



**BOROUGH OF HIGHLANDS
COUNCIL REGULAR MEETING
151 Navesink Ave., Highlands, NJ 07732
Wednesday, August 21, 2024 at 7:00 PM**

AGENDA

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

Council President Olszewski | Mayor Broullon

OATH OF OFFICE

1. Joseph DeCrescenzo - Shade Tree Commission Member & Tree Commissioner

APPROVAL OF MINUTES

2. July 17, 2024 Meeting Minutes
3. July 17, 2024 Executive Session Minutes

INTRODUCTION OF PROPOSED ORDINANCES

4. O-24-14 Amending Chapter 11 (Uniform Fire Code), Section 11-4 (Organization), Section 11-7 (Non-Life-Hazard Uses), Section 11-8 (Smoke Detector Inspection Fees), Section 11-9 (Permit Fee)
5. O-24-15 Adopting the Amended Central Business District Redevelopment Plan Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

RESOLUTIONS

6. R 24-147 Amending Resolution 24-119 Entitled Approving Renewal of Liquor Licenses for the 2024-2025 Term as Pertains to Liquor License No. 1317-33-024-017

CONSENT AGENDA

7. R 24-148 Community Development Block Grant Resolution Authorizing the Mayor and Clerk to Execute a Project Agreement with Monmouth County for Performance and Delivery of Fiscal Year 2024 Community Development Projects

- [8.](#) R 24-149 Community Development Block Grant Resolution Authorizing the Mayor to Sign a Certification Prohibiting the Use of Excessive Force and a Certification Prohibiting the Use of Federal Funds for Lobbying
- [9.](#) R 24-150 Accepting Bid for the Sale of Block 101, Lot 3.02 in the Borough of Highlands, County of Monmouth, State of New Jersey
- [10.](#) R 24-151 Approving Change Order No. 5 for Phase I Sanitary Sewer Improvements Project
- [11.](#) R 24-152 Appointing a Shade Tree Commission Member and Appointing Tree Commissioner
- [12.](#) R 24-153 Authorizing an Extension to Pay Taxes to September 6, 2024
- [13.](#) R 24-154 Authorizing Payment of Bills
- [14.](#) R 24-155 Authorizing the Award of a Non-Fair and Open Contract for Professional Engineering Design Services for the Washington Avenue Improvements Project
- [15.](#) R 24-156 Authorizing the Award of a Non-Fair and Open Contract for Professional Services in Connection with a USDOT Reconnecting Communities Grant Application
- [16.](#) R 24-157 Approving Closeout Change Order and Declaring Acceptance of Contract for Drainage Repairs Project at 88-6 Portland Road
- [17.](#) R 24-158 Cancel Tax Overpayments

OTHER BUSINESS

18. Home and Land Development Corp. Request for Easement

REPORTS

19. Mayor's Report
20. Borough Administrator's Report

PUBLIC PORTION

Individuals wishing to address the Council shall be recognized by the presiding officer and shall give their name, address, and the group, if any, they represent. Although the Council encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. If any individual refuses to conduct themselves in a proper manner, they will be removed from the meeting. The Council will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or discipline of any specific or prospective or current employee. There is a 3-minute time limit for your comments.

EXECUTIVE SESSION

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:

21. Litigation

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.

ADJOURNMENT

If you have any questions regarding this agenda, please contact the Borough Clerk at (732) 872-1224 ext. 201 or email clerk@highlandsborough.org.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-24-14

AMENDING CHAPTER 11 (UNIFORM FIRE CODE), SECTION 11-4 (ORGANIZATION), SECTION 11-7 (NON-LIFE-HAZARD USES), SECTION 11-8 (SMOKE DETECTOR INSPECTION FEES), SECTION 11-9 (PERMIT FEE)

WHEREAS, the governing body desires to amend Chapter 11 (Uniform Fire Code), Section 11-4 (Organization), Section 11-7 (Non-Life-Hazard Uses), Section 11-8 (Smoke Detector Inspection Fees) and Section 11-9 (Permit Fee).

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

SECTION I.

Borough Code Chapter 11 (Uniform Fire Code), Section 11-4 (Organization), Section 11-7 (Non-Life-Hazard Uses), Section 11-8 (Smoke Detector Inspection Fees), Section 11-9 (Permit Fee) shall be amended as follows (additions are shown in **bold with underlines**, deletions are shown as **strikeovers**).

Section 11-4. ORGANIZATION.

- a. The Bureau of Fire Prevention established by Section 11-2 of this chapter shall be under the direct supervision and control of a fire official who shall report to the ~~Chief of the Fire Department~~ **Administrator of the Department of Buildings & Housing**.
- b. No change.

Section 11-7. NON-LIFE-HAZARD USES.

In addition to the registrations required by the Uniform Fire Code, the following ~~non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and pay an annual fee. (The following is a recommended fee schedule for non-life hazard uses in the local enforcing agency's jurisdiction, and shall be included in Subchapter 2 of the Uniform Fire Code, amended by local ordinance; the fee schedule amount for each non-life hazard use may be amended to fit the needs of the local enforcing agency. The fee is not to be used for life hazard uses as defined in the Uniform Fire Code.)~~ **annual inspections and fees shall be required:**

a.	Assembly:		
	A-1	Eating establishment under 50	\$45
	A-2	Takeout food service (no seating)	\$45
	A-3	Church or synagogue	\$45
	A-4	Recreation centers, multipurpose rooms, etc., fewer than 100	\$65
	A-5	Court rooms, libraries, fraternal organizations, condominium centers fewer than 100	\$65
	A-6	Senior citizen centers fewer than 200	\$65
b.	Business/Professional:		
	B-1	Professional use 1 & 2 story less than 5,000 square feet per floor	\$45
	B-2	1 & 2 story more than 5,000 square feet less than 10,000 square feet per floor	\$65
	B-3	1 & 2 story more than 10,000 square feet	\$90
	B-4	3 to 5 story less than 5,000 square feet per floor	\$130

	B-5	3 to 5 story more than 5,000 square feet less than 10,000 square feet per floor	\$195
	B-6	3 to 5 story over 10,000 square feet per floor	\$260
e.	Retail (Mercantile).		
	M-1	1 & 2 story less than 5,000 square feet per floor	\$160
	M-2	1 & 2 story more than 5,000 square feet less than 10,000 square feet per floor	\$195
	M-3	1 & 2 story more than 10,000 square feet per floor	\$225
	M-4	3 to 5 story less than 5,000 square feet per floor	\$260
	M-5	3 to 5 story more than 5,000 square feet less than 10,000 square feet	\$290
	M-6	3 to 5 story over 10,000 square feet	\$325
	M	With the exception of hardware store 3,000 square feet, retail store over 12,000 square feet are life hazard uses.	
d.	Manufacturing (Factory).		
	F-1	1 & 2 story less than 5,000 square feet per floor	\$90
	F-2	1 & 2 story more than 5,000 square feet less than 10,000 square feet per floor	\$130
	F-3	1 & 2 story more than 10,000 square feet	\$195
	F-4	3 to 5 story less than 5,000 square feet per floor	\$225
	F-5	3 to 5 story more than 5,000 square feet less than 10,000 square feet	\$260
	F-6	3 to 5 story over 10,000 square feet	\$325
	F	Exception life hazard uses.	
e.	Storage S-1 (moderate hazard S-1, low hazard S-2).		
	-	1 & 2 story less than 5,000 square feet per floor	\$65
	S-2	1 & 2 story more than 5,000 square feet less than 10,000 square feet per floor	\$130
	S-3	1 & 2 story more than 10,000 square feet	\$195
	S-4	3 to 5 story less than 5,000 square feet per floor	\$225
	S-5	3 to 5 story more than 5,000 square feet less than 10,000 square feet	\$260
	S-6	3 to 5 story over 10,000 square feet	\$325
	S	Exception life hazard uses.	

f.	Residential (LEA listed with multifamily BHI) and common areas in multifamily dwellings. Fee is for each building.	
	R-1	1 to 6 units
	R-2	7 to 12 units
	R-3	13 to 20 units
	R-4	21 to 50 units
	R-5	For each additional unit

a. All businesses, whether within a structure or on open land, including service businesses and apartment house multiple dwellings, shall be inspected annually. The annual inspection fee shall be as follows, with measurements based on the floor area, gross:

- 1. Under 500 square feet: \$80.**
- 2. 501 to 1,000 square feet: \$90.**
- 3. 1,001 to 2,499 square feet: \$100.**
- 4. 2,500 to 3,499 square feet: \$160.**
- 5. 3,500 to 4,999 square feet: \$190.**
- 6. 5,000 to 6,499 square feet: \$200.**
- 7. 6,500 to 7,499 square feet: \$220.**
- 8. 7,500 to 8,499 square feet: \$240.**
- 9. 8,500 to 9,999 square feet: \$260.**
- 10. 10,000 and above: \$260 plus \$30 for each additional 1,000 square feet, floor area, gross.**

b. Commercial photovoltaic sites: \$250.

c. Boat yards, excluding buildings: \$250.

d. An owner of a commercial multiple-occupancy building or complex, which requires a common area inspection or site inspection of common parking, fire suppression or fire detection systems, shall be registered as a landlord and shall pay an annual fee of \$200 for the largest building and \$100 for each additional building on the premises.

e. All fees shall be paid within 30 days of the billing date.

Section 11-8. SMOKE DETECTOR INSPECTION FEES.

CSDC-1	More than 10 business days with a scheduled appointment	\$45
CSDC-2	4 to 9 business days with a scheduled appointment	\$90
CSDC-3	Less than 4 business days with a scheduled appointment	\$125 <u>161</u>
CSDC-4	If a scheduled appointment is not met by the owner/appointee and/ or there is a failure to have properly installed or have operating smoke detectors in accordance with the Uniform Fire Code, a fee will be added for each reinspection	\$25 <u>45</u>

Section 11-9. PERMIT FEE.

a. No change.

PF-1	TYPE-1	\$45 54
PF-2	TYPE-2	\$214
PF-3	TYPE-3	\$427
PF-4	TYPE-4	\$641

b. No change.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

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

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

First Reading and Set Hearing Date for O-24-14:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands

Public Hearing for O-24-14:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: September 4, 2024

Carolyn Broullon, Mayor

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-24-15

**ADOPTING THE AMENDED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A.
40A:12A-1 et seq.**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on June 2, 2021, by Resolution No. 21-126, and in accordance with the provisions of the Redevelopment Law, the Municipal Council (the “**Borough Council**”) of the Borough of Highlands (the “**Borough**”) authorized and directed the Land Use Board of the Borough (the “**Land Use Board**”) to conduct a preliminary investigation to determine whether all or a portion of certain properties within the Borough, commonly referred to as the Central Business District/Bay Avenue Corridor and identified by block and lot on the tax map of the Borough listed therein (the “**Study Area**”), meet the criteria in the Redevelopment Law for designation as a non-condemnation redevelopment area, within which the Borough may use all of the powers provided by the Redevelopment Law for use in a redevelopment area except the power of eminent domain, and to make a recommendation as to whether all or a portion of such Study Area should be designated as a non-condemnation redevelopment area; and

WHEREAS, the Land Use Board subsequently directed Phillips Preiss Grygiel Leheny Hughes LLC (the “**PPG**”), the planning consultant, to conduct a preliminary investigation to determine whether all or a portion of the Study Area should be designated as a non-condemnation redevelopment area; and

WHEREAS, on July 8, 2021, the Land Use Board received a report setting forth the basis for the investigation and a map depicting the Study Area prepared by the PPG, entitled Area in Need of Redevelopment Study, Central Business District, Borough of Highlands, New Jersey, dated July 8, 2021 (the “**Report**”), evaluating whether all or a portion of the Study Area met the criteria to be designated as a non-condemnation redevelopment area; and

WHEREAS, pursuant to the Redevelopment Law, the Land Use Board caused a duly noticed public hearing to be held on August 5, 2021 (the “**Study Area Hearing**”), at which it reviewed the Report, heard testimony from Paul Grygiel, AICP, PP of PPG, and conducted a public hearing during which members of the general public were given an opportunity to present their own evidence, cross-examine PPG, and address questions to the Land Use Board and its representatives concerning the potential designation of the Study Area as a non-condemnation redevelopment area; and

WHEREAS, at the conclusion of the Study Area Hearing, after reviewing the Report and hearing all of the evidence, testimony from the public, and expert testimony, based on the reasons set forth in the Report and on the record, including the testimony of PPG as to criterion “h” of N.J.S.A. 40A:12A-5 (“**Section 5**”) of the Redevelopment Law, the Land Use Board made recommendations to the Borough Council that the entire Study Area be designated as a non-condemnation redevelopment area pursuant to Section 5 of the Redevelopment Law, which recommendations and reasons for same were memorialized in Resolution No. 2021-21 duly adopted by the Land Use Board on October 7, 2021; and

WHEREAS, on October 20, 2021, by Resolution No. 21-199, the Borough Council accepted the Land Use Board’s recommendations set forth in Resolution No. 2021-21 and designated the entire Study Area as a non-condemnation redevelopment area pursuant to the Redevelopment Law (the “**Redevelopment Area**”) and authorized PPG to prepare one or more redevelopment plans for the Redevelopment Area; and

WHEREAS, on May 18, 2022 the Borough Council adopted Ordinance No. 22-10 adopting a redevelopment plan for the Redevelopment Area, entitled Central Business District Redevelopment Plan (the “**Original Redevelopment Plan**”); and

WHEREAS, following a review of the Original Redevelopment Plan, the Borough determined to amend the Original Redevelopment Plan to facilitate redevelopment within the Redevelopment Area; and

WHEREAS, Heyer, Gruel and Associates (the “**Planning Consultant**”), prepared an amended redevelopment plan for the Redevelopment Area, entitled Amended Central Business District Redevelopment Plan, dated August 21, 2024 (the “**Amended Redevelopment Plan**”); and

WHEREAS, pursuant to the Redevelopment Law, the Land Use Board must review the Amended Redevelopment Plan and transmit its recommendations relating to the Amended Redevelopment Plan to the Borough Council in accordance with the provisions of N.J.S.A. 40A:12A-7(e) of the Redevelopment Law; and

WHEREAS, in accordance with N.J.S.A. 40A:12A-7e, the Planning Consultant presented the Amended Redevelopment Plan to the Land Use Board during the September 12, 2024 meeting during which the Land Use Board reviewed the Amended Redevelopment Plan and considered the testimony of the Planning Consultant; and

WHEREAS, after conducting its review, the Land Use Board adopted a resolution finding that the Amended Redevelopment Plan is not inconsistent with the Borough’s Master Plan and recommending that the Borough adopt the Amended Redevelopment Plan; and

WHEREAS, upon receipt and review of the Land Use Board’s recommendations relating to the Amended Redevelopment Plan the Borough Council believes that adoption of the Amended Redevelopment Plan is in the best interests of the Borough and will best facilitate the appropriate development of the Redevelopment Area; and

WHEREAS, the Borough has determined to adopt the Amended Redevelopment Plan to ensure the success of redevelopment within the Redevelopment Area in conformity with the Borough’s redevelopment objectives.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Highlands, New Jersey, as follows:

Section 1. The foregoing recitals are herein incorporated as if set forth in full.

Section 2. The Amended Redevelopment Plan, as filed in the Office of the Borough Clerk and attached hereto as **Exhibit A**, is hereby approved and adopted pursuant to the terms of the Redevelopment Law.

Section 3. The sections of the zoning map of the Borough that relate to the Redevelopment Area are hereby amended to incorporate the provisions of the Amended Redevelopment Plan.

Section 4. The Zoning and Land Use Regulations of the Borough are hereby amended and supplemented to incorporate the Amended Redevelopment Plan.

Section 5. 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 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. A certified copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection during regular business hours at the office of the Borough Clerk.

Section 8. This Ordinance shall take effect in accordance with applicable law.

First Reading and Set Hearing Date for O-24-15:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands

Public Hearing for O-24-15:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
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OLSZEWSKI						
BROULLON						

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DATE OF VOTE: September 4, 2024

Carolyn Broullon, Mayor

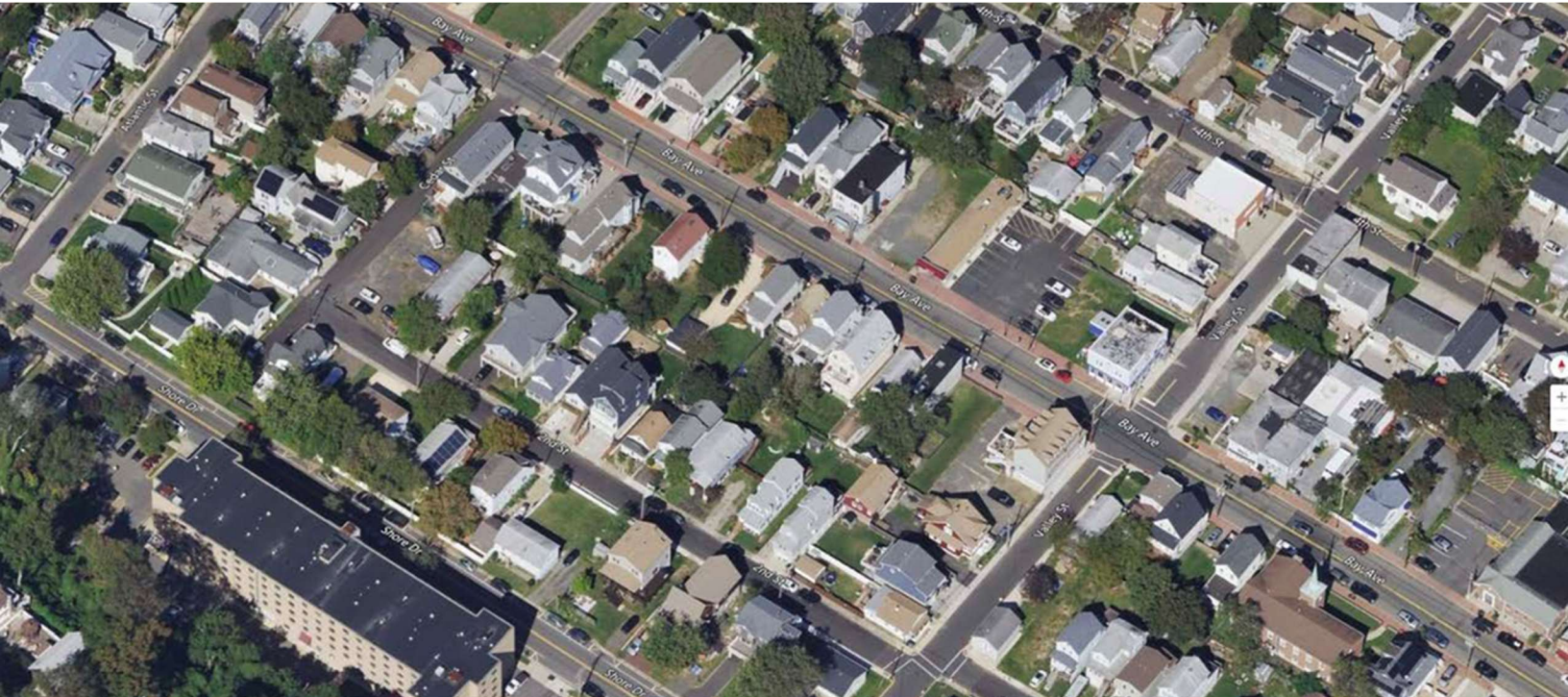
Nancy Tran, Municipal Clerk
Borough of Highlands

EXHIBIT A
AMENDED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN

AMENDED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN

BOROUGH OF HIGHLANDS MONMOUTH COUNTY, NEW JERSEY

August 21, 2024



Prepared by: Phillips Preiss Grygiel Leheny Hughes LLC

Amended by: Heyer, Gruel and Associates

**Amended Central Business District Redevelopment Plan
Borough of Highlands
Monmouth County, New Jersey**

August 21, 2024

The Original Redevelopment Plan was prepared by

Paul Grygiel, AICP, PP
NJ Professional Planner License #5518

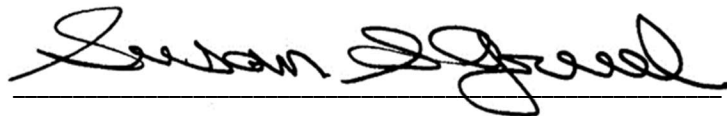
Phillips Preiss Grygiel Leheny Hughes LLC
Planning and Real Estate Consultants

33-41 Newark Street
Third Floor, Suite D
Hoboken, NJ 07030

Amendment prepared by

Heyer, Gruel & Associates
Community Planning Consultants
236 Broad Street
Red Bank, New Jersey 07701
732-741-2900

The original of this amended report was signed and sealed in accordance with N.J.A.C. 13:41-1.3.(b).



Susan S. Gruel, P.P. #1955

With Assistance from Bailey Surbrook, Associate Planner

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I. INTRODUCTION

A redevelopment plan is a powerful planning document that combines the vision of a master plan with the authority of a zoning ordinance. The redevelopment plan's special legal status provides a municipality with a more effective way to control the nature and type of development in a redevelopment area than is possible through standard zoning. Benefits of utilizing redevelopment plans include the ability to create very specific redevelopment plan regulations for uses and design and providing the municipality with greater control of the redevelopment process, such as through the selection of developers.

The preparation and adoption of a redevelopment plan moves the redevelopment process from problem identification to problem solving. With the adoption of a redevelopment plan, the focus shifts from an analysis of existing conditions in a designated area to a discussion of its future use and redevelopment. Adopting a redevelopment plan sends a message to the development community about the Borough of Highlands's (the "Borough") long-term commitment to the redevelopment of an area.

Redevelopment plans may be designed to address a wide range of public purposes and land use issues. The potential scope of a redevelopment plan may include: permitted uses, bulk regulations (e.g., height, setbacks, coverage, etc.), building massing/design, streetscape/open space, sustainability measures, and parking and loading.

This Redevelopment Plan (the "Redevelopment Plan") has been prepared for an area comprised of 155 parcels on portions of 31 tax blocks known as Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114 (heretofore referred to as the "Redevelopment Area") in the Borough of Highlands, Monmouth County, New Jersey. This Redevelopment Plan provides an overall vision for the Redevelopment Area, as well as general recommendations and specific development regulations. It supports and enhances the Borough's ongoing efforts to improve the Bay Avenue corridor and adjoining areas and to attract additional public and private investment.

This Redevelopment Plan provides development regulations for the Bay Avenue corridor between South Street and Gravelly Point Road and certain adjoining areas, including use and bulk standards for the area, as well as site, building design and other regulations typically found in a Redevelopment Plan. But it also provides a vision, goals and general recommendations for the Redevelopment Area, all of which build upon prior efforts for the Central Business District and nearby areas.

The plan was prepared through a process that included the input from the community through meetings and a survey, as well as the input of Borough staff and officials. Notably, the Bay Avenue Redevelopment Survey obtained input from a cross-section of Highlands residents, property owners and business owners which informs the recommendations and regulations in this Redevelopment Plan. Planning and development documents reviewed in the process of preparing the plan included the Borough's Master Plan and updates, the Zoning Ordinance, the Highlands Central Business District Design Manual, and various reports on prior planning efforts for the Redevelopment Area and nearby areas. The consultants also visited the Redevelopment Area and vicinity on a number of occasions to document existing conditions. Data about demographics, housing and development

was reviewed and analyzed, and maps were created based on information obtained from the Borough and other sources.

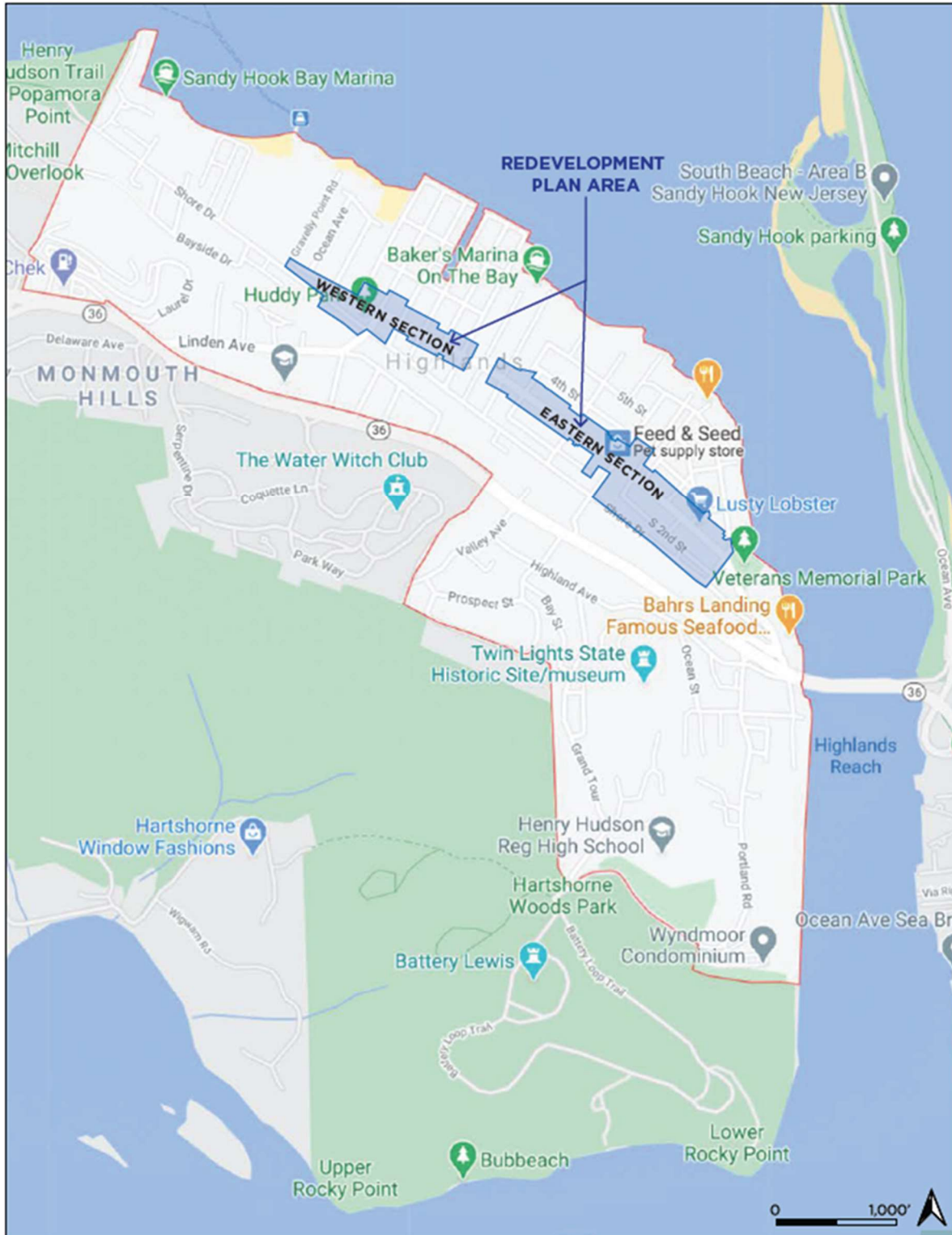


FIGURE 1: LOCATIONAL CONTEXT | BOROUGH OF HIGHLANDS, NJ
PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

II. EXISTING CONDITIONS AND CONTEXT

The Borough of Highlands is a unique municipality. Located along Sandy Hook Bay and the Shrewsbury River, its assets include a substantial waterfront, business districts, State Highway frontage, a State Historic Site, a range of residential development types, ferry service to New York City and easy access to the Atlantic Ocean, large parks and trails. **Figure 1** shows the Borough’s locational context. However, Highlands faces a number of challenges, including flooding, traffic and fiscal limitations. There have been a number of plans and studies prepared in recent years for the Borough’s commercial and residential districts. Actions have been taken to implement some of the recommendations of these documents, including adoption of zoning amendments in 2018. But there remain issues both specific to Highlands as well as those affecting downtowns and small business districts, even prior to the COVID-19 pandemic. This Redevelopment Plan is intended to help Highlands’ Central Business District achieve its potential as both a community amenity and a destination.

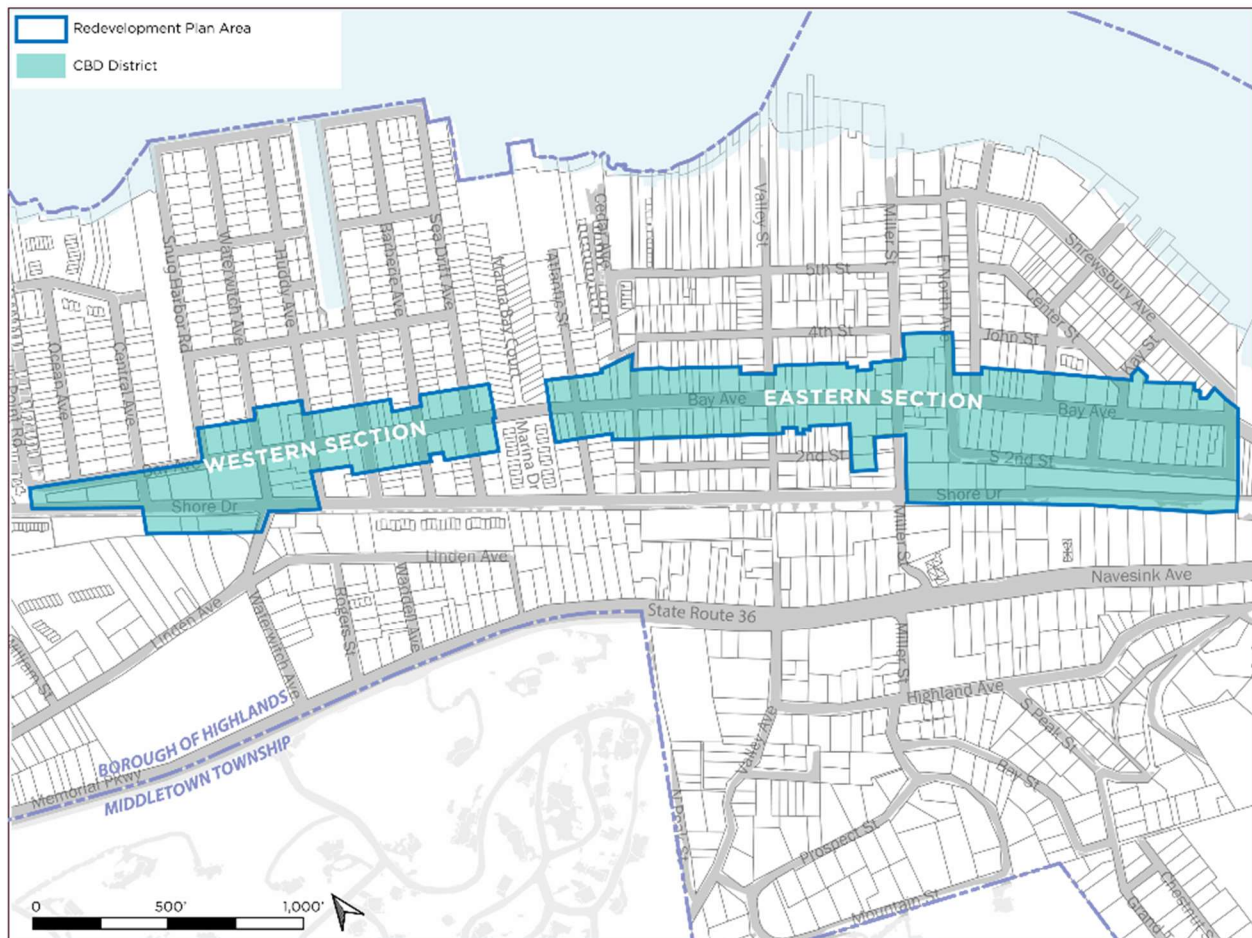


FIGURE 2: REDEVELOPMENT PLAN AREA AND CBD ZONE | BOROUGH OF HIGHLANDS, NJ
 PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

The Redevelopment Area encompasses parts of 31 tax blocks located in the eastern section of the Borough of Highlands. The Redevelopment Area includes a portion of the parcels on Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114, as identified on the official tax maps of the Borough of Highlands. The Redevelopment Area is approximately 20.64 acres in area. It is defined by the boundaries of the CBD Zone as adopted on the Zoning Map by Ordinance 18-22 in December of 2018, which generally follows the north and south sides of Bay Avenue, and certain properties on both South Second Street and Shore Drive. **Figure 2** shows the boundaries of the Redevelopment Plan Area and the CBD zone.

