

**Mayor and Council
Meeting Minutes
Community Center,
22 Snug Harbor Avenue, Highlands
Wednesday, January 18, 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

Litigation:

Tilt-Up
Captains Cove Marina

Attorney-Client Privilege:

Bay Pointe at Highlands Condominium Association
Highlands Business Partnership

Contract Negotiations:

Borough Hall - Acquisition of Property
Lifeguard Services

Personnel:

DPW Superintendent, Municipal Clerk, Purchasing Agent

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance
Roll Call

Other Business:

Joint Insurance Fund Presentation

Approval of Minutes:

November 2, 2016 – Regular Meeting
January 1, 2017 – Reorganization Meeting

Consent Agenda:

- R-17-028** - Appointing Members of the Governing Body to the Land Use Board
- R-17-031** - Appointing a Member of the Environmental Advisory Commission
- R-17-033** - Appointing Additional Members to the Green Team
- R-17-034** - Appointing Shade Tree Commissioner for the Shade Tree Commission
- R-17-035** - Auth. the Award of a Non-Fair and Open Contract for Certified Speedometer Services
- R-17-036** - Authorizing Refund of Tax Overpayment
- R-17-037** - Authorizing a "Window" Contracts
- R-17-038** - Auth. Add'l Compensation to T&M Associates for Contracted Work Related to the Master Plan and Tank Disposal in Streetscape Phase II
- R-17-039** - Authorizing Payment of Bills

Resolutions

- R-17-040** - Introducing Highlands Business Improvement District Budget for the Year 2017
- R-17-041** - Appointing Additional Members to the Shade Tree Commission (Advisory)
- R-17-042** - Appointing Additional Member to the Recreation Committee (Advisory)

**Mayor and Council
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R-17-043 - Appointing Additional Members to the Open Space Committee

R-17-044 - Appointing Mark Philpot as Public Works Superintendent

Mayoral Appointments

Finance Committee

Ordinances: Introductions - [Public Hearing/Possible Adoption – February 15, 2017]

O-17-01 - Amending Chapter 21-8 of the Borough Code Concerning the Definition of Lot Coverage

O-17-02 - \$300,000 Bond Ordinance Providing for Various 2017 Capital Improvements, by and in the Borough

Public Comments:

Adjourn:

**Mayor and Council
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7:00 p.m.**

REGULAR MEETING: 8:00PM

Call to Order
Pledge of Allegiance

ROLL CALL:

Present: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil
Absent: None
Also Present: Brian Geoghegan, Borough Administrator
Dwayne Harris, Acting Borough Clerk
Brian Chabarek, Borough Attorney
Patrick DeBlasio, CFO
Dale Leubner, Borough Engineer

Other Business:

Joint Insurance Fund Presentation – JIF presented DPW with a “Most Improved” award.

Approval of Minutes: November 2, 2016 – Regular Meeting

A motion to approve these meeting minutes was offered by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells (4)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: Mayor O'Neil (1)

This consent agenda has been properly offered and passed.

Approval of Minutes: January 1, 2017 – Reorganization Meeting

A motion to approve these meeting minutes was offered by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: (0)

This consent agenda has been properly offered and passed.

Consent Agenda:

~~R-17-028 – Appointing Members of the Governing Body to the Land Use Board~~ **TABLED**
~~R-17-031 – Appointing a Member of the Environmental Advisory Commission~~ **TABLED**

**Mayor and Council
Meeting Minutes
Community Center,
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R-17-033 - Appointing Additional Members to the Green Team

R-17-034 - Appointing Shade Tree Commissioner for the Shade Tree Commission

R-17-035 - Auth. the Award of a Non-Fair and Open Contract for Certified Speedometer Services

R-17-036 - Authorizing Refund of Tax Overpayment

R-17-037 - Authorizing a "Window" Contracts

R-17-038 - Auth. Add'l Compensation to T&M Associates for Contracted Work Related to the Master Plan and Tank Disposal in Streetscape Phase II

R-17-039 - Authorizing Payment of Bills

Mayor O'Neil opened the floor to questions on the consent agenda.

Kim Skorka of Shore Drive had questions on the Payment of Bills.

Chris Francy of 36 Fifth Street asked for an explanation of R-17-037 "Window" Contracts.

