



Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

COUNCIL REGULAR MEETING: Meeting came to order at 7:00 PM

MEETING STATEMENT: The Borough Clerk read the public meetings statement.

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2024. Items listed on the agenda are subject to change.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Cervantes, Councilmember Chelak, Councilmember Melnyk, and Mayor Broullon were present. Councilmember Olszewski was absent.

Also in attendance were Administrator Michael Muscillo, Borough Attorney Dennis Galvin, Esq., Borough Engineer Joseph Raftery, and Municipal Clerk Nancy Tran.

APPROVAL OF MINUTES

February 7, 2024 Meeting Minutes

Motion: Chelak

Second: Mayor Broullon

Ayes: Chelak, Melnyk, Mayor Broullon

Nays: None

Abstain: Cervantes

Absent: Olszewski

February 7, 2024 Executive Session Minutes

Motion: Mayor Broullon

Second: Chelak

Ayes: Chelak, Melnyk, Mayor Broullon

Nays: None

Abstain: Cervantes

Absent: Olszewski

PUBLIC HEARING ON PROPOSED ORDINANCES: Borough Clerk Tran read the following ordinance by title:

ORDINANCE O-24-02

AMENDING VARIOUS PROVISIONS REGARDING BUILDINGS AND HOUSING THROUGHOUT THE BOROUGH CODE

WHEREAS, the governing body desires to update various sections of its Buildings and Housing Code, including updating the terminology utilized for certificates, deleting unnecessary provisions consistent with current statutes and Uniform Construction Code provisions, and updating various buildings and housing fees.

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

SECTION I.

Chapter 2 (Administration), Section 21-12.3 (Building Inspector) of the Code of the Borough of Highlands is hereby deleted in its entirety.

SECTION II.

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

Chapter 15, (Electrical Code), of the Code of the Borough of Highlands is hereby deleted in its entirety.

SECTION III.

Borough Code Chapter 10 (Buildings And Housing), Section 10-2.1 (Uniform Construction Code Fees) and Section 10-2.2 (Housing Standards) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 10-2.1 Uniform Construction Code Fees.

- a. No change.
- b. No change.
- 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 subcodes shall be ~~seventy-five~~ eighty-five dollars (~~\$75~~ \$85).

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 subcode 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 subcode.~~ 10% of the cost of the original permit per outstanding subcode and not less than \$25 per open (not final) subcode. This fee may be waived at the discretion of the Construction Official.

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.

Use	Fee
Minimum building subcode fee	\$75.00 <u>85.00</u>
New construction or addition	\$. 030 <u>040</u> per cubic foot
Alterations/renovations of existing building or structure <u>Rehabilitations – R-5 Use Group</u>	\$30.00 <u>35.00</u> per thousand dollars of estimated cost of work
<u>Rehabilitations – All other Use Groups</u>	35.00 <u>40.00</u> per thousand dollars of estimated cost of work
Swimming pools (above ground)	\$75.00 <u>125.00</u>
Swimming pools (inground)	\$150.00 <u>225.00</u>
Storage sheds (greater than 100 sf)	\$75.00 <u>125.00</u>
Fence installation for pool enclosure	\$75.00 <u>100.00</u>

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

Demolition of dwelling (1- & 2-family)	\$150.00 <u>250.00</u>
Demolition of all other use groups	\$350.00
Demolition of accessory structure	\$75.00 <u>100.00</u>
Tank abandonment/removal	\$100.00 <u>125.00</u>
Tank installation	\$50.00
Radon abatement	\$75.00 <u>100.00</u> per unit
Asbestos/removal	\$100.00 <u>150.00</u>
Lead hazard abatement	\$100.00 <u>140.00</u>
Signs (No permit required for signs installed in accordance with N.J.A.C. 5:23-2.14(b)6.)	\$75.00 <u>85.00</u> each sign
Solar panel racking system	\$30.00 <u>35.00</u> 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 sf)	\$75.00 <u>125.00</u>
Retaining walls	\$30.00 <u>per thousand dollars of estimated cost of work</u>
Retaining wall - Class 3 Surface area less than 550 Sq Ft.	\$75.00
Retaining wall - Class 3 Surface area greater than 550 Sq Ft.	\$125.00
Retaining wall – All Other Classes	\$40.00 per thousand dollars of estimated cost of work
U.C.C. certificate of occupancy – R-5	\$125.00
U.C.C. certificate of occupancy – All other Use Groups	\$225.00
Extension of temporary certificate of occupancy	\$75.00 <u>125.00</u>

2. Electric Subcode Fees.

Fixture/Equipment	Fee
Minimum subcode fee	\$75.00 <u>85.00</u>
Electrical fixtures and devices: 1-50 25 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.	\$75.00 <u>\$100.00</u>
Every additional 25 or fraction of:	\$50.00
Alarm Panels (fire or security)	\$50.00
Service Panels	
100-amps or less	\$100.00
101- Up to 200 amps	\$150.00

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

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 10 kW/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 \$125.00
Inground pool shall include any "required" bonding, and associated equipment such as filter, pump, etc.	\$150.00
Area lighting, 1 to 5 standards (greater than 8 feet)	\$100.00
Area lighting, over 5 standards	\$25.00 <u>each</u>
Electric appliances, oven, dishwasher, microwave, air conditioner, heater, water heater, dryer, space furnace	\$50.00 <u>each</u>
Annual inspection for commercial swimming pools	\$125.00
Transformer/generators: [Amended 6-3-2013 by Ord. No. 2013-20001]	
1 kW up to and including 45 kW	\$150.00
Greater than 45 kW up to and including 112.5 kW	\$250.00
Greater than 122.5 kW	\$475.00
<u>Vehicle Battery Charger</u>	<u>\$100.00</u>

