

Highlands Borough Mayor & Council Meeting Agenda
Community Center
22 Snug Harbor Avenue, Highlands
Wednesday, December 19th 2018, 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.

Call to Order
Meeting Statement
Roll Call

EXECUTIVE SESSION: 7:00PM

Attorney-Client Privilege: Feasibly Study for Educational Shared Service
Cable Television Franchise Renewal

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Consent Agenda

R-18-244 Approve Payment of the Bills
R-18-245 Approve Alliance Grant Form 1B
R-18-246 Approve Waiver of Alcohol Ban for Community Center Rental
R-18-247 Authorize Refund of Tree Removal Permit Fee
R-18-248 Affirm Highlands' Civil Rights Policy
R-18-249 Authorize Execution of Agreement for Snow Removal & Street Lighting Reimbursement with Hilltop at Highlands Condo Association
R-18-250 Authorize Execution of Agreement for Snow Removal & Street Lighting Reimbursement with Gateway Villas Condominium Association

Resolutions

R-18-251 Authorize Execution of Settlement Agreement with Property Owner of B103, L2
R-18-252 Authorize Adoption of Amendments to Borough Employee Handbook & Distribution of Personnel Policies and Procedures Manual
R-18-253 Authorize Shared Feasibility Study for Educational Shared Services by & between Highlands & Sea Bright

Ordinance: Second Reading, Public Hearing & Possible Adoption

O-18-24 Amend Chapter 10 of Borough Ordinances that Established Fees for the Department of Buildings & Housing
O-18-25 Amend Chapter 17 Which Established a Business Improvement District
O-18-26 Adopt Redevelopment Plan for Captain's Cove Marina, B84 L2.01
O-18-27 Adopt Redevelopment Plan for Shadowlawn Mobile Home Park, B105.107 L1.1

Other Business

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

Public Comments:

Adjourn



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-244

AUTHORIZING BILLS LIST

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated December 17, 2018, which totals as follows:

Current Fund	\$101,852.67
Sewer Account	\$ 59,718.43
Capital Fund	\$125,520.71
Trust-Other	\$104,294.29
Federal/State Grants	\$ 0.00
Total	\$391,385.53

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$391,385.53** 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 18-245

MUNICIPAL ALLIANCE FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough of Highlands Council of the Borough of Highlands, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Highlands Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Highlands Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough of Highlands Council does hereby authorize submission of a strategic plan for the Highlands and Atlantic Highlands Municipal Alliance grant for fiscal year **2020** in the amount of:

DEDR	\$31,960.00
Cash Match	\$ 7,990.00
In-Kind	\$23,970.00

2. The Borough of Highlands Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Rick O'Neil, Mayor

CERTIFICATION

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 19th day of December, 2018.

Bonnie Brookes, Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-246

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 residents have requested a waiver of the alcohol prohibition in order to serve alcohol to the guests of this private event; and

WHEREAS, the residents will obtain the 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 Ariana Rodriguez's request for a waiver of the alcohol prohibition is approved for the private event to be hosted on January 20, 2019;

BE IT FURTHER RESOLVED, that as a condition of this approval the applicant has provided the Borough Clerk with a certificate of insurance coverage naming the Borough of Highlands as an additional insured, subject to the Borough Administrator's review and approval.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-247

RESOLUTION AUTHORIZING REFUND OF TREE REMOVAL PERMIT FEE

WHEREAS, the Shade Tree Commission Chair of the Borough of Highlands has reviewed the Tree Removal Permit Request for 10 Waterwitch Avenue and determined that the tree was “undersized and dead” therefore not requiring a permit for removal;
and

WHEREAS, a payment of the fee of \$25.00 for a Tree Removal Permit was paid to the Borough Highlands for such a permit by the company hired by the owner of property listed below; and

WHEREAS, the Shade Tree Commission Chair recommends the immediate reimbursement of the 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 Chief Financial Officer is authorized to immediately refund and pay the payment of a Tree Removal Permit to the individuals hired by the property owners of the specific properties listed below, and attached hereto:

BLOCK	LOT	AMOUNT	NAME
92	4.02	\$25.00	Gerty's Property Maintenance Kristin Froehlich



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-248

A RESOLUTION TO AFFIRM THE BOROUGH OF HIGHLAND'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Highlands to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Highlands has determined that certain procedures need to be established to accomplish this policy

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

1. No official, employee, appointee or volunteer of the Borough of Highlands by whatever title known, or any entity that is in any way a part of the Borough of Highlands shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Highlands' business or using the facilities or property of the Borough of Highlands.
2. The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Highlands to provide services that otherwise could be performed by the Borough of Highlands.
3. Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

4. The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.
5. No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
6. The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Highlands as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
7. The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.
8. At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Highlands. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Highland's web site.
9. This resolution shall take effect immediately.
10. A copy of this resolution shall be published in the official newspaper of the Borough of Highlands in order for the public to be made aware of this policy and the Borough of Highlands' commitment to the implementation and enforcement of this policy.

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:

1. Borough Administrator.
2. Borough Attorney.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-249

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR SNOW REMOVAL AND STREET LIGHTING REIMBURSEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE HILLTOP AT HIGHLANDS CONDOMINIUM ASSOCIATION

WHEREAS, the Municipal Services Act, N.J.S.A. 40:67-23.2, et. seq. and amendments thereto, provides in pertinent part that a municipality, in lieu of providing certain municipal services to the private community, may opt to financially reimburse the qualified private communities for the cost of certain municipal services; and

WHEREAS, Hilltop at Highlands Condominium Association, is a qualified private community, as defined under the Act, and the Borough of Highlands is a municipality governed by the Act; and

WHEREAS, the Borough and Hilltop at Highlands Condominium Association have mutually agreed that the Association shall perform its own snow removal and pay the cost for street lighting, and that the Borough shall reimburse the Association for the cost of those services at a rate not to exceed the cost that would have been incurred by the Borough in providing those services directly; and

WHEREAS, N.J.S.A. 40:47-23.5 requires a written agreement to annually reimburse a qualified private community; and

WHEREAS, the Borough has prepared a written agreement, with an effective date of January 1, 2019, to reimburse Hilltop at Highlands Condominium Association and wishes to enter into a such an Agreement with Hilltop at Highlands Condominium Association; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the appropriate Municipal officials, including the Mayor and Borough Administrator, be and are hereby authorized to execute an Agreement for Reimbursement for Municipal Services, as prepared and approved by the Borough Attorney and the Chief Financial Officer of the Borough.