Existing land uses in the Redevelopment Area include commercial, residential (one to four family), residential apartment, public property, municipal parks, a religious institution, a social institution, surface parking lots, and vacant, unimproved land. Land uses within the vicinity are varied and include a mix of residential and nonresidential uses. There are also various attractions and landmarks within the surrounding area. These include municipal and county parks, the Twin Lights State Historic Site and the Sandy Hook section of Gateway National Recreation Area.

The Redevelopment Area has been determined to be an “area in need of redevelopment” pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) at N.J.S.A. 40A:12A-1 et seq. The Mayor and Council of the Borough of Highlands adopted a resolution in February 2021 authorizing the Land Use Board to investigate all properties within the Central Business District zone to determine if they constituted an “area in need of redevelopment” pursuant to the LRHL. The Central Business District Area in Need of Redevelopment Study was prepared in July 2021. All of the properties in the redevelopment study area were designated as “an area in need of redevelopment” by resolution of the Mayor and Council on October 20, 2021, following a recommendation by the Borough of Highlands Land Use Board. The designated redevelopment area includes 155 parcels, which are listed in **Appendix A** and are shown on **Figures 3A** and **3B**.

Highlands Borough is located in a unique geographical area. The Highlands’ hills overlook the Atlantic Ocean and Shrewsbury River, home to Historic Site Twin Lights, and the highest point on the Eastern Seaboard. The Central Business District Redevelopment Area is located at the base of the bluff at Shore Drive, and is in a floodplain managed by FEMA Floodplain Management Regulations (Land Use Chapter 21). Highlands manages the Floodplain on a platform (<https://highlandsboroughnj.withforerunner.com/properties>), that provides site-specific FEMA maps, and base/design flood elevations to the public. The current Base Flood Elevation (BFE) in this zone is 11 feet, meaning that the BFE is about 5 to 7 feet above grade in most areas of the Redevelopment Area.

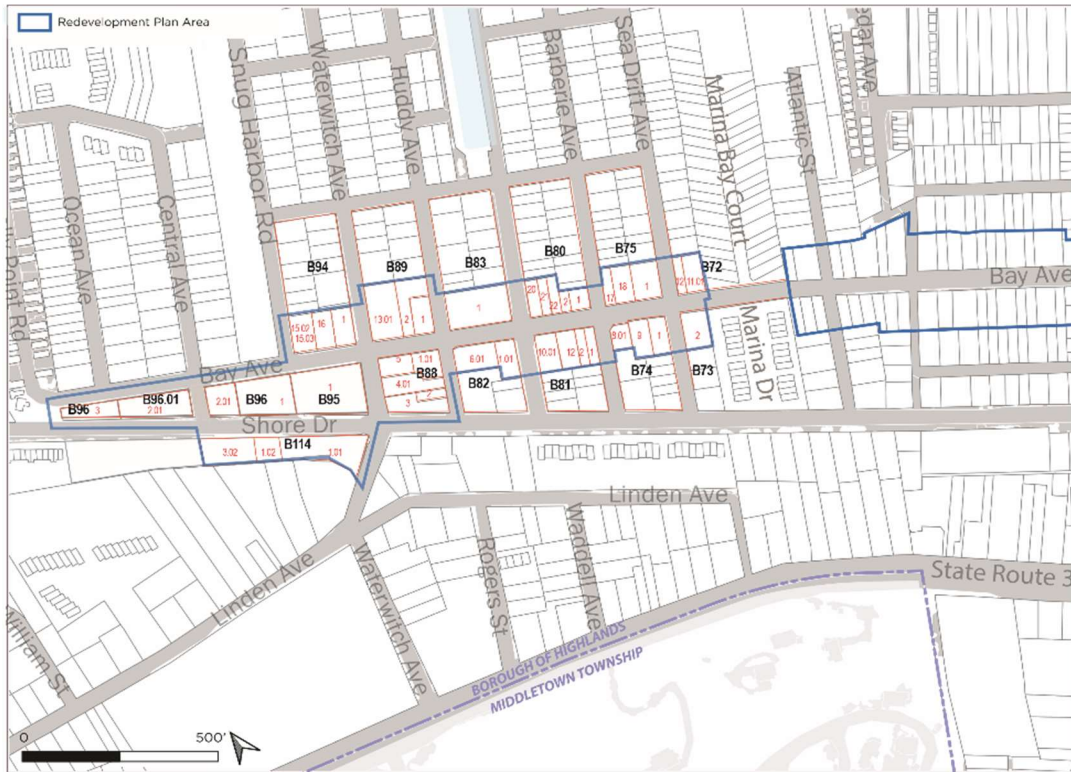


FIGURE 3A: REDEVELOPMENT AREA TAX LOTS WESTERN SECTION
 PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

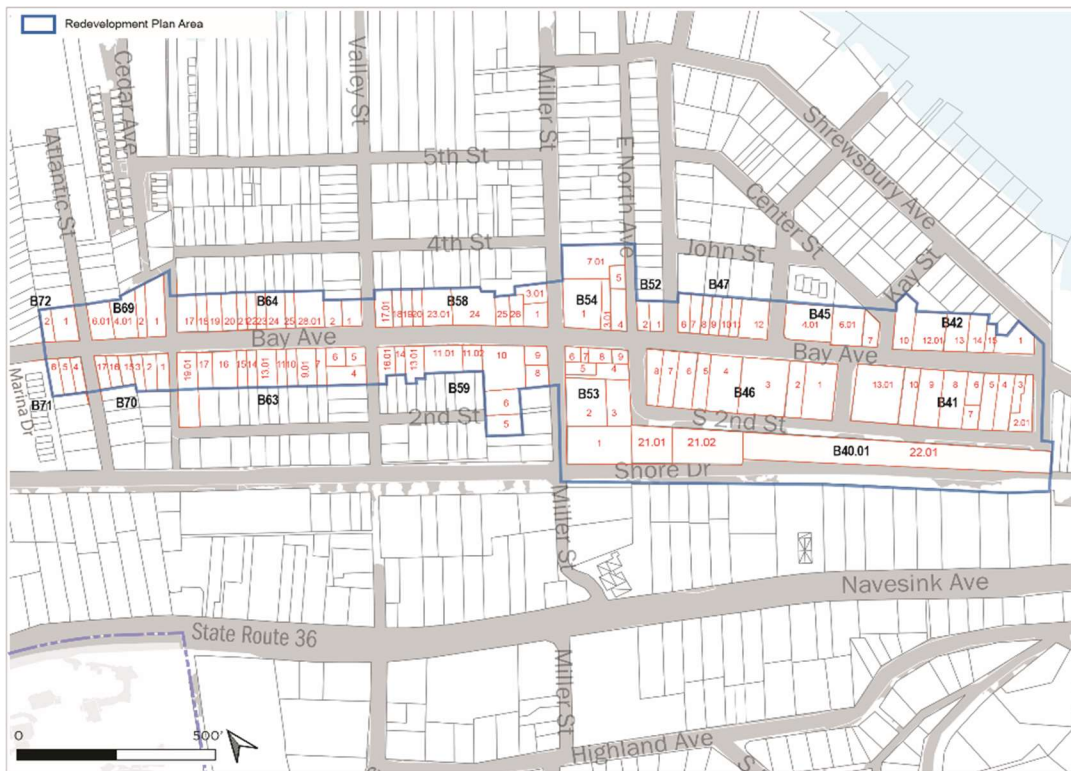


FIGURE 3B: REDEVELOPMENT AREA TAX LOTS EASTERN SECTION
 PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

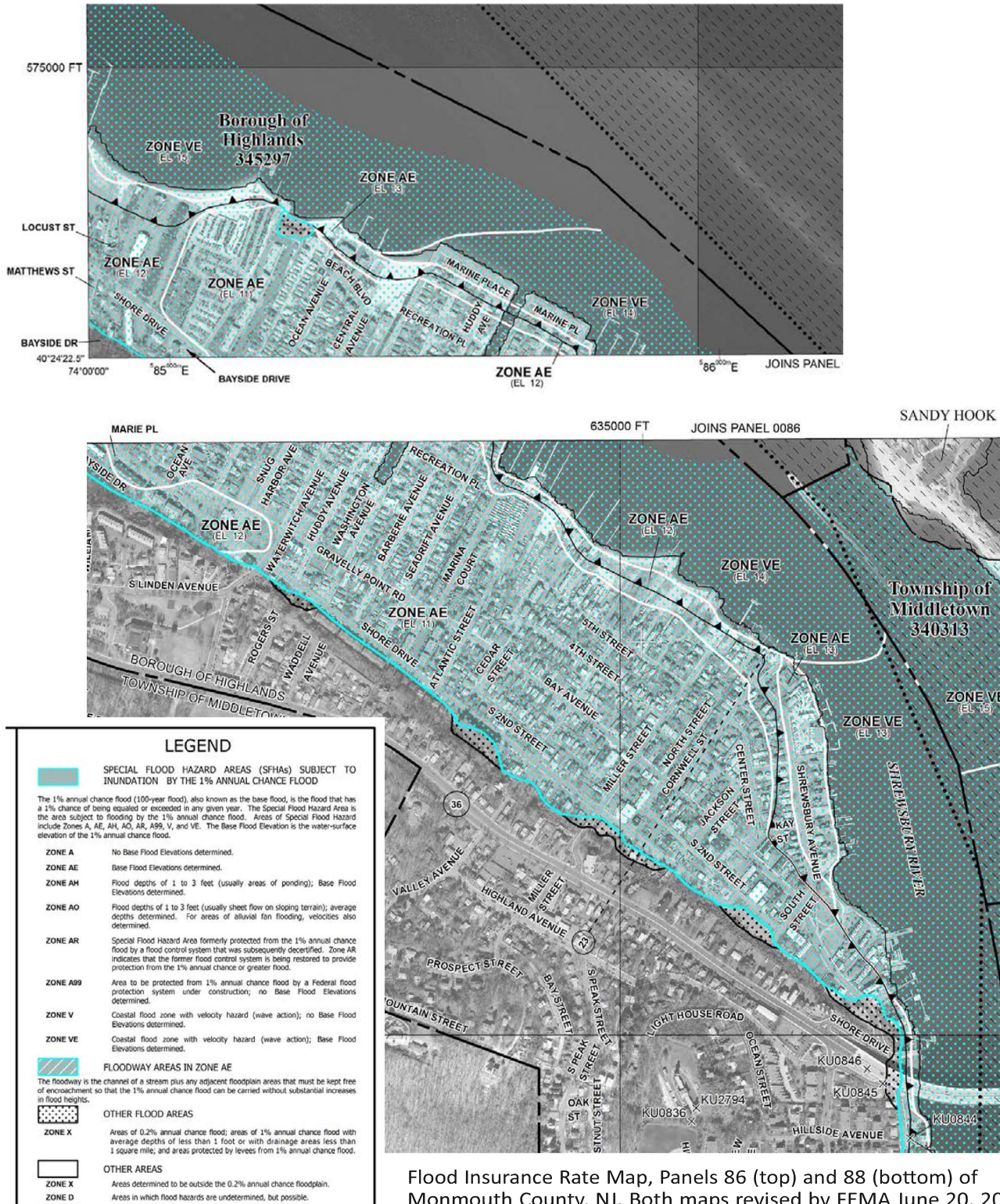


FIGURE 4: FLOOD INSURANCE RATE MAP FOR HIGHLANDS

III. VISION, GOALS AND RELATIONSHIP TO LOCAL OBJECTIVES

A. Vision

This Redevelopment Plan aims for a vision of downtown Highlands that acknowledges and works with the constraints of its location within the Flood Hazard Area. The overall vision for the Redevelopment Area is a vibrant, walkable downtown along the Bay Avenue corridor and adjoining areas that includes a mix of old and new commercial and residential uses; additional apartments, stores, services, and attractions; improved parks and public facilities; and stronger connections to the broader community and the Shrewsbury River. Building and site designs will be consistent with Highlands' identity as a waterfront, historic small town, yet allow for a variety of architectural styles and building types. Retail and other active uses will be required on the ground floor, where feasible, or otherwise on a floor raised above the flood elevation. In either case, guidelines are provided to ensure that retail businesses, apartments, and other uses will have a strong connection to the sidewalk. Streets, sidewalks and public spaces will be more inviting and attractive as a result of public and private investments in the Redevelopment Area.

B. Redevelopment Plan Goals

The specific goals and objectives of the Redevelopment Plan are as follows:

- 1) Provide regulations for the reuse of buildings and the appropriate redevelopment of properties in the Redevelopment Area with a mix of residential and nonresidential land uses that support the Borough's planning and economic development objectives.
- 2) Address flooding through building and site design that elevates critical areas above flood waters and increases use of green infrastructure.
- 3) Require building and site design that is aesthetically attractive, relates to Highlands' existing character, and incorporates sustainability measures.
- 4) Provide regulations on specific building design elements such as facade transparency, location of the front door and parking access, and building massing and articulation, to ensure that buildings are best configured for a pedestrian-friendly streetscape.
- 5) Improve pedestrian safety and comfort in the Redevelopment Area through a program to increase effective sidewalk width through deeper front setbacks and landscaping.
- 6) Provide adequate vehicle and bicycle parking, loading and access for uses in the Redevelopment Area, including flexible shared-use public parking. Provide design guidelines to downplay the visibility of off-street parking.
- 7) Provide additional open space, seating, and gathering areas, and attractions within the Redevelopment Area.
- 8) Make development in the CBD more financially feasible by redefining, or in some cases removing, onerous zoning requirements such as floor area ratio, building coverage and height, and parking ratios, and by providing more flexible standards.
- 9) Emphasize major Gateways into downtown Highlands.

C. Relationship to Master Plan

This Redevelopment Plan is consistent with the goals and objectives of the master planning efforts of the Borough of Highlands, as described further below, as it implements various recommendations of the 2004 Master Plan and updates as well other planning studies seeking to strengthen the vitality of the Borough's downtown and other business districts.

The Borough of Highlands has completed several plans and studies which attempt to address an ongoing lack of investment and business activity in the Borough, particularly on the Bay Avenue commercial corridor. These problems were noted prior to the destruction brought about by Superstorm Sandy but were exacerbated after the storm. The Borough has recommended a series of strategies to revitalize the Bay Area commercial corridor in recent years, several of which have been implemented. A previously untapped recommendation is to investigate the designation of eligible properties as areas in need of redevelopment to encourage a rebirth of the commercial corridor.

The Borough of Highlands' most recent comprehensive Master Plan was adopted in 2004 (the "**2004 Master Plan**"). To promote economic development in the downtown, the 2004 Master Plan recommended "investigating the potential for redevelopment within the downtown to address problems, identify opportunities and provide a guide for future reinvestment," and "[a]ssembling sites that can be offered for new business development," among other strategies. At the time of writing the 2004 Master Plan, the Redevelopment Area roughly corresponded to the boundaries of the B-2 Central Business District, which was intended to "accommodate a higher density concentration of retail, service, office and entertainment uses than other commercial districts in the Borough."

A reexamination of the 2004 plan, along with a land use plan element, was adopted in 2009 (the "**2009 Master Plan Reexamination**"). The 2009 Master Plan Reexamination recommended several changes to the Borough's Development Regulations for the B-1 Neighborhood Business District and the B-2 Central Business District, which generally comprised the east and west ends of Bay Avenue and Shore Drive. The recommended changes related to flooding, parking, permitted uses, bulk requirements, and design to advance the Borough's goal to "[s]trengthen commercial districts, especially the Bay Avenue Central Business District."

The current Master Plan document consists of a reexamination report and amendments, which were adopted by the Borough's Land Use Board on December 27, 2016 (the "**2016 Master Plan Update**"). The 2016 Master Plan Update "places special emphasis on facilitating recovery from Superstorm Sandy's impacts, as well as promoting resiliency to future storm impacts and other potential natural hazards." The plan describes the impact of Superstorm Sandy on the Borough:

Superstorm Sandy struck the coast of New Jersey on October 29, 2012, and caused extensive damage to the Borough of Highlands from both storm surge and wind damage. Approximately 1,250 homes within the Borough were damaged or destroyed as well as over 60% of all Borough businesses. All of the Borough's sewage pump stations went offline due to floodwater inundation and/or power system failure. Trees and power lines throughout the Borough fell, in many cases damaging buildings and homes. (pp. 23)

A **2014 Strategic Recovery Planning Report** further noted that “14 downtown restaurants were destroyed, of these, six remain closed.” The 2016 Master Plan Update addressed the lack of business investment and activity in the downtown, stating that this “ongoing concern... was only exacerbated by the impacts of Superstorm Sandy.”

The **2016 Master Plan Update** contains significant discussion about the Redevelopment Area. In particular, it recommended elimination of the B-1 and B-2 districts and overlay zones, and establishment of a unified Central Business District (CBD) zone “to better accommodate the desired uses for the downtown area [and to] minimize nonconformities and reduce the number of variances that may be required to encourage redevelopment in underutilized lots and areas damaged by Superstorm Sandy or that may be damaged in future storm events.” The 2016 Master Plan Update recommended that the new CBD Zone be governed by a form-based code to “ensure all redevelopment occurs in a manner that is consistent with the image and character of the Borough.” The 2016 Master Plan Update assured consistency with past plans, noting that “many of the recommendations from the 2009 Report will be integrated into the new zone district.” It recommended that the Borough should encourage downtown building design and streetscape features “that promotes and emphasizes the nautical, seaside, small town nature of Highlands.” In addition to the creation of a new CBD Zone, the 2016 Master Plan Update recommended allowing parking as a conditional use in business districts outside of the waterfront to encourage “more opportunities for innovative parking arrangements.” The plan also recommended that residential uses be permitted on all floors above the ground level in mixed-use buildings. In terms of redevelopment, the 2016 Master Plan Update recommended that “[r]edevlopment studies should include the waterfront, downtown neighborhoods, and the Miller Street corridor.”

The Borough amended its Development Regulations to remove reference to the B-1 and B-2 districts and overlays, create reference to the CBD Zone, and update permitted uses in the zone, including allowing parking as a permitted conditional use in the CBD Zone (see **Ordinance 18-01**, adopted in February of 2018, and Ordinance 18-06, adopted in May of 2018). No new regulations were adopted related to permitting residential uses on the upper floors of mixed-use buildings.

The most recent **Zoning Map** was adopted by Ordinance 18-22 in December of 2018, which established the Central Business District (CBD) zone and demarcated it “along Bay Avenue from South Street to the VFW and along Miller Street from Bay Avenue to the Waterfront to replace current existing zoning and overlay districts; with the exception of the existing Multi-Family Zone District located along Marina Bay Court.” The Redevelopment Area is entirely within the CBD Zone.

Since the 2016 Master Plan Update, area in need of redevelopment investigations and plans were adopted for the Captain’s Cove Marina and the Shadow Lawn Mobile Home Park, in 2018. No area in need of redevelopment investigations have been conducted for areas within the CBD Zone until the investigation of the Redevelopment Area described herein.

A full list of the 2016 Master Plan Update Goals & Objectives related to commercial land uses and economic development/redevelopment can be found in the publicly-available 2016 Master Plan Update.

D. Relationship to Local Objectives

This Redevelopment Plan sets forth definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. In particular, the Redevelopment Plan provides development regulations that regulate development intensity and residential density, allowing for a range of land uses. The Redevelopment Plan encourages reuse of buildings and new construction, in tandem with upgrading of existing infrastructure and community facilities.

Beyond the Master Plan-related studies mentioned earlier, a number of other plans and studies have been prepared for the Redevelopment Area, including:

CENTRAL BUSINESS DISTRICT DESIGN MANUAL, 1995

- The Borough’s Highlands CBD Design Manual, Neighborhood Preservation Program (the “Design Manual”) was approved in 1995. It is primarily focused on design changes and improvements to historic buildings and retail storefronts & signage. The Design Manual is very detailed in terms of specific building components such as doors, windows, cladding, and cornices, and leans towards traditional materials and architectural styles. However, because it was written before Superstorm Sandy and before flood control regulations became more onerous, it is not well suited to alone guide anticipated new development in the CBD. For new construction and renovations to existing buildings, this Redevelopment Plan supersedes the older Design Manual. Applicants may choose to seek guidance from the Design Manual as well, but where a conflict occurs, this Redevelopment Plan shall govern.

INTRABOROUGH BICYCLE PLAN, JUNE 2011

HIGHLANDS RECOVERY PLAN, 2013

RUTGERS BLOUSTEIN SCHOOL STUDIO REPORT, SPRING 2014

GETTING TO RESILIENCE” RECOMMENDATIONS REPORT, JUNE 2014

STRATEGIC RECOVERY PLANNING REPORT, SEPTEMBER 2014

- This report identified 13 priority actions that are “most urgently needed to improve public safety, increase resistance to damage from future storms, and stimulate economic recovery’ (NJ DCA).” Of relevance to redevelopment of the Redevelopment Area, priority action #9 was to, “[u]ndertake redevelopment study(ies) and prepare plan(s) for areas determined to be in need of redevelopment. Previous plans have recommended redevelopment efforts in several areas of the borough, including the waterfront and downtown neighborhoods. Moreover, there have also been recommendations to... elevat[e] buildings in the downtown area. All of these recommendations could be reviewed and, if feasible and acceptable, accomplished through the redevelopment planning process.”
- In addition, priority area #11 stated, “The [Getting to Resilience (GTR)] Report... recommends that the Borough’s plans (including the Master Plan and any redevelopment plan) include explicit references and recommendations related to resiliency.”

COASTAL STORM RISK MANAGEMENT PRESENTATION/BRIEFING, MARCH 2017

CAPITAL IMPROVEMENT PROGRAM FOR 2017

STORMWATER POLLUTION PREVENTION PLAN, APRIL 2018

FINAL INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL ASSESSMENT, RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NEW JERSEY, COASTAL STORM RISK MANAGEMENT, MAY 2020

- This document by the U.S. Army Corps of Engineers assesses the feasibility and environmental impact of a series of intervention options to reduce flood risk between the study period of 2026 to 2076.

E. Relationship to Highlands Zoning Ordinance

The Redevelopment Area is located within, and is defined by the boundaries of, the Central Business District (CBD) Zone. The boundaries of the CBD Zone and adjacent zoning districts in the Borough are shown on the Zoning Map adopted in December of 2018.

This Redevelopment Plan supersedes the Zoning and Land Use Regulations of the Borough of Highlands in Chapter 21 of the Borough's Revised General Ordinances (the "Zoning Ordinance"). Final adoption of this Redevelopment Plan by the Mayor and Council shall be considered an amendment of the Borough of Highlands Zoning Map.

F. Relationship to the Uniform Construction Code

Notwithstanding allowances provided for in the Central Business District Redevelopment Area, all construction shall comply with the Uniform Construction Code (UCC) (N.J.A.C. 5:23). Construction not requiring a construction permit or inspections, work performed pursuant to N.J.A.C. 5:23-2.7 (Ordinary Maintenance), or other construction not under the jurisdiction of the UCC, such as manufacturing, production, and process equipment, as defined in N.J.A.C. 5:23-1.4, shall comply with Section V – Floodplain Requirements, of the Central Business District Redevelopment Plan.

G. Definitions and Terminology

The definitions set forth in the Zoning Ordinance shall apply to this Redevelopment Plan.

As used in this Redevelopment Plan, the following terms shall have the meanings indicated:

- **"BFE+1"** shall mean Base Flood Elevation plus one foot. "Base Flood Elevation" is defined in the Highlands Zoning and Land Use Regulations.
- **"Body piercing, tattoo and skin art studio"** shall mean any establishment where a body piercing and/or tattoo artist conducts the business of piercing the skin or other parts of the body.
- **"Cottage Food Preparation Services and Sales"** shall mean the preparation and sale of home-made non-Time/Temperature Control for Safety (non-TCS) food products. All cottage food operators shall be required to obtain a cottage food operator (home baker) permit from the State of New Jersey prior to the sale of any food products and shall comply with all operating standards required by the New Jersey Department of Health.

- **“Food Manufacturing”** shall mean the process of converting raw agricultural materials into consumable food products, including the cleaning, processing, packaging, distribution, and sale of food items.
- **“Land Use Board”** shall mean the Borough of Highlands Land Use Board.
- **“Mayor and Council”** shall mean the governing body of the Borough of Highlands.
- **“Special Flood Hazard Area”** shall mean the areas of special flood hazard for the Borough of Highlands, Community No. 345297, which pursuant to Chapter 21 Zoning & Land Use Regulations Section 21-109 through 21-127 Floodplain Management Regulations of the Zoning Ordinance are identified and defined on the following documents prepared by the Federal Emergency Management Agency:
 - A scientific and engineering report “Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)” dated June 15, 2022.
- **“Substantial Improvement”** shall mean any improvement where the costs of repairs or renovations is equal to fifty (50%) percent or more of the market value of the structure as determined by the Flood Plain Administrator.
- **“Townhouse”** shall mean a “One-family Attached Dwelling” as defined in the Zoning Ordinance (i.e. a one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls),
- **“Two-family dwelling”** shall mean “a building designed or used exclusively for occupancy by two (2) families,” as defined in the Zoning Ordinance.
- **“Multi-family dwelling”** shall mean any building or part thereof containing three or more dwelling units, as defined in the Zoning Ordinance.
- **“Zoning Map”** shall mean a document entitled “Zoning Map, Highlands Borough, New Jersey” dated 2018, as may be periodically amended.
- Except as otherwise provided herein, words not defined above or in this document that appear in this Redevelopment Plan shall be interpreted in accordance with the definitions in the Zoning Ordinance as set forth in Section 21-8: “Definitions.” If a term used in this Redevelopment Plan is not defined in the Zoning Ordinance, the definition in the Municipal Land Use Law (the “MLUL”), N.J.S.A. 40:55D-1 et seq., or the LRHL shall apply.

Throughout this Redevelopment Plan, a conscious distinction is made in the regulations between “shall” and “should.” “Shall” or “must” means that a developer is required to comply with the specific regulation, without any deviations. “Should” means that a developer is encouraged to comply but is not required to do so.

IV. GENERAL RECOMMENDATIONS

Chapters V through IX of this Redevelopment Plan provide specific regulations for land uses and other development regulations as are typically included in a redevelopment plan. This chapter provides additional recommendations for the Redevelopment Area based on input from survey respondents, developers, the Borough, and others.

A. Design

- **Implement building and site design to mitigate flooding impacts and improve stormwater management.** Given the Redevelopment Area’s location and history, ensuring that new development and renovations can withstand flood events will help attract investment and types of uses desired by the community.
- **Incorporate sustainability measures.** Green design provides benefits to business and property owners, as well as to the environment.
- **Make downtown more physically attractive and welcoming.** Survey respondents and community meeting attendees cited physical improvements as an important part of this Redevelopment Plan. Improvements to the streetscape and lighting, additional trees and other plantings, murals and burying utility wires were among the suggestions for upgrading the appearance of the Central Business District.
- **Preserve historic character and identity.** At the same time, as changes are made to the area there is still a strong desire to maintain and enhance Highlands’ identity as a waterfront, historic small town.
- **Provide Gateway treatments at important intersections.** Providing streetscape features such as paver crosswalks, signage, public art, and buildings with prominent design elements would reinforce the Central Business District’s identity as a distinct place.
- **Focus on key sites with the potential to spur additional redevelopment.** There are a number of properties within the Redevelopment Area that are adequate in size or possess other factors that make them appropriate for larger-scale development and have the ability to positively influence nearby areas.

B. Coordination

- **Improve connections to the Shrewsbury River, Sandy Hook Bay, the Twin Lights and other nearby attractions.** While the waterfront is located outside the Redevelopment Area, Highlands’ setting on the Shrewsbury River and Sandy Hook Bay at the northern tip of the Jersey Shore is essential to its character. Nearby beaches and the Twin Lights also bring large numbers of visitors to the area who represent a significant potential market for shops, services and eateries in the Central Business District.
- **Align redevelopment efforts in the Central Business District with other redevelopment and planning initiatives.** There are opportunities for synergy between projects in Highlands such as the Captain’s Cove and Shadow Lawn redevelopments, improved waterfront access, upgrades to utility infrastructure and potential “Transit Village” designation.

C. Uses

- **Continue to permit and support a range of commercial uses and attractions.** Highlands has a variety of existing businesses, but would benefit from additional complementary uses, including businesses not currently located in the Redevelopment Area, attractions, arts, culture and entertainment.
- **Provide housing for a diverse population.** New and renovated residential units should include a range of sizes, types and prices.

D. Circulation

- **Incorporate “Complete Streets” principles in street and site design.** Private and governmental actions implementing this Redevelopment Plan should consider the needs of pedestrians, bicyclists, public transit users, and motorists during design and throughout all stages of any new roadway or streetscape project, in order to make streets safer for all users.
- **Promote pedestrian activity and bicycle usage.** Taking the above recommendation one step further, building and site design should consider the existing prevalence of non-motorized transportation in the Redevelopment Area and environs and support walking and bicycling.
- **Utilize creative design techniques to provide adequate parking.** While parking is necessary to support most uses, addressing parking requirements onsite is not feasible or necessary for all uses. Allowing shared parking among uses, providing additional publicly available parking, and allowing payment in lieu of providing parking are some of the measures that should be considered.

V. FLOOD REQUIREMENTS

All flood requirements for the Central Business District Redevelopment Area shall adhere to the standards, definitions, and regulations set forth in Part VII (Flood Damage Prevention) Article XXIV (Floodplain Management Regulations) of Chapter 21 (Zoning and Land Use Regulations) of the Borough of Highland’s Code, as may be amended.

VI. LAND USE REGULATIONS

A. Introduction

This section provides regulations for future land uses within the Redevelopment Area. The designations are based on analysis of existing land uses, suitability for new uses and the availability of redevelopable land. The proposed land uses recognize existing conditions within the Redevelopment Area, while in some instances proposing changes in use to further the goals and objectives of this Redevelopment Plan.

It should be noted that uses on properties for which the zoning designation is changed may continue as legal non-conforming uses as a matter of law, regardless of any change in the zoning designation. It is only when the property owner seeks to expand the existing use or change the existing use to another use that the new zoning standards will apply.

B. Gateway Parcels

Special Gateway treatments are encouraged at certain intersections to reinforce the Central Business District’s identity as a distinct place and create a sense of entry to the Borough. The three “Gateways” include:

- Waterwitch Avenue at Huddy Park, between Bay Avenue and Shore Drive;
- Miller Street between Shore and Bay; and

- The eastern end of Bay Avenue near the Veteran’s Memorial Park.

These Gateway locations correspond to the intersections identified for special treatment in the 1995 Highlands CBD Design Manual. **Table 1** shows the designated Gateway parcels.

