

REGULAR MEETING – AUGUST 8, 2017

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, August 8, 2017 and was called to order by Mayor Brill Mittler at 7:06 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler; Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits; Borough Attorney Schmierer; Borough Clerk Hullings.

Absent: Councilperson George; Borough Administrator Jover.

On motion made by Councilwoman Welkovits and seconded by Councilman Hersh, the minutes of the Regular and Conference Meetings held May 2, 2017 were approved by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.

Opposed: None.

Absent: Councilperson George.

Abstained: None.

Mayor Brill Mittler asked the Council members to present their reports.

Councilwoman Foster-Dublin reported that the National Night Out Event had to be cancelled due to the rain last week. The event is ongoing right now with lots of activities happening. She wished everyone a safe summer. On Saturday, August 26th from 12:00 PM to 6:00 PM there will be a Caribbean Festival in Boyd Park in New Brunswick.

Councilman Fine – No report.

Councilwoman Kim reported that Recreation is in the last two weeks of summer camp. The theater two-week camp performed Lion King Kids last Thursday to a full house. They have a record number of campers with both basketball and tennis camp enrolling the maximum number of participants. They are registering for fall soccer and flag football now. All other fall adult and youth programs will be open for registration beginning August 15th. The Halloween Party and Parade will be held on Sunday, October 29th from 2:00 PM to 5:00 PM. Today, the seniors enjoyed afternoon with a Bluegrass Jam and Ice Cream Social Event. On August 14th, the seniors will be attending a Spanish cooking class at 11:00 AM. On August 15th, at 3:00 PM, they will be hosting their annual Summer Hawaiian Party at the Senior/Youth Center. On August 16th they will be hosting a Chinese Cultural Presentation at 10:00 AM. The seniors will be going to Long Branch Beach on August 21st and Atlantic City on August 29th. There are still some hot days ahead of us and the Borough's cooling center is located at the Highland Park Senior Center and is open summer hours. Call Borough Hall for more details. During the recent power outage in town that left many of our senior citizens without a cooling system during a heat advisory, the Senior/Youth Center has put a procedure in place to have a staff member open the center in emergency situations for the residents. The Chalk Art Festival hosted by the Arts Commission was rescheduled to this evening. The Band-Aid Sculpture Commission Project is underway. The Arts Commission is working on a Music on the Corner Series. The sculpture de-installment at the Environmental Center is scheduled for September. The Arts Commission has moved its August meeting from August 10th to August 21st at 6:00 PM at Borough Hall. The Middlesex County Fair is happening August 8th through August 13th at the County Fairgrounds in East Brunswick. She encouraged residents to stop by Roosevelt Park in Edison for the Plays in the Park events. Mary Poppins is running now through August 12th. On Sunday, August 13th at 1:00 PM, the 13th annual India Day Parade will take place on Oak Tree Road in Edison.

Councilman Hersh reported that the Commission for Universal Access meeting dates will change due to the fact that the Chairperson is unavailable on the 1st Thursday of the month. They last met on July 19th and the next meeting will be August 16th at 7:00 PM in Borough Hall. The Highland Park Food Pantry is teaming up with HP Gives a Hoot on September 23rd for a car wash fundraiser at the Highland Park High School from 11:00 AM to 2:00 PM. The Food Pantry is also taking very seriously the Sustainable Highland Park plastic bag survey. The Boards and Commissions are taking the concept of a bag free Highland Park very seriously, especially the Food Pantry. They are developing several ideas around going bag less or placing more of an emphasis on recycling. He attended a citizen's campaign civic summit last Saturday at the Rutgers School for Labor. He attended a meeting a few weeks ago with Interfaith Rise where they discussed resources for Highland Park's immigrant community and the newly constituted commission for immigrant and refugee affairs will likely hold its first meeting in September.

Councilwoman Welkovits reported that in July, the Council formally created their new Safe Walking and Cycling Committee. The purpose of the committee is to review and monitor the implementation of policies affecting travel by foot or by bicycle within the Borough and neighboring communities to ensure their safety. Tonight they will vote on a resolution to declare that September will be Highland Park's Safe Walking and Bike Lane Month. Earlier tonight at National Night Out she set up booth with Safe Walking and Cycling Committee and they talked about a demonstration bike lane down South 1st Avenue. The demonstration bike lane is a temporary bike lane that will be painted with help from grad students at Rutgers and they will also be taking notes and information on the issues we notice as the bike lane is put into place. She thanked Ms. Bickhardt for helping in the booth. They received a lot of feedback and they have a website and a new Gmail account (hpswacc@gmail.com). They plan to do a community bike ride and also a bike rodeo later in the month of September. Wednesday night in August is Ladies Night in town and there are special promotions when you shop and/or dine in town. There are more outdoor movies planned on August 12th and August 26th. The Town Wide Garage Sale will be held on September 16th and 17th and the Arts in the Park Event will be held on September 24th. This year we have had a few meetings with the New Brunswick Cultural Center and they are doing a promotional partnership with them because they are hosting the Raritan River Festival on the same day.

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Borough Attorney Schmierer – No report.