3. ~~Fire Protection Subcode Fees.~~

Fixture/Equipment	Fee
Minimum subcode fees	\$75.00 <u>\$85.00</u>
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
5001-10,000 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

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

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:	\$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	
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	\$150.00
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

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

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 unconventional heating devices:	
Fireplaces, stoves and other heating	\$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

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

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
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

3. Fire Protection Subcode Fees:

UCC Fire Subcode Fees.
Minimum fire subcode fee: \$85
Appliance, oil or gas (excluding furnace), R-5: \$25
Appliance, oil or gas (excluding furnace), other than R-5: \$45
Commercial cooking hood exhaust, Type I: \$200
Dry pipe valve + compressor: \$250

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

<u>Elevator smoke detector recall system: \$150.</u>
<u>Fire alarm control panel, Other than R-5: \$175.</u>
<u>Fire alarm/CO detection, notification, supervisory, or manual device, other than R-5:</u>
<u>One to 15: \$150.</u>
<u>Sixteen to 25: \$200.</u>
<u>Every 25 thereafter, or fraction thereof: \$75.</u>
<u>Fireplace venting/metal chimney: \$75.</u>
<u>Fire pump: \$300.</u>
<u>Fire sprinkler system - R-5: \$225.</u>
<u>Fire sprinkler system - other than R-5:</u>
<u>One to 10 sprinkler heads: \$150.</u>
<u>Eleven to 25 sprinkler heads: \$250.</u>
<u>Each 25 thereafter, or fraction thereof: \$75.</u>
<u>Furnaces in R-5 (oil or gas): \$50.</u>
<u>Furnaces in other than R-5 (oil or gas): \$75.</u>
<u>Gasoline station storage tank systems:</u>
<u>First tank, six pumps, assoc. piping: \$750.</u>
<u>Each addl. tank, pump, assoc. piping: \$200.</u>
<u>Individual tank, pump, assoc. piping: \$200.</u>
<u>Fuel-pump suppression system (per pump): \$75.</u>
<u>Generator (optional standby) in other than R-5 (oil or gas): \$150.</u>
<u>Generator (legally required/life safety) in other than R-5 (oil or gas): \$400.</u>
<u>Incinerators and crematories: \$500.</u>
<u>Jockey-booster pump: \$250.</u>
<u>Preengineered suppression system: \$350.</u>
<u>Photovoltaic system installed in other than R-5: \$250.</u>
<u>Smoke-carbon monoxide detector system - R-5: \$125.</u>
<u>Smoke removal system: \$300.</u>
<u>Standpipe system: \$300.</u>
<u>Storage tanks-combustible/flammable liquid:</u>
<u>One to 500 gallons: \$125.</u>
<u>Five hundred one to 1,000: \$250.</u>
<u>One thousand one to 5,000: \$350.</u>
<u>Over 5,000: \$750.</u>
<u>Suppression, detection, notification special device: \$175.</u>
<u>Tank removal or abandonment: \$125.</u>
<u>Underground fire-suppression water main: \$300.</u>

4. Plumbing Subcode Fees.

<u>Minimum plumbing subcode fee: \$85.</u>
<u>A/C unit in R-5: \$45.</u>
<u>A/C unit in other than R-5: \$85.</u>
<u>A/C-condenser/inverter split system: \$125.</u>
<u>Backflow preventer annual fee: \$85.</u>
<u>Backflow preventer (excluding boiler backflows) in R-5: \$85.</u>
<u>Backflow preventer (excluding boiler backflows) in other than R-5: \$125.</u>
<u>Chimney liners: \$85.</u>
<u>Fixture/appliance connected to plumbing/gas/oil system: \$25.</u>

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

<u>Fuel oil piping: \$85.</u>
<u>Gas piping-new (may be waived by subcode for minor gas pipe type alterations): \$85.</u>
<u>Generator: \$85.</u>
<u>Grease trap: \$85.</u>
<u>Interceptor: \$85.</u>
<u>Oil separator: \$85.</u>
<u>Refrigeration unit: \$85.</u>
<u>Roof-top HVAC unit: \$225.</u>
<u>Separators: \$85.</u>
<u>Septic system connection, alteration and abandonments: \$85.</u>
<u>Sewer connection: \$85.</u>
<u>Sewer pump: \$85.</u>
<u>Solar system: \$85.</u>
<u>Special device not otherwise listed: \$85.</u>
<u>Steam unit: \$85.</u>
<u>Swimming pool: bottom drains, atmospheric safety system, or similar devices: \$85 each.</u>
<u>Warm-air furnace: \$85.</u>
<u>Water service or well connection: \$85.</u>
<u>Water heater R-5: \$85.</u>
<u>Water conditioners: \$85.</u>
<u>Water boilers: \$85.</u>

When new gas piping is installed in conjunction with the replacement of water heaters, boilers, furnaces and similar devices, the fee for the new gas piping shall be in addition to the fee for the device installed. At the discretion of the Plumbing Subcode Official this fee may be waived in the case of minor gas-pipe-type alterations.

5. Certificate and other fees.

Certificate of occupancy based on change of use: \$175.

The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c): \$175.

Application for change of use analysis: \$350.

UCC certificate and other fees. The fee for a certificate of continued occupancy issued in response to work performed without construction permits pursuant to and described in DCA Bulletin 06-1 shall be \$125 per subcode having jurisdiction over the work performed. This fee shall be in addition to any permit fees required for work performed.