BE IT FURTHER RESOLVED, that the Agreement for Reimbursement for Municipal Services shall become effective upon being fully executed, for the dates contained therein, with an effective date of January 1, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-250

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR SNOW REMOVAL AND STREET LIGHTING REIMBURSEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND GATEWAY VILLAS CONDOMINIUM ASSOCIATION

WHEREAS, the Municipal Services Act, N.J.S.A. 40:67-23.2, et. seq. and amendments thereto, provides in pertinent part that a municipality, in lieu of providing certain municipal services to the private community, may opt to financially reimburse the qualified private communities for the cost of certain municipal services; and

WHEREAS, Gateway Villas Condominium Association, is a qualified private community, as defined under the Act, and the Borough of Highlands is a municipality governed by the Act; and

WHEREAS, the Borough and Gateway Villas Condominium Association have mutually agreed that the Association shall perform its own snow removal and pay the cost for street lighting, and that the Borough shall reimburse the Association for the cost of those services at a rate not to exceed the cost that would have been incurred by the Borough in providing those services directly; and

WHEREAS, N.J.S.A. 40:47-23.5 requires a written agreement to annually reimburse a qualified private community; and

WHEREAS, the Borough has prepared a written agreement, with an effective date of January 1, 2019, to reimburse Gateway Villas Condominium Association and wishes to enter into such an Agreement with Gateway Villas Condominium Association; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the appropriate Municipal officials, including the Mayor and Borough Administrator, be and are hereby authorized to execute an Agreement for Reimbursement for Municipal Services, as prepared and approved by the Borough Attorney and the Chief Financial Officer of the Borough.

BE IT FURTHER RESOLVED, that the Agreement for Reimbursement for Municipal Services shall become effective upon being fully executed, for the dates contained therein, with an effective date of January 1, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-251

RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT WITH PROPERTY OWNER FOR PROPERTY LOCATED AT BLOCK 103, LOT 2, COMMONLY KNOWN AS 278 BAYSIDE DRIVE

WHEREAS, the property located at Block 103, Lot 2, commonly known as 278 Bayside Drive (“the property”) has been the subject of summonses and notices of violation due to its failure to comply with property maintenance requirements and the Building and Fire Codes of the Borough, as well as State and National Codes; and

WHEREAS, the Public Officer of the Borough determined that the property had become dilapidated and out of repair so as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use as well as dangerous and injurious to the health, safety and welfare of any occupant of the building, of neighboring buildings or residents of the Borough; and

WHEREAS, the Public Officer instituted proceedings pursuant to Section 10-4 of the Highlands Code by way of a Complaint for Demolition of the Premises; and

WHEREAS, as a result of the same, the parties have reached an amicable resolution in order to bring the property into conformance with the various aforementioned codes, wherein certain deadlines were established and the property owner agreed to reimburse the Borough for certain expenses incurred; and

WHEREAS, the property owner has agreed to perform the necessary maintenance to the property in order to bring the exterior of the property into compliance with the Code of the Borough of Highlands, including, but not limited to, the Property Maintenance Code of the Highlands as well as provisions for the removal of Brush, Weeds, Trash and Debris; and

WHEREAS, the property owner has agreed to perform the necessary structural analysis, in order to determine whether he will demolish or renovate the existing structure of the property, and if the determination is made to renovate the existing building, the property owner will provide the report of an Engineer licensed in the State of New Jersey certifying that the building is structurally sound.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute the Settlement Agreement, which has been agreed upon with the property owner for the property located at Block 103, Lot 2, commonly known as 278 Bayside Drive.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-252

RESOLUTION AUTHORIZING ADOPTION OF AMENDMENTS TO THE BOROUGH EMPLOYEE HANDBOOK AS WELL AS DISTRIBUTION OF PERSONNEL POLICIES AND PROCEDURE MANUAL

WHEREAS, the Borough has determined that certain amendments and updates to the current Employee Handbook are required, in order to incorporate changes in State and Federal law and based on recommendations from the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Borough has determined that it is necessary to distribute a Personnel and Policies and Procedures Manual to managerial/supervisory employees; and

WHEREAS, the adoption of a revised Employee Handbook and distribution of the Personnel and Policies and Procedures Manual will protect the interests and rights of both the Borough and its' employees; and

WHEREAS, the Borough has made certain amendments and updates to the current Employee Handbook and prepared a Personnel and Policies and Procedure Manual, so as to conform with the requirements set forth above; and

WHEREAS, the revised Employee Handbook and Policies and Procedures Manual will be distributed to all Borough employees, as applicable; and

WHEREAS, the Borough employees will acknowledge receipt of the revised Employee Handbook and Policies and Procedures Manual, as applicable; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highlands that the aforesaid revised Employee Handbook and Policies and Procedures Manual be and are hereby accepted and adopted.