In order to create a sense of arrival at these locations, this Redevelopment Plan encourages architectural massing to create a focal point for new construction in the Gateway parcels. Such focal point elements should be located along Bay Avenue; or at the corner of Bay and Waterwitch Avenue or Bay and Miller Street; where a parcel does not adjoin Bay Avenue, the focal element should be along Waterwitch Avenue or Miller Street.

The eastern end of Bay Avenue near Veteran’s Memorial Park		
BLOCK	LOT	ADDRESS
41	2.01	57 BAY AVENUE
42	1	60 BAY AVENUE
Miller Street between Shore and Bay		
BLOCK	LOT	ADDRESS
53	1	MILLER ST
53	2	65 MILLER STREET
53	5	63 MILLER STREET
53	6	BAY AVE & MILLER ST
58	1	154 BAY AVENUE
58	3.01	50 MILLER STREET
59	8	66 MILLER STREET
59	9	165 BAY AVENUE
Waterwitch Avenue at Huddy Park, between Bay Avenue and Shore Drive		
BLOCK	LOT	ADDRESS
88	3	71 WATERWITCH AVENUE
88	4.01	67-69 WATERWITCH AVENUE
88	5	321 BAY AVENUE
89	13.01	65 WATERWITCH AVENUE
94	1	BAY & WATERWITCH AVE

TABLE 1: GATEWAY PARCELS

Massing Elements

Specifically, Gateway parcel buildings are encouraged to include massing elements that emphasize the Gateway at a corner or along a street corridor, for example: towers, cupolas, bay windows, corner entries, contrasting window or glazing patterns, and/or varied roof heights and shapes.

Active Uses and Deeper Front Setbacks Encouraged

In addition, retail or other non-residential uses are required at the ground level or on an elevated Lowest Floor of buildings in Gateway parcels, and buildings are encouraged to provide deeper front setbacks that are landscaped as plazas.

C. Permitted Principal Uses

- Retail sales and services
- Offices
- Banks and financial institutions
- Eating and drinking establishments
- Bakeries
- Food preparation services
- Food manufacturing given that a portion of the space is dedicated to the sale of the food products that are manufactured on-site.
- Cottage food preparation services and sales
- Microbreweries and distilleries
- Pool halls
- Houses of worship
- Theaters
- Childcare Centers
- Educational uses
- Art, artisan, woodworking, and jewelry making handicraft studios, workshops and galleries
- Health, fitness, dance, music, and martial arts studios
- Municipal uses
- Open space
- Mixed-use developments
- Existing single-family and two-family homes
- Existing multi-family residential
- Multi-family residential located in a mixed-use building where the first floor serves as a non-residential use.
- Wholesale sales and services
- Hotels
- Bed & Breakfasts
- Body Piercing, tattoo, and skin art studios
- Surface parking lots

Permitted Accessory Uses

- Parking in rear, side, and front yard or under building
- Signage
- Any other uses and structures customarily subordinate and incidental to permitted principal uses.

D. Supplemental Use Standards

- Permitted uses below the BFE:
 - Commercial or mixed-used buildings, and non-residential uses, such as office or retail.

- All newly constructed commercial or mixed-use buildings and non-residential uses having a lower level below the Design Flood Elevation must be designed to have those areas dry flood proofed in accordance with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code. Areas used as storage, access, or as parking are permitted to be wet floodproofed.
- All existing commercial or mixed-use buildings and non-residential uses undergoing improvements that result in the property being designated as undergoing a Substantial Improvement, must be designed to have those areas dry flood proofed in accordance with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code. Areas used as storage, access, or as parking are permitted to be wet floodproofed.
- Ground level areas below the structure are permitted to be used for outdoor seating, parks, and dining areas, provided the area has permeable surface composed of materials including but not limited to flood mitigating permeable pavers, sand, rain gardens. These areas can be used to create a placemaking promenade as part of the streetscape.
- Existing residential buildings may remain in place. However, existing residential buildings undergoing improvements that result in the property being designated as undergoing a Substantial Improvement, must comply with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code.
- Hotels
 - The minimum floor area per unit shall be two hundred fifty (250 square feet).
 - The parking shall adhere to the standards and requirements of **Chapter VIII, Parking and Circulation.**
 - All solid waste containers for storage and pickup shall be centrally located and easily accessible and within a screened enclosure on the street level.
 - All hotel uses shall be provided with adequate fire safety and evacuation provisions and sprinkler systems. Regardless of the number of rooms, such facilities shall be approved by the Municipal Fire Subcode Official and shall incorporate all applicable requirements of the National Fire Protection Association Code and the NJ Uniform Construction Code.
 - Each unit of accommodation shall contain a minimum of a bedroom, and a separate bathroom which affords privacy to a person within the room and is equipped with a toilet, a wash basin and bathtub/shower. Kitchen facilities are prohibited.
 - The first floor area of a hotel, or the first level over on-site parking, may be used for offices, permitted nonresidential uses, coffee shop or restaurant. The first floor area of the hotel structure does not have to be associated or related to the hotel use.
 - The buffer zone between the rear setback of a hotel and adjacent residential uses or districts shall comply with the requirements of the Zoning and Land Use Regulations of the Highlands Ordinance but shall not be less than (10) feet in width.

- The structure shall not be a “rooming house” or “boarding house” as defined by current New Jersey statute.
- Once established, a hotel use shall not be converted to a multifamily residential use such as apartments, townhouses, or condominium living arrangements.
- **Bed & Breakfasts**
 - The parking shall adhere to the standards and requirements of **Chapter VIII, Parking and Circulation.**
 - Landscaped screening or fencing shall be required for any outside areas for guest use in the side or rear yard to provide a buffer to adjacent residential uses.
 - Signage shall be limited to one (1) freestanding sign not to exceed four (4) square feet and one (1) house mounted name sign not to exceed one and one-half (1 ½) square feet.
- **Body piercing, tattoo, and skin art studios**
 - Tattoo samples shall not be displayed in such a manner as to be visible to the general public outside of the studio.
 - Window displays shall not contain sample artwork or posters that have not been professionally mounted or framed.
 - All establishments must comply with all health requirements of the Borough of Highlands and the Health Department of the State of New Jersey.

VII. BULK REGULATIONS

A. Lot Size

Min. Lot Area: 2,500 Square Feet

Min. Lot Width: 25 Feet

B. Setbacks

Front Setback

For all properties in the CBD zone, a minimum two (2) foot front setback is required. This will help to increase the effective sidewalk width. The required two-foot setback area must be paved with concrete in a similar pattern and material as the public sidewalk.

Where a property is a through lot that adjoins Bay Avenue on one side and another public street on the opposite frontage, Bay Avenue shall be defined as the front street.

Rear Setback

The minimum rear setback is five (5) feet.

Side Setback

No side yard setback is required where a property borders another property that is also located in the CBD Zone, however, if any side yard is to be provided, it shall be at least five (5) feet wide.

Where the side lot line of a property in the CBD Zone directly adjoins a property in a residence zone (that is, not where an intervening public street creates a separation), a minimum side yard of five (5) feet is required, and shall include a buffer as described in existing zoning, Section 21-65.3 Buffers.

C. Coverage

Lot Coverage

Maximum lot coverage is 90 percent.

Building Coverage

Maximum building coverage is 90 percent.

D. Floor Area Ratio

Floor area ratio (FAR): No minimum or maximum FAR is required.

E. Building Height

Definitions

Building height and the related concept of grade plane are defined as follows:

Building Height: The vertical distance as measured from the grade plane to the average height of the highest roof surface. In the case of sloped roofs, the average height is the mid-point between the lowest roof eave of the top floor and the roof ridge. In the case of a building that has multiple roof levels, the highest roof levels must be used to determine the building height. Chimney, elevator equipment and mechanical utility equipment and any associated screening or enclosures may exceed the permitted “building height” by up to ten (10) feet, or up to ten (10%) percent above the permitted building height, whichever is less.

Grade Plane: All properties in the Central Business District Redevelopment Area are in the Special Flood Hazard Area. The reference plane shall be the more restrictive of the base flood elevation or advisory base flood elevation, which is known as the Design Flood Elevation, of the flood hazard area plus one (1) foot.

Note that the existing building height definition provides an incentive for pitched roofs because it measures height to the midpoint of a sloping roof, but to the deck level of a flat roof.

In addition to the zoning definition above, this Redevelopment Plan adds a clarification for the CBD: rooftop parapets are permitted to exceed maximum building height by up to four (4) feet.

Height Variations based on Site Grade

The zoning requires that height for all parcels within the Flood Hazard Area – which includes nearly the entire CBD – be measured with respect to the Base Flood Elevation plus one foot (“BFE+1”), which is 12 feet for this area. Because the finished grade of most parcels within the CBD is between 4 and 9 feet elevation, all such parcels will have some “free” building height below the BFE+1 of 12 feet. But the parcels on the lowest-elevation ground will have the most effective available buildable height because there is more height available below the 12-foot BFE that can be used for parking.

HEIGHT EXAMPLES

152 BAY AVENUE, HIGHLANDS

2 stories, retail and apartments.

ESTIMATED TOTAL HEIGHT:
±28' to 32' high from grade to
ridgeline / peak of roof.

ESTIMATED ZONING HEIGHT:
±17' to 21' from BFE+1 (based on an
illustrative grade of 5 feet elevation,
meaning BFE+1 is 7 feet above grade)
to the midpoint of the gabled roof.



170 BAY AVENUE, HIGHLANDS

2.5 story single-family over storage level.

ESTIMATED TOTAL HEIGHT:
±32' to 36' high from grade to
ridgeline / peak of roof.

ESTIMATED ZONING HEIGHT:
±21' to 24.5' from BFE+1 (based on
illustrative grade of 5 feet elevation,
meaning BFE+1 is 7 feet above grade)
to the midpoint of the gabled roof.

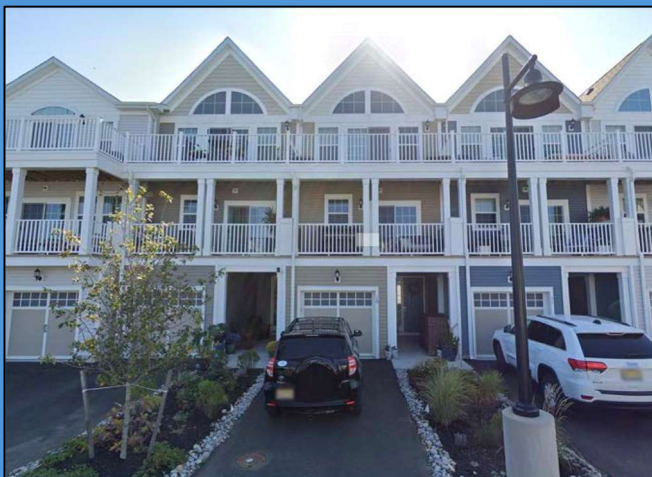


**7 HALFMOON COURT,
HIGHLANDS (outside CBD)**

2-story townhouses over parking level.

ESTIMATED TOTAL HEIGHT:
±32' to 35' from grade to ridgeline /
peak of roof.

ESTIMATED ZONING HEIGHT:
±22.5' to 25.5' from BFE+1 (based on
an illustrative grade of 5 feet
elevation, meaning BFE+1 is 7 feet
above grade) to the midpoint of the
gabled roof.



Maximum Height Allowance

A building height of 4 stories / 45 feet is permitted, conditioned upon the 4th floor having a step-back of a minimum of 8 feet and/or where parking is located on the ground floor.

The step-backs are measured relative to the primary facade plane of the floor below, and shall be designed as balconies, porches, or terraces for adjoining living spaces. A roof is permitted over step-back areas, but any such roof shall be designed and massed as secondary to the main roof mass of the building.

Active Uses

Active uses at the ground floor, and to a lesser degree, on an elevated floor, create more pedestrian foot traffic, vibrancy, and visual interest at the sidewalk. Active uses that are permitted include, but are not limited to:

- Restaurants, cafes, retail shops, boutiques, and kiosks, grocery stores, banks, certain types of walk-in service retail, such as hair salons and realtors, and art-related uses such as galleries, studios, and workspaces.
- Shared support spaces for upper floor residential units, such as lobbies and amenity areas such as resident lounges, mail rooms, game rooms, and work-out rooms.

F. Ground Floor Height

- Nonresidential uses: The minimum floor to ceiling (clearance) height for nonresidential uses located on the ground floor shall be 13-feet.

G. Required Open Spaces

Private Open Space

For any building containing residential uses, outdoor living space is required at the rate of fifty (50) square feet per unit; however, no additional open space is required based on the number of bedrooms. Each unit's minimum 50 square feet of outdoor space shall be private to and connected directly to the unit, either adjoining a floor of the unit or connected by a private staircase to the roof or the ground.

This private open space may be provided through any combination of outdoor, open-air spaces at ground level, directly adjacent to the unit and elevated in the form of balconies, decks, porches, and/or in the form of roof top terraces.

The areas provided shall be for the exclusive use of the adjoining residential unit and shall be sufficiently screened or otherwise designed to insure such privacy and exclusive use.



A modern style of covered porch

Front setback open spaces may not be counted as Private Open Spaces, as such spaces are intended to be public or shared communal spaces.

Open spaces must be exterior, out of doors, and open air. Indoor spaces such as resident lounges and gyms do not count as private open space.

Publicly Accessible Open Space

Buildings with retail or commercial space are encouraged to provide a plaza or pocket park with room for outdoor dining, café seating, merchandise sales, and/or informal public seating within front setbacks or any street-facing setbacks. Benches, landscape planters, and small ornamental trees and bushes are encouraged in these front areas as well.



Private open space on a roof deck

VIII. PARKING AND CIRCULATION

A. Vehicular Parking

Maximum Parking Ratios for Residential

- Single-family detached, two-family duplex, and townhouses: follow NJ Residential Site Improvement Standards (RSIS) for single-family, namely 1.5 spaces for a two-bedroom, 2.0 spaces for three-bedroom, and 2.5 spaces for four-bedroom, and 3.0 spaces for five or more bedrooms.
- Multi-family buildings with three (3) or more units: follow RSIS for Midrise Apartments, namely 1.8 spaces for one-bedroom units, 2.0 for two-bedroom units, and 2.1 for three-bedroom units.
- Residential uses are permitted to count first any available on-street parking spaces before determining the number of parking spaces that must be provided off-street.
- If the parking standards within this section differ from the most current NJ Residential Site Improvement Standards (RSIS), the RSIS standards shall prevail.

Minimum Parking Ratios for Non-Residential

- Each hotel shall provide parking at a ratio of one (1) space per unit of accommodation. The parking may be provided on site or within one thousand (1,000 feet) of the hotel property.
 - The hotel use may provide some of the required parking on another parcel, which may or may not be contiguous to the hotel parcel. In addition, the applicant shall provide written assurances acceptable to the appropriate Board that the parking will remain available in the future. Such assurance shall be in the form of lease agreements or deed restrictions which will be reviewed by the attorney of the board of jurisdiction. The parking assurances may be linked to a municipal mercantile license.
- For Bed and Breakfasts, parking shall be provided at a rate of one (1) space for each guest room and two (2) spaces for the owner/operator. If parking is provided off site, the construction of the Bed & Breakfast will be based on the continued availability of that parking. Should the required number of off-site parking spaces be reduced or eliminated, the number

of guest rooms shall be reduced or the bed and breakfast discontinued in accordance with the available parking.

- The required parking shall be off-street and may be provided either on-site or at a designated off-site location solely for this use.
- Bars and restaurants shall provide 1 space per 4 seats or stools.
- For other non-residential uses: The first 1,000 square feet of non-residential space shall be exempted from parking requirements. After that, parking ratios shall be 1 space per 600 square feet of non-residential space. Where a building contains more than one non-residential space or storefront, the areas of each space shall be combined before deducting the 1,000 SF exemption, and the remaining space shall be used to determine required parking for all the non-residential areas as a whole. In other words, the 1,000 SF exemption may only be used once per building.
- Non-residential uses are now also permitted to first count any available and adjacent on-street parking spaces before determining the number of off-street parking spaces to be provided.
- If the required non-residential parking supply cannot be provided onsite, the developer is required to pay an annual fee to the Highlands Capital Improvement Fund based on the number of deficient spaces so that the Borough may provide the parking at one of its municipal lots.
- Where a shared parking approach for uses with different peak demand periods could result in a total overall lower parking requirement, the Borough may allow the construction of the lesser number of spaces, provided the site plan shows how the additional space will be provided if necessary.

PARKING ACCESS

Where possible on corner lots and through lots, structured parking and open parking areas under buildings should not be accessed from Bay Avenue, but rather should be accessed from the rear of the lot or from a side street. Such access allows for a more inviting and safer street frontage, without the interruption of driveways or parking areas located underneath buildings.

The permitted number and width of driveways and curb cuts from a public street are detailed in existing zoning, [Section 21-65.5, Driveways](#). In addition, in the CBD, continuous curb cuts (such as lead to a row of pull-in parking spaces) are prohibited.

Parking Design and Buffering

Surface Parking Lots

Nonresidential surface parking lots shall be screened through landscaping and /or fencing as approved by the Land Use Board.

Exposed Parking Level on Ground Floor of a Building

Where the ground-level of a building, regardless of the building use, includes parking spaces that are exposed along any street frontage, one or more of the following improvements shall be included to soften the view of the parked cars. Any portion of street-facing building frontage that remains open, with the exception of driveways and parking entries, shall be buffered with a low masonry wall of one to three feet in height, a decorative fence of three to four feet in height, and/or a landscaping planter bed. Plantings, if used, should include a variety of species and should include those that maintain shape and texture through the winter, such as evergreens and tall native grasses. Alternately, the entire parking facade (except for driveways and parking entries) may be covered with a wood or PVC lattice screen, set within or behind regularly-spaced piers or columns.



A low wall and a simple chain fencing delineate a parking lot

Solid Walls around Parking Level on Ground Floor of a Building

Where all or a portion of a ground floor's solid facade wall faces a public street, it is important to break down the scale of the facade and provide some transparency and connection to the street.

Accordingly, any portion of a ground floor's solid facade wall that faces a public street shall include the following measures. Windows and/ or ventilation screens or grates should be provided at least every 20 feet.

High clerestory windows with translucent or opaque glazing are suggested for maximizing privacy while creating a sense of visual permeability in the parking facade. Alternately, metal grilles or screens may be used in windows to allow inflow and outflow of floodwaters. Large expanses of walls should be broken down in scale, for example with a thicker masonry base, accent trim, and/or contrasting textures or brickwork.

B. Bicycle Parking

For buildings containing more than three (3) residential units, indoor bicycle parking racks shall be provided within a secure, access-controlled room inside each building or within a separate area within the parking area, at a minimum ratio of one indoor bicycle parking space for every 4 residential units. At least 15 square feet of area shall be provided for each bicycle space to account for maneuvering room around handlebars and pedals; double-height racks to stack bicycles are permitted



Attractive outdoor bicycle parking racks

in order to meet this requirement. Bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

Outdoor bicycle racks shall also be provided near the primary pedestrian entry, as follows. A minimum ratio of one (1) outdoor bicycle parking space shall be provided for every eight (8) residential units, as well as one (1) outdoor bicycle space for every 2,000 square feet of retail or commercial space. Bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

IX. DESIGN STANDARDS

A. Building Design

BUILDING ORIENTATION AND ACCESS

For parcels with frontage along Bay Avenue, the front facade shall face Bay Avenue. For parcels not adjoining Bay Avenue, but located along Shore Drive, the front facade shall face Shore Drive. For parcels not located along either of these streets, the orientation of the front facade is flexible.

The primary entry door to ground-floor retail or commercial uses shall be located within the front facade.

In mixed-use buildings, residential entry doors may be located on a side facade as long as the entry door to the other active use is located in the front facade.

FACADE TRANSPARENCY

All glazed windows and doors below the Base Flood Elevation must comply with FEMA Technical Bulletin 2 (TB2), Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code.

Retail / Commercial Uses

At least 50 percent of the front facade area of retail and commercial spaces (whether ground floor or elevated) shall have large storefront-style plate glass windows and fully glazed doors, in order to maximize visibility into the space. At a side street, the side frontage (whether ground floor or elevated) shall include windows comprising at least 50 percent of that floor's facade area for at least the front ten (10) feet of the space.

Decorative Roll-up or fold-away windows or walls are encouraged for front facades of restaurants, cafés, and other retail businesses in order to allow the interior space to be more open and well-ventilated during good weather. Seating for outdoor dining is encouraged as well.

Residential Uses in mixed use buildings

The primary entry door for residential uses shall include a glazed area, such as a row of glass lites or a large panel of glass. To further accentuate the door, side lite windows and wall-mounted sconce lighting are encouraged.

Residential uses on upper floors shall include windows comprising at least 25 percent of the facade area along all street-facing facades.

MASSING AND ARTICULATION

Vertical Bays

The following applies to all new buildings exceeding 40 feet in length or width. Such buildings shall be broken down along all street-facing facades into a series of vertical bays each not to exceed 30 feet in width. Each bay shall be defined by a physical change in plane of at least one (1) foot relative to adjacent bays, such as is provided by a recessed or projecting bay, stacked balconies or porches, or stacked projecting bay windows. Differentiation based only on facade colors or materials is insufficient to define a bay.

Roof Form

Sloping roofs with deep eaves or overhangs are the preferred roof forms and are incentivized by the definition of where building height is measured. Cross-gables and dormers are encouraged on sloping roofs. Any areas of flat roof should receive horizontal emphasis such as deep overhangs, parapets, and/or cornices. On larger buildings, the roofline shape should vary in relation to the massing of vertical bays below.

Articulation

Building facades shall be articulated and enlivened with elements such as bay windows, balconies, piers, corner boards, overhangs, awnings or canopies, porches, windows and varied materials and textures, so as to avoid large uninterrupted areas of blank walls. Shutters, if used, shall be large enough to actually cover the window they frame, even if they will remain fixed in place.

On buildings with ground-floor retail or commercial uses, architectural accents shall be used to highlight the ground floor, such as: a cornice band above the storefront floor, flat sheltering canopies over entryways and large expanses of windows, wall-mounted sconce or gooseneck lighting, decorative tilework, and attractive signage.

Green Building Design

On southern exposures, buildings shall include projecting overhangs, flat canopies, brise-soleils / sunshades and the like to shield against solar gain, provide shade, and increase building energy efficiency.

Roof coverings painted in highly-reflective, light colors are encouraged. Green roofs are encouraged as a means to help detain precipitation and provide insulation to floors below.

ARCHITECTURAL STYLE AND MATERIALS

Building Styles

A broad design palette is permitted, provided that buildings have high quality design. Buildings are encouraged to make reference to prevailing historic styles and vernacular materials of the Jersey Shore, such as (but not limited to) shingle cottages, “gingerbread” trim, generous front porches (often on all levels of a building), and gambrel or hipped roof forms with dormers. However, references to historical motifs should be used in moderation and only where they form a cohesive design.

Façade Materials

Preferred façade materials include fiber cement and wood siding in horizontal clapboards or shingles, board and batten siding, brick, cultivated stone, or other masonry compliant with FEMA Technical Bulletin 2 (TB2). Stucco and EIFS are prohibited in the floodplain. Materials used below BFE+1 must meet FEMA flood damage-resistant material requirements. Materials, detailing, and articulation should be consistent along all building facades.

Application of Materials

No more than three different materials should be used as primary materials within each building bay. Within the chosen primary materials, variation in color, texture, and/or pattern may be employed to create further distinctions. Changes in materials, colors, texture, or pattern that occur across a horizontal line should be marked by a change in plane, dimensional band or belt cornice, a recessed channel, or similar horizontal feature. Materials should be extended around corners and extensions to a logical vertical break in plane, in order to avoid a “pasted on” appearance. The level of materials, detailing, and articulation should be consistent along all building facades, not just street-facing facades.

B. Public Improvements

This section discusses possible improvements that the Borough of Highlands could make on its public rights-of-way to help improve the pedestrian environment.

Gateway Treatments

Within the public right-of-way, special Gateway treatments at important intersections could help to reinforce the Central Business District’s identity as a distinct place and create a sense of entry to the Borough. Refer to the **Gateway Parcels** section of this plan for a description of the three designated Gateway areas. It is recommended that the Borough improve the public streetscape in these areas with such features as unit-paver pedestrian crosswalks at all sides of major intersections, bulb-outs at the ends of parking lanes to shorten pedestrian crossing distances, “Welcome to downtown Highlands” signage, public art, rain gardens, and landscaped sidewalk plantings and accent street trees.

Street Landscaping and Open Spaces

Downtown Highlands has few street trees. In part this is due to the very narrow sidewalk widths and the need to provide adequate clear walking paths for pedestrians. Street trees need generous planting volume to grow and thrive. In addition, periodic saltwater flooding may make for an inhospitable tree environment. Some towns with narrow sidewalks plant street trees in curbed planting areas within the parking lane between designated parking spots. Similarly, Highlands could plant street trees in the parking lane between driveway entry curb cuts. It should be noted, however, that trees in the parking lane make it more difficult to street-sweep and plow snow.

The landscaping in these front setback areas should include large street trees or smaller ornamental trees, either of which would contribute greatly to the appeal of Bay Avenue for pedestrians. In addition, the front setbacks will create an effectively wider sidewalk width, making the walking environment more spacious and comfortable.

X. REDEVELOPMENT ACTIONS

This Redevelopment Plan provides for several actions in support of the overall Redevelopment Plan goals and objectives, as follows:

A. Appointment of Designated Redeveloper

In order to redevelop a property within the Redevelopment Area, an individual or entity shall first be designated as a Redeveloper of the property by the Council of the Borough of Highlands (the “Governing Body”) in accordance with the LRHL. Designation of a Redeveloper by the Governing Body shall be subject to the execution of a Redevelopment Agreement as negotiated between the Redeveloper and the Borough setting forth the scope of the project, terms, obligations and conditions of the project/parties. Properties within the Redevelopment Area which are developed with one- and two-family houses do not require the property owner/developer to be designated as a Redeveloper by the Governing Body, but such properties are subject to the requirements of this Redevelopment Plan.

Potential redevelopers will be required to submit to the Borough for review and approval prior to the designation as a redeveloper at a minimum:

- Financial responsibility and capability;
- Estimated development cost;
- Estimated time schedule;
- Conceptual site plans including visual plans and elevations at a minimum;
 - Building elevations should indicate the proposed building/flood resistant materials to be constructed at all of the building’s facades.
 - The concept plan should include a site specific massing diagram which includes the mix of uses proposed for the project along with the size of the proposed program components.
- Fiscal impact analysis.

The Borough may, at any time, entertain an unsolicited proposal from a prospective redeveloper or property owner for redevelopment of a redevelopment project. The Borough may also issue an RFQ/RFP to solicit interest in a project. After review and evaluation of all proposals by the Borough, the Governing Body may select a redeveloper and proceed to negotiate a Redevelopment Agreement. The Governing Body may also reject all proposals.

B. Review Process

The review process for all redevelopment projects shall consist of the following steps:

Review of Proposed Development Plan: An application for redevelopment shall first be reviewed by the Borough staff and submitted to the Borough Planner for a consistency determination which shall include, but not be limited to, a review of the project to determine the general compliance with the

proposed development and uses of the parcel and related standards in the Redevelopment Plan, the aesthetics of the project and the project's coordination with other existing projects and with proposed development and uses.

After a favorable consistency review, a redevelopment agreement with the prospective redeveloper shall be negotiated. The Governing Body may then adopt a resolution designating the redeveloper as the "Redeveloper" for a specific portion of the Redevelopment Area and authorizing the execution of the redevelopment agreement. No application may proceed to the Land Use Board for preliminary/final site plan approval prior to the designation of a redeveloper and the execution of a Redevelopment Agreement.

C. Properties to Be Acquired

The Redevelopment Area is designated as a "non-condemnation Redevelopment Area"; no properties are currently identified for acquisition by eminent domain for redevelopment purposes.

D. Relocation

Any redeveloper will be required to provide for the temporary and permanent relocation, as necessary, of residents in the project area in accordance with applicable statutes and regulations.

The Redevelopment Area and surrounding areas include a substantial amount of decent, safe and sanitary dwelling units affordable to displaced residents.

F. Duration of Plan

The provisions of this Plan specifying redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this plan by the Borough Council.

F. Other Actions

In addition to the actions described above, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to:

- Demolition of existing structures as necessary to allow for new flood compliant construction and elimination of existing FEMA National Violation Properties that are not eligible for Community Rating System discounts.
- The option to consolidate and/or resubdivide lots to the extent necessary.
- Provisions for utilities and other infrastructure necessary to service and support new development.
- Environmental remediation as necessary to effectuate the Redevelopment Plan.
- Creation and/or vacation of easements as may be necessary for redevelopment.
- Any and all other actions and powers authorized by State law, including, but not limited to, the LRHL.

XI. GENERAL ADMINISTRATIVE REQUIREMENTS

A. Site Plan and Subdivision Review

For any development plan requiring site plan or subdivision approval, prior to commencement of construction, a site plan and/or subdivision for construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the MLUL, shall be submitted by the applicant for review and approval by the Highlands Land Use Board, unless such approval has previously been granted. One- and two-family homes are specifically exempt from site plan review. Subdivision approval shall also be required for any lot consolidations or mergers.

B. Easements

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Engineer of the Borough of Highlands.

C. Adverse Influences

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

D. Non-Discrimination Provisions

No covenant, agreement, lease, conveyance, or other instrument shall be affected or executed by the Borough of Highlands Mayor and Council or by a developer or any of his or her successors or assignees, whereby land within the Redevelopment Area is restricted upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability, or sexual orientation in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color, ancestry, sex, national origin, family status, disability, or sexual orientation.

E. Affordable Housing Provisions

This paragraph addresses the requirements of the LRHL at N.J.S.A. 40A:12A-7 pertaining to existing affordable dwelling units. The Redevelopment Area includes 155 tax lots, of which approximately 100 are developed with buildings that include one or more residential units, either as a freestanding residential use or within a mixed-use structure. There are no known dwelling units in the Redevelopment Area subject to formal affordability controls. Any residents displaced by redevelopment of a building containing a dwelling unit will be provided statutory relocation services.

The mandatory set-aside requirements in Section 26-2 of the Borough of Highlands Affordable Housing Ordinance apply to any multifamily residential development of five (5) dwelling units or more, including the residential portion of a mixed-use project. Any affordable housing obligation shall be addressed in the Redevelopment Agreement.

F. Deviation Requests

The Highlands Land Use Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Highlands Land Use Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

Deviation requests are not permitted on any FEMA regulation, NFIP standard, Highlands Borough Floodplain Management Regulation (Land Use Chapter 21), or Uniform Construction Code regulations.

Notwithstanding the above, any changes which would result in a “d” variance shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough governing body and only upon a finding that such deviation would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

G. Escrows

Any redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Borough of Highlands to review the proposed redevelopment project and advise the Borough on any and all aspects of the redevelopment process.

H. Electric Vehicle Charging Infrastructure

Pursuant to the LRHL at N.J.S.A. 40A:12A-7, the Redevelopment Plan mandates the provision of public electric vehicle charging infrastructure in a manner that appropriately connects with an essential public charging network. There are multiple existing municipal parking lots in the Redevelopment Area, of which one or more may be considered for siting of the charging network. In addition, pursuant to P.L. 2021, c.171, which was signed into law on July 9, 2021, electric vehicle supply/service equipment and parking spaces pre-wired for electric vehicle supply/service are now permitted accessory uses in all zoning or use districts Statewide, and certain nonresidential and multifamily residential developments are subject to installation of electric vehicle charging infrastructure.