Patrick DeBlasio, CFO, explained that this resolution ensured that the contractors that worked with the borough stayed in compliance with "pay-to-play" laws. This was further explained by Brian Chabarek, Borough Attorney.

Mr. Francy asked to be updated on the Valley Street station project.

Mayor O'Neil said that project still needed to go out to bid.

Kim Skorka asked about a bond that the borough is paying interest on but has yet to use the money. She also asked about R-17-035 and what is a contract for certified speedometer.

Chief Blewett explained that how this would work for the police department.

An unidentified male asked about R-17-034 - Appointing Shade Tree Commissioner questioning who got this appointment.

Mayor O'Neil answered that it was listed as Christian Lee.

Council Member Broullon offered that R-17-031 - Appointing a Member of the Environmental Advisory Commission be **tabled** until more Citizen Leadership applications could be reviewed.

A motion to adopt this consent agenda was offered by Council Member Wells and was duly seconded by Council Member Broullon.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

This consent agenda has been properly offered and passed.

**Mayor and Council
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7:00 p.m.**

Resolutions

R-17-040 - Introducing Highlands Business Improvement District Budget for the Year 2017

A motion to introduce this resolution and set the public hearing for February 15, 2017 was offered by Council Member Wells and was duly seconded by Council Member Broullon.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

The introduction of this resolution has been properly offered and passed.

R-17-041 - Appointing Additional Members to the Shade Tree Commission (Advisory)

A motion to offer this resolution was made by Council Member Broullon and was duly seconded by Council Member Wells.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

This resolution has been properly offered and passed.

R-17-042 - Appointing Additional Member to the Recreation Committee (Advisory)

A motion to offer this resolution was made by Council Member D'Arrigo and was duly seconded by Council Member Card.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)

NAY: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

This resolution has been properly offered and passed.

R-17-043 - Appointing Additional Members to the Open Space Committee

A motion to offer this resolution was made by Council Member D'Arrigo and was duly seconded by Council Member Card.

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This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

This resolution has been properly offered and passed.

R-17-044 - Appointing Mark Philpot as Public Works Superintendent

A motion to offer this resolution was made by Council Member Card and was duly seconded by Council Member D'Arrigo.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

This resolution has been properly offered and passed.

Mayoral Appointments

Finance Committee **TABLED**

Ordinances: Introductions - [Public Hearing/Possible Adoption – March 1, 2017]

O-17-01 - Amending Chapter 21-8 of the Borough Code Concerning the Definition of Lot Coverage

A motion to introduce this ordinance was made by Council Member Wells and was duly seconded by Mayor O'Neil.

This motion was passed by the following vote:

ROLL CALL:

AYE: Ms. Broullon, Mr. Card, Ms. D'Arrigo, Mrs. Wells, Mayor O'Neil (5)
NAY: None (0)
ABSENT: None (0)
ABSTAIN: None (0)

This ordinance has been properly introduced and set for Public Hearing/Possible Adoption – March 1, 2017.

O-17-02 - \$300,000 Bond Ordinance Providing for Various 2017 Capital Improvements, by and in the Borough **TABLED**

**Mayor and Council
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Public Comments:

Mayor O'Neil opened up the floor to public comment.

Carla Cefalo of 62 Gravelly Point Road asked how much of the \$300,000 open space bond was still available. She also asked about an item on the executive session agenda.

Carol Bucco of 330 Shore Drive asked about an item on the executive session agenda. She also asked about a house on Valley Street reverting to its original use.

Chris Francy of 36 Fifth Street had suggestions regarding communication to the residents in regard to acquiring property for the new town hall. He also asked Patrick DeBlasio for an update on the sidewalk fund.

Arnie Fuog of 50 Valley Street asked about the finalization of the master plan. He also asked about the new lights on Bay Avenue.

Adjourn:

Mayor O'Neil adjourned the meeting.