Elevator Devices. The Elevator Unit at the Department of Community Affairs performs all plan review and inspection services of elevator devices and equipment for the Borough. The fees established, effective and published by DCA for plan review, inspections, variations, etc., shall be in the amount as noted in N.J.A.C. 5:23-4 and N.J.A.C. 5:23-12 respectively. A copy of the current DCA fee schedule is available upon request and adopted herein. Annual permits. Annual permit requirements are as follows:

1. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon the number of maintenance workers who are employed by the facility, and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building/fire protection, electrical and plumbing.

2. Fees for annual permits shall be as follows:

(a) One to 25 workers (including foremen): \$667/worker; each additional

worker over 25, \$232/worker.

(b) Prior to the issuance of the annual permit, a training registration fee of \$140 per subcode and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Education Unit, along with a copy of the construction permit (Form F170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.

Hourly Charges: The fee for development-wide inspection of homes after the certificate of occupancy ordered pursuant to N.J.A.C. 5:23-2.35 or otherwise shall be:

1. The hourly charge shall be an amount equal to twice the hourly base salary paid to the licensed code official(s) performing the work, or the hourly fees charged to the municipality by a consulting professional contracted to provide such services;

2. The fees, charges, accounting procedures and limits shall be set in accordance with and subjected to N.J.A.C. 5:23-4.17(d)1 through 5:23-4.17(d)5

Section 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~~ inspection for rental with one (1) inspection: one hundred dollars (\$100).

b. Certificate of ~~occupancy~~ inspection for resale with one (1) inspection: one hundred dollars (\$100).

c. Added reinspection for certificate of ~~occupancy~~ inspection fifty dollars (\$50).

d. Housing certificates of ~~occupancy~~ inspection 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~~ inspection is issued.

Section 10-2.3 Business Certificate of ~~Occupancy~~ Inspection.

Pursuant to Section 10-14, Business Certificate of ~~Occupancy~~ Inspection, the following fees are hereby established:

a. No change.

b. No change.

SECTION IV.

Borough Code Chapter 10 (Buildings And Housing), Section 10-5 (Housing Code) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

SECTION 10-5 HOUSING CODE.

Section 10-5.1 Definitions

As used in this section:

a.-b. No change.

c. INSPECTOR – Shall mean the person designated by the borough to inspect and issue certificates of ~~occupancy~~ inspection pursuant to this section.

d. No change.

Section 10-5.2 Certificate of ~~occupancy~~ Inspection Required.

No person shall rent, lease or allow any person to live in or occupy as a tenant, any room, dwelling, apartment or the like except if the same is part of a motel or hotel unless a certificate of ~~occupancy~~ inspection is obtained from the inspector after an inspection certifying that the room, dwelling, apartment or the like is fit for human habitation and is in compliance with all applicable Federal and State laws and borough ordinances.

Notwithstanding anything to the contrary contained herein, no room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to ~~a an~~ inspection for a certificate of ~~occupancy~~ inspection ~~requirement~~ more than once every three

months, or four times in any given calendar year, except where otherwise required by State law or regulation.

A certificate of occupancy shall be required of all new construction. A certificate of inspection shall be required for any new rental situations or rental situations or sales or resales rental, or sale of a space or property. The said certificate of ~~occupancy inspection~~ shall apply only to the tenancy or space for which it is issued. ~~In the event that the rental unit has been inspected as new construction or a sale or resale of an existing structure and a certificate of occupancy issued, then a subsequent inspection for a rental certificate of occupancy and the receipt of a rental certificate of occupancy shall not be required so long as the unit is rented within 30 days of the issuance of the certificate of occupancy for new construction, sale or resale, and the owner complies with the application provisions of subsection 10-5.3. The inspector shall prepare appropriate application forms for such a certificate of occupancy, which shall be available to applicants at the office of the inspector.~~

Section 10-5.3 Application for Certificate of ~~occupancy~~ Inspection.

a. Applications for certificates of ~~occupancy inspection~~ shall be made in writing to the inspector and shall state:

1.-4. No change.

5. In the event that the premises has been damaged between the dates of October 29, 2012 and October 31, 2012, such that the premises was deemed uninhabitable by an appropriate government official, the applicant, provided the occupant(s) is the same individual(s) who occupied the premises on October 29, 2012, need not provide the names and ages of all persons who are to occupy the premises at the time the application for the certificate of ~~occupancy inspection~~ is made to the inspector. Rather, the applicant need only provide the inspector with the names and ages of all persons who are to occupy the premises within thirty (30) days after issuance of the certificate of ~~occupancy inspection~~. This paragraph shall only apply to the initial application for a certificate of occupancy made after the premises has been deemed uninhabitable; this paragraph shall not apply to any subsequent application for a certificate of occupancy.

b. If the certificate of ~~occupancy inspection~~ is issued for ~~new construction~~, sale or resale pursuant to subsection 10-5.2, there shall be an entry noted on said certificate next to the date of issuance, specifying the date when the tenants commenced occupancy.

c. No change.

Section 10-5.4 Statement of Vacated Premises.

The owner shall not more than 30 days prior nor less than ten days after a tenant vacates a room, dwelling, apartment or the like, file with the office of the inspector a statement containing the address of the premises and the number or other specific description of the place vacated.

Notwithstanding anything to the contrary contained herein, no owner of a room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to a certificate of ~~occupancy inspection~~ inspection requirement more than once every three months, or four times in any given calendar year, except where otherwise required by State law or regulation.

Section 10-5.5 Inspection Required.