BE IT FURTHER RESOLVED, that copies of the revised Employee Handbook as well as Policies and Procedures Manual shall be distributed to all employees, as applicable.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to execute such documents and undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-253

RESOLUTION AUTHORIZING SHARED FEASIBILITY STUDY FOR EDUCATIONAL SHARED SERVICES BY AND BETWEEN THE BOROUGH OF HIGHLANDS AND THE BOROUGH OF SEA BRIGHT

WHEREAS, the Borough of Highlands would like to determine if it is in the public interest to undertake educational shared services with the Borough of Sea Bright; and

WHEREAS, the Borough of Highlands and the Borough of Sea Bright would like to look further into the capability to share educational services by and amongst the municipalities in order to promote efficiencies and reduce expenditures for the aforesaid partnering entities; and

WHEREAS, the Borough of Sea Bright has contracted with a professional consultant to produce a feasibility study as to educational shared services by and amongst the aforesaid partnering entities and to address whether it can lead to cost savings and/or more efficient delivery of educational services over the life of such an agreement; and

WHEREAS, the Borough of Highlands will contribute towards the cost of the aforesaid feasibility study for an amount not to exceed \$20,000; and

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

I hereby certify funds are available as follows:

Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands that the Borough be and is hereby authorized to contribute towards the cost of the consulting feasibility study for educational shared services by and amongst the Borough of Highlands and the Borough of Sea Bright for a not to exceed amount of \$20,000.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-24

An Ordinance Amending Chapter 21 of the Revised General Ordinances of the Borough of Highlands that Established Fees for the Department of Building and Housing within the Borough of Highlands

WHEREAS, the Borough of Highlands had established fees for the Department of Buildings and Housing, which were codified in Section 10-2 of the Code of the Borough of Highlands; and

WHEREAS, the Borough of Highlands will be entering into a shared services agreement with the Township of Middletown for building department services; and

WHEREAS, N.J.A.C. 5:23-4.17(e) requires that when municipalities enter into a shared services agreement to administer and enforce the Uniform Construction Code, those municipalities must utilize a uniform fee schedule; and

WHEREAS, the Governing Body of the Borough of Highlands wishes to amend and update the Borough Code to incorporate the fee schedule of the Township of Middletown effective January 1, 2019 for ease of administration and enforcement and in order to comply with N.J.A.C. 5:23-4.17(e).

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

SECTION I.

Chapter 10 (Buildings and Housing), Section 2 (Fees), of the Code of the Borough of Highlands is hereby repealed in its entirety.

SECTION II.

Chapter 10 (Buildings and Housing), Section 2 of the Code of the Borough of Highlands entitled "Fees" is hereby added to provide as follows:

10-2 FEES.

10-2.1. Uniform Construction Code Fees.

- a. State of N.J. Training Fees. This fee shall be in the amount of \$0.00334 per cubic foot of volume for new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-4.19(a)(b)1-6.
 - (1) No training fee shall be collected for pre-engineered systems of commercial farm buildings.

- (2) No training fee shall be collected for permits to perform asbestos or lead abatement.
- b. General fees.
 - (1) The fee for plan review shall be twenty percent (20%) of the amount charged for a construction permit.
 - (2) The fee to be charged for a construction permit will be the sum of the basic construction fee plus all applicable special fees. This fee shall be paid before a permit is issued.
 - (3) The fee to be charged for a certificate of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit.
 - (4) All fees shall be rounded to the nearest dollar.
 - (5) All fees shall be paid in cash, check or money order payable to the Borough of Highlands.
- c. Fee schedule. The basic construction permit fee shall be the sum of the parts computed on the basis of volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and rating of electrical devices, the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/or the applicable flat fees as provided herein plus any special fees. The minimum fee for a basic construction permit covering any and all of the technical sub codes shall be seventy-five dollars (\$75).

For the purpose of determining estimated cost for renovations, alterations, repairs, and the external utility connection for pre-manufactured construction the applicant shall submit to the department such cost data as may be available and produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, or contract if available, shall be submitted. The Construction Official and/or sub code official shall make the final decision regarding the estimated cost.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be two hundred fifty dollars (\$250.). The fee for resubmission of an application for a variation shall be one hundred twenty-five dollars (\$125.).

The fee to reinstate lapsed, suspended or revoked permits noted in N.J.A.C. 5:23-216(b) or N.J.A.C. 5:23-2.16(f) or otherwise shall be fifty dollars (\$50.) per outstanding sub code.

Any fee not specifically contained within this fee schedule shall be based upon the State of New Jersey Department of Community Affairs Fee Schedule.

(1) Building Subcode Fees.

Minimum building subcode fee	\$75.00
New construction or addition	.030 per cubic foot
Alterations/renovations of existing building or structure	\$30.00 per thousand dollars of estimated cost of work
Swimming pools (above ground)	\$75.00
Swimming pools (inground)	\$150.00
Storage sheds (greater than 100 s.f.)	\$75.00

Fence installation for pool enclosure	\$75.00
Demolition of dwelling (1 & 2 family)	\$150.00
Demolition of all other use groups	\$350.00
Demolition of accessory structure	\$75.00
Tank abandonment/removal	\$100.00
Tank installation	\$50.00
Radon abatement	\$75.00 per unit
Asbestos/removal	\$100.00
Lead hazard abatement	\$100.00
Signs (No permit required for signs installed in accordance with N.J.A.C. 5:23-2.14(b)6.)	\$75.00
Solar panel racking system	\$30.00 per thousand dollars of estimated cost of work
Tents, tension membraned structures and canopies regulated by building subcode	\$150.00
Temporary structure (greater than 120 s.f.)	\$75.00
Retaining walls	\$30.00 per thousand dollars of estimated cost of work
U.C.C. certificate of occupancy	\$125.00
Extension of temporary certificate of occupancy	\$75.00

(2) Electric Subcode Fees.