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-028

RESOLUTION APPOINTING MEMBER OF THE GOVERNING BODY TO THE LAND USE BOARD

WHEREAS, a vacancy exists on the Land Use Board as to a Class III-member consisting of a member of the governing body to be appointed by it.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the following appointment be and is hereby confirmed to the Land Use Board:

Douglas Card - Borough Council Representative for a one (1) year term to expire 12/31/2017.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-031

TABLED

RESOLUTION APPOINTING A MEMBER OF THE ENVIRONMENTAL ADVISORY COMMISSION

WHEREAS, Borough Code §2-16 establishes the Environmental Advisory Commission; and

WHEREAS, a vacancy exists within the Environmental Advisory Commission; and

WHEREAS, the governing body desires to fill this position with the Environmental Advisory Commission.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Highlands that the following person shall be appointed to the Highlands Environmental Advisory Commission:

_____ Regular Member three (3) year term to expire 12/31/2019



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-033

RESOLUTION APPOINTING ADDITIONAL MEMBERS TO THE GREEN TEAM

WHEREAS, by way of Resolution R-17-014, the Borough of Highlands established a Green Team with an effective date of January 1, 2017 through December 31, 2017; and

WHEREAS, in accordance with Resolution R-17-014, certain members of the Green Team were to be determined; and

WHEREAS, the governing body of the Borough of Highlands wishes to add certain members to the Green Team consisting of the following individuals: Joe Misita will be the Public Works representative, Nancy Burton will be the Recycling representative, Rosemary Ryan will be the School Board representative and Scott Keller will be a second Resident Member; and

WHEREAS, in accordance with Resolution R-17-014 and the within Resolution, the following departments and representatives will serve on the Green Team.

Members of the team:

- | | |
|--------------------|-------------------------|
| Joe Misita | - Public Works |
| Nancy Burton | - Recycling |
| Steve Szulecki | - Environmental |
| Jen Strehl | - Recreation |
| Ken Braswell | - Land Use Board |
| Carla Braswell | - HBP Representative |
| Rosemary Ryan | - School Board |
| Brian J. Geoghegan | - Borough Administrator |
| Carolyn Broullon | - Council Liaison |
| Rick O'Neil | - Mayor |
| Linda Ziemba | - (1) Resident |
| Scott Keller | - (2) Resident |

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the above-named individuals shall serve on the Green Team for the calendar year 2017 through December 31, 2017.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-034

RESOLUTION APPOINTING SHADE TREE COMMISSIONER FOR THE SHADE TREE COMMISSION (ADVISORY)

WHEREAS, Borough Code §2-21 establishes the Shade Tree Commission (Advisory); and

WHEREAS, by way of Resolution 17-023, appointments were made to the Shade Tree Commission (Advisory), wherein three (3) individuals were appointed to serve for the calendar year 2017 consisting of: Christian Lee, Chris Francy and Arnie Fuog; and

WHEREAS, the governing body of the Borough of Highlands wishes to appoint Christian Lee as the Shade Tree Commissioner for the calendar year 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that Christian Lee is hereby appointed the Shade Tree Commissioner for the Shade Tree Commission (Advisory), which shall be for a term of one (1) year with an expiration date of December 31, 2017.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-035

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR CERTIFIED SPEEDOMETER SERVICES

WHEREAS, the Borough of Highlands has a need to acquire a *speed sign* as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, the C.F.O. and Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, CERTIFIED SPEEDOMETER 9 JAY STREET OLD TAPPAN, NJ 07675. has submitted a proposal indicating they will provide a speed sign for the \$18,250; and

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

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Highlands authorizes the CFO and Purchasing Agent to enter into a contract with CERTIFIED SPEEDOMETER. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

BE IT FURTHER RESOLVED, a notice of this action shall be printed once in an official newspaper of the Borough and that this Resolution and the contract shall be available for public inspection in the office of the Municipal Clerk.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-036

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 banks, 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:

<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>NAME</u>
86	3	2017	\$1,690.64	DAVIS, ROBERT & CYNTHIA
60	8	2017	\$1,690.64	DIGALETOS, JOHN

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



RESOLUTION 17-037

RESOLUTION AUTHORIZING A "WINDOW" CONTRACTS

Pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play Laws), the Borough must award by resolution all goods and services contracts with a dollar amount between \$17,500 and \$39,999. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Borough.