No such vacated room, dwelling, apartment or the like shall be rented or occupied in whole or in part by any new tenant until an inspection has been made by the inspector to determine whether such room, dwelling, apartment or the like is in violation of any applicable Federal and State law or borough ordinance. If no violation exists, the inspector shall issue a certificate of ~~occupancy inspection~~; otherwise he shall notify the owner in writing setting forth the specific existing violations. The inspection shall be made and either a certificate of ~~occupancy~~ inspection or a notice of violation shall be issued within five days from the date of application. If the inspection is not accomplished in the five day period, the room, dwelling, apartment or the like may be occupied by the new tenant but subject to the right of the borough to inspect the room, dwelling, apartment or the like and if a violation is found, to cause the premises to be

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

vacated within ten days from the date of notice thereof.

Notwithstanding anything to the contrary contained herein, no room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to a certificate of ~~occupancy~~ inspection inspection requirement more than once every three months, or four times in any given calendar year, except where otherwise required by State law or regulation.

Section 10-5.6 Posting of Certificate of ~~occupancy~~ Inspection.

The certificate of ~~occupancy~~ inspection issued shall be posted in a conspicuous place in the room, dwelling, apartment or the like upon the issuance thereof.

Section 10-5.7 Fees.

The fees for the ~~certificate of occupancy~~ inspection and issuance of the certificate of inspection are set forth in Chapter 10, subsection 10-2.2 above.

Section 10-5.8 Penalty.

a.-b. No change.

SECTION V.

Borough Code Chapter 10 (Buildings And Housing), Section 10-14 (Business Certificate of Occupancy) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 10-14 BUSINESS CERTIFICATE OF ~~OCCUPANCY~~ INSPECTION.

Section 10-14.1 New Tenants or Owners Required to Obtain Business Certificate of ~~occupancy~~ inspection.

No premises or portion of premises of a commercial or industrial property, whether in a commercial or industrial zone or in a different zone by reason of a nonconforming use, shall be relet, rerented or sold and thereafter occupied by a new tenant or owner without the appropriate application for and issuance of a business certificate of ~~occupancy~~ inspection.

Section 10-14.2 Application; Review and Inspection; Fees; Notice of Requirement.

a. The new owner or tenant of the premises about to be newly occupied or their respective agents shall apply to the Construction Official for a business certificate of ~~occupancy~~ inspection and shall supply, as necessary information on said application, all facts relating to the nature of the new owner's or tenant's business, occupation or industry, the manufacturing or other processes involved and the nature of all materials intended to be stored on the premises, to be part of said premises or pertinent to said new business use or occupation, with the form of application to be set by the Construction Official.

b. Within 10 business days of receipt of said application, the Construction Official, or his designated representative, shall issue or deny the application after reviewing it and inspecting the building or structure with the Bureau of Fire Prevention Fire Official, Board of Health and other subcode officials as deemed necessary by the Construction Official to determine whether the premises comply with all of the provisions of this section or any other ordinance of this ~~Township~~ Borough. If the building or structure, as intended to be used, meets the requirements hereof, the Construction Official shall forthwith issue a business certificate of ~~occupancy~~ inspection. If the building or structure does not meet the requirements hereof, the Construction Official shall notify the applicant of the details in which the building or structure does not meet the requirements hereof. When such details have been perfected, the applicant shall notify the Construction Official, in writing, that the items have been corrected and reinspection shall be made with the certificate of occupancy being issued or denied within five business days of receipt of the notice of correction.

c. No change.

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

SECTION VI.

Borough Code Chapter 21 (Zoning and Land Use Regulations), Article XXIII (Fees), Section 107 (Schedule Established) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 21-107. SCHEDULE ESTABLISHED.

The following Schedule of Fees is established for the various applications for development and other matters, which are the subject of this chapter. These fees shall be nonrefundable and are for the purpose of offsetting Borough administrative, clerical and meeting costs. Applications requiring a combination of approvals, such as subdivision, site plan and/or variances shall require a fee equal to the sum of the individual fees for each element of the application. Escrow deposits for professional consultants, such as legal, planning, engineering, or other professional fees, costs and expenses, shall also be required in accordance with Section 21-108. All fees and escrow deposits required in §§ 21-107 and 21-108 shall be paid prior to the certification of a complete application.

A.-C. No change.

~~D. Floodplain Development Permit~~

~~Substantial Improvement/Damage Itemization Package~~ _____ ~~\$0~~

~~Non-Conversion Agreement in the 100 Year Floodplain~~ _____ ~~\$0~~

E.-M. No change.

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

SECTION IX. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

Mayor Broullon opened the floor to the public and explained that the fees were changed. With no further comments from the public, she closed public hearing and offered.

Motion: Mayor Broullon

Second: Chelak

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Nays: None

Abstain: None

Absent: Olszewski

Borough Clerk Tran stated motion carried to adopt this ordinance on second and final reading.

RESOLUTION:

RESOLUTION 24-066

AUTHORIZING AN AMENDMENT TO THE 2024 TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey N.J.S. 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2024.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2024 and the adoption of the Local budget for the Borough of Highlands, County of Monmouth and State of New Jersey for the Year 2024.

