



BOROUGH OF HIGHLANDS

42 Shore Drive, Highlands, NJ 07732
www.highlandsborough.org

MAYOR AND COUNCIL OF THE BOROUGH OF HIGHLANDS WORKSHOP MEETING

September 4, 2019
6:30 P.M.

Per the requirements of Public Law 1975, Chapter 231, notice is hereby given that this is a Regular meeting of the Mayor and Council of the Borough of Highlands. All requirements have been met, notice has been posted on the public bulletin board and transmitted to the Asbury Park Press and the Two River Times.

Executive Session: 6:30 P.M.

BE IT RESOLVED that the following portion of this meeting shall not be open to the public,

BE FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

1. Pending or Anticipated Litigation:
2. Contract Negotiations:
3. Purchase, Lease or Sale of Real Estate:
Vacate Portion of Cornwell St.
4. Matters of Personnel:
Vacancy
5. Attorney/Client Privilege
Form-Based Code

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists.

**MAYOR AND COUNCIL OF THE BOROUGH OF HIGHLANDS
COMBINED WORKSHOP MEETING AND REGULAR MEETING**
September 4, 2019

WORKSHOP: 7:00 P.M.

1. Proposed Ordinance re: ABC Identification Cards; Chief Burton
Economic Development; Cliff Moore

REGULAR MEETING:

Public Hearing, Final Reading and Adoption:
O-19-14 Restricted Parking

Introduce and set Public Hearing Date for 9/18/19
O-19-15 Custodian of Records

Resolutions:

1. Payment of Bills
2. R-19-224 Shared Service w Henry Hudson Regional School District
3. R-19-225 Shared Services Agreement with Monmouth County Open Public Records Search System
4. R-19-226 Authorizing Refund of Tax Overpayment
5. R-19-227 Approve Special Affairs Liquor License
6. R-19-228 Authorize Advertisement for Solicitation of Bids for the Grand Tour Concrete Project
7. R-19-229 Authorize Emergency Contract Due to Sinkhole on Washington Ave.
8. R-19-230 Authorize award of a Non-Fair and Open Contract for Grand Tour Concrete Improvements Project
9. R-19-231 Refund Street Opening Security Deposit (needs to be written)
10. Reserved R-19-232
11. ReseR-19-233

REPORTS:

1. Borough Administrator
2. Chief Burton
3. Borough Engineer

Public Portion:

Time maybe allotted for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or discipling of any specific or prospective or current employee.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-224

RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE HENRY HUDSON REGIONAL SCHOOL DISTRICT

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

WHEREAS, the Henry Hudson Regional School District has requested that the Borough provide snow plowing and ground and field upkeep to the District through a Shared Services Agreement; and

WHEREAS, it is in the best interest of the Borough of Highlands to enter into the proposed Shared Services Agreement with the Henry Hudson Regional School District.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute the attached Shared Services Agreement with the Henry Hudson Regional School District.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this Resolution, along with the executed Shared Services Agreement to the following:

1. Henry Hudson Regional School District.
2. NJ Department of Local Government Services.
3. Brian J. Chabarek, Esq., Borough of Highlands.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-225

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE COUNTY OF MONMOUTH FOR THE USE OF MONMOUTH COUNTY'S OPEN PUBIC RECORDS SEARCH SYSTEM – RECORDS INFORMATION MANAGEMENT MODULE

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

WHEREAS, the Borough of Highlands and the County of Monmouth wish to enter into a Shared Services Agreement for the use of Monmouth County's open public records search system – records information management module; and

WHEREAS, the Borough of Highlands and the County of Monmouth have reached an agreement for which the cost to provide such services to the Borough of Highlands will be \$3,300.00 annually; and

WHEREAS, it is in the best interest of the Borough of Highlands to enter into the proposed Shared Services Agreement with the County of Monmouth for the use of Monmouth County's open public records search system – records information management module which Agreement expires on June 30, 2024; 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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Acting Borough Clerk to execute the attached Shared Services Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Acting Borough Clerk shall forward a certified copy of this Resolution, along with the executed Shared Services Agreement to the following:

1. Thomas Arnone, Freeholder Director
2. Patrick DeBlasio, Chief Financial Officer, Borough of Highlands.
3. Elizabeth Perez, Monmouth County Shared Services.
4. NJ Department of Local Government Services.
5. Brian J. Chabarek, Esq., Borough of Highlands.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-228

RESOLUTION AUTHORIZING ADVERTISEMENT FOR THE SOLICITATION OF BIDS FOR THE GRAND TOUR CONCRETE IMPROVEMENTS PROJECT

WHEREAS, the Borough of Highlands wishes to advertise for the receipt of bids for the Grand Tour Concrete Improvements project.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the Borough Engineer and Purchasing Agent be and are hereby authorized to prepare specifications to solicit bids for the Grand Tour Concrete Improvements project.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Highlands that the Borough Clerk, Borough Administrator and Purchasing Agent be and are hereby authorized to advertise for the receipt of bids for the Grand Tour Concrete Improvements project.

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

R-19-226
AUTHORIZING REFUND OF TAX OVERPAYMENT

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; 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 to the individuals and property owners of the specific properties listed below, and attached hereto:

BLOCK LOT YEAR AMOUNT NAME

11.07	8	2018	\$3,360.17	JAMES JACKSON
		2019	\$1,487.52	
99	25	2018	\$3,761.69	CORELOGIC



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-229

RESOLUTION AUTHORIZING EMERGENCY CONTRACT DUE TO SINKHOLE ON WASHINGTON AVENUE

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 a 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 a large sinkhole formed on Washington Avenue; and

WHEREAS, the Borough has determined that the aforesaid emergency affects the public health, safety and/or welfare and requires immediate performance of services; and

WHEREAS, in accordance with the declaration and pursuant to N.J.S.A. 40A:11-6 et. seq., the aforesaid emergency repair of a sinkhole on Washington Avenue is awarded to Branins Contracting for an amount not to exceed \$25,000.00; 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 Borough Council of the Borough of Highlands that the contract for the aforesaid emergency repair of a sinkhole on Washington Avenue be and is hereby authorized and ratified to Branins Contracting in an amount not to exceed \$25,000.00.

BE IT FURTHER RESOLVED, that the contract is 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 Contracts Law, 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 contract, as well as any and all documents required to effectuate the same.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-230

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES FOR THE GRAND TOUR CONCRETE IMPROVEMENTS PROJECT

WHEREAS, the Borough of Highlands has a need for professional engineering and land surveying services in connection with the Grand Tour Concrete Improvements project pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, CME Associates has set forth its proposed services in a written proposal dated August 6, 2019, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the said Proposal includes the following: Bid Phase Services and Construction Phase Services; and

WHEREAS, the proposed amount of the contract with CME Associates is \$9,600.00, consisting of the following:

• Bid Phase Services	\$2,000.00
• Construction Phase Services	<u>\$7,600.00</u>
Total	\$9,600.00

; and

WHEREAS, such professional engineering and land surveying services can only be provided by licensed professionals and the firm of CME Associates, 1460 Route 9 South, Howell, New Jersey 07731 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed engineering and land surveying services in connection with the Grand Tour Concrete Improvements Program project set forth in its proposal; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$9,600.00 for professional engineering and land surveying services as stated in CME Associates' proposal dated August 6, 2019; and

WHEREAS, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that it 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 CME Associates from making any reportable contributions through the term of the contract; and

WHEREAS, CME Associates 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. CME Associates is hereby retained to provide engineering and land surveying services in connection with the Grand Tour Concrete Improvements project as described above in their proposal dated August 6, 2019, for an amount not to exceed \$9,600.00.
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.