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services that fall between \$17,500 and the bid threshold of \$40,000 in the aggregate, an approval by resolution must be in place prior to contract; and

WHEREAS, the Borough of Highlands retained the services of:

- Pumping Services
- Tri-Bar
- Evoquoa Water Technologies
- Branin's Contracting; and

WHEREAS, a request for quotes for the required work to be performed was requested from several contractors; and

WHEREAS, the above mentioned vendors completed and submitted a Business Entity Disclosure Certification which certifies the business entity 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 the above said vendors from making any reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Highlands authorized the Purchasing Agent on behalf of the Borough to issue and execute a Purchase Order for the foregoing to the above vendors with funds certified available by the Chief Financial Officer in the year of 2016; and

BE IT FURTHER RESOLVED that the CFO has been authorized to arrange to pay for the foregoing in accordance with the terms of the purchase order.

BE IT FURTHER that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS	X		X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-038

AUTHORIZING ADDITIONAL COMPENSATION TO T&M ASSOCIATES FOR CONTRACTED WORK RELATED TO THE MASTER PLAN AND TANK DISPOSAL IN STREETScape PHASE II

WHEREAS, the Borough of Highlands Master Plan has required additional meeting hours by T&M Associates for the Master Plan and tank disposal as part of the Streetscape Phase II; and

WHEREAS, T&M Associates has proposed the cost to be \$5,200.00 for those additional hours; and

WHEREAS, the Borough has authorized T & M Associates to add additional hours for the Master Plan and tank disposal for the Streetscape Phase II; and

WHEREAS, the Borough CFO, Patrick DeBlasio has ascertained that funds are available in the appropriate budget account for the award of this contract, in an amount not to exceed \$5,200.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Highlands, County of Monmouth, in the State of New Jersey hereby authorizes payment to T & M Associates for the additional Master Plan work and tank disposal related to the Streetscape Phase II in the amount not to exceed \$5,200.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-039

RESOLUTION AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated January 12, 2017, which totals as follows:

Current Fund	\$816,525.26
Sewer Account	\$32,688.35
Capital Fund	\$14,322.18
Trust-Other	\$0.00
Federal/State Grants	\$1,508.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$865,043.79** 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 on file in the Municipal Clerk's office for reference.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



RESOLUTION 17-040

RESOLUTION INTRODUCING HIGHLANDS BUSINESS IMPROVEMENT DISTRICT BUDGET FOR THE YEAR 2017 AND SETTING OF A PUBLIC HEARING DATE WHEREIN THE AFORESAID BUDGET WILL BE CONSIDERED FOR FINAL ADOPTION

WHEREAS, in accordance with Chapter 17-6 of the Borough Code, the nonprofit corporation, Highlands Business Partnership, Inc., is designated as the District Management Corporation for the Business Improvement District; and

WHEREAS, Chapter 17-8 of the Borough Code sets forth that the District Management Corporation shall submit no later than December 1 of each year a detailed annual budget for the following year for approval by the Mayor and Council; and

WHEREAS, Chapter 17-8 of the Borough Code also sets forth that the aforesaid budget shall be proposed and adopted by the Borough on or before April 1st of each year in accordance with the procedures set forth in N.J.S.A. 40:56-84; and

WHEREAS, the Highlands Business Partnership has submitted its annual budget for the year 2017 for approval by the Mayor and Council, a copy of which is annexed hereto; and

WHEREAS, in accordance with the procedures set forth in N.J.S.A. 40:56-84, the governing body hereby introduces the aforesaid budget of the Highlands Business Partnership for the year 2017 and sets a public hearing date of February 1, 2017 at 8:00p.m.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Highlands that the governing body hereby introduces the annual budget for the Highlands Business Partnership which is annexed hereto, and sets a public hearing date of February 15, 2017 at 8:00p.m. wherein the aforesaid budget will be considered for final adoption.