Department	Salaries	Other Expenses	Total
General Government:			
Mayor and Borough Council	\$ 0.00	\$ 5,150.00	\$ 5,150.00
Borough Clerk	\$ 22,500.00	\$ 11,250.00	\$ 33,750.00
Borough Administrator	\$ 45,000.00	\$ 1,393.75	\$ 46,393.75
Central Services	\$ 6,250.00	\$ 7,500.00	\$ 13,750.00
Financial Administration	\$ 39,500.00	\$ 4,500.00	\$ 44,500.00
Grants Writer	\$ 0.00	\$ 25,000.00	\$ 25,000.00
Audit	\$ 0.00	\$ 13,750.00	\$ 13,750.00
Assessment of Taxes	\$ 13,750.00	\$ 11,125.00	\$ 24,875.00
Collection of Taxes	\$ 27,500.00	\$ 3,000.00	\$ 30,500.00
Legal Services	\$ 0.00	\$ 76,250.00	\$ 76,250.00
Municipal Prosecutor	\$ 0.00	\$ 5,000.00	\$ 5,000.00
Engineering Services	\$ 0.00	\$ 72,500.00	\$ 72,500.00
Public Buildings & Grounds	\$ 12,500.00	\$ 25,000.00	\$ 37,500.00
Municipal Land Use Law	\$ 3,000.00	\$ 14,637.50	\$ 17,637.50
Master Plan	\$ 0.00	\$ 1,250.00	\$ 1,250.00
Shade Tree Commission	\$ 0.00	\$ 250.00	\$ 250.00
Environmental Commission	\$ 0.00	\$ 125.00	\$ 125.00
Insurance:			
Group Insurance	\$ 0.00	\$ 300,000.00	\$ 300,000.00
Group Insurance Stipend	\$ 12,500.00	0.00	\$ 12,500.00
General Liability	\$ 0.00	\$ 100,000.00	\$ 100,000.00
Workers' Compensation	\$ 0.00	\$ 100,000.00	\$ 100,000.00
Flood Insurance	\$ 0.00	\$ 10,000.00	\$ 10,000.00
Unemployment	\$ 0.00	\$ 0.00	\$ 0.00
Public Safety:			
Fire	\$ 0.00	\$ 27,700.00	\$ 27,700.00
Police	\$ 500,000.00	\$ 41,375.00	\$ 541,375.00
Dispatch	\$ 0.00	\$ 0.00	\$ 0.00
First Aid	\$ 0.00	\$ 8,875.00	\$ 8,875.00
911 Telecommunications	\$ 0.00	\$.00	\$ 0.00
Emergency Management	\$ 1,500.00	\$ 8,600.00	\$ 10,100.00
School Crossing Guards	\$ 11,250.00	\$ 1,000.00	\$ 12,250.00
Municipal Court	\$ 50,000.00	\$ 5,000.00	\$ 55,000.00
Public Defender	\$ 5,000.00	\$ 0.00	\$ 5,000.00
Streets and Roads:			
Road Repair & Maintenance	\$ 115,000.00	\$ 23,750.00	\$ 138,750.00
Snow Removal	\$ 5,000.00	\$ 10,000.00	\$ 15,000.00
Health and Welfare:			
Regional Health Commission	\$ 0.00	\$ 0.00	\$ 0.00
Dog Control	\$ 0.00	\$ 5,500.00	\$ 5,500.00
Substance Abuse Program	\$ 0.00	\$ 750.00	\$ 750.00
P.E.O.S.H.A.	\$ 0.00	\$ 1,000.00	\$ 1,000.00
Recreation and Education:			

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

Beachfront Maintenance	\$ 1,500.00	\$ 2,625.00	\$ 4,125.00
Parks & Playgrounds	\$ 0.00	\$ 3,000.00	\$ 3,000.00
Public Events	\$ 0.00	\$ 2,000.00	\$ 2,000.00
Community Center	\$ 43,750.00	\$ 10,000.00	\$ 53,750.00
Zoning		\$ 5,000.00	\$ 5,000.00
Uniform Fire Safety Act	\$ 12,000.00	\$ 1,840.00	\$ 13,840.00
Code Enforcement Officer	\$ 31,250.00	\$ 2,750.00	\$ 34,000.00
Code – Substandard Housing	\$ 0.00	\$ 6,250.00	\$ 6,250.00
Sanitation	\$ 3,750.00	\$ 11,000.00	\$ 14,750.00
Sanitation- Contractual Service	\$ 0.00	\$ 106,250.00	\$ 106,250.00
Monmouth Cty Reclamation Svc	\$ 0.00	\$ 53,750.00	\$ 53,750.00
Mechanical Garage	\$ 0.00	\$ 4,875.00	\$ 4,875.00
Condominium Services	\$ 0.00	\$ 10,625.00	\$ 10,625.00
Construction Code Official	\$ 50,000.00	\$ 5,000.00	\$ 55,000.00
Accumulated Leave	\$ 8,750.00	\$ 0.00	\$ 8,750.00
Utilities:			
Electricity	\$ 0.00	\$ 17,500.00	\$ 17,500.00
Street Lighting	\$ 0.00	\$ 15,000.00	\$ 15,000.00
Telephone	\$ 0.00	\$ 13,000.00	\$ 13,000.00
Water	\$ 0.00	\$ 4,750.00	\$ 4,750.00
Gasoline-Fuel	\$ 0.00	\$ 25,000.00	\$ 25,000.00
Natural Gas	\$ 0.00	\$ 4,375.00	\$ 4,375.00
Telecommunications	\$ 0.00	\$ 11,250.00	\$ 11,250.00
Fire Hydrants	\$ 0.00	\$ 19,000.00	\$ 19,000.00
Deferred Charges:			
PERS	\$ 0.00	\$ 142,014.00	\$ 142,014.00
Social Security System	\$ 0.00	\$ 41,250.00	\$ 41,250.00
PFRS	\$ 0.00	\$ 395,567.75	\$ 395,567.75
DCRP	\$ 0.00	\$ 250.00	\$ 250.00
Contingent	\$ 0.00	\$ 2,500.00	\$ 2,500.00
TOTAL INSIDE "CAP"	\$ 1,021,250.00	\$ 1,837,653.00	\$ 2,858,903.00
"OUTSIDE CAPS"			
Matching Funds for Grants		\$ 3,750.00	\$ 3,750.00
LOSAP	\$ 0.00	\$ 18,750.00	\$ 18,750.00
Recycling Tax	\$ 0.00	\$ 500.00	\$ 500.00
Stormwater Management	\$ 0.00	\$ 14,375.00	\$ 14,375.00
Interlocal:			
EMS/JFK Medical Services		\$ 45,000.00	\$ 45,000.00
Atlantic Highlands: Garage	\$ 0.00	\$ 15,000.00	\$ 15,000.00
Atlantic Highlands Mun. Court	\$ 0.00	\$ 0.00	\$ 0.00
UCC Construction	\$ 0.00	\$ 0.00	\$ 0.00
Sea Bright Lifeguards	\$ 0.00	\$ 15,500.00	\$ 15,500.00
Monmouth County 911 Dispatch	\$ 0.00	\$ 25,000.00	\$ 25,000.00
Grants:			
Alliance Grant	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL OUTSIDE "CAP"	\$ 0.00	\$ 137,875.00	\$ 137,875.00
SUB TOTAL APPROPRIATIONS	\$ 1,021,250.00	\$ 1,975,528.00	\$ 2,996,778.00