XII. PLAN CONSISTENCY REVIEW

A. Relationship to Master Plans of Adjacent Municipalities

The Borough of Highlands shares municipal boundaries with the Borough of Atlantic Highlands, the Township of Middletown and the Borough of Sea Bright. However, the Redevelopment Area is located in the interior of Highlands and is not proximate to any of the adjacent municipalities. This Redevelopment Plan will not impact any of the adjacent municipalities or their master plans.

B. Relationship to the Monmouth County Master Plan

Monmouth County's current Master Plan was adopted in 2016. The Monmouth County Master Plan designates Highlands as a "Priority Growth - Reinvestment Area/Site Overlay (PG-RAS)." These are defined as "(a)reas or sites located within the PGIA where more intense or significant development, redevelopment, revitalization, and hazard mitigation investments are highly encouraged."

The Redevelopment Plan is also consistent with the goals of the Monmouth County Master Plan, notably the following: "Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay."

In addition, Monmouth County conducted a Master Plan Reexamination in 2018. The 2018 Reexamination reaffirms the goals, principles, objectives, and policy recommendations of the 2016 Master Plan.

C. Relationship to the State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (the "SDRP") was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and readopted every three years, the SDRP has only been re-adopted once during the 29 years since its original adoption. It is anticipated that a revised draft SDRP will be released to the public and subject to the cross-acceptance process in April, 2024.

This Redevelopment Plan is consistent with the SDRP, as it epitomizes the smart growth principles set forth. In particular, the Redevelopment Plan promotes the preservation and reuse of developed property, and development of vacant properties, in an area well served by infrastructure, roads and transit, while also promoting upgrades to mitigate impacts from flooding. This Redevelopment Plan therefore furthers the goals, strategies and policies of the SDRP.

XIII. PROCEDURE FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. Applicable fees and escrows shall be payable to the Borough of Highlands for any request to amend this Plan.

APPENDIX A: REDEVELOPMENT AREA TAX PARCELS

BLOCK	LOT	ADDRESS
40.01	21.01	40 WEST NORTH STREET
40.01	21.02	42 WEST NORTH STREET
40.01	22.01	38 WEST NORTH STREET
41	2.01	57 BAY AVENUE
41	3	59 BAY AVENUE
41	4	61 BAY AVENUE
41	5	65-67 BAY AVENUE
41	6	69-71 BAY AVENUE
41	7	30 SECOND STREET
41	8	75 BAY AVENUE
41	9	BAY AVENUE
41	10	85-87 BAY AVENUE
41	13.01	95-99 BAY AVENUE
42	1	60 BAY AVENUE
42	10	88 BAY AVENUE
42	12.01	84 BAY AVENUE
42	13	78 BAY AVENUE
42	14	74 BAY AVENUE
42	15	68 BAY AVENUE
45	4.01	102 BAY AVENUE
45	6.01	98 BAY AVENUE
45	7	92 BAY AVENUE – KAY STREET
46	1	103-107 BAY AVENUE
46	2	111 BAY AVENUE
46	3	123 BAY AVENUE
46	4	125 BAY AVENUE
46	5	139 BAY AVENUE
46	6	141 BAY AVENUE
46	7	143 BAY AVENUE
46	8	BAY AVE & WEST NO ST
47	6	132 BAY AVENUE
47	7	130 BAY AVENUE
47	8	128 BAY AVENUE
47	9	126 BAY AVENUE
47	10	124 BAY AVENUE
47	11	122 BAY AVENUE
47	12	120 BAY AVENUE
52	1	CORNWALL ST & BAY
52	2	140 BAY AVENUE
53	1	MILLER ST
53	2	65 MILLER STREET
53	3	9 WEST NORTH STREET

BLOCK	LOT	ADDRESS
53	4	7 NORTH STREET
53	5	63 MILLER STREET
53	6	BAY AVE & MILLER ST
53	7	BAY AVENUE
53	8	157 BAY AVENUE
53	9	151 BAY AVENUE
54	1	150 BAY AVENUE
54	3.01	146-148 BAY AVE
54	4	144 BAY AVENUE
54	5	38 NORTH STREET
54	7.01	49 MILLER STREET
58	1	154 BAY AVENUE
58	3.01	50 MILLER STREET
58	17.01	192 BAY AVENUE
58	18	190 BAY AVENUE
58	19 (& 20)	188 BAY AVENUE
58	23.01	182 BAY AVENUE
58	24	170 BAY AVENUE
58	25	168 BAY AVENUE
58	26	164 BAY AVENUE
59	5	SECOND ST
59	6	SECOND TO MILLER
59	8	66 MILLER STREET
59	9	165 BAY AVENUE
59	10	171 BAY AVENUE
59	11.01	181 BAY AVENUE
59	11.02	179 BAY AVENUE
59	13.01	187 BAY AVENUE
59	14	191 BAY AVENUE
59	16.01	193-195 BAY AVENUE
63	4	VALLEY STREET
63	5	197 BAY AVENUE
63	6	203 BAY AVENUE
63	7	205 BAY AVENUE
63	9.01	207 BAY AVENUE
63	10	211 BAY AVENUE
63	11	213 BAY AVENUE
63	13.01	215 BAY AVENUE
63	14	219-221 BAY AVENUE
63	15	219-221 BAY AVENUE
63	16	225 BAY AVENUE
63	17	227 BAY AVENUE

BLOCK	LOT	ADDRESS
63	19.01	231 BAY AVENUE
64	1	196 BAY AVENUE
64	2	208 BAY AVENUE
64	17	230 BAY AVENUE
64	18	228 BAY AVENUE
64	19	226 BAY AVENUE
64	20	222 BAY AVENUE
64	21	218 BAY AVENUE
64	22	218 BAY AVENUE
64	23	216 BAY AVENUE
64	24	214 BAY AVENUE
64	25	210 BAY AVENUE
64	28.01	208 BAY AVENUE
69	1	234 BAY AVENUE
69	2	238 BAY AVENUE
69	4.01	242 BAY AVENUE
69	6.01	29 ATLANTIC STREET
70	1	233 BAY AVENUE
70	2	235 BAY AVENUE
70	3	237 BAY AVENUE
70	15	239 BAY AVENUE
70	16	241 BAY AVENUE
70	17	245 BAY AVENUE
71	4	247 BAY AVE – ATLANTIC ST
71	5	249 BAY AVENUE
71	6	251 BAY AVENUE
72	1	28 ATLANTIC STREET
72	2	BAY AVENUE
72	11.01	270 BAY AVENUE
72	12	272 BAY AVENUE
73	2	SEADRIFT AVENUE
74	1	273 BAY AVENUE
74	8.01	83 BARBARIE AVENUE
74	9	277 BAY AVENUE
75	1	274-276 BAY AVENUE
75	17	282 BAY AVENUE
75	18	284 BAY AVENUE
80	1	286 BAY AVENUE
80	2	288 BAY AVENUE
80	20	294 BAY AVENUE
80	21	292 BAY AVENUE

BLOCK	LOT	ADDRESS
80	22	290 BAY AVENUE
81	1	285 BAY AVENUE
81	10.01	295 BAY AVENUE
81	12	289 BAY AVENUE
82	1.01	297-299 BAY AVENUE
82	6.01	BAY & HUDDY AVE
83	1 (& 14)	300 BAY AVENUE
88	1.01	311 BAY AVENUE
88	2	71 WATERWITCH AVENUE
88	3	71 WATERWITCH AVENUE
88	4.01	67-69 WATERWITCH AVENUE
88	5	321 BAY AVENUE
89	1	310 BAY AVENUE
89	2	58-60 HUDDY AVENUE
89	13.01	65 WATERWITCH AVENUE
94	1	BAY & WATERWITCH AVE
94	15.02 & 15.03 (was 15)	69-71 SNUG HARBOR AVE
94	16	329 BAY AVENUE
95	1	WATERWITCH & BAY AVE
96	1	331 BAY AVENUE
96	2.01	171 BAY AVENUE
96.01	2.01	BAY AVENUE
96 (was 96.01)	3	409 BAY AVENUE
114	1.01	SHORE DRIVE
114	1.02	SHORE DRIVE
114	3.02	SHORE DRIVE



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-147

AMENDING RESOLUTION 24-119 ENTITLED APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2024-2025 TERM AS PERTAINS TO LIQUOR LICENCE NO. 1317-33-024-017

WHEREAS, Resolution 24-119 approved the renewal of Liquor License No. 1317-33-024-017 for La Bise / Saltwater Social, for the 2024-2025 term and was passed by the Borough of Highlands on June 5, 2024; and

WHEREAS, the Borough of Highlands was later advised by the Division of Alcoholic Beverage Control that the Licensee for Liquor License No. 1317-33-024-017 is only La Bise LLC; and

WHEREAS, it was the intention of the Borough of Highlands to approve Liquor License No. 1317-33-024-017 for Licensee La Bise LLC rather than La Bise / Saltwater Social;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Highlands hereby amends Resolution 24-119 to reflect that the approval of Liquor License No. 1317-33-024-017 is for Licensee La Bise LLC for the 2024-2025 term.

Motion to Approve R 24-147:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-148

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR 2024 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2024 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2024 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as **Pedestrian Improvements to Marine Place East** with a grant allocation of **\$167,000.00**.

WHEREAS, the **Borough of Highlands** hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the **Borough of Highlands** has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the **Borough of Highlands**.

Motion to Approve R 24-148:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-149

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2024; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the **Borough of Highlands** execute a Project Agreement with Monmouth County to undertake a project known as Pedestrian Improvements to Marine Place East; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the **Borough of Highlands** sign additional certifications in order to receive these funds; and

WHEREAS, the **Borough of Highlands** has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the **Borough of Highlands** has met the conditions of receiving a Fiscal Year 2024 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the **Borough of Highlands** is hereby authorized to sign the attached certifications which will become part of the Fiscal Year 2024 Project Agreement.


Motion to Approve R 24-149:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands

HIGHLANDS POLICE DEPARTMENT		
STANDARD OPERATING PROCEDURE		
SUBJECT: USE OF FORCE		
EFFECTIVE DATE: March 9, 2023	NUMBER OF PAGES: 38	
ACCREDITATION STANDARDS: 1.10.2a, 3.3.1, 3.3.2, 3.3.3, 3.3.4	BY THE ORDER OF: Chief of Police	

PURPOSE The purpose of this standard operating procedure is to maintain procedures regarding the lawful use of force and to maintain compliance with guidelines and directives promulgated by the New Jersey Attorney General, the Monmouth County Prosecutor, and existing statutory and case law.

POLICY It is the policy of the Highlands Police Department that officers hold the highest regard for the dignity and liberty of all persons and place minimal reliance upon the use of force and instead use de-escalation tactics to the extent possible under the circumstances. This department respects and values the sanctity of human life and the application of deadly force is a measure to be employed only in the most extreme circumstances.

Law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. That authority is grounded in the responsibility to comply with the laws of the State of New Jersey regarding the use of force and to comply with the provisions of this SOP. In situations when officers are justified in using force, officers shall use only that degree of force that is reasonable, necessary, and proportional considering the totality of the circumstances, including the subject’s mental and physical condition, the nature of the offense, and most importantly the level of resistance or threat known to the officer at the time.

This SOP reinforces the responsibility of law enforcement officers to take those steps possible to prevent or stop the illegal or inappropriate use of force by other officers. Officers are encouraged to do whatever they can to interrupt the flow of events before other officers do something illegal and before any official actions are necessary.

Officers whose actions are consistent with the law and the provisions of this SOP will be strongly supported by the law enforcement community in any subsequent review of their conduct regarding the use of force. Conversely, officers whose actions are contrary to law and the provisions of this SOP may be subject to disciplinary action, up to and including criminal prosecution and/or termination.

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VI. CORE PRINCIPLE #5 – Every officer, regardless of rank, title, seniority, or status, has an affirmative duty to take steps to prevent any use of force that is illegal, excessive, or otherwise inconsistent with such policies, regulations, and laws, if possible, before a fellow officer uses excessive, illegal, or otherwise inappropriate force. Every officer has a duty to immediately report any improper use of force.	25
VII. CORE PRINCIPLE #6 – After any use of force, and when the environment is safe, officers shall promptly render medical assistance to any injured person consistent with the officer’s training and shall promptly request emergency medical assistance for that person, if needed or requested. Officers also have a duty to monitor individuals for potential medical intervention after any officer uses force.	26
VIII. CORE PRINCIPLE #7 – Every use of force must be reported and receive a meaningful command level review as set forth in this SOP that includes review by the law enforcement executive. The law enforcement executive shall also conduct an annual review and analysis of the overall use of force by the department.	29
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PROCEDURES

I. DEFINITIONS

A. Use of force options:

1. Physical force involves contact with a subject beyond that which is generally used to effect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the officer's authority, or to protect persons or property. Examples include taking a resisting subject to the ground, using wrist or arm locks, striking the subject with the hands or feet, or other similar methods of hand-to-hand confrontation, such as certain pain compliance techniques.
2. Mechanical force involves the use of a device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the officer's authority. Examples include use of an asp, baton, or other object, oleoresin capsicum (OC) spray or the physical apprehension by canines.
3. Enhanced mechanical force is an intermediate force option between mechanical force and deadly force, generally requiring a greater level of justification than that pertaining to physical or mechanical force, but a lower level of justification than that required for the use of deadly force. Unlike deadly force, enhanced mechanical force does not require an imminent threat of death or serious bodily injury. Examples include conducted energy devices and less-lethal devices and ammunition.
4. Deadly force is force that an officer uses with the purpose of causing, or that a reasonable officer knows, creates a substantial risk of causing death or serious bodily injury.
 - a. Discharging a firearm, constitutes deadly force, unless the discharge occurred during a law enforcement training exercise, routine target practice at a firing range, a lawful animal hunt, or the humane killing of an injured animal.
 - b. A threat to cause death or serious bodily injury by the display of a weapon or otherwise, so long as the officer's purpose is limited to creating an apprehension that deadly force will be used, if necessary, does not constitute deadly force.

B. Active assailant is a person who is using or imminently threatening the use of force, with or without a weapon, in an aggressive manner that poses a substantial risk of causing bodily injury to an officer or another person. A threatening assailant becomes an active assailant when the threat becomes imminent.

C. Aerosol spray device (ASD) means a device carried by a law enforcement officer that projects a spray of foam, a stream of oleoresin capsicum (OC), or other chemical or natural agent intended to produce temporary physical discomfort or to incapacitate a suspect. NOTE: Aerosol spray device does not include chemical munitions or similar projectiles that are launched by a firearm or by a non-firearm delivery device or system.

- D. Bodily injury is physical pain or temporary disfigurement, or any impairment of physical condition. Bodily harm and bodily injury have the same definition for the purposes of this SOP (N.J.S.A. 2C:11-1(a); N.J.S.A. 2C:3-11(e)).
- E. Civil disturbance is an assembly of persons engaged in or creating an immediate threat of collective violence, destruction of property, looting, or other criminal acts. Such a gathering may also be referred to as a riot.
- F. Chokehold is a technique that involves applying direct pressure to a person's trachea (windpipe) or airway (front of the neck) with the effect of reducing the intake of air. This includes a carotid restraint or any lateral neck restraint, where direct pressure is applied to the carotid artery restricting the flow of blood to the brain causing temporary loss of consciousness. Chokeholds, neck restraints, vascular restraints, or carotid restraints are prohibited except in extraordinary circumstances when the officer's life is in danger and deadly force is authorized.
- G. Conducted energy device (CED) means any device approved by the New Jersey Attorney General that is capable of firing darts/electrodes that transmit an electrical charge or current intended to temporarily disable a person. Related definitions include:
1. Anti-felony identification device (AFID) is the confetti-like contents of a conducted energy device cartridge bearing the serial number of the cartridge deployed. (AFID is a product associated with AXON devices).
 2. Cartridge is a shell containing AFIDs and two probes that penetrate the target and deliver neuromuscular incapacitation (NMI).
 3. Data download is the method of electronic recovery of the firing and video data saved by the CED upon activation.
 4. Discharge means to cause an electrical charge or current to be directed at a person in contact with the darts/electrodes of a conducted energy device.
 5. Drive stun mode means to discharge a CED where the main body of the device is in direct contact with the person against whom the charge or current is transmitted.
 6. Fire means to cause the darts/electrodes of a CED to be ejected from the main body of the device and to contact a person for the purpose of transmitting an electrical charge or current against the person.
 7. Spark display means a non-contact demonstration of a CED's ability to discharge electricity that is done as an exercise of constructive authority to convince an individual to submit to custody.
- H. Constructive authority is not considered a use of force because it does not involve physical contact with the subject. Rather, constructive authority involves the use of officers' authority to exert control over a subject.
1. Examples include verbal commands, gestures, warnings, and un-holstering a weapon.

2. Pointing a firearm at a subject is an element of constructive authority to be used only in appropriate situations.
- I. Cooperative person is a person who responds to and complies with an officer's directions.
- J. Critical decision-making model is an organized way of making decisions about how an officer will act in any situation, including those that may involve potential uses of force.
- K. Deadly weapon means any firearm or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury, or in the manner in which it is fashioned would lead the victim reasonably to believe it to be capable of producing death or serious bodily injury (see N.J.S.A. 2C:11-1(c)).
- L. De-escalation refers to the action of communicating verbally or non-verbally to reduce, stabilize, or eliminate the immediacy of a threat. De-escalation may also be used to create the time needed to position additional resources to resolve the situation with the least amount of force necessary.
- M. Excited delirium is a medical disorder generally characterized by observable behaviors, including extreme mental and physiological excitement, intense agitation, hyperthermia often resulting in nudity, hostility, exceptional strength, endurance without apparent fatigue, and unusual calmness after restraint accompanied by a risk of sudden death. Specific signs and characteristic symptoms may include, but are not limited to:
 1. Constant or near constant physical activity.
 2. Irresponsiveness to police presence.
 3. Nakedness/inadequate clothing that may indicate self-cooling attempts.
 4. Elevated body temperature/hot to touch.
 5. Rapid breathing.
 6. Profuse sweating.
 7. Extreme aggression or violence.
 8. Making unintelligible, animal-like noises.
 9. Insensitivity to or extreme tolerance of pain.
 10. Excessive strength (out of proportion to the person's physique).
 11. Lack of fatigue despite heavy exertion.
 12. Screaming and incoherent talk.
 13. Paranoid or panicked demeanor.

14. Attraction to bright lights/loud sounds/ glass or shiny objects.
- N. Feasible means reasonably capable of being accomplished or carried out, given the totality of the circumstances, in a manner that maintains the safety of the public and officers
- O. Imminent danger describes threatened actions or outcomes that are immediately likely to occur during an encounter absent action by the officer. The time involved is dependent on the circumstances and facts evident in each situation and is not the same in all situations. The threatened harm does not have to be instantaneous, for example, imminent danger may be present even if a subject is not at that instant pointing a weapon at the officer, but is carrying a weapon and running for cover, to gain a tactical advantage.
- P. Law enforcement executive means the chief of police. In situations when the chief of police is recused from a matter, then law enforcement executive refers to the next highest-ranking officer without a conflict.
- Q. Law enforcement incidents are defined as:
1. Any use of force by an officer resulting in death.
 2. Any use of force by an officer resulting in serious bodily injury.
 3. Any use of deadly force (including the discharge of a firearm as defined in subsection V.A of this SOP) by an officer, regardless of whether such force resulted in injury.
 4. The death of any civilian during an encounter with an officer.
 5. The death of any civilian while in the custody of law enforcement.
- R. Meaningful command review is a formal documented process to determine whether policy, training, equipment, or disciplinary issues need to be addressed.
- S. Peaceful demonstration is a nonviolent assembly of persons organized primarily to engage in free speech activity. These may be scheduled events that allow for law enforcement planning or spontaneous. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.
- T. Physical contact involves routine or procedural contact with a subject necessary to effectively accomplish a legitimate law enforcement objective. Examples include guiding a subject into a police vehicle, holding the subject's arm while transporting, routinely handcuffing a subject, and maneuvering or securing a subject for a frisk. Physical contact alone does not constitute force.
- U. Positional asphyxiation is insufficient intake of oxygen because of body position that interferes with the subject's ability to breathe. It can occur during the process of subduing and restraining a person by placing the person in a posture that prevents or impedes the mechanism of normal breathing. If the person cannot escape from the position, death may occur very rapidly. Restraint in the prone position presents a significant risk of asphyxia, particularly when a person is handcuffed and left in a face-down position. As soon as handcuffed and

restrained, a person should be raised immediately to a seated or standing position that does not impede the mechanism of normal breathing.

- V. Proportional force is the minimum amount of force, of both type (e.g., physical, mechanical, enhanced mechanical, or deadly) and intensity, that is necessary to control a situation and achieve a legitimate law enforcement objective. The law permits officers to overcome unlawful force or resistance; thus, the term proportional force is not intended to mean a type and intensity of force that is exactly equal to the type and intensity of force being used by the subject. The term proportional force is intended to highlight that the level of force a law enforcement officer utilizes shall be no more than is necessary to overcome the unlawful force or resistance being confronted by the officer.
- W. Reasonable belief is an objective assessment based upon an evaluation of how a reasonable police officer with comparable training and experience would react to, or draw inferences from, the facts and circumstances confronting and known by the officer at the scene.
- X. Resisting arrest refers to the act of a person who purposely prevents a law enforcement officer from affecting an arrest, to include such things as threatening to use physical force or violence against the law enforcement officer or use of any other means to create a substantial risk of causing physical injury to a law enforcement officer when acting under the color of his official authority (N.J.S.A. 2C: 29-2).
1. Active resistor is a person who is uncooperative, fails to comply with directions from an officer, and instead actively attempts to avoid physical control. This type of resistance includes, but is not limited to, evasive movement of the arm, flailing arms, tensing arms beneath the body to avoid handcuffing, and flight.
 2. Passive resistor is a person who is non-compliant in that they fail to comply in a non-movement way with verbal or other direction from an officer.
- Y. Serious bodily injury means bodily injury which creates a substantial risk of death, or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. Serious bodily injury and serious bodily harm have the same definition the purposes of this SOP. See N.J.S.A. 2C:11-1(b); N.J.S.A. 2C:3-11(d).
- Z. Strategic redeployment is repositioning by an officer to increase space and time to react to a subject. It includes gaining time to de-escalate by withdrawing from the immediate vicinity of the subject if doing so will not create a threat to the safety of the public or the officer in doing so.
- AA. Tactical communication is verbal communication techniques that are designed to avoid or minimize the use of force. Such techniques include giving clear, simple instructions or directions, using active listening techniques to engage the suspect, and explaining the consequences of failure to comply with directions or instructions, including that force may be used.
- BB. Tactical positioning is making advantageous uses of position, distance, and cover to reduce the risk of injury to an officer and avoid or reduce the need to use force.

- CC. Tactical team is a group of officers who are specially selected, trained, and equipped to handle high-risk incidents, including, but not limited to, those involving snipers, barricaded persons, warrant services, apprehensions, act of terrorism, and other situations or activities as deemed necessary by command leadership.
- DD. Threatening assailant is a person who is threatening the use of force against an officer or another person, with or without a weapon, in an aggressive manner that may cause bodily injury. Examples may include a person armed with a weapon who fails to disarm, and an unarmed person who advances on an officer or any other person in a threatening manner thereby reducing the officer's time to react, putting the officer in reasonable fear of a physical attack.
- EE. Time as a tactic is a method to avoid forcing an immediate resolution to a situation if it can be safely done, including establishing a zone of safety around a person that creates an opportunity for an assessment and action, when feasible, thereby decreasing the need to resort to force.

II. CORE PRINCIPLE #1

- A. *In serving the community, officers shall make every effort to preserve and protect human life and the safety of all persons. Officers shall also always respect and uphold the dignity of all persons in a non-discriminatory manner.*
1. A respectful and cooperative relationship with the community is essential for effective law enforcement. That relationship can be undermined when force is used unnecessarily or unequally.
 2. Every officer shall respect the sanctity of human life and the dignity of every person, and act to preserve every life, whenever possible, and avoid unnecessary injury to members of the public or themselves.
 3. In carrying out their duties as guardians of public safety, officers shall always treat every person equally without regard to the individual's actual or perceived race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, sex, gender identity or expression, disability, nationality, familial status, or any other protected characteristic under N.J.S.A. 10:5-1 et seq.

III. CORE PRINCIPLE #2

- A. *Force shall only be used as a last resort when necessary to accomplish lawful objectives that cannot reasonably be achieved through verbal commands, critical decision making, tactical deployment or de-escalation techniques. Force shall never be used as a retaliatory or punitive measure.*
- B. Officers are granted the unique authority to use force for lawful purposes, including, but not limited to, the following:
1. Effectuating a lawful arrest or detention; or
 2. Carrying out a lawful search; or
 3. Overcoming resistance directed at the officer or others; or

4. Preventing physical harm to the officer or to another person (including intervening in a suicide or other attempt of self-inflicted injury); or
 5. Protecting the officer or a third party from unlawful force; or
 6. Preventing property damage or loss.
- C. Officers cannot use or threaten to use force for any following reasons:
1. To punish a person or to retaliate against them for past conduct; or
 2. As a lesson to prevent a person from resisting or fleeing in the future; or
 3. To resolve a situation more quickly, unless delay would risk the safety of the person involved, officers, or others, or would significantly interfere with other legitimate law enforcement objectives.
- D. Officers shall exhaust all other reasonable means to gain compliance before resorting to force, if feasible. Thus, if a safe alternative would achieve law enforcement's objective, force shall not be used. Therefore, officers shall use verbal commands, critical decision making, tactical deployment and de-escalation techniques to gain voluntary compliance, when feasible. Importantly, officers shall never engage in unnecessary, overly aggressive, or otherwise improper actions that create a situation where force becomes necessary.
- E. Critical decision-making and tactical deployment techniques include tactical communication and tactical positioning, such as strategic redeployment and time as a tactic. Critical decision-making and tactics require officers to do the following:
1. Begin critical assessment and planning prior to arriving at the scene; and
 2. Collect available information; and
 3. Assess situations, threats, and risks; and
 4. Identify options for conflict resolution; and
 5. Determine the best course of action; and
 6. Act, review, and re-assess the situation as it evolves.
- F. De-escalation is the action of communicating verbally or non-verbally to reduce, stabilize, or eliminate the immediacy of a threat. De-escalation may also be used to create the time needed to allow the situation to resolve itself or to position additional resources to resolve the situation with the least amount of force necessary. Officers should employ de-escalation techniques when feasible, which include, but are not limited to, the following:
1. Communication techniques to calm an agitated subject (e.g., regulating tone and pitch, such as speaking slowly in a calm voice); and

2. Techniques to promote rational decision making, such as ensuring that only one officer addresses the subject and other officers remain detached as safety permits as to not escalate the situation and splitting up individuals at the scene who are arguing.
 3. Active listening techniques, such as sharing the officer's name, asking the subject their name, and exhibiting a genuine willingness to listen.
 4. Slowing down the pace of the incident by taking deep breaths, slowing speech, and/or applying strategic or critical thinking.
 5. Using calming gestures and facial expressions (e.g., arms extended with palms out and avoid angry expressions).
 6. Practicing procedural-justice techniques, such as explaining the officer's actions and responding to questions.
 7. Verbal persuasion and advisements (e.g., explaining, without threats, how the person would benefit from cooperation, and the subject's rights or what the officer wants the subject to do).
 8. Avoiding the unnecessary display of weapons, including firearms, batons, or OC aerosol.
- G. Generally, officers should not immediately use force when encountering noncompliance with verbal directions. Instead, and whenever feasible before using force, officers shall:
1. Provide clear instructions and warnings; and
 2. Attempt to determine whether the person has a special need, mental condition, physical limitation, developmental disability, or language barrier (See subsection III.H below); and
 3. State the consequences of refusing to comply with a mandatory directive, including that force will be used unless the person complies; and
 4. Give the suspect a reasonable opportunity to comply.
- H. Officers should consider an individual's mental, physical, developmental, intellectual disability, or other conditions, such as age of the suspect, that affect the person's ability to communicate or comply. This includes, when feasible, considering the following factors related to the individual:
1. Behavioral or mental health crisis; or
 2. Drug interaction; or
 3. Medical condition; or
 4. Mental impairment; or
 5. Physical limitation; or

6. Developmental disability, including autism spectrum disorder; or
 7. Cognitive impairment or intellectual disability; or
 8. Hearing loss or impairment; or
 9. Communication disorder, including speech impairment; or
 10. Language barrier; or
 11. Visual impairment; or
 12. Age; or
 13. Other factors beyond the individual's control.
- I. Whenever an officer determines that one of the above listed factors exists (subsection III.H above) and is influencing the person's failure to comply with an officer's command, when feasible, the officer shall consider whether specific techniques or resources would help resolve the situation without the need to utilize force. Techniques for responding include, but are not limited to, the following:
1. Obtaining information about the person from available sources including family members, caregivers or others who know the individual; and
 2. Decreasing exposure to the potential threat by moving to a safer position. This may involve creating distance, seeking cover, tactical repositioning, concealment, and/or placing barriers between an uncooperative person and the officer; and
 3. Slowing down the pace of the incident by the officer slowing their speech, taking deep breaths, and/or applying strategic and critical thinking; and
 4. Keeping the non-compliant person confined to a limited area and calling for a supervisor, back-up officers, and specially trained resources to assist in resolving the incident. These specially trained resources may include crisis intervention team-trained officers, behavioral or mental health care providers, negotiators, qualified bi-lingual officers, or officers equipped with less-lethal devices; and
 5. Using time as a de-escalation strategy, thereby creating an opportunity to calm the non-compliant person; and
 6. Using simplified speech and shorter verbal directions or instructions; and
 7. Eliminating or reducing sensory distractions (e.g., bright flashing lights, sirens, or other loud noises); and
 8. Any reasonable strategy that lessens the emotional anger, frustration, combativeness of a subject or others who may be present may be appropriate.
- J. Importantly, officers should not default to attempting to resolve the incident immediately if slowing down the pace is viable and can be accomplished without creating an immediate threat to the public or placing officers in unreasonable

danger.

IV. CORE PRINCIPLE #3

- A. Officers shall use the least amount of force that is objectively reasonable, necessary, and proportional to safely achieve the legitimate law enforcement objective under the circumstances.
- B. In situations when officers are justified in using force, officers shall use only that degree of force that is reasonable, necessary, and proportional considering the totality of the circumstances, including the subject's mental and physical condition, the nature of the offense, and most importantly the level of resistance or threat known to the officer at the time.
- C. The decision to use force and the appropriate amount of force requires careful attention to the facts and circumstances of each incident. As time permits and is feasible, officers must consider the following non-exhaustive list of factors when determining whether and how much force to apply:
1. Immediacy and severity of the threat to officers or the public; and
 2. The conduct of the individual being confronted, as reasonably perceived by the officer at the time; and
 3. Characteristics of the officer and subject (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects); and
 4. The effects of drugs or alcohol; and
 5. The individual's mental state or capacity; and
 6. The proximity of weapons or dangerous improvised devices; and
 7. The degree to which the subject has been effectively restrained and their ability to resist despite being restrained; and
 8. The availability of other options and possible effectiveness; and
 9. The seriousness of the suspected offense or reason for contact with the individual. For example, in dealing with minor offenses, such as motor vehicle or and local ordinance violations practicing procedural justice techniques, such as explaining the officer's actions and responding to questions before resorting to force, is particularly important; and
 10. The officer's training and experience; and
 11. The potential for injury to officers, suspects, and the public.