BE IT FURTHER RESOLVED, that the Acting Borough Clerk is hereby authorized to advertise and publish the aforesaid annual budget for the Highlands Business Partnership for the year 2017 in accordance with the requirements set forth in N.J.S.A. 40:56-84.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-041

RESOLUTION APPOINTING ADDITIONAL MEMBERS TO THE SHADE TREE COMMISSION (ADVISORY)

WHEREAS, Borough Code §2-21 establishes the Shade Tree Commission (Advisory); and

WHEREAS, by way of Resolution 17-023, appointments were made to the Shade Tree Commission (Advisory), wherein three (3) individuals were appointed to serve for the calendar year 2017 consisting of: Christian Lee, Chris Francy and Arnie Fuog; and

WHEREAS, two (2) openings remain on the Shade Tree Commission (Advisory) and the governing body wishes to fill those appointments with the following individuals: Nancy Messina and Nancy Valinoti.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following additional appointments be made to the Shade Tree Commission (Advisory):

- | | |
|-------------------|--------|
| 1. Nancy Messina | Member |
| 2. Nancy Valinoti | Member |

BE IT FURTHER RESOLVED that the aforesaid additional appointments of Nancy Messina and Nancy Valinoti, to serve on the Shade Tree Commission (Advisory), shall be for a term of 1 year with an expiration date of December 31, 2017.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON	X		X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



RESOLUTION 17-042

RESOLUTION APPOINTING ADDITIONAL MEMBER TO THE RECREATION COMMITTEE (ADVISORY)

WHEREAS, Section 2-23 of the Borough of Highlands Code creates a Recreation Committee (Advisory) which states there shall be an advisory recreation committee in the Borough consisting of not less than five nor more than nine members. All appointments shall be for one year and members shall serve until their respective successors are appointed and qualified. The recreation committee shall advise the mayor and council on the recreation program; and

WHEREAS, by way of Resolution 17-032, appointments were made to the Recreation Committee, wherein seven (7) individuals were appointed to serve for the calendar year 2017 consisting of: Claudette D'Arrigo, Scott Keller, Jen Strehl, Rebecca Kane-Wells, Chris Moran, Jackie Kane and Carla Braswell; and

WHEREAS, two (2) openings remain on the Recreation Committee and the governing body wishes to fill an opening with the following individual: Greg Wells.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following additional appointment be made to the Recreation Committee:

1. Greg Wells

BE IT FURTHER RESOLVED that the aforesaid additional appointment to the Recreation Committee shall be for a term of 1 year with an expiration date of December 31, 2017.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD		X	X			
D'ARRIGO	X		X			
WELLS			X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

RESOLUTION 17-043

RESOLUTION APPOINTING ADDITIONAL MEMBERS TO THE OPEN SPACE COMMITTEE

WHEREAS, Section 2-43 of the Borough of Highlands Code establishes an Open Space Committee and sets forth that the said committee shall consist of seven (7) members comprised of a member of the Borough Council and six (6) citizens of the Borough appointed by the Mayor and Borough Council; and

WHEREAS, two (2) openings remain on the Open Space Committee and the governing body wishes to fill these openings with the following individuals: Russell Card and Greg Wells.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the following additional appointment be made to the Open Space Committee:

1. Russell Card – Member with term set to expire on December 31, 2018;
2. Greg Wells – Member with term set to expire on December 31, 2019.

BE IT FURTHER RESOLVED that the aforesaid additional appointments to the Open Space Committee shall be for the terms set forth above, wherein Russell Card is appointed with a term set to expire on December 31, 2018 and Greg Wells is appointed with a term set to expire on December 31, 2019.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD		X	X			
D'ARRIGO	X		X			
WELLS			X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
 Acting Municipal Clerk



RESOLUTION 17-044

RESOLUTION APPOINTING MARK PHILPOT AS PUBLIC WORKS SUPERINTENDENT

WHEREAS, in accordance with N.J.S.A. 40A:9-154.5 et seq. and Borough Code § 2-32.3(b), the Borough established the position of Public Works Superintendent to manage and supervise the Borough's Department of Public Works; and

WHEREAS, by way of Resolution R-16-240, the Borough accepted the resignation of Louis Bader, effective January 6, 2017, who was previously appointed to serve as the Public Works Superintendent for the Borough of Highlands; and

WHEREAS, in accordance with the aforementioned resignation, the Public Works Superintendent position is presently vacant; and

WHEREAS, the Borough has determined that Mark Philpot is the most qualified candidate to serve in the vacant position; and

WHEREAS, the Borough is desirous of hiring Mark Philpot as Public Works Superintendent and Mark Philpot has expressed his interest in serving the Borough and its residents in said role; and

WHEREAS, the Borough has reached an Agreement with Mark Philpot concerning the terms and conditions of his employment, wherein the annual salary will equate to \$75,000.00 to be paid in the same manner with which the Borough pays all of its employees and his start date is anticipated to be January 30, 2017.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands that the Borough officials are hereby authorized to enter into an Employment Agreement ("Agreement") with Mark Philpot concerning the terms and conditions of his employment and will confer with his bargaining unit insofar as the same may be necessary.