Fixture/Equipment	Fee
Minimum subcode fee	\$75.00
Electrical fixtures and devices: 1-50	\$75.00
Receptacles, fixtures and devices to be counted for these parts are lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards 8 feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric	

fixtures and devices rated 20 amps or less including motors or equipment rated less than 1 hp or 1 kw.	
Every additional 25 or fraction of:	\$50.00
Alarm Panels (fire or security)	\$50.00
Service Panels	
100 amps or less	\$100.00
101-200 amps	\$150.00
201-300 amps	\$200.00
301-400 amps	\$250.00
Every 100 amp increase over 400 amps	\$75.00
Devices over 1 hp/kw, to 10kw/hp	\$50.00
Devices over 10 hp/10 kw to 50 kw/hp	\$100.00
Devices over 50 kw/hp to 100 kw/hp	\$150.00
Devices over 100 kw/hp to 150 kw/hp	\$300.00
Increasing \$75.00 for every 50 kw/hp over 150b kw/hp	
Above ground pools/spas/ hot tubs/fountains	\$100.00
Inground pool	\$150.00
shall include any "required" bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles and heaters, etc., excepting panelboards and underwater lighting fixtures	
Area lighting, 1 to 5 standards (greater than 8 feet)	\$100.00
Area lighting, over 5 standards	\$25.00 each
Electric appliances, oven, dishwasher, microwave, air conditioner, heaters, water heaters, dryer, range, furnace, exhaust fan (over 1 kw), radon, lawn sprinklers	\$50.00
Annual inspection for commercial swimming pools	\$125.00
Transformer/generators: [Amended 6-3-2013 by Ord. No. 2013-3090]	
1kw up to and including 45kw	\$150.00
Greater than 45kw up to and including 112.5kw	\$250.00
Greater than 122.5kw	\$475

(3) Fire Protection Subcode Fees.

Minimum subcode fees	\$75.00
Storage tank installations for flammable and combustible liquids:	
Tanks up to 500 gallons	\$100.00
501-1000 gallons	\$150.00
1001-2000 gallons	\$200.00
2001-5000 gallons	\$350.00
5000-10,000 gallons	\$500.00
10,001-19,999 gallons	\$750.00
Underground fire water mains-standpipe and sprinkler systems:	
Underground fire water mains (each building)	\$300.00
Standpipe systems	\$300.00
Additional standpipe risers	\$150.00
Sprinklers (other than R-5):	
1-10	\$150.00
11-25	\$250.00
For each additional 25 heads or part thereof the fee shall be increased by:	\$75.00
Fire hydrants on private property	\$200.00
Residential sprinklers in new single family	\$200.00
Preaction/Dry pipe valve (incl. compressor)	\$250.00
Fire pumps	
Fire pumps	\$300.00
Jockey/booster pumps	\$250.00
Smoke, heat and duct detectors and fire alarm panels:	
Detectors (R-5 use group):	
1-12	\$50.00
13-25	\$100.00
For each additional 25 detectors or part thereof, the fee shall be:	\$75.00
Carbon Monoxide Detectors:	
1-5	\$25.00
5-10	\$50.00
10 +	\$5.00 each
Fire Alarm panels (R-5 use group):	
1-12 devices	\$25.00
13-25 devices	\$50.00

For each additional 25 detectors or part thereof, the fee shall be:	\$75.00
Detectors (all other use groups):	
1-12	\$150.00
13-25	\$200.00
Each additional 25 devices or part thereof:	\$75.00
Fire Alarm Panels (all other use groups):	
1-12	\$150.00
13-25	\$200.00
Each additional 25 devices or part thereof:	\$75.00
Manual fire alarm systems	
Pull Stations:	
1-10	\$100.00
11-25	\$250.00
For each additional 10 pull stations or part thereof, the fee shall be:	\$25.00
Emergency light/exit signs	
1-5	\$50.00
6-10	\$100.00
11-15	\$150.00
16-20	\$200.00
21-25	\$250.00
For each additional emergency light or exit sign the fee shall be:	\$10.00
Independent pre-engineered suppression system (including dry chemical, wet chemical, halon, carbon dioxide, etc.):	
Pre-engineered suppression system	\$175.00
Kitchen exhaust hoods and flammable/combustible liquid exhaust hoods:	
Kitchen exhaust hoods	\$150.00
Flammable/combustible liquids exhaust hood	\$300.00
Incinerators and crematoriums	\$500.00
Gas, masonry and wood burning fireplaces, wood burning and other nonconventional heating devices:	

Fireplaces, stoves and other heating devices	\$75.00
Chimney liner	\$35.00
Gas or oil fired furnaces:	
Furnace	\$75.00
Chimney liner	\$35.00
Elevator/smoke detectors recall systems:	
Elevator recall systems	\$150.00
Smoke removal systems:	
Smoke removal systems	\$300.00
Gasoline station tanks and pumps:	
New gasoline station tank installation up to 10,000 gallons and up to six (6) pumps	\$750.00
Each additional gasoline tank up to 10,000 gallons, (installed at the same time as new installation)	\$200.00
Additional gasoline pumps-new or replacement	\$200.00
Replacement gasoline tanks	See tank installation #1
Fire department lock box/knox box:	
Lock box	\$25.00

(4) Plumbing Subcode Fees.