- D. Since law enforcement encounters are never static and rapidly evolve, officers must continuously assess the effectiveness, proportionality, and necessity of their actions, including their tactical positioning, to decrease the likelihood of force being needed for self-protection. Officers may increase the time available to evaluate the threat by positioning an object between themselves and the subject, being aware of their surroundings, and waiting for backup, when it is available.
- E. The level of resistance that officers encounter is a key factor in determining the appropriate amount of force that can be used in response. Although it is not possible to determine in advance what the appropriate level of force is for every encounter, one factor that is consistent is the amount of resistance the officer is facing at the time. The less resistance an officer faces, the less force the officer should use. Consistent with training, the following general rules apply in determining the appropriate level of force:
1. Cooperative person – when dealing with a cooperative person, officers may rely on police presence and/or verbal control techniques but should not use force.
 2. Passive resistor – when dealing with a passive resistor, officers may rely on police presence, verbal control techniques, holding techniques, lifting/carrying, wrist locks and other manual pain compliance techniques. Greater force, such as strikes, punches, CEDs, or mechanical force devices shall not be used.
 3. Active resistor – when dealing with an active resistor, in addition to the options available for passive resistors, officers may use physical strikes with hands or feet, OC spray, or tactical batons applied with non-impact pressure, and taking the person to the ground. Intentional strikes to the head or face, which are only allowed in an act of self-defense, are not permitted when dealing with an active resistor (see deadly force, subsection V.C of this SOP). Police canines shall not be utilized against an active resistor.
 4. Threatening assailant – in general, when dealing with a threatening assailant, officers may use all types of force options other than deadly force. This includes striking with tactical batons, using an aerosol spray device, or using a CED. Although a range of force options is generally available, the officer shall only use force that is proportional to the threat faced. Any strikes to the head or neck with a tactical baton are considered deadly force and can only be used when deadly force is allowed (subsection V.C of this SOP).
 5. Active assailant – in general, when dealing with an active assailant, officers have all force options available, though deadly force shall only be used as a last resort in accordance with Core Principle #4 (see deadly force, section V of this SOP).
- F. An individual's status evolves from a resistor to an assailant when he/she uses force, threaten to use force, or otherwise act in an aggressive manner that increases the likelihood that they may cause physical injury to an officer or to another person. However, flight from an officer does not, on its own, qualify a person as an assailant.

1. When dealing with an individual who poses a threat to the officer, the individual could be considered either a threatening assailant or an active assailant. To determine the individual's status for appropriate officer response, the officer must assess whether the threat poses an imminent danger.

2. If the threat is imminent, then that individual is considered an active assailant and all use of force options are available with deadly force being an absolute last resort in accordance with Core Principle #4 (see deadly force, section V of this SOP).
- G. Officers face a dynamic environment in which interactions with individuals can escalate very quickly from one level of resistance to another. For example, a passive resistor may become an active assailant in an instant.
1. In responding to the level of resistance, the officer may use the level of force that corresponds to the level of resistance the officer is facing and need not use lesser levels of force that will not address the threat that the officer faces at the time.
 2. If the individual's resistance diminishes, the officer shall immediately reduce the level of force used against the individual. If the individual stops resisting entirely, the officer must immediately cease using force.
- H. Special requirements must be met before an officer can display a firearm. Unholstering or pointing a firearm are tactics that should be used with great caution. The presence of an officer's firearm, under the right circumstances, can discourage resistance and ensure officer safety in potentially dangerous situations without the need to resort to force. However, at the same time unnecessarily or prematurely drawing a firearm could limit an officer's options in controlling a situation, could create greater anxiety on the part of the public, and could result in an unwarranted or accidental discharge of the firearm.
1. Consistent with training, officers can point a firearm at a person only when circumstances create a reasonable belief that it may be necessary for the officer to use deadly force.
 2. When the officer no longer reasonably believes that deadly force may be necessary, the officer shall, as soon as practicable, secure or holster the firearm.
- I. Pain compliance techniques may be effective in controlling a passive or active resistor. Officers can only apply pain compliance techniques on which the officer has received department approved training and only when the officer reasonably believes that the use of such a technique is necessary to further a legitimate law enforcement purpose. Officers utilizing any pain compliance technique should consider the totality of the circumstances including, but not limited to, the following:
1. The potential for injury to the officer(s) or others if the technique is not used.
 2. The potential risk of serious injury to the individual being controlled.
 3. Whether the pain compliance technique is effective in achieving an appropriate level of control or a different technique should be employed.
 4. The nature of the offense involved.
 5. The level of resistance of the individuals(s) involved.

6. Whether immediate resolution is necessary.
 7. The application of any pain compliance technique shall be immediately discontinued once the officer determines that compliance has been achieved or other more appropriate alternatives can reasonably be utilized; and
 8. Officers shall only use striking techniques directed at a subject's face as a means of self-defense, or in the defense of others. Striking at a subject's face using fists, elbows, knees, and feet, shall not be used as a means of pain compliance.
- J. Officers must recognize the heightened risk of positional asphyxiation and compression asphyxiation during restraint and be alert to any actions that must be immediately taken to avoid or minimize the risk of asphyxiation.
1. Positional asphyxia can occur when a person is restrained, handcuffed, or left unattended in any position that impedes their ability to breathe normally, particularly in a prone position. If the person cannot escape from the position, death may occur very rapidly. Thus, while using force officers shall be alert to the following heightened risk factors for positional asphyxiation:
 - a. Alcohol or drug intoxication; and/or
 - b. Possible mental health episode or incident; and/or
 - c. A substantially overweight individual; and/or
 - d. Possible suffering of respiratory muscle fatigue (exhaustion); and/or
 - e. Possible airway obstruction; and/or
 - f. Unconsciousness.
 2. Officers shall take the following actions to reduce the risk of positional asphyxiation:
 - a. As soon as handcuffed and restrained, a person should be immediately rolled to the side and taken to an upright position that does not impede the mechanism of normal breathing. This requirement is especially important when the subject is handcuffed face down in the prone position; and
 - b. Care should be taken not to put sustained pressure on the neck or back, as breathing can be restricted even if the person is placed in the recovery position. This includes sitting, kneeling, or standing on a person's chest, back, or neck for a prolonged time; and
 - c. Officers shall continuously monitor the person's condition while being restrained, as death can occur suddenly and develop beyond the point of viable resuscitation within seconds; and
 - d. Whenever possible during team restraint, the on-scene supervisor or senior officer shall designate a 'Safety Officer', with the

responsibility to monitor the health and welfare of the person during restraint; and

- e. The arrested person must not be transported in the prone position; and
 - f. The arrested person should be monitored prior to, during, and at the conclusion of the transport.
3. Officers shall continually monitor the condition of the subject(s) in their custody for the following warning signs of positional asphyxiation:
- a. Verbal complaints or comments of being unable to breathe properly, although be aware that a person suffering breathing difficulties may not be able to complain about their crisis; and/or
 - b. Visual signs that the subject is struggling or exhibiting increased effort to breathe; and/or
 - c. Gurgling/gasping sounds with foam or mucus coming from the nose or mouth; and/or
 - d. Display of a heightened level of aggression during restraint, which may be a physiological response to fighting for air, such that any increased resistance during restraint of a person should be regarded with caution; and/or
 - e. Sudden behavioral changes, such as going from being violent and noisy to passive, quiet, and tranquil, or alternatively, suddenly becoming more aggressive; and/or
 - f. Blue discoloration of facial skin (cyanosis); and/or
 - g. Swelling, redness or blood spots to the face or neck; and/or
 - h. Any loss or a reduced level of consciousness.
- K. Conducted energy devices – conducted energy devices (CEDs) are forms of enhanced mechanical force which may be utilized against a threatening assailant or an active assailant, but only within the parameters outlined in this SOP and this agency's SOP on *Weapons and Ammunition*. CEDs shall not be utilized against a passive resistor or an active resistor. Officers shall always strive to use only that degree of force that is objectively reasonable, necessary, and proportional considering the totality of the circumstances.
- 1. When feasible, officers should warn the person against whom a CED is directed that the officer intends to fire the weapon.
 - 2. Officers authorized to use a CED pursuant to this SOP may fire, discharge, or utilize drive stun mode of the device during an actual operation, only against:
 - a. An active assailant; or

- b. A threatening assailant who will not voluntarily submit to custody after having been given a reasonable opportunity to do so considering the exigency of the situation and the immediacy of the need to employ law enforcement force; or
 - c. A person who is attempting to cause death or serious bodily injury to themselves; or
 - d. A fleeing suspect, if clear and convincing evidence exists to believe the suspect has committed a crime in which the suspect caused or attempted to cause death or serious bodily injury.
 3. Officers shall reevaluate the situation and reassess the need to use force before any second or subsequent firing or discharge or utilization of drive stun mode of the device against the same person. Any second or subsequent firing or discharge or utilization of drive stun mode of the device must be necessary and justified by the circumstances at that moment.
 4. Officers shall not direct an electrical charge or current against a person who is restrained by handcuffs unless:
 - a. Deadly force is authorized under this SOP; and
 - b. The use of physical or mechanical force is not feasible or would be ineffective.
 5. Consistent with training, officers may point a CED at a person only when circumstances create a reasonable belief that it may be necessary for the officer to use enhanced mechanical force. When the officer no longer reasonably believes that enhanced mechanical force may be necessary, the officer shall, as soon as practicable, secure or holster the CED.
 6. Unholstering, displaying, or pointing a CED shall be considered a display of constructive authority.
 7. A spark display from a CED shall be considered a display of constructive authority.
 8. The following uses of CEDs are prohibited:
 - a. A CED shall not be used or threatened to be used to retaliate for any past conduct or to impose punishment.
 - b. A CED shall not be used against a person who is a passive resistor or an active resistor.
 - c. A CED shall not be fired or discharged for the sole purpose of preventing a person from committing property damage.
 - d. A CED shall not be deployed against the operator of a moving vehicle unless the use of deadly force against the operator of the motor vehicle would be authorized.

- e. Against a person in drive stun mode more than twice unless deadly force would be authorized and permitted pursuant to this SOP.
 - f. Two or more CEDs shall not be discharged upon a person at the same time.
9. Officers should not fire a CED if there is a substantial risk that the electrode/darts will strike an innocent person, unless firing the device in such circumstances is reasonably necessary to protect the innocent person(s) from death or serious bodily injury.
 10. To ensure officer safety, when feasible, at least one law enforcement officer other than the one deploying the CED should be present, be armed with lethal ammunition, and be prepared to utilize deadly force if the use of a CED for any reason fails. Deadly force would only be authorized in this situation as a last resort, if otherwise permitted by this SOP.
 11. During the deployment of a CED, the deploying officer shall, when feasible, continually evaluate the options selected against changing circumstances.
 12. Officers trained and authorized to carry a CED shall be aware of and comply with any targeting recommendations made by the manufacturer.
 13. A CED may be used in conjunction with a distraction device, non-flammable chemical agent, or less-lethal ammunition. If the individual has already received an electrical charge from a CED, officers shall, when feasible, provide the person a reasonable opportunity to submit to law enforcement authority and to comply with law enforcement commands, considering the physiological effects of the discharge, before deploying a distraction device, chemical agent, or less-lethal ammunition.
 14. A CED shall not be directed against a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).
 15. A CED shall not be used in, on, or immediately adjacent to a body of water in which the targeted person could fall during any stage of the application of the electrical current generated or transmitted by the device.
 16. A CED shall not be used in any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including, but not limited to, pepper spray with a volatile propellant, gasoline, natural gas, or propane.
 17. While officers must always respect the seriousness and potential lethality of a CED, an officer shall use particular care when considering whether to use a CED against an individual who is particularly vulnerable due to age (either elderly or young), developmental disability, or a known or reasonably apparent medical condition (e.g., a pregnant female).

18. In all instances when a CED is fired at or discharged upon a person, the OIC (or his/her designee if the OIC discharges the CED), shall take custody of the CED including discharged parts (i.e., blast doors, AFIDS and darts/electrodes) and secure them. Note: not all AFIDS need to be collected.
- a. If the person is not transported to a medical facility, the OIC (or his/her designee if the OIC discharges the CED) shall eject the cartridge from the CED and insert the darts/electrodes back into the cartridge, sharp side first with the wires wrapped around the cartridge.
 - 1) The cartridge containing the probes and the wires can then be stored inside the used PPE (gloves), before being placed into a paper bag and secured as evidence.
 - 2) If the darts/electrodes are removed by medical personnel, an officer shall accompany the person to the medical facility and obtain the darts/electrodes from the medical staff after removal documenting the chain of custody.
 - b. If possible, take photographs of the probe impact sites. If the individual objects to this, officers shall document this fact in the report and include their visual observation of probe impact sites, if possible.
 - c. The OIC (or his/her designee if the OIC discharges the CED) shall safeguard the digital information in the device concerning the incident by securing the CED in an evidence locker.
 - d. The internal affairs supervisor or his/her designee shall download all data from the device onto the department server and backup the data to digital preservation media-such as electronic, magnetic, or optical storage media (e.g., DVD or other optical discs, USB flash memory/drive, solid-state drives, memory sticks, or other reliable technology) to preserve a record of the event as evidence.
 - e. The internal affairs supervisor or his/her designee shall print out a copy of the related firing data and include it with the use of force forms and related investigation reports.
 - f. Except when the deployment results in a death, authorized supervisors shall permit the deploying officer an opportunity to review the stored video and firing data, prior to completing his/her substantive report.
 - g. Once the data is secure on the department server and burned to digital preservation media, the event shall be erased from the device and the unit shall be placed back in service.
 - h. Under no circumstances shall any personnel tamper with, remove, erase or access CED recordings and associated data without the expressed permission of the Chief of Police.

L. Mechanical force:

1. NOTE: mechanical force options could be ineffective for subjects exhibiting signs of excited delirium due to the subject's elevated threshold of pain. See this department's SOP on *Emotionally Disturbed Persons* for instructions on dealing with someone with signs of excited delirium.
2. Tactical batons:
 - a. Batons are defensive impact tools that may be used when the justification for the use of mechanical force exists in compliance with this SOP.
 - b. Batons shall only be used as instructed.
 - c. Once resistance ceases, the use of the baton as a striking tool shall cease.
 - d. Officers must exercise special care in their use and avoid striking those potentially fatal areas of the body identified during training except where deadly force is otherwise authorized.
3. Oleoresin capsicum (OC):
 - a. OC is permitted in situations where the use of mechanical force is necessary and justified to apprehend or control an individual, and the use of the OC will facilitate the arrest with the minimum chance of injury to the officer, the arrestee, or innocent bystander.
 - b. OC must not be handled by children or unauthorized individuals.
 - c. Generally, OC has been found to be ineffective in controlling persons who are under the influence of alcohol and/or narcotics, persons highly agitated or motivated and those who are mentally unbalanced. The effects of OC vary with different types of individuals. Therefore, officers must be continually alert to the possibility that other means may be necessary to subdue a resistive or noncompliant subject or attacker.
 - d. OC has been found to be useful against aggressive animal attack and may also work well against attacking dogs. Caution must be used when repelling dogs trained to attack and/or those who are extremely motivated. OC exposure to animals may not be effective and may cause the animal to be even more aggressive.
 - e. OC should be sprayed directly into the target's face with the spray being directed to the eyes, nose, and mouth from as close as safely possible. OC should always be used in the upright position with short one-half to one-second bursts.
 - f. OC shall not be used in the immediate vicinity of infants or the elderly unless necessary.

- g. OC shall not be used on the operator of a motor vehicle unless the motor vehicle is first disabled (e.g., removal of keys from the ignition).
 - h. Once resistance ceases, the further application of OC shall cease.
 - i. All persons who have been exposed to OC will at the earliest practicable time, be allowed to flush the affected area with cold/cool water.
- M. Use of force for crowd management – the following restrictions and limitations on the use of force should be observed during peaceful demonstrations and civil disturbances. The generally applicable rules in this SOP apply to both peaceful demonstrations and civil disturbances, and in all cases, weapons or other devices should be carried and deployed only by trained and authorized officers and deployed consistent with this SOP.
- 1. Prior to using force against people in a crowd, officers shall:
 - a. Provide clear instructions and warnings in a manner that can be heard by persons in the crowd, such as through a bullhorn or speaker system when available; and
 - b. State the consequences of refusing to comply with a mandatory directive (e.g., arrests will occur, force may be used, etc.) unless persons comply; and
 - c. Give a reasonable opportunity to comply.
 - 2. Force shall not be used against crowds engaged in peaceful demonstrations. The visible presence or deployment of canines for crowd control purposes is prohibited in peaceful demonstrations. Canines may be used for explosive detection or similar security sweeps at such gatherings.
 - 3. Force may be used against specific individuals in a crowd for lawful purposes in accordance with the other provisions of this SOP. Restrictions apply to the use of certain types of force in a crowd as follows:
 - a. OC aerosol:
 - 1) May be used against specific individuals who are active resisters, threatening assailants or active assailants as defined in subsection IV.E of this SOP; and
 - 2) Shall not be used where bystanders would be unreasonably affected; and
 - 3) Shall not be used against passive resisters, or indiscriminately against groups of people.
 - b. Conducted energy devices:

- 1) May be used against specific individuals who are threatening assailants or active assailants as defined in subsection IV.E of this SOP; and
 - 2) May be used only when the individual can be accurately targeted; and
 - 3) Shall never be fired indiscriminately into crowds.
4. Force may be used against groups of people only if authorized by the incident commander (IC) and only when other means of gaining compliance with lawful directives have been attempted and shown to be ineffective or are not feasible.
 5. High-volume OC delivery systems are designed for, and may be used in, civil disturbances against groups of people engaged in unlawful acts resulting in, or creating an immediate risk of, bodily injury or significant property damage.
 6. CS (2-chlorobenzalmalononitrile) chemical agents are primarily offensive weapons that shall be used with the utmost caution. Thus, CS:
 - a. May be deployed only by specially trained individuals who are part of a special tactical unit authorized to deploy such agents; and
 - b. May be deployed only with the specific and express approval of the IC; and
 - c. May be deployed defensively to prevent injury when lesser force options are either not available or would likely be ineffective; and
 - d. May be deployed only after an announcement is made and when avenues of egress are available to the crowd.
 7. CN (phenacyl chloride) shall not be used in any instance.
 8. Canines shall not be deployed against a crowd, except to respond to a threat of death or serious bodily injury to a member of the public or to an officer.

V. CORE PRINCIPLE #4

- A. *Deadly force shall only be used as an absolute last resort and in strict compliance with this SOP. Other actions by officers that create a substantial risk of death or serious bodily injury must be avoided or employed only under the strictest of conditions.*
- B. Deadly force is force that an officer uses with the purpose of causing, or that a reasonable officer knows creates a substantial risk of causing, death, or serious bodily injury. Discharging a firearm constitutes deadly force, unless the discharge occurred during a law enforcement training exercise, routine target practice at a firing range, a lawful animal hunt, or the humane killing of injured animals.
- C. Deadly force includes the following potentially lethal actions:
1. Applying a chokehold, carotid artery restraint, or similar technique that involves pressure on the neck; and/or
 2. Sitting, kneeling, or standing on a person's chest, back, or neck for a prolonged time; and/or
 3. Intentionally driving a vehicle at or in the direction of a person with the intent to strike the individual; and/or
 4. Using a baton or other weapon to intentionally strike an individual in the head or neck area.
- D. An officer may use deadly force only when the officer reasonably believes that such action is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily injury. Officers must adhere to the following:
1. When feasible, officers shall attempt to de-escalate situations, issue verbal warnings, or use non-lethal force with the goal of resolving encounters without using deadly force; and
 2. Officers shall not use deadly force if a reasonably available alternative will avert or eliminate an imminent danger of death or serious bodily injury and achieve the law enforcement purpose safely; and
 3. When feasible, prior to using deadly force the officer shall identify themselves as a law enforcement officer and give a clear verbal warning to the suspect that the officer will use deadly force; and
 4. Officers shall not use deadly force when the use of deadly force creates a substantial risk of injury to innocent persons.

- E. In addition to all requirements in subsection V.D of this SOP (above), an officer may only use deadly force to apprehend a fleeing suspect in the rare case when the suspect's escape would create an imminent danger of death or serious bodily injury to the officer or a member of the public if the suspect is not immediately apprehended.
- F. There are specific circumstances in which the use of deadly force is prohibited. In general, officers may not discharge their weapons or use other deadly force, as outlined above, in the following manner:
1. To signal for help; or
 2. To issue a warning shot; or
 3. To prevent property damage or loss; or
 4. To prevent the destruction of evidence (e.g., under no circumstances shall an officer use a chokehold, or any lesser contact with the neck area to prevent the destruction of evidence by ingestion); or
 5. Against a person who poses a threat only to themselves and not to others.

- G. Deadly force against individuals in a moving vehicle – strict additional requirements must be met before an officer may use deadly force against a driver or passenger of a moving vehicle. Moving vehicles create tremendous risk to officers engaged in enforcement operations, particularly officers attempting to arrest fleeing suspects. Officers must abide by the following guidelines:
1. During such operations, officers shall never intentionally position themselves in the path of a moving vehicle or a vehicle that is likely to move; and
 2. Officers shall make every effort to move out of the path of a vehicle to maintain their safety; and
 3. Officers shall not grab onto moving vehicles or the drivers or occupants of moving vehicles. If a vehicle begins to move while an officer is engaged with the driver or an occupant, the officer shall, if feasible, disengage from the contact with the driver or occupant to avoid being dragged, carried, or struck by the moving vehicle; and
 4. While any firearm discharge entails some risk, discharging a firearm at a moving vehicle entails an even greater risk to innocent persons and passengers because of the risk that the fleeing suspect may lose control of the vehicle. Due to this greater risk, and considering that firearms are not generally effective in bringing moving vehicles to a rapid halt, an officer shall not fire at the driver or occupant of a moving vehicle, unless no other means are available at the time to avert or eliminate the danger and one of the following circumstances exists:
 - a. When there is imminent danger of death or serious bodily injury to the officer or another person, created by a person in the vehicle using means other than the vehicle, such as when shots are being fired from the vehicle; or
 - b. When the suspect is driving their vehicle toward persons other than the officer in a manner creating an imminent threat of death or serious bodily injury, such as in a terrorist attack; or
 - c. When the officer is being dragged or carried by the vehicle, cannot disengage from the vehicle, and is in imminent danger of death or serious bodily injury.
- H. Shooting from a moving vehicle – strict additional requirements must be met before an officer may shoot from a moving vehicle. Every discharge of a firearm by an officer creates risk to the public and to other responding officers. Firearms discharges from moving vehicles by law enforcement officers have proven to be inaccurate and ineffective, generally creating unacceptable levels of risk. Due to these risks, officers shall not discharge a firearm from a moving vehicle except in the following extraordinarily rare circumstance:
1. When the suspect is driving a vehicle toward persons other than the officer in a manner creating an imminent threat of death or serious bodily injury, such as in a terrorist attack; and
 2. No other means are available at that time to avert or eliminate the danger.

- I. In active shooter situations, officers shall not fire a weapon into buildings, doors, windows, or other openings when the person being fired upon is not clearly visible unless extraordinary circumstances necessitate officers to engage the subject to protect the lives of injured persons requiring immediate rescue and evacuation from an area in which a subject's continued actions (i.e., active shooting) pose an imminent threat of death or serious bodily injury.

VI. CORE PRINCIPLE #5

- A. *Regardless of rank, title, seniority, position, or status, every officer has an affirmative duty to take steps to prevent any use of force that is illegal, excessive, or otherwise inconsistent with such policies, regulations, and laws, if possible, before a fellow officer uses excessive, illegal, or otherwise inappropriate force. Every officer has a duty to immediately report any improper use of force.*
 1. An officer's duty to intervene is rooted in the commitment to always protect public safety. Interventions that prevent improper use of force will lead to fewer civilian complaints, fewer officer disciplinary matters, higher morale, and a healthier working environment. Preventing misconduct preserves the integrity of all officers and the law enforcement profession. Intervening to prevent improper use of force can assist fellow officers by preventing them from engaging in conduct that may be illegal, inappropriate, and in violation of this SOP.
 2. All officers who observe another officer about to use force that is illegal, excessive, or otherwise inconsistent with this SOP must, if feasible, do whatever they can to interrupt the flow of events before the fellow officer engages in an improper use of force. Officers can serve each other and the public by simply saying or doing the right thing to prevent a fellow officer from resorting to force illegally or inappropriately.
 - a. If officers observe a situation when another officer is attempting to intervene in an improper use of force, officers shall assist in that effort.
 - b. If a supervisor observes such a violation, the supervisor must issue a direct order to stop the violation.
 3. Officers shall use signaling, verbal intervention, or physical intervention, if necessary, to stop any improper use of force. It is important to note that the duty to intervene does not stop at one officer. It is the responsibility of all officers to ensure use-of-force compliance.
 4. Any officer who observes or has knowledge of a use of force that is illegal, excessive, or otherwise inconsistent with this SOP must:
 - a. Notify a supervisor as soon as possible; and
 - b. Submit an individual written report to a supervisor before reporting off duty on the day the officer becomes aware of the incident. If the supervisor is the subject of the report, officers shall report the matter to the next level of the chain of command or directly to the

internal affairs supervisor in accordance with this agency's SOP on *Internal Affairs*

- c. Such supervisors must report this incident in accordance with this agency's SOP on *Internal Affairs*.
5. Commanders, supervisors, and officers are prohibited from retaliating in any form against an officer who intercedes in or reports illegal or inappropriate uses of force or who cooperates with an investigation into a possible violation of this SOP.

VII. CORE PRINCIPLE #6

- A. *After any use of force, and when the environment is safe, officers shall promptly render medical assistance to any injured person consistent with the officer's training and shall promptly request emergency medical assistance for that person, if needed or requested. Officers also have a duty to monitor individuals for potential medical intervention after any officer uses force.*
- B. Following any use of force, officers shall immediately evaluate the need for medical attention or treatment for the person upon whom the force was used and provide first aid to the extent of their training except where the application of first aid will expose the officer to immediate danger.
 - 1. The duty to render medical assistance and monitor applies to all officers on scene and continues throughout any transportation and custody of the individual.
 - 2. Officers shall pay particular attention to persons reasonably believed to be pregnant, children, the elderly, physically frail individuals, and those experiencing a mental health or substance use crisis.
 - 3. In any instance when deadly force is used, officers shall summon EMS and paramedics as soon as possible. While EMS and paramedics will not be permitted to enter an area that is not tactically secure, they should still be summoned to a secure area near the scene to expedite treatment for the person(s) once the scene is secure.
 - 4. Officers are required to control the situation to whatever degree possible until assistance arrives. This shall include:
 - a. Emergency assistance to injured persons; and
 - b. Search for additional suspects or weapons, if applicable.
 - 5. Be alert for signs of potential excited delirium (see definitions).
 - a. Officers should check the subject's pulse and respiration on a continuous basis until transferred to EMS personnel. Officers shall ensure the airway is unrestricted and be prepared to administer CPR or an automated external defibrillator (AED) if the subject becomes unconscious.
 - b. Whenever possible, an officer should accompany the subject to the hospital for security purposes and to assist as necessary.

6. If a baton is used, officers shall observe the affected subject(s) for obvious changes in condition or breathing and shall immediately summon medical assistance if the subject appears to need medical aid.
 7. Following the use of OC, officers shall sit the subject upright and decontaminate the subject as soon as practicable. Personnel shall monitor subjects who had been exposed to OC staying alert to any obvious changes in condition or breathing and shall immediately summon medical assistance if the subject appears to need medical aid.
 8. Decontamination procedures for exposure to OC consist of:
 - a. Once subjects have been secured, have ceased resisting, and are no longer a threat to officers, themselves, or others, every reasonable effort will be made to relieve discomfort.
 - b. Expose the subject(s) to fresh air as soon as possible and have them remain calm.
 - c. Have the subject flush the affected areas with large amounts of fresh water.
 - d. Have subject remove contact lenses and contaminated outer clothing; have the subject wash these items prior to reuse.
 - e. Do not apply salves, creams, oils, lotion, grease, or bandages to the exposed area. These remedies can trap the OC against the skin or mucus membranes and cause irritation.
 - f. Summon medical assistance if the subject has medical problems and/or continues to have difficulty after the decontamination procedures.
 - g. Officers shall be on constant alert for medical problem(s) or difficulty that the exposed subject may experience. Officers shall also monitor for positional asphyxiation.
 - h. If the affected area(s) remain inflamed or discomfort continues beyond 45 minutes, arrangements may be made for medical treatment if necessary.
- C. Subjects against whom a CED has been directed shall be transported to a medical facility for examination if any of the following circumstances exist:
1. The subject requests medical attention; or
 2. The subject had been rendered unconscious or unresponsive; or
 3. The subject, after being subjected to a discharge, does not appear to have recovered normally, as described in CED training; or
 4. The subject has exhibited signs of excited delirium prior to, during, or after the discharge of the CED; or

5. The subject has suffered bodily injury requiring medical attention because of a fall, or otherwise reasonably appears to need medical attention; or
 6. The subject was exposed to three or more discharges from a CED during the encounter; or
 7. The subject has been exposed to a continuous discharge lasting 15 seconds or more; or
 8. No one present at the scene is qualified or authorized to remove the CED darts/electrodes from the subject's person; or
 9. An officer trained and authorized to remove darts/electrodes has trouble in removing a dart/electrode; or
 10. Any part of a CED dart/electrode has broken off and remains imbedded.
- D. An officer is authorized to remove a CED dart/electrode from a subject only if the officer has received training on dart/electrode removal, provided, however, that an officer is not authorized to remove a CED dart/electrode from any part of the person's head or neck, or where the dart/electrode is near the subject's genitalia, or female breast. In the absence of exigent circumstances requiring immediate action, a CED dart/electrode can only be removed from these areas by qualified medical personnel. See subsection IV.K.18 of this SOP for specific collection and storage requirements.
- E. Any person requesting and/or deemed in need of medical attention shall be transported to the nearest available emergency medical treatment center or hospital. Officers shall contact BLS to request such transportation assistance.
1. Ordinarily, officers should not transport the subject in a Highlands Police Department vehicle.
 2. The extent of the injury and the treatment offered/provided shall be documented in the body of the law incident report.
 3. If BLS is summoned to treat an injured subject who is under arrest, the arrestee shall remain handcuffed unless otherwise directed by medical personnel with the approval of a supervisor. If transportation to a medical facility is required, the arrestee shall remain under constant guard consistent with this department's SOP on *Arrest and Transportation*.
- F. Under no circumstances shall agency employees sign or endorse medical authorization for any person under arrest or in custody indicating that the Borough of Highlands is the responsible billing party.
- G. In addition to providing the appropriate medical aid, officers shall also:
1. Promptly notify their supervisor of the incident.
 2. Attempt to locate and identify all witnesses.

- H. Unless unavailable, a supervisor should respond to the scene of any use of force incident when, as the result of the application of force, officers, bystander, or the detainee/prisoner are injured, complain of injury, or complain of discomfort and require medical attention. Minimally, supervisor shall be notified. The supervisor shall:
1. Ensure that affected persons receive the necessary assistance, including medical attention; and
 2. Remove the officer as soon as possible from the scene of the incident when serious injury or death resulted during any confrontation; and
 3. When necessary, notify the appropriate support staff, e.g., Chief of Police, patrol lieutenant, Monmouth County Prosecutor's Office, and/or internal affairs investigator. When an injury or complaint of pain exists, officers should obtain photographic documentation to the extent possible.
- I. Incidents involving the use of force and/or firearms discharge by off-duty officers that occur outside the boundaries of Highlands Borough require the following action on the part of the duty squad supervisor:
1. Collection of preliminary data regarding the event and notification to the Chief of Police through the chain of command.
 2. Provide the officer with instructions regarding his/her obligations as defined in this SOP.
 3. Establish contact with the investigating law enforcement agency and determine what assistance the department can provide.

