

**Highlands Borough Mayor & Council Meeting Agenda
Community Center
22 Snug Harbor Avenue, Highlands
Wednesday, July 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

Contract Negotiations: Township of Middletown Sewerage Authority (TOMSA)
Litigation: Monmouth Hills
Personnel: Code Enforcement Officer
Benefits

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Approval of Minutes: June 21st 2017
June 30th 2017

Public Comment on Resolutions:

Resolution

R-17-144 Appointment of Police Officers

Swearing in of Officers

Consent Agenda

R-17-135 2016-2017 Liquor License Renewal
R-17-136 2017-2018 Liquor Licenses Renewal
R-17-137 Appoint Donna Conrad as Deputy Registrar
R-17-140 Authorizing Refund of Tax & Sewer Fee Overpayments
R-17-141 Approve Disabled Parking Space
R-17-142 Authorizing an Extension to Pay Taxes to Aug. 25th 2017
R-17-146 Adopt Flexible Spending Plan for Insurance

Resolutions

R-17-138 Authorizing Electronic Tax Sale
R-17-139 Authorizing Emergency Contracts Linden Avenue Sanitary Sewer Line
R-17-143 Authorizing Payment of the Bills

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R-17-145 Authorizing Release of Performance Guarantee

Other Business:

Proclamation

Administrator's Update

Beach Update

Shared Service Update

Public Comments:

Adjourn:



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-135

RENEWAL OF LIQUOR LICENSE FOR FOR THE 2016-2017 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 application has been filed or submitted through the POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal application has been accepted via POSSE ABC, the Municipal fee has been paid and a Tax Clearance Certificate has been received for the following licensee; and,

WHEREAS, the applicant is 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 for the 2016-2017 term from July 1st 2016 to June 30th 2017, is hereby authorized:

File Number	License Number	Licensee	Establishment
- Plenary Retail Consumption Licenses -			
84087	1317-33-016-003	Flip Enterprises Inc	Doris & Ed's



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-136

RENEWAL OF LIQUOR LICENSES FOR 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 1st 2017 to June 30th 2018, is hereby authorized:

File Number	License Number	Licensee	Establishment
- Plenary Retail Consumption License with Broad Package Privilege -			
159610	1317-32-009-008	Grala LLC	The Chubby Pickle
- Plenary Retail Consumption License -			
157714	1317-33-010-011	JWalkerBlack LLC	Havana Tropical Cafe
- Plenary Retail Consumption License Who Received a Special 12:39 Ruling by the ABC -			
168393	1317-33-030-008	Water Witch Highlands LLC	NA



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-137

RESOLUTION APPOINTING DONNA CONRAD TO
SERVE IN THE POSITION OF DEPUTY REGISTRAR

WHEREAS, a vacancy currently exists in the position of Deputy Registrar; and

WHEREAS, in accordance with N.J.S.A. 26:8-17, there exists a need for the appointment of a Deputy Registrar for the Borough of Highlands; and

WHEREAS, the Borough has determined that Donna Conrad is the most qualified candidate to serve in the position of Deputy Registrar and to assume all of the duties thereto; and

WHEREAS, the Borough wishes to appoint Donna Conrad to serve as the Deputy Registrar, effective July 19, 2017.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands that Donna Conrad is hereby appointed to serve as Deputy Registrar for a term expiring December 31, 2017.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-138

Authorizing an Electronic Tax Sale

WHEREAS, NJS 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services,

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Highlands wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-139

Resolution Authorizing Emergency Contracts Linden Avenue Sanitary Sewer Line

WHEREAS, the Local Public Contracts Law permits the award of emergency contracts pursuant to N.J.S.A. 40A:11-6 et. seq., subject to certain criteria, and

WHEREAS, the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-6 et seq. allows the award of contracts without public advertising for bids and bidding when an emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or the performance of services, wherein the award of contract is made in the manner prescribed by the aforesaid statutory provision; and

WHEREAS, the Borough of Highlands has determined that an emergency exists, wherein due to high volume of flow from the rainfall on 6/28/2017, there was a compromise in the sanitary sewer line on Linden Avenue which caused leaking into the storm basin; and

WHEREAS, as a result of the aforesaid emergency, there was/is a need to use a truck to televise the line, repair any leaks found and pave the road where the repairs were needed; and

WHEREAS, the Borough has determined that the aforesaid emergency affects the public health, safety and/or welfare; and

WHEREAS, in accordance with the aforesaid declaration and pursuant to N.J.S.A. 40A:11-6 et. seq., the contracts for the aforesaid repair of the Linden Avenue Sanitary Sewer Line is awarded to:

- L&L Paving, Inc., for paving in an amount not to exceed \$2,500;
- Oswald Enterprises, to televise, in an amount not to exceed \$5,500; and
- Branin Company, to repair the line breaks, in an amount not to exceed \$14,500; and

WHEREAS, certification of funds having been made by the Chief Financial Officer, that funds are available for the said purpose.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands that the contracts for the aforesaid emergency sanitary sewer line repair be and are hereby authorized and ratified with L&L Paving; Oswald Enterprises and Branin Company.

BE IT FURTHER RESOLVED, that these contracts are being awarded without public advertisement for bids pursuant to an emergency situation affecting the public health, safety and/or welfare, and as authorized by the Local Public Contract Laws, in accordance with N.J.S.A. 40A:11-6, which permits the awarding of emergency contracts.