Minimum fee	\$75.00
Water closet	\$25.00
Urinal/bidet	\$25.00
Bath tub	\$25.00
Lavatory	\$25.00
Shower	\$25.00
Floor drain	\$25.00
Sink	\$25.00
Dishwasher	\$25.00
Drinking fountain	\$25.00
Washing machine	\$25.00
Hose bib	\$25.00
Other plumbing fixtures	\$25.00
Gas piping	\$75.00

Fuel oil piping	\$75.00
Steam boiler/furnace	\$75.00
A/C or refrigeration unit	\$75.00
Water heater	\$75.00
Other gas appliances (stove/range/pool htr/fireplace)	\$75.00
Generator	\$75.00
Sewer pump	\$75.00
Interceptor/separator	\$75.00
Water powered sump (incl. backflow prevention device)	\$130.00
Sump Pump	\$75.00
Grease trap	\$75.00
Sewer connection (per 100 feet)	\$75.00
Backflow prevention device (no charge for device used on boilers)	\$85.00
Water service connection (per 100 feet)	\$75.00
Active solar system	\$75.00
Special device	\$75.00
High pressure gas regulators	\$65.00
LPG tanks above ground	
Up to 500 gal.	\$95.00
501-2000 gal.	\$125.00
LPG tanks under ground	
Up to 2000 gal.	\$125.00
Septic tank abandonment	\$75.00
Swimming pool drains/vacuum release device	\$75.00
Lawn sprinkler (incl. backflow preventer)	\$95.00
Yard hydrants (does not incl. related piping)	\$75.00

10-2.2. Housing standards.

Pursuant to Chapter 10, Section 5, of the Revised General Ordinances of the Borough of Highlands, the following fees are hereby established:

- A. Certificate of occupancy for rental with one (1) inspection: one hundred dollars (\$100.).
- B. Certificate of occupancy for resale with one (1) inspection: one hundred dollars (\$100.).
- C. Added reinspection for certificate of occupancy: fifty dollars (\$50.).

- D. Housing certificates of occupancy that require electrical inspection are not charged a fee for initial inspection. Any violations cited by the Electrical Subcode Inspector must have an electrical application with fee paid before the certificate of occupancy is issued

SECTION III.

Chapter 10 (Buildings and Housing), Section 5.7 of the Code of the Borough of Highlands entitled "Fees" is hereby amended to provide as follows (All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics***. Sections of Chapter 16, Section 3 that will remain unchanged are shown in normal type.):

10-5.7 Fees.

The fees for the certificate of occupancy inspection and issuance of the certificate are set forth in Chapter X, subsection ~~10-1.2~~ **10-2.3** above.

SECTION IV. 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 V. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION VI. EFFECTIVE DATE. This Ordinance shall take effect on January 1, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-25

AN ORDINANCE AMENDING CHAPTER 17 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS THAT ESTABLISHED A BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough of Highlands, by Ordinance O-11-9 and codified in Chapter XVII of the Code of the Borough of Highlands, established a business improvement district, which Ordinance has been extended until its current expiration date of December 31, 2020; and

WHEREAS, the Borough of Highlands finds that it is in its best interest to amend Chapter 17 of the Borough Code to address additional procedural requirements for the business improvement district.

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

SECTION ONE: Chapter XVII of the Revised Borough Code of the Borough of Highlands shall be amended as follows (underscores represent additions; strikethroughs represent deletions):

CHAPTER XVII BUSINESS IMPROVEMENT DISTRICT

17-1 DEFINITIONS.

[NO CHANGE]

17-2 FINDINGS.

The Mayor and Council find and declare:

a. That the area within the Borough of Highlands, as described by lot and block number, and by street addresses as set forth in Schedule A of this chapter, will benefit from being designated as a Business Improvement District.

b. The rental apartments containing five (5) or more units on the attached Schedule A as Class 4C are hereby included within the Special Improvement District as established by this chapter, provided, however, that no assessment shall be collected from Shore Landings, L.L.C. unless the decision of the Superior court, Law Division in Shore Landings v. Borough of Highlands is modified or reversed by appeal or agreement.

~~All the properties included on Schedule A as Class 4 income producing properties hereto are hereby deemed to be included within the Special Improvement District as established by this chapter.~~

c. That a District Management Corporation would provide administrative and other services to benefit the businesses, employees, residents and consumers in the Business Improvement District. These services shall be over and above the services already provided to the District by the Borough.

d. That a special assessment shall be imposed and collected by the Borough with the regular property tax payment or payment in lieu of taxes or otherwise, and that all of these payments shall be transferred to the District Management Corporation to effectuate the purposes of this chapter and to exercise the powers given to it by this chapter.

e. That it is in the best interests of the municipality and the public to create a Business Improvement District and to designate a District Management Corporation.

f. That the business community should be encouraged to provide self-help and self-financing programs to meet local business needs, goals and objectives.

17-3 CREATION OF DISTRICT.

[NO CHANGE]

17-4 APPEAL OF PROPERTY OWNER FROM INCLUSION IN THE DISTRICT.

[NO CHANGE]

17-5 ASSESSMENTS.

[NO CHANGE]

17-6 DESIGNATED DISTRICT MANAGEMENT CORPORATION.

[NO CHANGE]

17-7 POWERS AND DUTIES OF THE DESIGNATED DISTRICT MANAGEMENT CORPORATION.

The District Management Corporation, in addition to acting as an advisory board to the Mayor and Council, shall have all powers and responsibilities necessary and requisite to effectuate the purposes of this chapter and the District, including, but not limited to:

a. Adopt bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations and policies in connection with the performance of its

functions and duties; the bylaws and other corporate documents shall provide that the corporation shall conduct its business in accordance with the Open Public Meeting Law; shall conduct regular meetings no less than quarterly and that the Board of Directors shall consist of **no less than fourteen (14) and no more than** twenty-one (21) members. As to the membership of the Board of Directors it shall include (1) a member of the Governing Body selected by the Governing Body; (2) a member of the Borough Planning Board selected by the Governing Body; (3) one (1) resident of the Borough who shall not be an owner or occupant of commercial property within the District. All of these appointments shall serve at the pleasure of the appointing authority.