VIII. CORE PRINCIPLE #7

- A. *Every use of force must be reported and receive a meaningful command level review as set forth in a written department SOP that includes review by the law enforcement executive. The law enforcement executive shall also conduct an annual review and analysis of the overall use of force by the department.*
- B. In all instances when law enforcement force is used except when such force results in a fatality, whether on or off duty, all officers who employ such force shall complete and submit the following:
1. An electronic *Use of Force Report* (through the [DCJ reporting portal](#)). The reporting guide is available on DMS.
 - a. The officer shall complete the report before the end the shift in which the force was used, but within 24 hours.
 - b. If the officer who used force is unable to complete the report within 24 hours, it should be completed as soon the officer is able to do so, or by a supervisor within 48 hours.
 - c. If the force resulted in a fatality, only the Division of Criminal Justice or the Monmouth County Prosecutor can authorize the officer(s) to complete the electronic use of force report.

2. A Conducted Energy Device Deployment Review Report (if a CED is used).
3. The law incident report made underlying the nature of the incident; except:
 - a. In accordance with *New Jersey Attorney General's Supplemental Directive Amending Attorney General's Directive 2019-4*, supervisors shall not require officers deploying force, which results in death or serious bodily injury, being investigated by the Monmouth County Prosecutor's Office or Division of Criminal Justice to submit law reports.
 - b. Only the Monmouth County Prosecutor's Office or the Division of Criminal Justice can order such reports. Such officers' statements to the Monmouth County Prosecutor's Office or Division of Criminal Justice can suffice as their report of the incident.
 - c. Officers not directly involved in the application of such force, but who may have indirect involvement (e.g., secondary responders, assisting responders, witnesses, etc.) may be required to submit law reports upon approval of the lead investigating agency (i.e., Monmouth County Prosecutor's Office or Division of Criminal Justice).
- C. Though not a use of force, pointing a firearm at another constitutes a seizure that must be reported as a 'show of force' in the [DCJ reporting portal](#).
- D. CED spark displays are considered constructive authority and must be reported as a 'show of force' in the [DCJ reporting portal](#).
- E. All instances when a CED has been fired or discharged against a subject shall be subject to a use of force review by the Monmouth County Prosecutor's Office.
 1. The professional standards supervisor shall investigate and submit a report to the chief of police within two (2) business days providing all the relevant circumstances, deployment, and outcome, including whether the deployment avoided injury to an officer and avoided the need to use deadly force.
 2. The chief of police shall issue a finding on whether the firing and all discharges complied with the Attorney General's policy on CEDs and forward a copy of the following reports to the Monmouth County Prosecutor within three (3) business days of the firing/discharge.
 - a. The completed *Use of Force Report*.
 - b. The *CED Deployment Review Report*.
 - c. Officer(s) investigation report(s) on the use of force and any other associated case reports.
 - d. Two copies of any other related video (e.g., BWC, surveillance video, etc.).
 - e. A copy of the deploying officer's training records.

- f. A copy of the officer's last CED qualification record.
 - g. A printed copy of the CED downloaded firing data.
3. The Monmouth County Prosecutor's Office may require additional investigation or information.
- F. In all instances when a CED is fired at or discharged upon a person by an officer, a higher-ranking supervisor shall investigate the circumstances and outcome of the device's use.
- 1. The investigating supervisor shall report on the incident to the chief of police, providing him/her information on all relevant circumstances, deployment, and outcome, including whether the deployment avoided injury to an officer and avoided the need to use deadly force.
 - 2. Upon receipt, the chief of police shall issue a report to the Monmouth County Prosecutor's Office within 10 business days of the firing/discharge (unless the Monmouth County Prosecutor grants the chief of police's request for a reasonable extension of time within which to forward the report for good cause shown), including a finding on whether the firing and all discharges complied with the *New Jersey Attorney General's Use of Force Policy* and this SOP.
 - 3. The Monmouth County Prosecutor shall review the matter for compliance with *New Jersey Attorney General's Use of Force Policy*. If the Monmouth County Prosecutor finds the firing or discharge of a CED to not comply with the *New Jersey Attorney General's Use of Force Policy*, the matter shall be forwarded to the Director of the Office of Public Integrity and Accountability or their designee.
- G. Except in deadly force incidents (VIII.B), a *Monmouth County Firearms Discharge Report* and an *Incident Report* are required in all instances when an officer unintentionally discharges a firearm for any reason or discharges a firearm for other than lawful training or recreational purposes, and discharges occurring in other jurisdictions. See section XI of this SOP for animal destruction.
- 1. The discharge of any firearm by an employee of this department, whether unintentional or intentional shall be reported to the department through the on-duty supervisor as soon as practicable.
 - a. If the discharge occurs on duty (whether injury to any person results) the notification shall be made immediately after the incident occurs.
 - b. If any firearm discharge by an employee of this department results in a fatality, regardless of their duty status or location of the incident, the employee shall immediately notify the duty OIC
 - 2. If the firearms discharge occurs within another jurisdiction, the officer shall also immediately report the discharge to the law enforcement agency where the discharge occurred.
 - 3. In all instances of a firearms discharge, immediately notify a supervisor.

4. If a firearm is inadvertently discharged and NO person dies or is injured as the result of such discharge, the supervisor shall immediately notify the Chief of Police through the chain of command.
 5. The internal affairs supervisor shall notify the Monmouth County Prosecutor's Office within 24 hours of the facts and circumstances regarding the discharge.
 6. In the event an officer, who has discharged a firearm is physically incapacitated or fatally injured at the time of the firearm discharge and is therefore incapable of submitting this report, his/her immediate supervisor shall prepare the report.
 7. These reports shall be forwarded through the chain of command to the internal affairs supervisor.
- H. Except those reports related to death or serious bodily injury being investigated by the Monmouth County Prosecutor's Office or Division of Criminal Justice, the officer's supervisor shall review these reports for accuracy and completeness and shall promptly address any issues as they may pertain to policy changes, training, weapons or equipment, or discipline.
1. The OIC/supervisor must review the *Use of Force Report* through the [DCJ reporting portal](#). The reviewing OIC/supervisor or his/her designee shall print or make an electronic copy of the use of force report and include it with the case file.
 2. The review shall also include an examination of all available sources of information about the incident, including any video of the incident, reports, officer or other witness statements, medical records, and records of injuries.
 3. The review shall also include an analysis of whether force was used in a non-discriminatory fashion to ensure officers are treating every person equally without discrimination based on race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic.
 4. The reviewing supervisor shall make a recommendation of what action, if any, should be undertaken, including commendation of the officer, policy changes, remedial training, equipment changes, administrative action, disciplinary action or, if appropriate, referral for criminal prosecution.
 5. If a supervisor uses force, the next highest-ranking supervisor in that chain of command shall conduct the initial meaningful review.
 6. If the Chief of Police uses force, the internal affairs supervisor shall contact the Monmouth County Prosecutor's Office, who will determine the process for the meaningful command review, which could include prosecutor's office staff.

- I. The captain shall also review these incidents in the same manner as described above:
 1. The captain shall also make a recommendation of what action, if any, should be undertaken, including commendation of the officer, policy changes, remedial training, equipment changes, administrative action, disciplinary action or, if appropriate, referral for criminal prosecution.
 2. The captain will initiate an early warning record, as appropriate.
- J. The Chief of Police or his/her designee (or law enforcement executive if there is a conflict) shall review each meaningful command review and approve or reject the recommendations of the supervisors who conducted the review. The Chief/law enforcement executive's decision shall be memorialized and retained in the use-of-force investigative file.
 1. After the review is completed, supervisory and/or training officers should examine and analyze the use of force incident, including any BWC or other video evidence, with the officer as a training tool.
 2. This examination should analyze the circumstances that led to the use of force as well as the force that was used, so that the officer can gain insight into which tactics and decisions were effective and whether different tactics or decisions could have been used to improve the outcome.
- K. The captain or his/her designee shall prepare an annual *Monmouth County Use of Force Summary Report* for submission to the Monmouth County Prosecutor.
- L. The Chief of Police (or law enforcement executive if there is a conflict) shall also conduct an annual summary and review of all use of force incidents in the department. The review shall include, at a minimum, the following:
 1. Analytical reports from the [DCJ reporting portal](#).
 2. An audit of BWC/MVR and other videos on a risk-based and randomly selected basis.
 3. Any internal affairs complaints; and
 4. An analysis of the uses of force to ensure that force is being applied without discrimination based on race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic.
 5. Based on that thorough review, the Chief of Police (or law enforcement executive if there is a conflict) shall determine whether changes in departmental structure, policy, training, or equipment are appropriate. The law enforcement executive shall then provide a written report documenting the annual review to the Monmouth County Prosecutor.

IX. NOTIFICATION AND INVESTIGATION REQUIREMENTS

- A. Immediately notify the duty OIC, internal affairs supervisor, on-duty or on-call detective, the Chief of Police, and the Monmouth County Prosecutor's Office when the use of any law enforcement force results in death or serious bodily injury, or when an injury of any degree results from the use of a firearm by an employee.
- B. An independent investigator assigned by the Office of Public Integrity and Accountability (DCJ) will conduct the investigation into the use of force in accordance with the *New Jersey Attorney General's Supplemental Directive Amending Attorney General's Directive 2019-4* whenever an incident occurs that involves an officer of this department that has employed force that results in serious bodily injury or death. The Monmouth County Prosecutor's Office is responsible for the necessary notifications to the Division of Criminal Justice.
1. This notification shall occur before any investigation of the incident is undertaken other than to secure the scene and to render medical assistance as required.
 2. The lead investigative team is responsible for all phases of the investigation including photography, evidence gathering.
 3. internal affairs supervisor shall only investigate any administrative matters surrounding the incident. If an employee's actions are of a criminal nature, the administrative internal investigation must cease.
 4. Copies of any reports associated with such application of force shall not be distributed to anyone unless authorized by the independent investigator.
- C. Prior to the arrival of the lead investigative team, the on-scene supervisor or his/her designees shall complete the following tasks as soon as possible, not necessarily in the order listed:
1. Identify any remaining threats and take necessary action.
 2. Ensure that emergency medical services have been dispatched and appropriate medical aid is rendered to injured parties.
 3. Secure the scene pending the arrival of the lead investigative team. The scene will be relinquished to the lead investigative team, upon its arrival.
 4. Ensure that an inner perimeter is established to secure the scene(s). Direct that an outer perimeter be established to prevent all from entering except those who have a specific function to perform.
 5. Maintain a scene log documenting who enters and leaves. The scene log will be relinquished to the lead investigative team upon its arrival.
 6. Secure any suspect(s) at the scene(s) unless the suspects are injured and require immediate medical care.
 7. Locate and secure in place (if no danger or threat exists) all weapons, ammunition and expended cartridges used by the suspect(s) and/or involved officer(s).

8. Providing there is no immediate danger to anyone, preserve the involved officers' firearms in their original state at the time of the incident (i.e., not to be unloaded and/or rendered safe or reloaded).
 9. If vehicles are involved in the incident and there is no immediate danger to anyone, the vehicles shall not be moved or altered from their location at the time of the incident (e.g., emergency lights, headlights, MVR, etc.) until directed to do so by the lead investigative team. No equipment and/or property shall be removed without authorization from the lead investigative team.
 10. Ensure that all potential witnesses have been identified and separated and ask that they remain on-scene to provide a statement. If witnesses wish to leave, obtain their contact information for future communications.
 11. All law enforcement officers involved in the incident shall be kept separated at the scene, as circumstances warrant. If from a different agency, document their names and agency.
 12. Locate and secure in place as evidence any clothing or other personal items that may have been discarded or removed from the suspect(s) and/or officer(s) by medical personnel.
- D. Upon the arrival of the lead investigative team, agency personnel will assist as directed with certain non-investigatory tasks including, but not limited to:
1. Preserve the scene by closing roadways and conducting detours whenever feasible.
 2. As necessary, arrange and provide through the local fire department and/or DPW sufficient nighttime illumination and/or other heavy machinery or equipment at the scene.
 3. Make death notifications only as directed by the lead investigative team in compliance with NJ Attorney General's Guidelines.
 4. Arrange for the towing of vehicles with contracted towers as required. Only flatbed towing shall be utilized. Towed vehicle(s) must be removed to a secure area where it can be easily accessed later for additional inspections but, not at a facility operated by this agency.
 - a. Towing operators **MUST** be advised **NOT** to place debris from the roadway into the passenger compartment of the vehicle(s) involved in the incident.
 - b. Towing operators **MUST** be advised to wear gloves when touching any part of the vehicle(s) involved. All vehicles being towed will be escorted by a member of the lead investigative team to maintain the evidence chain-of-custody.
 5. Complete and file the *NJTR-1 Police Crash Investigation Report*, if applicable.

- E. No employee of this agency shall directly or indirectly (i.e., through another person) share information learned during the use of force investigation including but, not limited to police video recordings or information learned from reviewing such videos, with any principal(s) or other law enforcement or civilian witness without prior expressed authorization from the independent investigator assigned by OPIA.
1. No officer who is a witness to the use of force incident, including a principal(s), shall receive any such information from any sworn or civilian employee of a law enforcement agency without first obtaining authorization from the independent investigator assigned by OPIA or his or her designee.
 2. Any dissemination or receipt of investigative information without prior authorization as required by this section shall be reported promptly to the independent investigator assigned by OPIA or his/her designee, who shall investigate the circumstances.
- F. All firearm discharges shall be reported to the Monmouth County Prosecutor's Office Professional Responsibilities Unit, including discharges for animal destruction. This requirement extends to unintentional discharges and in all on duty and off duty incidents but does not extend to training and/or qualification discharges with no other injuries or damage.
- G. Any officers whose actions or use of force in an official capacity result in death or serious bodily injury to any person shall be promptly removed from line-duty assignment(s) pending meaningful command review.
1. The meaningful command review shall be conducted by the internal affairs supervisor or other designee of the Chief of Police (or law enforcement executive if there is a conflict) and shall determine whether policy, training, equipment, or disciplinary issues should be addressed.
 2. Any meaningful command review resulting from the application of deadly force must occur regardless of the outcome of the prosecutor or attorney general's investigation.
 3. Employees should be afforded the appropriate level of critical incident stress debriefing or counseling consistent with department directives.
 4. The officer/employee may be assigned to administrative duties or placed on administrative leave as soon as practicable following the incident pending a complete investigation and review of the incident. This reassignment is not considered a disciplinary action.

X. TRAINING

- A. All department personnel authorized to carry agency lethal, or mechanical force weapons shall be issued copies of, and be instructed in, this SOP prior to being authorized to carry a weapon. The issuance and instruction shall be documented. This issuance and documentation can be accomplished electronically.
- B. Use of force training shall be conducted semiannually. This training must reflect current standards established by statutory and case law, as well as state and county policies, directives, and guidelines.

1. The training program will include the use of force in general, the use of physical force (including pain compliance techniques), mechanical and enhanced mechanical force, the use of deadly force, decision making skills; the limitations that govern the use of physical force, mechanical and enhanced mechanical force, and deadly force; and all applicable aspects of agency policies.
 2. All use of force training shall be documented. This training and documentation can be accomplished electronically.
- C. All officers have an ongoing obligation to review the department's use of force directives and training materials, and to seek clarification any time they have questions or need guidance. This ongoing review may take place via formal supervisor-led training sessions as well as through mentoring opportunities to reinforce the content and philosophy

XI. ANIMAL DESTRUCTION

- A. Destroying an animal is justified only in the following circumstances:
1. Officers may use a department-authorized firearm to destroy an animal where the animal presents an immediate threat to human life; or
 2. Officers may use a department-authorized handgun to destroy an animal that is so badly injured that humanity requires its relief from further suffering. If the injured animal is domesticated, officers should make every reasonable effort to notify an owner. The firearm discharge shall create no substantial risk to personnel or third parties and must be approved by a supervisor.
 - a. Unless impracticable, when officers find it necessary to destroy a domesticated animal, written permission should be obtained from the owner prior to discharging a handgun.
 - b. Officers must be cognizant of surrounding conditions, such as the composition of the material behind or below the animal, and nearby persons or structures that could be affected by a ricochet or deflection.
 - c. Officers shall not touch an animal without first protecting themselves from blood borne pathogens.
 3. Suspected rabies cases – Any officer, who is officially or unofficially called to respond to a situation where a suspected rabid animal is involved, is authorized to destroy the animal suspected of carrying rabies.
 4. Prior to discharging a firearm, the immediate area where the suspected rabid animal is located should be secured, when possible, for the protection of the public at large.
 5. If more than one officer responds or attends a location containing a suspected rabid animal, only one officer should initiate the discharge of the firearm. Any remaining officers at the scene should take steps to secure

the area for the safety and wellbeing of the public during the action, which is being taken.

6. The number of shots being utilized by the officer is discretionary. However, of foremost importance is to assess each individual situation so that only the minimum number of shots necessary is discharged from the officer's firearm.
 7. For suspected rabid animals, it is preferential that the killing shot should be to an area other than the head of the suspected rabid animal. However, the immediate safety of the officer or officers present, as well as the public who may be exposed to the action that is being taken, is paramount in all situations.
 8. Contact animal control to pick up the dead animal.
- B. Officers shall submit a *Monmouth County Firearms Discharge Report* and a *Law Incident Report* in all instances of animal destruction.
- C. If the firearms discharge was a result of the destruction of an aggressive animal threatening human life, an electronic *Use of Force Report* is required in addition to the law incident report.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-150

ACCEPTING BID FOR THE SALE OF BLOCK 101, LOT 3.02 IN THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, by way of Ordinance O-24-10, duly adopted on second reading on June 19, 2024, and pursuant to N.J.S.A. 40A:12-13, the Borough authorized the sale of municipal property, Block 101, Lot 3.02, which is not needed for public use, to the highest bidder with a minimum bid of \$32,806.00; and

WHEREAS, in accordance with Ordinance O-24-10, duly adopted on second reading on June 19, 2024, Public Notice was properly advertised for the submission of sealed bids for the purchase of municipal property, Block 101, Lot 3.02, located in the Borough of Highlands; and

WHEREAS, the highest and only bid for the purchase of municipal property, Block 101, Lot 3.02, in the Borough of Highlands, was submitted by Argiris Serghis and Androula Serghis, in the amount of \$35,001.00; and

WHEREAS, in accordance with Ordinance O-24-10, the Borough accepts the bid submitted by Argiris Serghis and Androula Serghis to purchase Block 101, Lot 3.02 in the Borough of Highlands, in the amount of \$35,001.00, wherein the successful bidder shall comply with the terms of the aforesaid Ordinance with regard to the sale of the property, including that the property is being sold in an “AS IS – WHERE IS” condition.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Highlands hereby accepts the bid submitted by Argiris Serghis and Androula Serghis, as the highest bid for the purchase of municipal property, Block 101, Lot 3.02, in the Borough of Highlands in the amount of \$35,001.00.

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator and Municipal Clerk be and are hereby authorized to execute a contract of sale, in accordance with the terms and conditions set forth in Ordinance O-24-10, in a form that is acceptable to the Municipal Attorney.

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

Motion to Approve R 24-150:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-151

APPROVING CHANGE ORDER NO. 5 FOR PHASE I SANITARY SEWER IMPROVEMENTS PROJECT

WHEREAS, by way of Resolution 22-099 duly adopted on April 6, 2022, Roman E&G Corporation was awarded a contract for the Phase I Sanitary Sewer Improvements Project in the amount of \$6,748,648.00; and

WHEREAS, by way of Resolution 23-163 duly adopted on July 19, 2023, Change Order No. 1 changing the scope of work for the Phase I Sanitary Sewer Improvements Project was approved; and

WHEREAS, by way of Resolution 24-058 duly adopted on February 7, 2024, Change Order No. 2 changing the amount allocated to cover the cost of uniformed police officers was approved; and

WHEREAS, as a result of the approval of Change Order No. 2, the contract amount was increased by \$326,100.00, thereby increasing the contract amount from \$6,748,648.00 to \$7,074,748.00; and

WHEREAS, due to unforeseen conditions encountered during construction, by way of Resolution 24-076 duly adopted on March 6, 2024, Change Order No. 3 changing the contract amount for the Phase I Sanitary Sewer Improvements Project was approved; and

WHEREAS, as a result of the approval of Change Order No. 3, the contract amount was increased by \$385,980.92, thereby increasing the Contract amount from \$7,074,748.00 to \$7,460,728.92; and

WHEREAS, by way of Resolution 24-130 duly adopted on June 19, 2024, Change Order No. 4 reducing the contract price due additional scope items, associated credits and a removed scope item due to a water main conflict on Bay Avenue was approved; and

WHEREAS, as a result of the approval of Change Order No. 4, the contract amount was decreased by \$465,343.00, thereby decreasing the Contract amount from \$7,460,728.92 to \$6,995,385.92; and

WHEREAS, by letter dated August 13, 2024, the Project Engineer, H2M Associates, Inc., advised that an additional Change Order is necessary to increase the overall contract price; and

WHEREAS, the scope of work for Change Order No. 5 reflects a change to the contract amount with an increase of \$630,122.05, thereby increasing the Contract amount from \$6,995,385.92 to \$7,625,507.97; and

WHEREAS, this increase in contract price is due to an increase in the hourly rate for police officers for traffic control, leftover and unused materials that were a result of the removed scope of sewer main replacement on Bay Avenue due to a water main conflict, installation and removal of dewatering wells, removal of concrete slabs on Waterwitch Avenue as well as additional work required for the reconstruction of Central, Ocean and Beach including a new survey of proposed grades, new storm inlet, piping for positive drainage and a driveway cut-in allowance for potential work outside of the right of way, as set forth in detail in the letter dated August 13, 2024 from the Project Engineer, H2M Associates, Inc.; and

WHEREAS, in accordance with the aforesaid letter, the Project Engineer recommends that the Borough approve Change Order No. 5 in order to allow for the Phase I Sanitary Sewer Project to be completed; 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# C-06-22-101-000-201



Patrick DeBlasio, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Change Order No. 5 changing the contract amount to reflect an increase of \$630,122.05, thereby increasing the Contract amount from \$6,995,385.92 to \$7,625,507.97 be and is hereby approved; and

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 Roman E&G Corporation.

Motion to Approve R 24-15:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-152

APPOINTING A SHADE TREE COMMISSION MEMBER AND TREE COMMISSIONER

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

WHEREAS, Resolution No. 24-024, duly adopted on January 1, 2024 appointed members of the Shade Tree Commission; and

WHEREAS, Resolution No. 24-036, duly adopted on January 1, 2024 appointed Christian Lee as Tree Commissioner for a term of one (1) year with an expiration date of December 31, 2024; and

WHEREAS, due to the resignation of Christian Lee as Tree Commissioner, there is a vacancy in the position; and

WHEREAS, the uncontrolled and excessive destruction or removal of trees within the Borough of Highlands has caused or contributed to potential hazards to persons and property including but not limited to soil erosion, changes in drainage patterns, increased dust and noise pollution; and

WHEREAS, Borough Code §22-1.1 Establishes the Borough of Highlands Tree Removal and Protection Ordinance to prevent uncontrolled and excessive destruction and removal of trees within the Borough and to restrict the removal of other trees thereby maintaining the beauty and character of the Borough of Highlands and restricting actions which could create a hazard to persons or property; and

WHEREAS, Borough Code §22-1.3 provides that the Borough Council may appoint a Tree Commissioner by Resolution to administer permitting and enforcement of the Borough's Tree Removal and Protection Ordinance wherein the Tree Commissioner shall be a member of the Shade Tree Commission; and

WHEREAS, the Governing Body of the Borough of Highlands wishes to appoint Joseph DeCrescenzo to serve as a Shade Tree Commission Member for the remainder of the calendar year 2024 with an expiration date of December 31, 2024; and

WHEREAS, the Governing Body of the Borough of Highlands wishes to appoint Joseph DeCrescenzo to serve as the Tree Commissioner to fill the unexpired term for the remainder of the calendar year 2024 with an expiration date of December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that Joseph DeCrescenzo be and is hereby appointed Shade Tree Commission Member and Tree Commissioner for the unexpired term, with an expiration date of December 31, 2024.

Motion to Approve R 24-152:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-153

AUTHORIZING AN EXTENSION TO PAY TAXES TO SEPTEMBER 6, 2024

WHEREAS, the Borough of Highlands adopted its 2024 Municipal Budget on May 1, 2024, and

WHEREAS, because of the late calculation of the Tax Rate by the County Board of Taxation and the corresponding late printing of the tax bills, third quarter tax bills did not get mailed by the deadline of July 15, 2024; and

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

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S. 54:4-66.5 interest at a rate of \$.00000001% shall be charged on unpaid third quarter 2024 taxes provided same are paid on or before September 6, 2024 and provided further that interest thereafter shall be payable at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from August 1, 2024 until the date of actual payment.

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

Motion to Approve R 24-153:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-154
AUTHORIZING PAYMENT OF BILLS

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

Current Fund	\$ 1,071,596.19
Sewer Account	\$ 96,980.36
Capital Fund	\$ 1,149,316.95
Trust-Other	\$ 30,994.21
<u>Federal/State Grants</u>	<u>\$ 4,641.86</u>
Total	\$ 2,353,529.57

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the vouchers, totaling **\$ 2,353,529.57** 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 to Approve R 24-154:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands

RECAP OF PAYMENT OF BILLS
08/21/2024

Item 13.

CURRENT:		\$	1,071,596.19
Payroll	(08/15/2024)	\$	
Manual Checks		\$	
Voided Checks		\$	
SEWER ACCOUNT:		\$	96,980.36
Payroll	(08/15/2024)	\$	
Manual Checks		\$	
Voided Checks		\$	
CAPITAL/GENERAL		\$	1,149,316.95
CAPITAL-MANUAL CHECKS		\$	
Voided Checks		\$	
WATER CAPITAL ACCOUNT		\$	
TRUST FUND		\$	30,994.21
Payroll	(08/15/2024)	\$	
Manual Checks		\$	
Voided Checks		\$	
UNEMPLOYMENT ACCT-MANUALS		\$	
DOG FUND		\$	
GRANT FUND			
Payroll	(08/15/2024)	\$	4,641.86
Manual Checks		\$	
Voided Checks		\$	
DEVELOPER'S TRUST		\$	
Manual Checks		\$	
Voided Checks		\$	

**THE COMPLETE PAYMENT OF BILLS IS AVAILABLE IN
THE CLERK'S OFFICE FOR ANYONE THAT WISHES TO REVIEW THE LIST.**

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Ranges	Item Status	Purchase Types	Misc
Range: First to Last Rcvd Batch Id Range: First to Last	Open: N Void: N Paid: N Held: Y Aprv: N Rcvd: Y	Bid: Y State: Y Other: Y Exempt: Y	P.O. Type: All Format: Detail without Line Item Notes Include Non-Budgeted: Y Vendors: All

Vendor #	Name	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
ACEWA005	ACE WALCO TERMITE CONTROL									
24-00991	08/07/24	pest control @the firehouse								
1 pest control @the firehouse		68.92 4-01-25-263-000-201	B	Fire Dept: Building and grounds	R	08/07/24	08/07/24		1070503	N
2 pest control @the firehouse		55.13 4-01-25-263-000-201	B	Fire Dept: Building and grounds	R	08/07/24	08/07/24		843300	N
		124.05								
	Vendor Total:	124.05								
ACKER005	ACKERSON DRAPERY									
24-00733	06/05/24	WINDOW SHADES								
1 WINDOW SHADES		1,339.29 G-02-41-815-000-002	B	Grant: Snow Flake Youth Foundation-2R		06/05/24	08/05/24		24-241	N
	Vendor Total:	1,339.29								
AGRIT005	AGRI-TECH TURF MAINTENANCE INC									
24-00797	06/20/24	Fert/Weed Control								
1 Fert/Weed Control/Draw Down		749.10 4-01-26-310-000-185	B	B&G: Horticultural Materials	R	06/20/24	08/05/24		18691	N
	Vendor Total:	749.10								
AMAZO005	AMAZON CAPITAL SERVICES									
24-00831	07/02/24	Office supplies								
1 Office supplies		144.91 4-01-20-152-000-201	B	Central Services: Office Supplies	R	07/02/24	08/05/24		1MHFQ9VLL96R	N
24-00832	07/02/24	water filters								
1 water filters		278.64 4-01-26-310-000-154	B	B&G: Equipment Maintenance	R	07/02/24	08/05/24		1Q1QCRH7M611	N
24-00927	07/18/24	Items for clam fest								
1 Items for clam fest		654.87 4-01-28-360-000-244	B	Community Ctr: Special Events	R	07/18/24	08/05/24		1WJNX7R6D31C	N
2 pens		9.49 4-01-20-130-000-201	B	Finance: Office Supplies	R	07/18/24	08/05/24		1WJNX7R6D31C	N
		664.36								
24-00944	07/23/24	scanner for zoning office								
1 scanner for zoning office		399.99 4-01-21-185-000-201	B	Zoning: Office Supplies	R	07/23/24	08/05/24		1W649TMX3F13	
24-01010	08/08/24	uniform-dpw								
1 uniform-dpw		147.51 4-01-26-290-000-132	B	Streets: Uniform Clothing & Access.	R	08/08/24	08/15/24		13DTJ1PK1HY	N

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Vendor # P.O. # Item Description	Name PO Date	Description Amount Charge Account	Contract Acct Description Type	PO Type Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
AMAZO005	AMAZON CAPITAL SERVICES		Account Continued						
	Vendor Total:	1,635.41							
ANTHO015 24-00988 1 medicare reimbursement	ANTHONY MACRI 08/06/24	medicare reimbursement 524.10 4-01-36-472-000-000	B	Statutory: Social Security	R	08/06/24	08/06/24	7/1-9/30/24	N
	Vendor Total:	524.10							
APOLL005 24-00932 1 pump out grease trap	APOLLO SEWER & PLUMBING INC. 07/18/24	pump out grease trap 250.00 4-05-55-502-000-188	B	Sewer: Drains	R	07/18/24	08/05/24	72867	N
	Vendor Total:	250.00							
ATC 24-00896 1 system monitoring	ATC VOICE/DATA, INC. 07/11/24	system monitoring 480.00 4-01-26-310-000-178	B	B&G: Building Maintenance	R	07/11/24	08/06/24	62177	N
24-00996 1 honeywell vista 20 system	08/07/24	honeywell vista 20 system 2,782.00 4-01-26-310-000-178	B	B&G: Building Maintenance	R	08/07/24	08/15/24	61367	N
	Vendor Total:	3,262.00							
ATLAN015 24-00844 1 July 2024	ATLANTIC HIGHLANDS SELF STORAG 07/05/24	Leased Equipment 165.00 4-01-25-240-000-270	B	Police: Leased Equipment	R	07/05/24	08/06/24	JULY 2024	N
	Vendor Total:	165.00							
ATLAN010 24-00103 2 Annual monitoring	ATLANTIC SECURITY & FIRE 01/26/24	Annual monitoring 300.00 4-01-28-360-000-296	B	Community Ctr: Machinery & Equipmen	R	01/26/24	08/05/24	20478	N
	Vendor Total:	300.00							
BANKERS 24-01069 1 retiree medical	BANKERS LIFE AND CASUALTY CO. 08/19/24	retiree medical 665.41 4-01-23-220-000-254	B	Current: Retirees Group Insurance	R	08/19/24	08/19/24	B2455396	N
	Vendor Total:	665.41							
BAYFIRE 24-00803 1 oxygen refill draw down	BAYSHORE FIRE & SAFETY LLC 06/24/24	oxygen refill draw down 240.00 4-01-25-260-000-210	B	First Aid: First Aid Supplies	R	06/24/24	08/06/24	4179	N
	Vendor Total:	240.00							