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

Statutory Additions:			
Capital Improvement Fund		\$ 50,000.00	\$ 50,000.00
TOTAL	\$ 1,021,250.00	\$ 2,025,528.00	\$ 3,046,778.00
SEWER UTILITY:			
	Salaries	Other Expenses	Total
Sewer Operating	\$ 31,250.00	\$ 267,500.00	\$ 298,750.00
Group Insurance		\$ 7,500.00	\$ 7,500.00
Workers Compensation		\$ 5,500.00	\$ 5,500.00
Insurance Other		\$ 5,000.00	\$ 5,000.00
PERS		\$ 1,578.13	\$ 1,578.13
Social Security System		\$ 2,250.00	\$ 2,250.00
Sub Total	\$ 31,250.00	\$ 289,328.13	\$ 320,578.13
Statutory Additions:			
Payment of Bond Principal		\$ 0.00	\$ 0.00
Interest on Bonds		\$ 0.00	\$ 0.00
Principal/Interest on Notes/Loans		\$ 0.00	\$ 0.00
Total Statutory Additions	\$ 0.00	\$ 0.00	\$ 0.00
Total Sewer Utility Budget	\$ 31,250.00	\$ 289,328.13	\$ 320,578.13

Motion:
Second: Chelak
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

CONSENT AGENDA: Borough Clerk Tran read the following resolutions by title. Prior to voting Mayor Broullon explained R 24-067, R 24-068, and R 24-069. Councilmember Melnyk asked for clarification on R 24-068, R 24-070, and R 24-071 and Mayor Broullon answered. consent vote is as noted:

RESOLUTION 24-067

AUTHORIZING THE EXECUTION OF A RIGHT OF WAY AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF THE ARMY

WHEREAS, the Department of the Army of the United States of America (hereinafter the "Government") wishes to enter a Right of Entry Agreement with the Borough of Highlands, for access to property located at Block 39, Lots 1.01, 1.02, and 5.01, and Block 40.01, Lot 22.01; and

WHEREAS, the Government has requested permission to access the properties for the ability to survey, make test borings and carry out any other necessary work to complete investigations being made of such lands by the Government; and

WHEREAS, it is necessary for the Government and the Property Owners to enter into a Right of Entry Agreement setting forth the terms and conditions for access and ensuring restoration of the property to its original condition upon completion of the term.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highlands that the Mayor is hereby authorized to execute a Right of Entry Agreement with the Government in a form to be reviewed and approved by the Borough Attorney.

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

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

Motion: Mayor Broullon
Second: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

**RESOLUTION 24-068
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL
PLANNING SERVICES IN CONNECTION WITH THE CENTRAL BUSINESS DISTRICT
REDEVELOPMENT PLAN**

WHEREAS, the Borough of Highlands has a need for professional planning services in connection with the Central Business District Redevelopment Plan pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, Heyer, Gruel & Associates, Community Planning Consultants, has set forth its proposed services in a written proposal dated February 15, 2024, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the scope of work for the professional planning services consists of a revision to the Central Business District Redevelopment Plan to simplify the plan and make it more user friendly; and

WHEREAS, the Borough requires professional planning services in connection with the aforesaid project; and

WHEREAS, such professional planning services can only be provided by licensed professionals and the firm of Heyer, Gruel & Associates, 236 Broad Street, Red Bank, New Jersey 07701 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Heyer, Gruel & Associates for professional planning services in connection with revisions to the Central Business District Redevelopment Plan; and

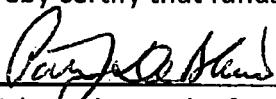
WHEREAS, this contract is to be awarded for an amount not to exceed \$5,000.00, billed at an hourly rate, as stated in Heyer, Gruel & Associates' proposal dated February 15, 2024; and

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

WHEREAS, Heyer, Gruel & Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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

I hereby certify that funds are available as follows: Acct# 4-01-21-180-000-212



Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

respect to contracts for professional services awarded without competitive bids must be publicly advertised.