~~Additionally the Board of Directors shall consist of one (1) nonvoting member appointed from bodies such as:~~

- ~~1. _____ Northern Monmouth Area Chamber of Commerce~~
- ~~2. _____ Gateway National Park~~
- ~~3. _____ Twin Lights Historic State Park~~
- ~~4. _____ Not named~~

b. **~~The members appointed by these bodies shall serve at the pleasure of the appointing body.~~** The remaining **fourteen (14)** members of the Board of Directors shall consist of owners or occupants of commercial property located within the District. The Mayor and Council will designate the BID Steering Committee members to carry on the duties of the nonprofit corporation, to include securing corporate and nonprofit status and creation of bylaws, form a nominating and election committee, utilize technical assistance of the League of Women Voters. The BID Committee shall not expend or commit any District Management Corporation funds without a simple majority vote of BID Committee members. The bylaws shall provide for an election to create the Board of Directors by owners and/or occupants of commercial property included within the District, which election shall be held on or before the third month anniversary from the date of the adoption of the chapter (this chapter was adopted May 5, 1999 by Ordinance No. O-99-06). Said elections will be for a term of three (3) years, except, however, at the first election five (5) members shall be elected for one (1) year; four (4) members shall be elected for two (2) years and five (5) members shall be elected for three (3) years. Any vacancies with regard to these elected members shall be filled by a majority vote of the Board members for the balance of the term. **The Board of Directors shall also elect a President, Vice President, and Treasurer to two (2) year terms. There shall be no limit to the overall number of terms served, however the President, Vice President, and Treasurer shall not serve more than two (2) consecutive terms.**

c. The Designated District Management Corporation shall also:

1. Employ such persons as may be required, and fix and pay their compensation from funds available to the corporation.
2. Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money.

3. Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the corporation, including contracts with any person, firm, corporation, governmental agency or other entity.

4. Administer and manage its own funds and accounts and pay its own obligations.

5. Borrow money from private lenders for periods not to exceed one hundred eighty (180) days and from governmental entities for that or longer periods.

6. Fund the improvement for the exterior appearance of properties in the District through grants or loans. Standards for eligibility and standards for terms of such grants and loans shall be established by the Board of Directors.

7. Fund the rehabilitation of properties in the District through grants or loans. Standards for eligibility and standards for terms of such grants and loans shall be established by the Board of Directors.

8. Accept, purchase, rehabilitate, sell, lease or manage property in the District.

9. Enforce the conditions of any loan, grant, sale or lease made by the corporation.

10. Provide security, sanitation and other services to the District, supplemental to those provided normally by the municipality.

11. Undertake improvements designated to increase the safety or attractiveness of the District to businesses, which may wish to locate there or to visitors to the District including, but not limited to, litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities, pursuant to pertinent regulations of the Borough of Highlands.

12. Publicize the District and the businesses included within the District boundaries.

13. Recruit new businesses to fill vacancies in, and to balance the business mix of, the District.

14. Organize special events in the District.

15. Provide special parking arrangements for the District.

16. Provide temporary decorative lighting in the District.

17. Solicit at least two (2) price quotations for any expenditure over \$5,000.

18. Advertise for bids for any expenditure over \$15,000. Such advertisement process shall comply with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. Any such expenditure shall be awarded to the lowest responsible bidder unless otherwise required by statute.

19. Comply with government standards accounting.

20. Appear annually at a public meeting before the governing body to answer any questions from the governing body and from the public. This meeting shall be held in May upon publication of notice in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

17-8 ANNUAL BUDGET, HEARING AND ASSESSMENTS.

[NO CHANGE]

17-9 ANNUAL AUDIT OF DISTRICT MANAGEMENT CORPORATION.

The District Management Corporation shall cause an annual audit of its books, accounts and financial transactions to be made and filed with the Mayor and Council and for that purpose the corporation shall employ a certified public accountant of New Jersey. **The annual audit shall be in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards.** The annual audit **and an accompanying management report** shall be completed and filed with the Governing Body within four (4) months after the close of the fiscal year of the corporations, and a certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within five (5) days of filing of the audit with the Mayor and Council. **The District Management Corporation shall report out on the annual audit to the Highlands governing body no later than the second public meeting in May.**

17-10 ANNUAL AND QUARTERLY REPORTS TO MUNICIPALITY.

a. The district management corporation shall, within thirty (30) days after the close of each fiscal year, make an annual report of its activities for the preceding fiscal year to the Mayor and Clerk of the Borough.

b. **The district management corporation shall make quarterly reports of its activities for the preceding quarter to the Mayor and Clerk of the Borough. The quarterly report shall set forth all actual expenditures incurred by the district management corporation. The quarterly reports must also summarize how the district management corporation has met the elements of its duties as provided in Section 17-7(c) and the purposes as set forth in Section 17-14.1. Quarterly reports shall be due to the Mayor and Clerk of the Borough on April 1, July 1, October 1, and January 1 of each year.**

17-11 MUNICIPAL POWERS RETAINED.

[NO CHANGE]

17-12 SEVERABILITY.

[NO CHANGE]

17-13 EFFECTIVE DATE.

[NO CHANGE]

17-14 DOWNTOWN BUSINESS IMPROVEMENT ZONE (~~D-B12~~) (D-BIZ).

[NO CHANGE]

SCHEDULE A
(Section 17-2)

Block	Lot	Qual Class	Property Location
<u>1</u>	<u>11</u>	<u>4C</u>	<u>88 PORTLAND ROAD</u>
<u>6</u>	<u>8</u>	<u>4C</u>	<u>47-49 SOUTH BAY AVENUE</u>
7	1	4C	44 SOUTH BAY AVENUE
8	1	4A	42 SOUTH BAY AVENUE/RIPAR
9	5	4A	PORTLAND & BRIDGE
<u>9</u>	<u>6.01</u>	<u>1</u>	<u>MONUMENT PLACE</u>
<u>9</u>	<u>7</u>	<u>1</u>	<u>1 SOUTH BAY AVENUE</u>
<u>10</u>	<u>2</u>	<u>2</u>	<u>108 HILLSIDE AVENUE</u>
11	18	4A	NEW RD & GRAND TOUR
14	1.01	4A	PORTLAND ROAD
20	1	4A	1 NAVESINK AVENUE
34	8	4A	1 WOODLAND STREET
35	17	4C	82 VALLEY AVENUE
38	3	4A	36 NAVESINK AVENUE
38	4	4A	30 NAVESINK AVENUE
38	5	4A	26 NAVESINK AVENUE

38	6	4A	22 NAVESINK AVENUE
38	8	4A	2 NAVESINK AVENUE
38.01	11.01	4A	1 BAY AVENUE
38.01	12	4A	15 BAY AVENUE
38.01	13	4A	19 BAY AVENUE
38.01	15.01	4A	23 BAY AVENUE
<u>38.01</u>	<u>16</u>	<u>1</u>	<u>49 BAY AVENUE</u>
39	7.01	4A	34 BAY AVENUE
39	8	4A	26 BAY AVENUE (DOCK)
39	9	4A	24 BAY AVENUE
39	10	4A	18 BAY AVENUE
39	12	4A	12 BAY AVENUE
39	14	4A	2 BAY AVENUE
39	15	4A	2 SOUTH BAY AVENUE
40	11.02	4A	EXTENSION OF FIRST ST
40	15.01	4A	116 NAVESINK AVENUE
40	18.19	4C	MILLER STREET
41	8	4A	75 BAY AVENUE
41	9	4A	BAY AVENUE
42	10	4A	88 BAY AVENUE
42	13	4A	78 BAY AVENUE
42	15	4A	68 BAY AVENUE
45	4.01	4A	102 BAY AVENUE
<u>45</u>	<u>6.01</u>	<u>1</u>	<u>98 BAY AVENUE</u>
45	7	1	92 BAY AVENUE - KAY STREE
46	1	4A	103-107 BAY AVENUE
46	2	4A	111 BAY AVENUE
46	3	4A	123 BAY AVENUE
46	7	4C	143 BAY AVENUE
47	6	4A	132 BAY AVENUE
47	7	4A	130 BAY AVENUE

47	8	4A	128 BAY AVENUE
47	9	4A	126 BAY AVENUE
47	11	4A	122 BAY AVENUE
47	12	4A	120 BAY AVENUE
48	1	4C	45 CENTER STREET
48	7	4A	30 JACKSON STREET
50	1	4A	52 SHREWSBURY AVENUE
50	2	4A	52 SHREWSBURY AVENUE
50	4	4A	56 SHREWSBURY AVENUE
51	2	4A	3 CORNWALL STREET
52	2	4A	140 BAY AVENUE
53	2	4C	65 MILLER STREET
53	8	4A	157 BAY AVENUE
53	9	4A	151 BAY AVENUE
54	1	4A	150 BAY AVENUE
54	3.01	4A 2	146-148 BAY AVE
54	4	4A	144 BAY AVENUE
54	24.01	4A	11-13 MILLER STREET
55	1	4A	70 SHREWSBURY AVENUE
55	4.01	4A	88 SHREWSBURY AVENUE
56	14	4C	18 FIFTH STREET
56	15	4C	22-24 FIFTH STREET
56	16	4C	26 FIFTH STREET
58	1	4A	154 BAY AVENUE
58	18	4A	190 BAY AVENUE
58	19	4A	188 BAY AVENUE
58	23.01	4A	182 BAY AVENUE
58	24	4A	170 BAY AVENUE
58	25	4A	168 BAY AVENUE
58	26	4A	164 BAY AVENUE
59	9	4A	165 BAY AVENUE

60	7.01	4A	<i>SHORE DRIVE</i>
63	5	2	<i>197 BAY AVENUE</i>
63	7	4A	205 BAY AVENUE
63	19.01	4A	231 BAY AVENUE
64	1	4A	196 BAY AVENUE
64	24	4A	214 BAY AVENUE
64	28.01	4A	208 BAY AVENUE
66	10	4C	58 FIFTH STREET
66	12	4A	62 FIFTH STREET
69	4.01	4A	242 BAY AVENUE
69	13	4A	ATLANTIC STREET
72	8	4A	FT OF ATLANTIC ST
72	9.012	4A	MARINA ON THE BAY
72	11.01	4A	270 BAY AVENUE
72	12	4A	272 BAY AVENUE
73	2	2	<i>SEADRIFT AVENUE</i>
74	9	4A	277 BAY AVENUE
75	1	4C	274-276 BAY AVENUE
81	10.01	4A	295 BAY AVENUE
82	1.01	4A	297-299 BAY AVENUE
82	5.01	4C	83 HUDDY AVENUE
83	1	4A	300 BAY AVENUE
84	2.01	4A	MARINE PLACE
88	1.01	4A	311 BAY AVENUE
88	3	4A	71 WATERWITCH AVENUE
88	4.01	4A	67-69 WATERWITCH AVENUE
88	5	4A	321 BAY AVENUE
89	1	4A	310 BAY AVENUE
96	3	4A	409 BAY AVENUE
100	27	4A	326 SHORE DRIVE
100	27.06	4C	<i>SHORE LANDING APARTMENTS</i>

101	12.01	1	348 SHORE DRIVE
101	14	4A	354 SHORE DRIVE
101	27.03	4A	WILLOW STREET
101	30	4A	LOCUST ST
105.107	1.1	4A	SHADOW LAWN TRAILER PARK
			<u>440 NAVESINK AVENUE</u>
108	1.01	4A	450 STATE HIGHWAY 36, also known as 450 NAVESINK AVE.
108	2.04	4A	470 STATE HIGHWAY 36, also known as 470 NAVESINK AVE.
114	1.01	4A	301 SHORE DRIVE
114	1.02	4A	SHORE DRIVE
116	11	4A	404 NAVESINK AVE
116	13	4A	410 NAVESINK AVENUE
116	14	4A	426 NAVESINK AVENUE
120	8.04	4A	254 NAVESINK AVENUE

SECTION TWO. 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 THREE. REPEALER.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. EFFECTIVE DATE.