BE IT FURTHER RESOLVED, that the Borough officials, including but not limited to, the Borough Administrator, are hereby authorized to execute the said emergency contracts, as well as any and all documents required to effectuate the same.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-140

RESOLUTION AUTHORIZING REFUND OF TAX & SEWER OVERPAYMENTS

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the rolls and determined that certain monies are due and payable by the Borough of Highlands to certain residents and property owners within the Borough of Highlands, as a result of an overpayment of taxes or sewer fees, and

WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Highlands to certain enumerated individuals,

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Tax Collector is authorized to immediately refund and pay the overpayment of taxes and sewer fees to the individuals and property owners of the specific properties listed below, and attached hereto:

TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
100.8	45	2016	\$ 760.84	Rodriguez, Juan & Elizabeth
		2017	\$1,641.73	

SEWER FEES

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
75	3	2012 - 2017	\$2,999.81	Highlands Investments LLC



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-141

RESOLUTION APPROVING DISABLED PARKING SPACE

WHEREAS, an application for a Disabled Parking Designation was submitted to the Highlands Police Department by Mr. Patrick Kurdes, Sr., 9 Locust Street.; and

WHEREAS, Mr. Kurdes has submitted all the necessary documentation including a copy of his Disabled Person Identification card issued by the New Jersey Motor Vehicle Commission; and

WHEREAS the Chief of Police has reviewed the application and recommends the approval of said Disabled Parking Designation and;

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

Name: Patrick Kurdes, Sr.
Location: 9 Locust Street



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-142

RESOLUTION AUTHORIZING AN EXTENSION TO PAY TAXES TO AUGUST 25, 2017

WHEREAS, the Borough of Highlands adopted its 2017 Municipal Budget on April 19, 2017, and

WHEREAS, because of the late adoption of the New Jersey State Budget and calculation of the Tax Rate by the County Board of Taxation and the corresponding late printing of the tax bills, third quarter tax bills will not be mailed by the deadline of July 17, 2017; and

WHEREAS, the Borough Council believes that the residents of the Borough are entitled to a reasonable time to receive their tax bills for the third quarter and to pay the same without being delinquent and subject to the payment of interest; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to N.J.S. 54:4-66.5 interest at a rate of \$.00000001% shall be charged on unpaid third quarter 2017 taxes provided same are paid on or before August 25, 2017, and provided further that interest thereafter shall be payable at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from August 1, 2017 until the date of actual payment.

BE IT FUTHER RESOLVED, that certified copies of this resolution be forwarded to the Finance and Tax Collector's Offices forthwith.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-143

AUTHORIZING PAYMENT OF THE BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated July 19, 2017, which totals as follows:

Current Fund	\$809,743.06
Sewer Account	\$110,434.84
Capital Fund	\$ 8,805.00
Trust-Other	\$ 59,479.84
Federal/State Grants	\$ 2,994.59
Total	\$991,457.33

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$991,457.33** 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 17-144

APPOINTING DANIEL FLANNIGAN & KEVIN O'DONNELL AS POLICE OFFICERS IN THE BOROUGH OF HIGHLANDS

WHEREAS, the Highlands Police Department, has need to hire two additional police officers; and

WHEREAS, Acting Chief Robert Burton recommends Daniel Flannigan and Kevin O'Donnell as police officers with a salary set in accordance with the terms and conditions of the collective bargaining agreement between the Borough of Highlands and the PBA; and

WHEREAS, Mr. Flannigan and Mr. O'Donnell shall start on July 25th 2017; and

NOW, THEREFORE, BE IT RESOLVED, , by the Governing Body of the Borough of Highlands, County of Monmouth in the State of New Jersey, that Daniel Flannigan and Kevin O'Donnell are hereby appointed to the position of Police Officers in the Borough of Highlands, effective July 25, 2017, subject to the successful completion of the appropriate background, medical and psychological tests.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-145

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR EVERCLEAR DEVELOPMENT, LLC FOR PROPERTY LOCATED AT 111 SHORE DRIVE (BLOCK 60, LOT 7.01)

WHEREAS, the applicant Everclear Development, LLC has requested release of its performance guarantees previously posted with the Borough of Highlands with its previously received Planning Board approval; and

WHEREAS, the Borough Engineer recommended the following performance guarantees be released:

Bond: Posted in cash in the amount of \$7,533.00.

Cash Bond Deposit in the amount of \$837.00.

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

1. It has reviewed, agrees with and hereby adopts all recommendations by the Borough Engineer.
2. It hereby authorizes the release of the performance guarantees set forth above.

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 17-146

RESOLUTION ADOPTING A FLEXABLE SPENDING PLAN

WHEREAS, Highlands Borough wishes to offer all eligible employees the flexible protection of individual insurance plans at no cost to the entity, such as accident/sickness disability insurance, cancer/critical care insurance, and life insurance; and

WHEREAS, Section 125 of the Internal Revenue Service Code contains a provision whereby employers can provide their employees with a flexible spending plan for certain insurance premiums, unreimbursed medical expenses and child or dependent care to be furnished with pre-tax income; and

WHEREAS, Coordinated Benefits Associates Inc, a voluntary benefits company, specializing in supplemental insurance representing AFLAC, Allstate, Colonial, Transamerica and other like insurance companies, can provide assurance that employees will receive individual consultation and enrollment information from consultants of Coordinated Benefits Associates, Inc. on an ongoing basis, and all servicing will be handled by same; and

NOW, THEREFORE, BE IT RESOLVED, By the Governing Body of Highlands Borough, hereby adopts the flexible benefits spending plan, consisting of the flexible benefits plan document, the adopted agreement, and component benefit plans and policies.