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

1. Heyer, Gruel & Associates is hereby retained to provide professional planning services in connection with revisions to the Central Business District Redevelopment Plan as outlined above for an amount not to exceed \$5,000.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Nays: None

Abstain: None

Absent: Olszewski

**RESOLUTION 24-069
APPROVING CHANGE ORDER NO. 1 FOR
IMPROVEMENTS TO VETERANS MEMORIAL PARK PROJECT**

WHEREAS, by way of Resolution 23-187 duly adopted on September 6, 2023, Thor Construction was awarded a contract for the Improvements to Veterans Memorial Park Project; and

WHEREAS, in accordance with the aforesaid contract award, the amount of the contract that was awarded to Thor Construction was in the amount not to exceed \$257,039.00; and

WHEREAS, by letter dated February 2, 2024, CME Associates advised that a Change Order is necessary due to additional work which is outside the original project scope, as requested by the Borough; and

WHEREAS, the scope of work for Change Order No. 1 reflects no change in the contract amount, and is for installation of a new water fountain at Huddy Park, and

WHEREAS, the supplemental work is offset by the Borough furnishing the fountain at Veterans Memorial Park as well as utilizing a portion of the allowance item; and

WHEREAS, in accordance with the aforesaid letter issued by the Project Engineer, the supplementary work could not reasonably have been effectuated by a separately bid contract without unduly disrupting the work or without imposing adverse cost consequences to the Borough; and

WHEREAS, in accordance with the aforesaid letter, the Project Engineer recommended that the Borough approve Change Order No. 1 in order to allow for the Improvements to Veterans Memorial Park to be completed; and

WHEREAS, the adjusted contract total after Change Order No. 1 would equate to the original contract total of \$257,039.00.

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Change Order No. 1 be and is hereby approved, wherein the adjusted contract total will equate to \$257,039.00

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

Motion: Mayor Broullon
Second: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

RESOLUTION 24-070
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE
2024 NJDCA LOCAL RECREATION IMPROVEMENT GRANT

WHEREAS, the Borough of Highlands has a need for professional engineering services to assist with the preparation and submission of a 2024 NJDCA Local Recreation Improvement Grant through the NJDCA SAGE system pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the proposed project for funding is for improvements at Frank Hall Park; and

WHEREAS, Colliers Engineering & Design, Inc. has set forth its proposed services in a written proposal dated February 2, 2024, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the scope of work for the project includes SAGE account update and completion of forms; draft statement letters for Mayor/Governing Body; narratives including agency capacity, project description, project narrative, statement of need, objectives, scope of services; project schedule and work plan; certification sheets; draft governing body resolution; project budget and proof of ownership; and

WHEREAS, the Borough requires professional engineering services to assist with the preparation and submission of the aforesaid Grant; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, Inc., 101 Crawfords Corner Road, Suite 3400, Holmdel, New Jersey 07733 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Colliers Engineering & Design, Inc. for professional services in connection with the 2024 NJDCA Local Recreation Improvement Grant; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$5,700.00 as stated in Colliers Engineering & Design, Inc.'s proposal dated February 2, 2024; and

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Colliers Engineering & Design, Inc. 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 Colliers Engineering & Design, Inc. from making any reportable contributions through the term of the contract; and

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

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

I hereby certify that funds are available as follows: Acct# 4-01-20-165-000-244



Patrick DeBlasio, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

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

1. Colliers Engineering & Design, Inc. is hereby retained to provide professional engineering services in connection with the 2024 NJDCA Local Recreation Improvement Grant as outlined above for an amount not to exceed \$5,700.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Nays: None

Abstain: None

Absent: Olszewski

RESOLUTION 24-071

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE
IMPROVEMENT OF FRANK HALL PARK**

WHEREAS, the Borough of Highlands desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000 to carry out a project to construct improvements for the Frank Hall Park, including the installation of a wooden fences, bocce court, wooden bench, planting beds, a new connection to the existing path, outdoor fitness equipment, and a game table area.

NOW THEREFORE BE IT RESOLVED,

1. That the Borough of Highlands does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Highlands and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Motion: Mayor Broullon
Second: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

**RESOLUTION 24-072
AMENDING RESOLUTION 24-054 ENTITLED APPROVING REQUEST FOR WAIVER OF ALCOHOL
BAN FOR COMMUNITY CENTER RENTAL**

WHEREAS, Resolution 24-054, duly adopted January 17, 2024, approved the request for a waiver of the alcohol ban for the rental of the Community Center for the Highlands Elementary School PTO to host a Sip and Paint fundraising event; and

WHEREAS, the Borough of Highlands was later advised that the event is being rescheduled from its original date to now take place on April 27, 2024.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 24-054 be and is hereby amended to reflect that the HES Sip and Paint event will take place on April 27, 2024 and that the request for a waiver of the alcohol prohibition is approved on the new date with the conditions set forth in Resolution 24-054.

Motion: Mayor Broullon
Second: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

**RESOLUTION 24-073
APPROVING FIRST AID SQUAD APPLICATION**

WHEREAS, the following individual has submitted a Membership Application to be a Member to the Highlands First Aid Squad:

Christopher Gance

WHEREAS, Warren "Jay" Terwilliger, Chief of the First Aid Squad, has approved the aforesaid Membership Application;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands that the First Aid Squad Membership Application of the above listed individual is hereby approved.

Motion: Mayor Broullon
Second: Melnyk
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
Nays: None
Abstain: None
Absent: Olszewski

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

**RESOLUTION 24-074
CERTIFYING AND APPROVING 2023 LOSAP CONTRIBUTIONS**

WHEREAS, the Length of Service Award Program (LOSAP) has been implemented in accordance with Chapter 388 of the Laws of 1997 (*N.J.S.A 40A: 14-183 et seq.*), to reward members of the Highlands First Aid Squad for their loyal, diligent and devoted services to the residents of the Borough of Highlands; and,

WHEREAS, LOSAP shall provide for annual contributions, by the Borough of Highlands, to a deferred income account, for each eligible member that meets the criteria as outlined in Ordinance 04-09; and,

WHEREAS, the following First Aid and Fire Department members have met all criteria required to receive a LOSAP contribution in the amount set opposite their name.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the LOSAP annual contributions, from the Borough of Highlands, to a deferred income account for each volunteer member listed below, having met the criteria, be made in accordance with the plan established by the Borough of Highlands pursuant to P.L. 1997, c. 388.