BE IT FURTHER RESOLVED by the governing body of the Borough of Highlands that Mark Philpot is hereby appointed to serve as Public Works Superintendent, effective January 30, 2017 with an annual salary of \$75,000.00 pursuant to the terms and conditions set forth in the aforesaid Employment Agreement.

BE IT FURTHER RESOLVED that the Mayor, Borough Administrator and Borough Clerk are hereby authorized to execute the Agreement governing the terms and conditions of Mark Philpot's employment as aforesaid.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD	X		X			
D'ARRIGO			X			
WELLS		X	X			
O'NEIL			X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

MAYORAL APPOINTMENTS TO THE FINANCE COMMITTEE

TABLED

These are one (1) year appointments for the Calendar Year 2017 wherein the terms will expire on December 31, 2017.

Finance Committee – Mayor	Rick O'Neil
Finance Committee – Council Liaison	Doug Card
Finance Committee – Council Liaison	Carolyn Broullon
Finance Committee – Borough Administrator	Brian Geoghegan
Finance Committee – Chief Financial Officer	Patrick DeBlasio
Finance Committee Member # 5	Mellissa Pederson
Finance Committee Member # 6	Joseph McFadden
Finance Committee Member # 7	Chris Francy
Finance Committee Member # 8	_____



ORDINANCE 17-01

AN ORDINANCE AMENDING CHAPTER 21-8 OF THE BOROUGH CODE CONCERNING THE DEFINITION OF LOT COVERAGE

WHEREAS, N.J.S.A. 40:55-D-1, et seq., authorizes local governmental units to adopt ordinances to regulate land use to promote the public health, safety, morals and general welfare; and

WHEREAS, the Borough regulates land use and zoning by and through Chapter 21 of the Borough Code; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-8 to provide for the within changes; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

SECTION I.

The following section of Chapter 21, Section 8, "Definitions", of the Borough Code shall be 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 21 that will remain unchanged are shown in normal type).

LOT, COVERAGE - That percentage of the plot or lot area covered by impervious surface, inclusive of ~~***gravel parking***~~ **and** driveway areas **containing asphalt and/or concrete surfaces**, but exclusive of ~~***gravel areas as well as***~~ terraces and decks in conformance with subsection 21-65.27.

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 after final passage as provided by law.

Public Hearing and possible adoption will be on March 01, 2017.

INTRODUCTION Ordinance 01-2017	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			

O'NEIL	X		X			
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I, Dwayne M. Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.



Dwayne M. Harris, RMC
Acting Municipal Clerk



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 17-02

TABLED

BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLANDS, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR (INCLUDING A GRANT FROM THE COUNTY OF MONMOUTH IN AN AMOUNT NOT TO EXCEED \$150,000) AND AUTHORIZING THE ISSUANCE OF \$142,857 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Highlands, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$300,000, which sum includes an amount not to exceed \$150,000 as the amount of a grant received or expected to be received from the County of Monmouth (the "Grant"), and \$7,143 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of moneys held by the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$300,000 appropriation not provided for by application hereunder of said Grant and down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$142,857 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$142,857 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued are various capital improvements, including, but not limited to, construction of restroom facilities at or near the Community Center and at Veterans Park and all associated sewer and plumbing improvements, and other general capital improvements to or the acquisition and installation of equipment or furnishings, as applicable, for Borough parks, buildings or facilities, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the Borough Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$142,857.

(c) The estimated cost of said improvement or purpose is \$300,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment and the Grant and available for said purposes.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. 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 or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, 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 said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$142,857 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

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 bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Approval of Minutes

Motion: Approve Minutes of January 18, 2017; Moved by: Councilmember Wells; seconded by: Council member Broullon.

Motion passed by unanimous consent.

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held February 01, 2017. WITNESS my hand this 8th day of February 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk