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

08/19/2024

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Vendor # P.O. # Item Description	Name PO Date	Description Amount Charge Account	Contract Acct Description Type	PO Type Stat/Chk	First Enc Rcvd Date Date	Chk/Void Date	Invoice	1099 Excl
BAYSH010 BAYSHORE SINGLE STREAM SOLUTIO								
24-00956	07/29/24	commingling						
1 commingling		61.57 4-01-26-306-000-283	B	Sanitation Contract: Co-Mingled DisposR	07/29/24 08/05/24		17965	N
24-00992	08/07/24	single stream						
1 single stream		694.40 4-01-26-306-000-283	B	Sanitation Contract: Co-Mingled DisposR	08/07/24 08/07/24		18057	N
24-01052	08/15/24	commingled						
1 commingled		60.63 4-01-26-306-000-283	B	Sanitation Contract: Co-Mingled DisposR	08/15/24 08/15/24		18098	N
	Vendor Total:	816.60						
BOROU005 BOROUGH OF ATLANTIC HIGHLANDS								
24-01056	08/16/24	sound recording-7/16/24						
1 sound recording-7/16/24		39.42 4-01-43-490-000-151	B	Municipal Court: Consultants - Other R	08/16/24 08/16/24		7/16/24	N
	Vendor Total:	39.42						
BOROU020 BOROUGH OF SEA BRIGHT								
24-00468	04/04/24	Shared service Lifeguards						
1 Shared service Lifeguards		43,845.00 4-01-42-730-000-299	B	SHARED SERVICE- SEA BRIGHT LIFER	04/04/24 08/06/24		2024	N
	Vendor Total:	43,845.00						
BOUND01 BOUND TREE MEDICAL LLC								
24-00802	06/24/24	medical supplies						
1 medical supplies		197.29 4-01-25-260-000-210	B	First Aid: First Aid Supplies R	06/24/24 08/05/24		85385220	N
	Vendor Total:	197.29						
BRANIN BRANIN'S CONTRACTING CO.								
24-00833	07/03/24	Repair ramp @Community Center						
1 Repair ramp @Community Center		5,790.00 4-01-26-310-000-178	B	B&G: Building Maintenance R	07/03/24 08/06/24		881	N
	Vendor Total:	5,790.00						
BRIDG005 BRIDGECONNEX								
23-01146	09/29/23	PHONE SYSTEM SERVICES						
13 PHONE SYSTEM SERVICES		1,047.23 3-01-31-440-000-213	B	Telephone R	09/29/23 08/07/24		121634	N
	Vendor Total:	1,047.23						
BRO01 BROWN & BROWN BENEFIT ADVISORS								
24-00985	08/06/24	AUGUST 2024 CONSULTING FEE						
1 AUGUST 2024 CONSULTING FEE		1,250.00 4-01-23-220-000-253	B	Current: Group Insurance R	08/06/24 08/06/24		128418	
	Vendor Total:	1,250.00						

Vendor #	Name	Description		Contract	PO Type	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk					
Item Description				Type						
BRO01	BROWN & BROWN BENEFIT ADVIS	Account Continued								
CAN01	CANON SOLUTIONS AMERICA									
24-01060	08/16/24									
1 maintenance fee usage		74.56	4-01-26-310-000-154	B	B&G: Equipment Maintenance	R	08/16/24	08/16/24	6008821988	N
2 maintenance fee		753.94	4-01-26-310-000-154	B	B&G: Equipment Maintenance	R	08/16/24	08/16/24	6008835998	N
		828.50								
Vendor Total:		828.50								
CARDI005	CARDIO PARTNERS									
24-00723	06/04/24									
1 MEDICAL SUPPLIES		1,213.90	T-03-56-850-000-011	B	Trust: Recreation	R	06/04/24	08/06/24	INV3419906	N
2 MEDICAL SUPPLIES		41.17	T-03-56-850-000-011	B	Trust: Recreation	R	06/04/24	08/06/24	INV3427320	N
		1,255.07								
Vendor Total:		1,255.07								
CME01	CME ASSOCIATES									
23-00727	06/08/23									
22 Engineering Veterans park		470.25	4-01-20-165-000-244	B	Engineering:General Engineering	R	07/19/24	08/05/24	357112	N
23 Engineering Veterans park		424.50	4-01-20-165-000-244	B	Engineering:General Engineering	R	08/08/24	08/08/24	358464	N
		894.75								
24-01009	08/08/24									
1 40 Grand Tour-grading review		425.00	T-03-56-875-000-187	B	Grading 40 Grand Tour 14/6.02	R	08/08/24	08/08/24	0343507	N
Vendor Total:		1,319.75								
COLLI005	COLLIERS ENGINEERING/DESIGN									
23-01252	10/20/23									
11 fema grant award flood mitigat		2,695.00	C-04-14-108-000-555	B	Ord 14-08 Construction Contracts	R	10/20/23	08/12/24	970692	N
23-01254	10/20/23									
10 Engineer Bayside/Marie Avenue		1,340.00	C-04-23-101-000-201	B	ORD#23-10 Bayside/Marie Ave (NJDO'R		10/20/23	08/13/24	970345	N
24-00034	01/17/24									
10 Municipal engineer		9,230.57	4-01-20-165-000-244	B	Engineering:General Engineering	R	01/17/24	08/13/24	970338	N
11 Municipal engineer		445.00	4-01-20-165-000-244	B	Engineering:General Engineering	R	01/17/24	08/16/24	967446	N
		9,675.57								
24-00358	03/13/24									
5 Engineering/Portland Road		3,151.25	4-01-20-165-000-244	B	Engineering:General Engineering	R	03/13/24	08/13/24	970321	
24-00466	04/04/24									
Service for Marine Place East										

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. AM

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
COLLI005	COLLIERS ENGINEERING/DESIGN	Account Continued									
4 Service for Marine Place East		3,875.00	4-01-20-165-000-244	B	Engineering:General Engineering	R	04/04/24	08/13/24		970339	N
24-00467	04/04/24		Service Shore Drive project								
3 Service Shore Drive project		6,939.12	4-01-20-165-000-244	B	Engineering:General Engineering	R	04/04/24	08/13/24		970328	N
24-00737	06/07/24		Prof. service Frank Hall Park								
2 Prof. service Frank Hall Park		5,497.50	T-03-56-854-000-000	B	Trust: Open Space	R	06/07/24	08/13/24		970342	N
24-00801	06/24/24		Improvements to Overlook Park								
2 Improvements to Overlook Park		2,858.75	C-04-23-101-000-204	B	ORD#23-10OverlookPark(Grant-MCOSR		06/24/24	08/13/24		971000	N
24-00935	07/18/24		Linden Ave sidewalk project								
1 Linden Ave sidewalk project		5,437.95	C-04-23-101-000-205	B	ORD#23-10Linden/Waterwitch/Bay-NJIR		07/18/24	08/13/24		970330	N
	Vendor Total:	41,470.14									
COMCAST	COMCAST										
24-00973	08/02/24		17-1 Shore Drive								
1 17-1 Shore Drive		189.80	4-01-31-450-000-213	B	Telecommunications	R	08/02/24	08/05/24		17-1 SHORE DR	N
24-00990	08/07/24		40 Shore Drive								
1 40 Shore Drive		211.52	4-05-55-502-000-213	B	Sewer: Telephone	R	08/07/24	08/07/24		40 SHORE DR	N
24-01042	08/14/24		151 Navesink Avenue								
1 151 Navesink Avenue		225.31	4-01-31-450-000-213	B	Telecommunications	R	08/14/24	08/14/24		151 NAVESINK AV	N
2 first aid		149.70	4-01-31-450-000-213	B	Telecommunications	R	08/14/24	08/14/24		FIRST AID	N
		375.01									
	Vendor Total:	776.33									
COSTC010	COSTCO										
24-00974	08/05/24		SUmmer camp week 4								
1 SUmmer camp week 4		203.70	T-03-56-850-000-011	B	Trust: Recreation	R	08/05/24	08/06/24		8/5/24	N
	Vendor Total:	203.70									
COUNTY1	COUNTY OF MONMOUTH										
24-00914	07/15/24		Hauling brush to landfill								
1 Hauling brush to landfill		291.75	4-01-26-305-000-284	B	Sanitation: Brush & Bulk	R	07/15/24	08/06/24		24000551	N
24-01057	08/16/24		haul brush fromyardto middleto								
1 haul brush fromyardto middleto		3,305.88	4-01-26-305-000-284	B	Sanitation: Brush & Bulk	R	08/16/24	08/16/24		24000593	N
	Vendor Total:	3,597.63									
DAVID005	DAVID GILSON										
24-01064	08/16/24		medicare reimbursement								
1 medicare reimbursement		1,397.60	4-01-36-472-000-000	B	Statutory: Social Security	R	08/16/24	08/16/24		MAY-AUG 2024	

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. M

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
DAVID005	DAVID GILSON	Account Continued									
	Vendor Total:	1,397.60									
DAV02	DAVISON,EASTMAN,MUNOZ,LEDERMAN										
24-00033	01/17/24		Borough attorney								
39 Retainer		5,500.00	4-01-20-155-000-242	B	Legal Services: Consultants -Boro AttnyR		08/08/24	08/08/24		417825	N
40 Hourly		5,872.23	4-01-20-155-000-252	B	Legal Services: Consultants Hourly	R	08/08/24	08/08/24		418177	N
41 Agate Construction		258.00	4-01-20-155-000-251	B	Legal Services: Consultants -Litigation	R	08/08/24	08/08/24		417828	N
42 Good Neighbors		495.00	4-01-20-155-000-251	B	Legal Services: Consultants -Litigation	R	08/08/24	08/08/24		417830	N
43 Roman Corp.		912.00	4-01-20-155-000-251	B	Legal Services: Consultants -Litigation	R	08/08/24	08/08/24		417829	N
44 Seastreak		176.00	4-01-20-155-000-251	B	Legal Services: Consultants -Litigation	R	08/08/24	08/08/24		417827	N
45 Thor Construction		1,024.00	4-01-20-155-000-251	B	Legal Services: Consultants -Litigation	R	08/08/24	08/08/24		417831	N
		14,237.23									
	Vendor Total:	14,237.23									
DELTA005	DELTA DENTAL OF NJ, INC.										
24-01035	08/13/24		active members								
1 active members		2,120.67	4-01-23-220-000-253	B	Current: Group Insurance	R	08/13/24	08/13/24		1058551	N
2 retired members		1,847.07	4-01-23-220-000-254	B	Current: Retirees Group Insurance	R	08/13/24	08/13/24		1058553	N
		3,967.74									
	Vendor Total:	3,967.74									
DOWNT010	DOWNTOWN NETWORK COMPANY										
23-00991	08/14/23		CRS COORDINATOR								
7 CRS COORDINATOR		5,087.88	C-04-21-101-000-202	B	ORD#21-28NEWBOROUGHALL-SOFR		08/14/23	08/06/24		107	N
	Vendor Total:	5,087.88									
EDMUN010	Edmunds Govtech										
24-00981	08/06/24		regular tax bills 2 part								
1 regular tax bills 2 part		743.27	4-01-20-145-000-261	B	Tax Collection: Printing	R	08/06/24	08/15/24		24-IN6761	N
	Vendor Total:	743.27									
EUGEN005	EUGENE VENTIMIGLIA										
24-01040	08/14/24		medicare reimbursement								
1 medicare reimbursement		2,334.90	4-01-36-472-000-000	B	Statutory: Social Security	R	08/14/24	08/14/24		MAY-AUG 2024	N
	Vendor Total:	2,334.90									
EVERO005	EVERON LLC										

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
EVERO005	EVERON LLC	Account Continued									
24-00794	06/20/24			Office Equipment							
1 Camera Add On: Interview Room		3,345.00	4-01-25-240-000-294	B	Police: Other	R	06/20/24	08/12/24		155686467	N
24-00825	07/01/24			cameras for community center							
1 cameras for community center		11,490.00	4-01-44-901-000-264	B	Acquisition of Various Equipment	R	07/01/24	08/06/24		155618767	N
Vendor Total:		14,835.00									
FAIRL005	FAIRLEIGH DICKERSON UNIVERSITY										
24-00922	07/16/24			MANAGING ORGANIZATIONAL CHANGE							
1 MANAGING ORGANIZATIONAL CHANG		2,263.04	4-01-26-290-000-294	B	Streets: Other	R	07/16/24	08/07/24		SPRING 2024	N
Vendor Total:		2,263.04									
FILEB005	FILEBANK										
24-01000	08/07/24			storage							
1 storage		505.19	4-01-26-310-000-103	B	B&G: Consumable Supplies	R	08/07/24	08/07/24		0125813	N
Vendor Total:		505.19									
FIORE	FIORE PAVING COMPANY										
23-01253	10/20/23			Improv. Bayside Dr/Marie Ave							
2 Improv. Bayside Dr/Marie Ave		4,282.60	C-04-23-101-000-201	B	ORD#23-10 Bayside/Marie Ave (NJDO'R		10/20/23	08/06/24		PAYMENT #2	N
Vendor Total:		4,282.60									
FITZPATR	FITZPATRICK AND SONS										
24-00655	05/16/24			2024 beach sifting							
1 2024 beach sifting		4,830.00	4-01-28-376-000-296	B	Beachfront: Machinery & Equip/Beach	R	05/16/24	08/12/24		JUNE/JULY 2024	N
Vendor Total:		4,830.00									
FNAVI005	FNA VII, LLC										
24-01046	08/14/24			LIEN REDEMPTION							
1 LIEN REDEMPTION		9,526.54	T-03-56-851-000-003	B	Trust: Redemption O/S Liens	R	08/14/24	08/14/24		B65/L17	N
2 PREMIUM BID		3,400.00	T-03-56-851-000-001	B	Trust: Tax Sale Premiums	R	08/14/24	08/14/24		B65/L17	N
		12,926.54									
Vendor Total:		12,926.54									
FOODTOWN	FOODTOWN OF ATLANTIC HIGHLANDS										
24-00964	07/30/24			summer food							
1 summer food		22.83	T-03-56-850-000-011	B	Trust: Recreation	R	07/30/24	08/12/24		7/30/24	N
2 summer food		17.37	T-03-56-850-000-011	B	Trust: Recreation	R	07/30/24	08/12/24		7/28/24	
3 summer food		17.94	T-03-56-850-000-011	B	Trust: Recreation	R	07/30/24	08/12/24		7/19/24	

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
FOODTOWN	FOODTOWN OF ATLANTIC HIGHLAI	Account Continued									
		<u>58.14</u>									
Vendor Total:		58.14									
FORER005	FORERUNNER										
24-01011	08/08/24		one time customization cost								
1 one time customization cost		750.00	4-01-22-195-000-260	B	Construction: Computer Services	R	08/08/24	08/08/24		1242	N
Vendor Total:		750.00									
FRANNY01	FRANNY'S PIZZA										
24-00574	04/26/24		Police Explorers								
5 Drawn Down-Food-Meeting/Train		52.00	4-01-25-240-000-220	B	Police: Police Explorers	R	04/26/24	08/05/24		99862	N
6 Drawn Down-Food-Meeting/Train		60.00	4-01-25-240-000-220	B	Police: Police Explorers	R	04/26/24	08/05/24		70729	N
		<u>112.00</u>									
24-00910	07/15/24		Summer camp pizza								
1 Summer camp pizza		147.15	T-03-56-850-000-011	B	Trust: Recreation	R	07/15/24	08/05/24		00724	N
2 Summer camp pizza		96.00	T-03-56-850-000-011	B	Trust: Recreation	R	07/30/24	08/05/24		99153	N
3 Summer camp pizza		147.15	T-03-56-850-000-011	B	Trust: Recreation	R	07/30/24	08/05/24		99850	N
		<u>390.30</u>									
Vendor Total:		502.30									
GANNE005	GANNETT NJ										
24-00917	07/15/24		2xo-24-05&-06								
12xo-24-05&-06		171.40	4-01-20-120-000-220	B	Municipal Clerk: Advertising	R	07/15/24	08/05/24		6369299	N
Vendor Total:		171.40									
GATEWAY	GATEWAY PRESS										
24-00677	05/20/24		Office Supplies								
1 1000 #10 Reg White Envelopes		120.00	4-01-25-240-000-201	B	Police: Office Supplies	R	05/20/24	08/06/24		26835	N
Vendor Total:		120.00									
TREVETT	GEORGE TREVETT PLUMBING & HEAT										
24-00897	07/11/24		repairs to shower/community ct								
1 repairs to shower/community ct		721.50	4-01-26-310-000-154	B	B&G: Equipment Maintenance	R	07/11/24	08/05/24		11384	N
Vendor Total:		721.50									
GLE01	GLENCO SUPPLY, INC										
24-00792	06/20/24		No Park Signs/Posts								

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GLE01	GLENCO SUPPLY, INC	<i>Account Continued</i>						
1 No Park Signs/Posts 24-00838	07/03/24	2,050.00 4-01-26-290-000-191	B Streets: Signs	R	06/20/24 08/05/24		33749	N
1 Additional Bumpers 5th Ave Lot 24-00916	07/15/24	1,498.00 4-01-26-290-000-190	B Streets: Lines	R	07/03/24 08/05/24		33687	N
1 Steet Sign		43.00 4-01-26-290-000-191	B Streets: Signs	R	07/15/24 08/05/24		33743	N
Vendor Total:		3,591.00						
GRANT005	GRANT RITE MANAGEMENT CORP.							
24-00266	02/22/24	consulting/obtaining fema fund						
6 consulting/obtaining fema fund		206.25 4-01-20-131-000-201	B Grants Writer-OE	R	02/22/24 08/08/24		1735	N
Vendor Total:		206.25						
GRAVELLY	GRAVELLY POINT BEACH ASSOC.							
24-00979	08/06/24	electric reimbursement						
1 electric reimbursement		49.62 4-01-26-325-000-217	B Condo Services: Street Lighting	R	08/06/24 08/06/24			N
Vendor Total:		49.62						
GREEN005	GREENMAN-PEDERSEN, INC.							
24-01055	08/16/24	safe route to school						
1 safe route to school		3,302.57 G-02-41-813-000-013	B Grant: (159) 2019 Safe Routes to SchoR		08/16/24 08/16/24		392268	N
Vendor Total:		3,302.57						
GROWI005	GROWING CONCERN INC.							
24-00680	05/21/24	Repair/SprinkControlBox/Ederle						
1 Repair/SprinkControlBox/Ederle		695.00 4-01-26-310-000-154	B B&G: Equipment Maintenance	R	05/21/24 08/05/24		R45124-IN	N
24-00683	05/21/24	Repair/broken main Vet Park						
1 Repair/broken main Vet Park		1,418.00 C-04-13-117-000-555	B ORD 13-17: Construction Contracts	R	05/21/24 08/05/24		R45024-IN	N
Vendor Total:		2,113.00						
H2MAS005	H2M ASSOCIATES, INC.							
23-00026	01/09/23	Sanitary Engineer						
19 Sanitary Engineer		4,299.00 3-05-55-502-000-151	B Sewer: Consultants - Other	R	08/06/24 08/06/24		265084	N
23-01535	12/29/23	Phase I sanitary sewer						
6 Phase I sanitary sewer		48,304.82 C-06-22-101-000-201	B ORD#22-07 PHASE I&II SANITARY SER		12/29/23 08/06/24		264124	N
7 Phase I sanitary sewer		19,230.97 C-06-24-101-000-201	B ORD#24-05 Phase I&II Sanitary SewerR		08/06/24 08/06/24		264124	N
8 Phase I sanitary sewer		46,276.78 C-06-24-101-000-201	B ORD#24-05 Phase I&II Sanitary SewerR		08/07/24 08/07/24		265085	N
Vendor Total:		113,812.57						

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
H2MAS005	H2M ASSOCIATES, INC.	Account Continued									
Vendor Total:		118,111.57									
HENRY006	HENRY B. CLAGETT										
24-00987	08/06/24	medicare reimbursement									
1 medicare reimbursement		174.70	4-01-36-472-000-000	B	Statutory: Social Security	R	08/06/24	08/06/24		JULY 2024	N
24-01039	08/14/24	medicare reimbursement									
1 medicare reimbursement		174.70	4-01-36-472-000-000	B	Statutory: Social Security	R	08/14/24	08/14/24		AUGUST 2024	N
Vendor Total:		349.40									
HENRY1	HENRY HUDSON REG HIGH SCHOOL										
24-01004	08/07/24	school taxes-August 2024									
1 school taxes-August 2024		716,563.00	4-01-99-999-002-206	B	Regional School Taxes Payable	R	08/07/24	08/07/24		AUG 2024	N
2 debt services		7,345.00	4-01-99-999-002-206	B	Regional School Taxes Payable	R	08/07/24	08/07/24		AUG 2024	N
		723,908.00									
Vendor Total:		723,908.00									
HENRY	HENRY HUDSON REGIONAL HIGH SCH										
24-00947	07/26/24	Summer trips									
1 Summer trips		1,457.00	T-03-56-850-000-011	B	Trust: Recreation	R	07/26/24	08/06/24		2024	N
Vendor Total:		1,457.00									
HEY01	HEYER GRUEL & ASSOCIATES										
24-00038	01/17/24	Borough planner									
10 Borough planner		87.50	4-01-20-155-000-294	B	Legal Services: Other	R	01/17/24	08/14/24		41883	N
24-00267	02/22/24	planning central business rede									
6 planning central business rede		387.50	4-01-20-155-000-294	B	Legal Services: Other	R	06/12/24	08/14/24		41884	N
Vendor Total:		475.00									
HUTCH005	HUTCHINS HVAC INC.										
24-00624	05/09/24	Shore pump station issue									
1 Shore pump station issue		4,200.00	4-05-55-502-000-190	B	Sewer: Station Repairs	R	05/09/24	08/05/24		I-06787	N
2 Shore pump station issue		375.00	4-05-55-502-000-190	B	Sewer: Station Repairs	R	08/05/24	08/05/24		I-05174	N
		4,575.00									
Vendor Total:		4,575.00									
IMPAC005	IMPAC										
24-00983	08/06/24	FUEL									

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IMPAC005	IMPAC	Account Continued							
1 FUEL		6,298.24 4-01-31-460-000-192	B Fuel	R	08/06/24	08/06/24		SQLCD-984199	N
Vendor Total:		6,298.24							
INSTANT 24-00834	INSTANT VERIFICATION, INC. 07/02/24	Criminal background check							
1 Criminal background check		288.00 T-03-56-850-000-011	B Trust: Recreation	R	07/03/24	08/05/24		7022024	N
Vendor Total:		288.00							
KANE 24-00965	JACQUELINE KANE 07/30/24	clam fest							
1 clam fest/receipt home depot		39.17 4-01-28-360-000-244	B Community Ctr: Special Events	R	07/30/24	08/05/24		7/26/24	N
Vendor Total:		39.17							
JANIT005 24-00925	Janitor Supply Corp 07/17/24	Sewer degreaser							
1 Sewer degreaser		2,498.00 4-05-55-502-000-294	B Sewer: Other	R	07/17/24	08/06/24		11265	N
Vendor Total:		2,498.00							
JASPAN 24-01067	JASPAN 08/19/24	brass swivel bolt snap							
1 brass swivel bolt snap		29.96 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1493430	N
2 trash container		37.57 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1493681	N
3 trash container		71.97 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1493682	N
4 nut driver		73.47 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1494399	N
5 white cable tie		9.99 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1496712	N
6 single key, tag		12.06 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1497289	N
7 roller, cover		39.94 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1497370	N
8 battery		74.76 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1498222	N
9 screw, hardware		18.65 4-01-26-310-000-181	B B&G: General Hardware - Minor Tools	R	08/19/24	08/19/24		A1498813	N
		368.37							
Vendor Total:		368.37							
JCPL 24-01001	JCP & L 08/07/24	mua bill							
1 mua bill		347.47 4-01-31-430-000-215	B Electric	R	08/07/24	08/07/24		95019953060	N
2 master bill		309.96 4-01-31-430-000-215	B Electric	R	08/07/24	08/07/24		95019953041	N
		657.43							

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JCPL	JCP & L	<i>Account Continued</i>						
24-01053	08/15/24	2 Miller Street						
1 2 Miller Street		4.27 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922137	N
2 42 Shore Drive		521.04 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922136	N
3 streetscape		689.99 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922135	N
4 firehouse		939.91 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922130	N
5 22 SnugHarbor Avenue		1,533.03 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95557935756	N
6 borough garage		62.34 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95517971571	N
7 Linden Avenue		9.67 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922128	N
8 Waterwitch Avenue		48.89 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922129	N
9 201-203 Bay Avenue		52.71 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95677767058	N
10 171 Bay Avenue		790.69 4-01-31-430-000-215	B Electric	R	08/15/24 08/15/24		95567922139	N
11 Valley St. Pump Station		14.92 4-05-55-502-000-214	B Sewer: Gas & Electric	R	08/15/24 08/15/24		95567922131	N
12 40 Shore Drive		3,988.95 4-05-55-502-000-214	B Sewer: Gas & Electric	R	08/15/24 08/15/24		95567922134	N
13 North St pump station		574.39 4-05-55-502-000-214	B Sewer: Gas & Electric	R	08/15/24 08/15/24		95567922138	N
		9,230.80						
Vendor Total:		9,888.23						
JERSE005	JERSEY AUTO SPA CAR WASH							
24-00919	07/16/24	Car Wash						
1 Full Service Car Wash - June		17.00 4-01-25-240-000-265	B Police: Car Wash	R	07/16/24 08/06/24		1312	N
Vendor Total:		17.00						
JFKEM005	JFK EMS							
24-00046	01/17/24	jfk emergency services						
8 jfk emergency services		15,000.00 4-01-42-737-000-299	B Shared Service EMS/JFK Medical CentR		08/07/24 08/07/24		AUGUST 2024	N
Vendor Total:		15,000.00						
JOHNG005	JOHN GUIRE LLC							
24-00593	05/02/24	Draw down Equipmentpart/supply						
4 Draw down Equipmentpart/supply		258.88 4-01-26-290-000-183	B Streets: Machinery Parts	R	05/02/24 08/15/24		203993	N
Vendor Total:		258.88						
KEVIN030	KEVIN E. ROAKE							
24-01013	08/12/24	medicare reimbursement						
1 medicare reimbursement		174.70 4-01-36-472-000-000	B Statutory: Social Security	R	08/12/24 08/12/24		AUGUST 2024	N
Vendor Total:		174.70						

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
LANGU005	LANGUAGE LINE SERVICES										
24-01003	08/07/24		court interpretation								
1 court interpretation		40.80	4-01-43-490-000-151	B	Municipal Court: Consultants - Other	R	08/07/24	08/07/24		11357400	N
Vendor Total:		40.80									
MASTE005	MASTER MAINTENANCE OF RED BANK										
24-00980	08/06/24		cleaning of the community cent								
1 cleaning of the community cent		300.00	4-01-26-310-000-178	B	B&G: Building Maintenance	R	08/06/24	08/06/24		6553	N
Vendor Total:		300.00									
MCAAO005	MCAA OF MONMOUTH COUNTY										
24-01058	08/16/24		8/23/24 conference								
1 8/23/24 conference		15.00	4-01-43-490-000-128	B	Municipal Court: Meetings & Conferenc	R	08/16/24	08/16/24		8/23/24	N
Vendor Total:		15.00									
MCMANIMO	McMANIMON SCOTLAND & BAUMANN										
24-00043	01/17/24		Redevelopment attorney								
6 Redevelopment attorney		5,216.56	4-01-20-155-000-294	B	Legal Services: Other	R	01/17/24	08/08/24		226197	N
Vendor Total:		5,216.56									
MCMCA005	MCMCA										
24-01047	08/14/24		CENTRAL JERSEY SHORE CONFERENC								
1 CENTRAL JERSEY SHORE CONFEREN		75.00	4-01-43-490-000-128	B	Municipal Court: Meetings & Conferenc	R	08/14/24	08/14/24		2024	N
Vendor Total:		75.00									
MGL	MGL PRINTING SOLUTIONS										
24-00943	07/19/24		sewer bills 2 stub								
1 sewer bills 2 stub		922.00	4-05-55-502-000-161	B	Sewer: Printing	R	07/19/24	08/06/24		207537	N
Vendor Total:		922.00									
MIDDLE040	MIDDLETOWN TWP.										
24-01066	08/16/24		brush dump								
1 brush dump		400.00	4-01-26-305-000-284	B	Sanitation: Brush & Bulk	R	08/16/24	08/16/24		5/2/24	N
2 brush dump		400.00	4-01-26-305-000-284	B	Sanitation: Brush & Bulk	R	08/16/24	08/16/24		7/10/24	N
		800.00									
Vendor Total:		800.00									
SPCA	MONMOUTH COUNTY SPCA										

BOROUGH OF HIGHLANDS
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Vendor # P.O. # Item Description	Name PO Date	Description Amount Charge Account	Contract Acct Description Type	PO Type Stat/Chk	First Enc Rcvd Date Date	Chk/Void Date	Invoice	1099 Excl
SPCA								
MONMOUTH COUNTY SPCA								
Account Continued								
24-00999	08/07/24	June animal control						
1 June animal control		1,650.00 4-01-27-340-000-152	B Dog Control: Contractual Service	R	08/07/24 08/07/24		2025350	N
Vendor Total:		1,650.00						
NJAMERIC								
NEW JERSEY AMERICAN WATER								
24-01006	08/08/24	s bay avenue						
1 s bay avenue		23.52 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		S BAY AVE	N
2 linden avenue		23.52 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		LINDEN AVENUE	N
3 borough garage		32.74 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		BORO GARAGE	N
4 firehouse		216.01 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		FIREHOUSE	N
5 22 snugharbor avenue		160.09 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		22 SNUGHARBORN	N
6 waterwitch avenue		198.28 4-01-31-445-000-219	B Water	R	08/08/24 08/08/24		WATERWITCH AVEN	N
7 17-1 shore dr-hydrant		120.60 4-01-31-463-000-193	B Fire Hydrants	R	08/08/24 08/08/24		17-1 SHORE HYDFN	N
		774.76						
24-01043	08/14/24	boro garage						
1 boro garage		23.52 4-01-31-445-000-219	B Water	R	08/14/24 08/14/24		BORO GARAGE	N
Vendor Total:		798.28						
NJNG								
NEW JERSEY NATURAL GAS								
24-01044	08/14/24	56 Waterwitch Avenue						
1 56 Waterwitch Avenue		50.17 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		56 WATERWITCH	N
2 151 navesink avenue		917.37 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		151 NAVESINK AV	N
3 22 Snugharbor Ave		115.53 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		22 SNUGHARBORN	N
4 public works		42.00 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		PUBLIC WORKS	N
5 s 2nd street		52.90 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		S 2ND ST	N
6 shore dr		93.75 4-01-31-446-000-218	B Natural Gas	R	08/14/24 08/14/24		SHORE DR	N
		1,271.72						
Vendor Total:		1,271.72						
NEWPO005								
NEWPORT MEDIA HOLDINGS,LLC								
24-00995	08/07/24	notice #23826,23827						
1 notice #23826,23827		16.43 4-01-20-120-000-220	B Municipal Clerk: Advertising	R	08/07/24 08/07/24		21187	N
Vendor Total:		16.43						
VETERINA								
NJ STATE DEPT. OF HEALTH								
24-01050	08/15/24	June 2024 dog report						
1 June 2024 dog report		7.20 T-12-99-999-000-002	B DOG TRUST: DUE STATE OF NEW JER		08/15/24 08/15/24		JUNE 2024	