This ordinance shall take effect on January 1, 2019.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-26

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CAPTAIN'S COVE MARINA, BLOCK 84, LOT 2.01 IN THE BOROUGH OF HIGHLANDS, NEW JERSEY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, by way of Resolution 18-070, the Borough of Highlands designated Block 84, Lot 2.01, commonly referred to as Captains Cove Marina, as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. provides for procedures to establish a Redevelopment Plan for the municipality; and

WHEREAS, pursuant to Resolution 18-093, Heyer, Gruel & Associates were contracted to prepare the redevelopment plan for Captains Cove Marina; and

WHEREAS, the Captain's Cove Redevelopment Plan was prepared by Heyer, Gruel & Associates, and pursuant to Resolution 18-191, was referred to the Highlands Land Use Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Land Use Board issued a Consistency Report dated October 4, 2018, which recommended two revisions to the Captain's Cove Redevelopment Plan: (1) that no boat maintenance would be performed on land areas, and (2) to eliminate the prohibition of parking along the bulkhead; and

WHEREAS, the Governing Body of the Borough of Highlands has considered the Land Use Board's recommendations and agreed with the Land Use Board's first recommendation, however Highlands' Fire Marshall advised that the prohibition on parking is necessary to allow access to that side of the street by the Fire Department and other emergency responders when responding to boat fires and water rescues in the area; and

WHEREAS, the recommendation regarding boat maintenance was incorporated into a revised Captain's Cove Redevelopment Plan dated November, 2018; and

WHEREAS, the Captain's Cove Redevelopment Plan dated November, 2018 will, upon introduction of this Ordinance, be available in its entirety on the Borough's website, as well as available in the Borough Clerk's Office for public examination and/or acquisition during regular weekday working hours.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands as follows:

SECTION I.

The Captain's Cove Redevelopment Plan dated November, 2018 in its entirety is hereby adopted, and incorporated by reference herein, shall be applicable to the Captain's Cove Property identified above, as Block 84, Lot 2.01 in the Borough of Highlands, and shall supersede all provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands (the Zoning and Land Use Regulations of the Borough of Highlands) as to the Captain's Cove Property; however, in all situations where land use issues are not specifically addressed in the Captain's Cove Redevelopment Plan, then, in that case, remaining provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands to address such issues shall remain in full force and effect.

Pursuant to N.J.S.A. 40A:12A-7c, the Highlands Borough Zoning Map is hereby amended to identify the redevelopment area in the manner depicted in the Captain's Cove Redevelopment Plan.

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 immediately upon its passage and publication in accordance with law.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-27

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE SHADOW LAWN MOBILE HOME PARK, BLOCK 105.107, LOT 1.1 IN THE BOROUGH OF HIGHLANDS, NEW JERSEY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, by way of Resolution 18-069, the Borough of Highlands designated Block 105.107, Lot 1.1, commonly referred to as the Shadow Lawn Mobile Home Park, as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. provides for procedures to establish a Redevelopment Plan for the municipality; and

WHEREAS, pursuant to Resolution 18-121, CME Associates was contracted to prepare the Redevelopment Plan for the Shadow Lawn Mobile Home Park; and

WHEREAS, the Shadow Lawn Mobile Home Park Redevelopment Plan was prepared by CME Associates, and pursuant to Resolution 18-223, was referred to the Highlands Land Use Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Land Use Board issued a Consistency Report dated November 1, 2018, which recommended four revisions to the Shadow Lawn Mobile Home Park Redevelopment Plan: (1) removal of the word “affordable” with regard to statutory requirements within the Redevelopment Plan, (2) to eliminate affordable housing on the site, (3) increasing multi-family residential units’ minimum size, and (4) clarifying the Developer’s obligation to bear the cost of any Geotechnical Engineering expert retained by the Land Use Board via applicant escrow; and

WHEREAS, the Governing Body of the Borough of Highlands has considered the Land Use Board’s recommendations and agreed with the Land Use Board’s fourth recommendation, however the first two recommendations fail to account for statutory affordable housing requirements, and the third recommendation is not specific as to the size of the particular multi-family residential units; and

WHEREAS, the recommendation regarding the Developer’s obligation to bear the cost of any Geotechnical Engineering expert was incorporated into a revised Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018; and

WHEREAS, a non-substantive revision to the building coverage for multi-family dwellings or mixed-use buildings which contain residential uses, increasing the coverage from 20 percent to 50 percent, was incorporated into the revised Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018; and

WHEREAS, the Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018 will, upon introduction of this Ordinance, be available in its entirety on the Borough's website, as well as available in the Borough Clerk's Office for public examination and/or acquisition during regular weekday working hours.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands as follows:

SECTION I.

The Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018 in its entirety is hereby adopted, and incorporated by reference herein, shall be applicable to the Shadow Lawn Mobile Home Park Property identified above, as Block 105.107, Lot 1.1 in the Borough of Highlands, and shall supersede all provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands (the Zoning and Land Use Regulations of the Borough of Highlands) as to the Shadow Lawn Mobile Home Park Property; however, in all situations where land use issues are not specifically addressed in the Shadow Lawn Mobile Home Park Redevelopment Plan, then, in that case, remaining provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands to address such issues shall remain in full force and effect.

Pursuant to N.J.S.A. 40A:12A-7c, the Highlands Borough Zoning Map is hereby amended to identify the redevelopment area in the manner depicted in the Shadow Lawn Mobile Home Park Redevelopment Plan.

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 immediately upon its passage and publication in accordance with law.