BE IT FURTHER RESOLVED that a certified copy of this resolution be returned to each emergency service organization, where it shall be posted for no less than 30-days, as well as in the office of the Municipal Clerk.

Department	Name	Points	Amount
First Aid Squad	Larry Chesal	178.5	1,150.00
	Neriko Doerr	129.5	1,150.00
	Bill Mount	194.5	1,150.00
	Marci Mount	127.5	1,150.00
	Rosemary Ryan	191.5	1,150.00
	Warren Terwilliger	229.5	1,150.00
	Nancy Tran	137	1,150.00
	Cody Valkos	141.5	1,150.00
	Nicole Ziegler	156	1,150.00
	TOTAL First Aid Squad		
Fire Department	Michael Armstrong	107	1,150.00
	Mark Bedford	106	1,150.00
	Cooper Bertoldo	149	1,150.00
	Joseph Blewett Sr.	178	1,150.00
	Gary Branin, Sr.	108	1,150.00
	Joseph B. Branin	145	1,150.00
	Department	Name	Points
	Joseph M. Branin	153	1,150.00
	Kevin Branin	100	1,150.00
	Brian Burton	144	1,150.00
	William Caizza	432	1,150.00
	Christopher Creighton	181	1,150.00
	Richard Diebold	116	1,150.00
	Edward Edelbach	180	1,150.00
	Wallace Hartsgrove	131	1,150.00
	Martin Hawley Sr.	276	1,150.00
	Martin Hawley Jr.	100	1,150.00
	Matthew Kane	225	1,150.00
	Rebecca Kane Wells	231	1,150.00

**Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes**

	William Kane	448	1,150.00
	Peter Lynch	210	1,150.00
	Patrick Mason	107	1,150.00
	Matthew Mezey	228	1,150.00
	Stephanie Mezey	105	1,150.00
	Paul Murphy	268	1,150.00
	Kevin O'Donnell Sr.	156	1,150.00
	Wayne Occhipinto	124	1,150.00
	David Parker	167	1,150.00
	Charles Roemmele	192	1,150.00
	Thomas Snow	394	1,150.00
	Andrew Soyka	222	1,150.00
	Dennis Soyka	157	1,150.00
	Derek Stahl	189	1,150.00
	Edward Sulkowski	154	1,150.00
	Rudolph Trivett Jr.	230	1,150.00
	Rudolph Trivett Sr.	350	1,150.00
	Eugene Ventimiglia	121	1,150.00
	Charles Wells	254	1,150.00
	David Wyss	109	1,150.00
Total Fire Department			\$43,700.00

Motion: Mayor Broullon
 Second: Melnyk
 Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
 Nays: None
 Abstain: None
 Absent: Olszewski

**RESOLUTION 24-075
AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated February 21, 2024, which totals as follows:

Current Fund	\$ 1,158,988.90
Sewer Account	\$ 71,165.27
Capital Fund	\$ 15,543.64
Trust-Other	\$ 3,382.50
Federal/State Grants	\$ -0-
Total	\$ 1,249,080.31

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 1,249,080.31 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.

Motion: Mayor Broullon
 Second: Melnyk
 Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon
 Nays: None
 Abstain: None
 Absent: Olszewski

REPORTS:

Mayor Broullon shared that the grammar school has a raffle event on March 7th.

Highlands Borough Mayor & Council Meeting Minutes
Municipal Building, 151 Navesink Avenue, Highlands
February 21, 2024 – Meeting Minutes

With no further reports, Mayor Broullon opened public portion.

PUBLIC PORTION:

Joseph Dorin, Valley Ave., expressed his ongoing concern regarding his neighbor's project and protracted development application at 14-32 Peak Street. Mr. Dorin advised that soil water and debris is running off onto his lot and that no steps have been taken to secure the site. Mayor Broullon gave an update on their Land Use Board application. Mr. Galvin asked if Mr. Dorin had filed a complaint with Freehold Soil. Mr. Galvin and Mr. Raftery discussed the soil erosion conditions. Mr. Galvin gave options for the Borough and the Governing Body directed the Borough Attorney to explore such options and take all steps necessary to bring 14-32 Peak Street into compliance with the Borough Code.

With no further comments from the public, Mayor Broullon closed the Public Portion.

EXECUTIVE SESSION: Clerk Tran read the following:

Executive Session will be held following the Regular Council Meeting. Prior to each Executive Session, the Borough Council will convene in open session at which time a resolution will be adopted in accordance with N.J.S.A. 10:4-13. No formal action will be taken during Executive Session.

RESOLUTION TO ENTER EXECUTIVE SESSION

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

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

- Potential Litigation
- PBA Contract

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

Motion: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Nays: None

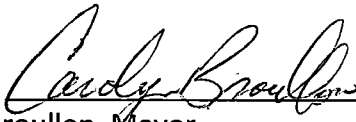
Abstain: None

Absent: Olszewski

Council entered into Executive Session at 7:27pm and exited at 8:26pm. Councilmember Melnyk left Executive Session at 8:25pm.

ADJOURNMENT:

Offered by Mayor Broullon and seconded by Councilmember Chelak. All in Favor. None opposed. Meeting adjourned at 8:27pm.

Approve: 
Carolyn Broullon, Mayor

Attest: 
Nancy Tran, Borough Clerk