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Vendor # P.O. # Item Description	Name PO Date	Description Amount Charge Account	Contract Acct Description Type	PO Type Stat/Chk	First Enc Rcvd Date Date	Chk/Void Date	Invoice	1099 Excl
VETERINA		NJ STATE DEPT. OF HEALTH		<i>Account Continued</i>				
2 July 2024 dog report		2.40 T-12-99-999-000-002	B DOG TRUST: DUE STATE OF NEW JER		08/15/24	08/15/24	JULY 2024	N
		<u>9.60</u>						
	Vendor Total:	9.60						
NJAFM005		NJAFM						
24-01049	08/14/24	flood plain conference						
1 flood plain conference		435.00 4-01-22-195-000-236	B Construction: Schooling/Training	R	08/14/24	08/14/24	2024	N
	Vendor Total:	435.00						
ONE CALL		ONE CALL CONCEPTS, INC.						
24-00982	08/06/24	mark outs for July 2024						
1 mark outs for July 2024		114.38 4-05-55-502-000-154	B Sewer: Equipment Maintenance	R	08/06/24	08/06/24	4075088	N
	Vendor Total:	114.38						
OSWALD		OSWALD SEWER SERVICE						
24-00912	07/15/24	Blockage Bay Ave Jet Line						
1 Blockage Bay Ave Jet Line		800.00 4-05-55-502-000-189	B Sewer: Line Repairs	R	07/15/24	08/06/24	14401	N
24-00913	07/15/24	Jet/TV Inspection/Clean Bay PS						
1 Jet/TV Inspection/Clean Bay PS		4,150.00 4-05-55-502-000-189	B Sewer: Line Repairs	R	07/15/24	08/06/24	14391	N
24-00954	07/29/24	Cleaning at pump station						
1 Cleaning at pump station		2,350.00 4-05-55-502-000-190	B Sewer: Station Repairs	R	07/29/24	08/06/24	14412	N
2 Broke blockage sewer line		800.00 4-05-55-502-000-189	B Sewer: Line Repairs	R	07/29/24	08/06/24	14414	N
		<u>3,150.00</u>						
	Vendor Total:	8,100.00						
PFRS		POLICE FIRE RETIREMENT SYSTEM						
24-00891	07/11/24	member shortage						
1 member shortage		36.00 4-01-36-475-000-000	B Statutory: PFRS	R	07/11/24	08/06/24	2018	N
2 member shortage		9.30 4-01-36-475-000-000	B Statutory: PFRS	R	07/11/24	08/06/24	2018	N
		<u>45.30</u>						
	Vendor Total:	45.30						
POORJ005		POOR JOHNS PORTABLE TOILETS						
24-01008	08/08/24	Veterans Park						
1 Veterans Park		203.00 4-01-28-375-000-181	B Parks: Restroom rental	R	08/08/24	08/08/24	18252	N
2 Kavoojian Field		203.00 4-01-28-375-000-181	B Parks: Restroom rental	R	08/08/24	08/08/24	18253	
3 Snug Harbor skate park		133.00 4-01-28-375-000-181	B Parks: Restroom rental	R	08/08/24	08/08/24	18250	

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POORJ005	POOR JOHNS PORTABLE TOILETS	<i>Account Continued</i>							
4 Miller beach		203.00 4-01-28-375-000-181	B Parks: Restroom rental	R	08/08/24	08/08/24		18249	N
5 Snug Harbor		203.00 4-01-28-375-000-181	B Parks: Restroom rental	R	08/08/24	08/08/24		18251	N
		945.00							
Vendor Total:		945.00							
PROCA005	PRO CAP 8 FBO FIRSTRUST BANK								
24-01005	08/07/24	lien redemption							
1 lien redemption		1,012.21 T-03-56-851-000-003	B Trust: Redemption O/S Liens	R	08/07/24	08/07/24		B11.04/L1	N
2 premium bid		200.00 T-03-56-851-000-001	B Trust: Tax Sale Premiums	R	08/07/24	08/07/24		B11.04/L1	N
		1,212.21							
Vendor Total:		1,212.21							
PROFO005	PROFORMA GARDEN STATE GRAPHICS								
24-00788	06/18/24	CRS PROGRAM/BANNER							
1 CRS PROGRAM/BANNER		1,094.55 4-01-26-310-000-295	B B&G: Office Equipment/Furniture	R	06/18/24	08/05/24		BD68001774A	N
2 SHIPPING		77.14 4-01-26-310-000-295	B B&G: Office Equipment/Furniture	R	06/18/24	08/05/24		BD68001774A	N
		1,171.69							
Vendor Total:		1,171.69							
PUMPING	PUMPING SERVICES, INC.								
24-00957	07/29/24	Pump repair/40 Shore Drive							
1 Pump repair/40 Shore Drive		1,963.65 4-05-55-502-000-154	B Sewer: Equipment Maintenance	R	07/29/24	08/12/24		1145157	N
		1,963.65							
Vendor Total:		1,963.65							
RICOH005	RICOH USA, INC.								
24-01002	08/07/24	Monthly maintenance							
1 Monthly maintenance		367.30 4-01-26-310-000-170	B B&G: Leased Equipment	R	08/07/24	08/07/24		5069878167	N
		367.30							
Vendor Total:		367.30							
ROBER060	ROBERTS ENGINEERING GROUP, LLC								
24-00997	08/07/24	19 Gravelly point road							
1 19 Gravelly point road		1,632.00 T-03-56-875-000-194	B LUB24-04 Nastasi 19 Gravelly B100 L2R		08/07/24	08/07/24		8836	N
2 9 Fifth St		1,402.50 T-03-56-875-000-169	B TRUST: 2022-04: KirshKraft 9Fifth B57 R		08/07/24	08/07/24		8333	N
		3,034.50							
Vendor Total:		3,034.50							
ROMAN005	ROMAN E&G CORPORATION								

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Vendor #	Name	Description		Contract	PO Type	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk					
Item Description				Type						
ROMAN005	ROMAN E&G CORPORATION	Account Continued								
22-00497	04/28/22			PHASE I SANITARY SEWER						
19 PHASE I SANITARY SEWER		1,010,797.72	C-06-18-001-000-202	B	ORD#18-23StormWaterImprov-ContracR	04/28/22	08/15/24		PAYMENT #18	N
Vendor Total:		1,010,797.72								
RUDER005	RUDERMAN & ROTH, LLC									
24-00037	01/17/24			Borough labor council						
5 Borough labor council		1,924.00	4-01-20-155-000-294	B	Legal Services: Other	R	01/17/24	08/16/24	JULY 2024	N
Vendor Total:		1,924.00								
RYSER005	RYSER'S LANDSCAPE SUPPLY									
24-00843	07/05/24			Draw Down Landscape Materials						
1 Draw Down Landscape Materials		140.00	4-01-26-310-000-185	B	B&G: Horticultural Materials	R	07/05/24	08/05/24	0046508-00	N
2 Draw Down Landscape Materials		112.00	4-01-26-310-000-185	B	B&G: Horticultural Materials	R	07/05/24	08/05/24	0046548-00	N
		<u>252.00</u>								
Vendor Total:		252.00								
SWORLDWI	S&S WORLDWIDE									
24-00860	07/09/24			COMPETITION VOLLEYBALL NET						
1 COMPETITION VOLLEYBALL NET		146.99	T-03-56-850-000-011	B	Trust: Recreation	R	07/09/24	08/06/24	IN101430825	N
Vendor Total:		146.99								
SEABO005	SEABOARD WELDING SUPPLY, INC.									
24-00984	08/06/24			ACETYLENE/OXYGEN						
1 ACETYLENE/OXYGEN		69.25	4-01-26-310-000-170	B	B&G: Leased Equipment	R	08/06/24	08/06/24	970202	N
Vendor Total:		69.25								
SERVI005	SERVICE TIRE TRUCK CENTER, INC									
23-01448	12/12/23			tire-firstaid17-58						
1tire-firstaid17-58		322.00	3-01-42-717-000-198	B	Interlocal: Tires	R	12/12/23	08/16/24	23-0337948-042	N
24-00654	05/16/24			tires for 17-48 kubota						
1 tires for 17-48 kubota		500.00	4-01-26-300-000-201	B	Mech Garage: Motor Vehicle - Streets	R	05/16/24	08/05/24	24-0562754-042	N
Vendor Total:		822.00								
NAYLORS	SHORE AUTO SUPPLY, INC.									
24-01068	08/19/24			22in exactfit						
1 22in exactfit		119.94	4-01-26-300-000-294	B	Mech Garage: Other	R	08/19/24	08/19/24	259859	N
2 plastic folding knife, oil		288.02	4-01-26-300-000-294	B	Mech Garage: Other	R	08/19/24	08/19/24	259861	
3 brake rotor		277.33	4-01-26-300-000-294	B	Mech Garage: Other	R	08/19/24	08/19/24	259930	

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NAYLORS									
SHORE AUTO SUPPLY, INC.									
<i>Account Continued</i>									
4 tire pressure monitoring syste		27.99 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261304	N
5 spark plug,ignition coil		293.26 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261347	N
6 ujoint		49.98 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261353	N
7 spark plug boot		94.28 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261452	N
8 front,rear brake pads		539.53 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261706	N
9 armorall tire shine and wax		32.96 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261931	N
10 6+ month warranty battery		589.98 4-01-26-300-000-294	B Mech Garage: Other	R	08/19/24	08/19/24		261938	N
		2,313.27							
	Vendor Total:	2,313.27							
SHORE020									
SHORESIDE VETERINARY CARE									
24-00888	07/11/24	K9 Exams							
11-31-24:PhysicalExam-Colt		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
2 Annual Heartworm/Tick Test		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
3 AnTech-Ova an Parasite		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
4 Heartguard Single Dose		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
5 Fortiflora SA Canine		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
6 Bravecto Canine 44-88 lbs		90.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24		128583	N
7 Heartgard + Chewable 51-100 lb		75.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24		128583	N
805-24-24:BravectoCanine		90.50 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24		129432	N
97-01-24:PhysicalExam-Colt		0.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24			N
10 Apoquel 16mg		108.00 4-01-25-240-000-290	B Police: K-9 Unit	R	07/11/24	08/06/24		129875	N
		363.50							
	Vendor Total:	363.50							
SITE0005									
SITEONE LANDSCAPING SUPPLY									
24-00711	05/30/24	Draw down-Landscape supplies							
1 Draw down-Landscape supplies		470.82 4-01-26-290-000-294	B Streets: Other	R	05/30/24	08/06/24		142483002-001	N
	Vendor Total:	470.82							
SKIP									
SKIP'S SPORTS									
24-00656	05/16/24	student of the month shirts							
1 student of the month shirts		942.50 4-01-20-110-000-294	B Mayor/Council: Misc. Expenses	R	05/16/24	08/06/24		48480	N
	Vendor Total:	942.50							
SODON									
SODON'S ELECTRIC, INC.									
24-01007	08/08/24	emergency call due to storm							

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
SODON											
		SODON'S ELECTRIC, INC.		<i>Account Continued</i>							
1		420.00	4-01-26-310-000-178	B	B&G: Building Maintenance	R	08/08/24	08/08/24		F2674	N
		Vendor Total:	420.00								
SPECTROL											
		SPECTROTEL, INC.									
23-00593	05/08/23				Internet connectivity service						
16		1,586.48	C-04-21-101-000-202	B	ORD#21-28NEWBOROUGHALL-SOIR		05/08/23	08/07/24		12438192	N
		Vendor Total:	1,586.48								
STAPLES											
		STAPLES ADVANTAGE									
24-00892	07/11/24				office supplies						
1		116.71	4-01-20-100-000-201	B	Admin: Office Supplies	R	07/11/24	08/05/24		6006620403	N
2		107.08	4-01-20-152-000-203	B	Central Services: Consumable Supplies	R	07/11/24	08/05/24		6006620403	N
3		10.26	4-01-25-263-000-294	B	Fire Dept: Other	R	07/11/24	08/05/24		6006620403	N
		234.05									
24-00955	07/29/24				Office supplies						
1		19.74	4-01-20-100-000-201	B	Admin: Office Supplies	R	07/29/24	08/05/24		6007925942	N
2		29.03	4-01-20-120-000-201	B	Municipal Clerk: Office Supplies	R	07/29/24	08/05/24		6007925942	N
3		43.11	4-01-20-130-000-201	B	Finance: Office Supplies	R	07/29/24	08/05/24		6007925942	N
4		44.86	4-01-20-152-000-201	B	Central Services: Office Supplies	R	07/29/24	08/05/24		6007925942	N
		136.74									
		Vendor Total:	370.79								
STATTOXI											
		STATE TOXICOLOGY LABORATORY									
24-00975	08/05/24				Toxicology Testing						
1		180.00	4-01-25-240-000-240	B	Police: Physicals	R	08/05/24	08/12/24			N
		Vendor Total:	180.00								
STAVOLA											
		STAVOLA COMPANIES									
23-00455	04/11/23				Draw Down-Asphalt						
3		108.57	3-01-26-290-000-189	B	Streets: Road Material	R	04/11/23	08/05/24		334463	N
		Vendor Total:	108.57								
SUBUR005											
		SUBURBAN DISPOSAL INC.									
24-00971	08/01/24				billed incorrectly-solid waste						
1		1,420.00	4-01-26-306-000-284	B	Sanitation Contract: Solid Waste	R	08/01/24	08/05/24		10415	N
2		70,000.00	4-01-26-306-000-283	B	Sanitation Contract: Co-Mingled DisposR		08/01/24	08/05/24		10415	
		71,420.00									

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SUBUR005 SUBURBAN DISPOSAL INC. Account Continued									
24-01020	08/12/24	July 2024							
1 July 2024		43,833.33 4-01-26-306-000-284	B Sanitation Contract: Solid Waste	R	08/12/24	08/12/24		10779	N
2 July 2024		16,691.24 4-01-26-309-000-220	B Mon Cty Rec: Tipping Fees	R	08/12/24	08/12/24		10779	N
3 July 2024		3,745.19 4-01-26-306-000-283	B Sanitation Contract: Co-Mingled DisposR		08/12/24	08/12/24		10779	N
		64,269.76							
	Vendor Total:	135,689.76							
SUREN005 SURENIAN, EDWARDS, BUZAK/NOLAN									
24-00506	04/11/24	Affordable housing attorney							
9 Affordable housing attorney		3,999.72 4-01-20-155-000-294	B Legal Services: Other	R	04/11/24	08/08/24		JUNE 2024	N
	Vendor Total:	3,999.72							
TOMSA T.O.M.S.A.									
24-01041	08/14/24	July 2024							
1 July 2024		69,468.55 4-05-55-502-000-196	B Sewer: TOMSA	R	08/14/24	08/14/24		JULY 2024	N
	Vendor Total:	69,468.55							
TARGE005 TARGETED TECHNOLOGIES LLC									
24-00836	07/03/24	Computer Equipment							
1 Dell Optiplex Plus		2,170.00 4-01-25-240-000-203	B Police: Computer Supplies/Maint	R	07/03/24	08/16/24		122029	N
3 512GB Solid State Hard Drive		0.00 4-01-25-240-000-203	B Police: Computer Supplies/Maint	R	07/03/24	08/16/24		122029	N
5 Set-up Fee		660.00 4-01-25-240-000-203	B Police: Computer Supplies/Maint	R	07/03/24	08/16/24		122029	N
		2,830.00							
24-01062	08/16/24	phishing awareness							
1 phishing awareness		168.72 4-01-20-100-000-294	B Admin: Other	R	08/16/24	08/16/24		121811	N
2 Councilwomam-no access to emai		87.50 4-01-20-110-000-294	B Mayor/Council: Misc. Expenses	R	08/16/24	08/16/24		121901	N
3 datto back up pd		669.00 4-01-20-120-000-294	B Municipal Clerk: Other	R	08/16/24	08/16/24		121812	N
4 datto back up		669.00 4-01-20-120-000-294	B Municipal Clerk: Other	R	08/16/24	08/16/24		121810	N
5 office 365 licenses		1,647.36 4-01-20-150-000-294	B Tax Assessor: Other	R	08/16/24	08/16/24		121808	N
6 email essentials		456.00 4-01-20-145-000-294	B Tax Collection: Other	R	08/16/24	08/16/24		121809	N
7 remote computer login/building		60.00 4-01-22-195-000-254	B Construction: Equipment Maintenance	R	08/16/24	08/16/24		122013	N
8 software agreement antivirus		3,285.00 4-01-26-290-000-294	B Streets: Other	R	08/16/24	08/16/24		121807	N
9 wireless hdmi police dpt.		187.00 4-01-25-240-000-294	B Police: Other	R	08/16/24	08/16/24		122028	N
		7,229.58							
	Vendor Total:	10,059.58							

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. M

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
THINK005	THINK BOATING, LLC										
24-00918	07/15/24		July 14 course								
1 July 14 course		370.00	T-03-56-850-000-011	B	Trust: Recreation	R	07/15/24	08/07/24		7/14/24	N
Vendor Total:		370.00									
RECLAMAT	TREASURER, COUNTY OF MONMOUTH										
24-01059	08/16/24		July 2024								
1 July 2024		465.16	4-01-26-309-000-220	B	Mon Cty Rec: Tipping Fees	R	08/16/24	08/16/24		JULY 2024	N
2 July 2024		15.93	4-01-26-308-000-285	B	Recycling Tax	R	08/16/24	08/16/24		JULY 2024	N
		481.09									
Vendor Total:		481.09									
STATE6	TREASURER, STATE OF N.J.										
24-00934	07/18/24		Valley St. drainage outfall								
1 Valley St. drainage outfall		1,250.00	4-01-26-294-000-123	B	Stormwater: Fees & Permits	R	07/18/24	08/05/24		240680820	N
Vendor Total:		1,250.00									
TREAS010	TREASURER, STATE OF NJ										
24-00966	07/30/24		DCA ELEVATOR SAFETY FEE								
1 DCA ELEVATOR SAFETY FEE		76.00	4-01-26-310-000-123	B	B&G: Fees & Permits	R	07/30/24	08/06/24		1317-00111-001	N
Vendor Total:		76.00									
US FOOD	US FOODS, INC.										
24-00911	07/15/24		week 2 summer camp								
1 Week 2 summer camp		162.45	T-03-56-850-000-011	B	Trust: Recreation	R	07/15/24	08/08/24		1767052	N
2 Week 2 summer camp		1,067.21	T-03-56-850-000-011	B	Trust: Recreation	R	07/15/24	08/08/24		1667102	N
		1,229.66									
Vendor Total:		1,229.66									
VARAKIYU	VARAKIYU ENTERPRISES LLC										
24-01019	08/12/24		JANITORIAL SUPPLIES								
1 JANITORIAL SUPPLIES		161.12	4-01-26-310-000-116	B	B&G: Janitorial Supplies	R	08/12/24	08/12/24		3149	N
2 JANITORIAL SUPPLIES		280.63	4-01-26-310-000-116	B	B&G: Janitorial Supplies	R	08/12/24	08/12/24		3201	N
		441.75									
Vendor Total:		441.75									
VERIZ005	VERIZON										

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. AM

Vendor # P.O. # Item Description	Name PO Date	Description Amount Charge Account	Contract Acct Description Type	PO Type Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
VERIZ005	VERIZON	<i>Account Continued</i>							
24-01036	08/13/24	fios							
1 fios		149.00 4-01-31-450-000-213	B Telecommunications	R	08/13/24	08/13/24		8/4/24	N
Vendor Total:		149.00							
VERIZON1	VERIZON								
24-01051	08/15/24	17-1 Shore Drive							
1 17-1 Shore Drive		366.66 4-01-31-440-000-213	B Telephone	R	08/15/24	08/15/24		8/1/24	N
Vendor Total:		366.66							
VIKIN005	VIKING PEST CONTROL								
24-00993	08/07/24	pest control-22 SnugHarbor							
1 pest control-22 SnugHarbor		43.20 4-01-26-310-000-178	B B&G: Building Maintenance	R	08/07/24	08/07/24		901853525	N
2 pest control-151 Navesink Ave		32.40 4-01-26-310-000-178	B B&G: Building Maintenance	R	08/07/24	08/07/24		901852440	N
		75.60							
Vendor Total:		75.60							
COAST	VILLAGE OFFICE SUPPLY								
24-00790	06/19/24	BOTTLES OF WATER							
1 BOTTLES OF WATER		47.94 4-01-26-310-000-154	B B&G: Equipment Maintenance	R	06/19/24	08/05/24		4578336-0	N
Vendor Total:		47.94							
WALLI005	WALLING LOCKSMITH								
24-00933	07/18/24	Other - Facility							
1 Interrogation Room Door Lock		823.50 4-01-25-240-000-294	B Police: Other	R	07/18/24	08/06/24		20244151	N
2 community center front door		355.00 4-01-26-310-000-178	B B&G: Building Maintenance	R	07/18/24	08/06/24		20244154	N
		1,178.50							
Vendor Total:		1,178.50							
WEINE005	WEINER LAW GROUP LLP								
24-00998	08/07/24	9 Fifth St							
1 9 Fifth St		75.00 T-03-56-875-000-169	B TRUST: 2022-04: KirshKraft 9Fifth B57 R		08/07/24	08/07/24		310107	N
2 9 Fifth St		690.00 T-03-56-875-000-169	B TRUST: 2022-04: KirshKraft 9Fifth B57 R		08/07/24	08/07/24		316126	N
3 14&32 North Peak		45.00 T-03-56-875-000-179	B TRUST: LUB2022-10 Home&Land B35R		08/07/24	08/07/24		316128	N
4 40 Grand Tour		195.00 T-03-56-875-000-188	B TRUST:LUB23-07 KellyHall 40 GrandTrR		08/07/24	08/07/24		310109	N
5 40 Grand Tour		1,395.00 T-03-56-875-000-188	B TRUST:LUB23-07 KellyHall 40 GrandTrR		08/07/24	08/07/24		308843	N
6 60 Bay Avenue		90.00 T-03-56-875-000-191	B LUB24-02:Cahill-60BayAve.,B42L1	R	08/07/24	08/07/24		316129	
7 general		150.00 4-01-21-180-000-242	B Mun Land Use Law: Consultants - LegaR		08/07/24	08/07/24		316125	

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. AM

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
WEINE005	WEINER LAW GROUP LLP	<i>Account Continued</i>									
		<u>2,640.00</u>									
	Vendor Total:	2,640.00									
WETSI005	WET SIDE CAR WASH										
24-00976	08/05/24			Car Wash							
1 The Better Side Promo - April		55.00	4-01-25-240-000-265	B	Police: Car Wash	R	08/05/24	08/12/24		162	N
2 The Better Side Promo - May		55.00	4-01-25-240-000-265	B	Police: Car Wash	R	08/05/24	08/12/24		162	N
3 The Better Side Promo - June		70.00	4-01-25-240-000-265	B	Police: Car Wash	R	08/05/24	08/12/24		162	N
		<u>180.00</u>									
	Vendor Total:	180.00									
WILLI020	WILLIAM ARMENTI										
24-00989	08/06/24			medicare reimbursement							
1 medicare reimbursement		524.10	4-01-36-472-000-000	B	Statutory: Social Security	R	08/06/24	08/06/24		JUNE-AUG 2024	N
	Vendor Total:	524.10									
WTBEN005	WTB ENTERPRISES, INC.										
24-00837	07/03/24			Other							
1 tent w/backwall & table banner		1,385.00	4-01-25-240-000-294	B	Police: Other	R	07/03/24	08/12/24		B749002039A	N
2 full color graphics, carrying		0.00	4-01-25-240-000-294	B	Police: Other	R	07/03/24	08/12/24		B749002039A	N
3 kit and stake kit		0.00	4-01-25-240-000-294	B	Police: Other	R	07/03/24	08/12/24		B749002039A	N
4 Screen Set Up		55.00	4-01-25-240-000-294	B	Police: Other	R	07/03/24	08/12/24		B749002039A	N
5 Freight		195.00	4-01-25-240-000-294	B	Police: Other	R	07/03/24	08/12/24		B749002039A	N
		<u>1,635.00</u>									
	Vendor Total:	1,635.00									

Total Purchase Orders: 155 Total P.O. Line Items: 276 Total List Amount: 2,353,529.57 Total Void Amount: 0.00

BOROUGH OF HIGHLANDS
Bill List By Vendor Name

Item 13. M

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
	3-01	1,477.80	0.00	1,477.80	0.00	0.00	1,477.80
	3-05	4,299.00	0.00	4,299.00	0.00	0.00	4,299.00
	Year Total:	5,776.80	0.00	5,776.80	0.00	0.00	5,776.80
	4-01	1,070,118.39	0.00	1,070,118.39	0.00	0.00	1,070,118.39
	4-05	92,681.36	0.00	92,681.36	0.00	0.00	92,681.36
	Year Total:	1,162,799.75	0.00	1,162,799.75	0.00	0.00	1,162,799.75
CAPITAL PROJECTS	C-04	24,706.66	0.00	24,706.66	0.00	0.00	24,706.66
	C-06	1,124,610.29	0.00	1,124,610.29	0.00	0.00	1,124,610.29
	Year Total:	1,149,316.95	0.00	1,149,316.95	0.00	0.00	1,149,316.95
	G-02	4,641.86	0.00	4,641.86	0.00	0.00	4,641.86
TRUST NON BUDGET-TWO RIVER	T-03	30,984.61	0.00	30,984.61	0.00	0.00	30,984.61
	T-12	9.60	0.00	9.60	0.00	0.00	9.60
	Year Total:	30,994.21	0.00	30,994.21	0.00	0.00	30,994.21
Total Of All Funds:		2,353,529.57	0.00	2,353,529.57	0.00	0.00	2,353,529.57



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-155

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE WASHINGTON AVENUE IMPROVEMENTS PROJECT

WHEREAS, the Borough of Highlands has a need for professional engineering design services for the Washington Avenue Improvements Project pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Colliers Engineering & Design, Inc. has set forth its proposed services in a written revised proposal dated August 16, 2024, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the scope of work in said proposal includes the following: Underground Utility Investigation and Mark-Out, Roadway Topographic Survey, Roadway Survey Limits, Design Services, Engineering Design & Construction Documents, and Bidding Services; and

WHEREAS, the proposed amount of the contract with Colliers Engineering & Design is \$27,500.00 and consists of the following:

Phase 1.0 – Underground Utility Investigation and Mark-Out	\$ 3,200.00
Phase 2.0 – Roadway Topographic Survey	
2.1 – Roadway Survey Limits	\$ 5,950.00
Phase 3.0 –Design Services	
3.1 Engineering Design & Construction Documents	\$ 15,600.00
3.2 Bidding Services	\$ 2,500.00
Reimbursable Expenses	<u>\$ 250.00</u>
Total Fee: \$ 27,500.00; 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 the proposed professional engineering design services in connection with the Washington Avenue Improvements Project; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$27,500.00 for professional engineering design services as stated in Colliers Engineering & Design, Inc.’s revised proposal dated August 16, 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

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# C-04-23-101-000-202



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 for the Washington Avenue Improvements Project as outlined above for an amount not to exceed \$27,500.00.
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 to Approve R 24-155:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

RESOLUTION 24-156

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL SERVICES IN CONNECTION WITH A USDOT RECONNECTING
COMMUNITIES GRANT APPLICATION**

WHEREAS, the Borough of Highlands has a need for professional services in connection with the submission of a USDOT Reconnecting Communities Grant application for support in the planning and design of a pedestrian footbridge over Route 36; and

WHEREAS, the pedestrian footbridge will connect the northside of the highway to Kavookjian field on the southside of the highway; and

WHEREAS, Colliers Engineering & Design has set forth its proposed services in a written proposal dated August 19, 2024, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the said proposal encompasses preparation and submission of the final grant application as detailed in the proposal; and

WHEREAS, the proposed amount of the contract with Colliers Engineering & Design is \$17,500.00, consisting of preparing and submitting a grant application to the USDOT Reconnecting Communities Grant Program for the purpose of requesting funds to support planning and design of a pedestrian footbridge over Route 36; and

WHEREAS, such professional services can only be provided by licensed professionals and the firm of Colliers Engineering & Design, 101 Crawford's Corner Road, Holmdel, NJ 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 for the proposed services in connection with the application for the USDOT Reconnecting Communities Grant as set forth in its proposal; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$17,500.00 for professional services as stated in Colliers Engineering & Design's proposal dated August 19, 2024; and

WHEREAS, Colliers Engineering & Design has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit Colliers Engineering & Design from making any reportable contributions through the term of the contract; and

WHEREAS, Colliers Engineering & Design 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 is hereby retained to provide professional services in connection with preparing and submitting the USDOT Reconnecting Communities Grant as described above, and in their proposal dated August 19, 2024, for an amount not to exceed \$17,500.00.
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 to Approve R 24-155:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-157

APPROVING CLOSEOUT CHANGE ORDER AND DECLARING ACCEPTANCE OF CONTRACT FOR DRAINAGE REPAIRS PROJECT AT 88-6 PORTLAND ROAD

WHEREAS, by way of Resolution 23-213 duly adopted on October 18, 2023, Seacoast Construction, Inc. was awarded a contract for the Drainage Repairs Project at 88-6 Portland Road; and

WHEREAS, in accordance with the aforesaid contract award, the amount of the contract that was awarded to Seacoast Construction, Inc. was in the amount of \$124,520.00; and

WHEREAS, by letter dated August 7, 2024, Colliers Engineering & Design advised that a Closeout Change Order is necessary which reflects final as-built quantity adjustments; and

WHEREAS, the scope of Closeout Change Order No. 1 reflects a net increase of \$3,180.00 (2.55%) increasing the contract amount to \$127,000.00; and

WHEREAS, in accordance with the aforesaid letter, the Borough Engineer recommends that the Borough approve Closeout Change Order No. 1; and

WHEREAS, the Borough Engineer, Colliers Engineering & Design, has advised that the project is complete at this time; and

WHEREAS, in accordance with the requirements of the aforesaid contract, Seacoast Construction, Inc. has submitted a two (2) year Maintenance Bond in the amount of \$12,700.00, which is ten (10) percent of the final Contract Amount; and

WHEREAS, the Borough Engineer, Colliers Engineering & Design, has recommended authorizing the aforesaid Closeout Change Order, releasing the Performance Bond and accepting the project.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that Closeout Change Order No. 1 changing the original contract amount be and is hereby approved.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands, that it hereby acknowledges that this project has been satisfactorily completed and accepts same.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands that it authorizes the acceptance of the two (2) year Maintenance Bond No. B 1293669 in the sum of \$12,700.00 issued by Selective Insurance Company of America.

BE IT FURTHER RESOLVED, that any lien claims filed more than sixty (60) days after the adoption of this Resolution shall be ineffective pursuant to N.J.S.A. 2A:44-132.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release Performance Bond No. 1293669, issued by Selective Insurance Company in the amount of \$124,520.00

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, a voucher authorizing final payment of any sums due to the Contractor may be listed upon the bill list for action.

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

Motion to Approve R 24-157:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-158

CANCEL TAX OVERPAYMENTS

WHEREAS, the Tax Collector of the Borough of Highlands has reviewed the tax rolls and determined that certain properties have credit balances that are old and outstanding, and

WHEREAS, some balances are the result of subdivisions, cancellations, sales and other various items that cannot be verified, and

WHEREAS, the Tax Collector recommends that the tax overpayments be cancelled,

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Council of the Borough of Highlands, in the County of Monmouth, New Jersey, that the Tax Collector cancel tax overpayments effective immediately as follows:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
1.04	12	\$1,417.61

Motion to Approve R 24-158:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 21, 2024

Nancy Tran, Municipal Clerk
Borough of Highlands