" to "Harbor Side Pointe Road".

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 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.