Mayor Brill Mittler reported that she signed on with over 300 Mayors across the country as a Climate Mayor. This came about after the decision by the Administration not to participate in the Paris Accords. There are 341 Mayors representing 66 million Americans in this effort. We are committed to reducing greenhouse gases and working together and sharing information. She hopes to work closely with Sustainable Highland Park on this project. HP Gives a Hoot is a non-profit fund that was started to feed children who were not getting lunches when school was not in session. The HP Gives a Hoot Committee is looking for volunteers. If you wish to volunteer to help serve meals, entertain the children or just supervise they would greatly appreciate it. You can get information on that group from their Facebook page or you can send the Mayor an email. Councilwoman Kim mentioned the Sculpture Walk that will run through the summer. She hoped that residents noticed the color changing sculpture on the corner of Raritan Avenue and River Road at the beginning of the sculpture walk which runs past the Environmental Education Center. She had the honor going to the clubhouse today to hear the Bluegrass Group that performed. The seniors were up and dancing. The Chalk Art Festival is going on right now and she had the opportunity to stop by earlier to see the beautiful chalk drawings that young children and professional artists were creating on South 3rd Avenue. All of the proceeds from this event will be going to ASAP (Adult Substance Abuse Program) that was started by longtime resident Judge Barnett Hoffman. He was a Superior Court Judge who retired recently. While he sat on the bench and saw the number of people coming before him for repeat offenses, he wanted to do something that would help reduce the number of repeat offenders and started this program which has been extremely successful in creating an atmosphere, while in prison, where inmates could learn skills and learn more about life management and it has greatly reduced the number of repeat offenders in this area.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

No one appearing to be heard, the Mayor closed the public discussion.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilwoman Welkovits, seconded by Councilwoman Kim, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilwoman Welkovits, seconded by Councilman Fine, the ordinance entitled as above, being Ordinance No. 17-1945, was duly adopted by the following roll call, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.

Opposed: None.

Absent: Councilperson George

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Fine, and carried by unanimous affirmative voice vote:

No. 8-17-245

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE PURSUANT TO N.J.S.A. 40A:12-3 ET SEQ. BY THE BOROUGH OF HIGHLAND PARK AUTHORIZING THE ACQUISITION OF 212 RARITAN AVENUE (BLOCK 22, LOT 4, BOROUGH OF HIGHLAND PARK TAX MAP) FOR A SUM NOT TO EXCEED \$420,000. SAID ACQUISITION BEING MADE AS A PART OF THE BOROUGH SQUARE REDEVELOPMENT PROJECT, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilwoman Welkovits, seconded by Councilman Hersh, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilwoman Welkovits, seconded by Councilman Fine, the ordinance entitled as above, being Ordinance No. 17-1946, was duly adopted by the following roll call, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.

Opposed: None.

Absent: Councilperson George

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Fine, and carried by unanimous affirmative voice vote:

No. 8-17-246

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE PURSUANT TO N.J.S.A. 40A:12-3 ET SEQ. BY THE BOROUGH OF HIGHLAND PARK AUTHORIZING THE ACQUISITION OF 212 RARITAN AVENUE (BLOCK 22, LOT 4, BOROUGH OF HIGHLAND PARK TAX MAP) FOR A SUM NOT TO EXCEED \$420,000. SAID ACQUISITION BEING MADE AS A PART OF THE BOROUGH SQUARE REDEVELOPMENT PROJECT, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, CAPITAL ORDINANCE AMENDING AND RESTATING CAPITAL ORDINANCE NUMBER 15-1896, HERETOFORE FINALLY ADOPTED BY THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH") ON DECEMBER 1, 2015 PROVIDING FOR ACQUISITION OF A GENERATOR FOR THE SENIOR/YOUTH RECREATION CENTER, IN AND BY THE BOROUGH OF HIGHLAND PARK, APPROPRIATING \$132,800.00 TO PAY THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilman Fine, seconded by Councilwoman Kim, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.

Opposed: None.

Abstain: None.

Absent: Councilperson George.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Fine, seconded by Councilwoman Kim, and carried by unanimous affirmative voice vote:

No. 8-17-247

WHEREAS, an Ordinance entitled, CAPITAL ORDINANCE AMENDING AND RESTATING CAPITAL ORDINANCE NUMBER 15-1896, HERETOFORE FINALLY ADOPTED BY THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH") ON DECEMBER 1, 2015 PROVIDING FOR ACQUISITION OF A GENERATOR FOR THE SENIOR/YOUTH RECREATION CENTER, IN AND BY THE BOROUGH OF HIGHLAND PARK, APPROPRIATING \$132,800.00 TO PAY THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on September 5, 2017, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

The Clerk reported that an ordinance entitled, AN ORDINANCE AMENDING CHAPTER 230 (LAND DEVELOPMENT) OF THE BOROUGH OF HIGHLAND PARK CODE, had been introduced in writing by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Welkovits, seconded by Councilman Hersh, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.

Opposed: None.

Abstain: None.

Absent: Councilperson George.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Hersh, and carried by unanimous affirmative voice vote:

No. 8-17-248

WHEREAS, an Ordinance entitled, AN ORDINANCE AMENDING CHAPTER 230 (LAND DEVELOPMENT) OF THE BOROUGH OF HIGHLAND PARK CODE, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 5, 2017, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough

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Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

Resolution Nos. 8-17-249 through 8-17-262, were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Fine, and carried by the following roll call vote, to wit:
Ayes: Councilpersons Fine, Foster-Dublin, Hersh, Kim, Welkovits.
Opposed: None.
Abstained: None.
Absent: Councilperson George.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 8-17-249

WHEREAS, Chimaeze Oliver Nwaro, Steven Richard Kracke, and Larry W. Sale have filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2017; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicants and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that said applicants are qualified and that public necessity and convenience would be served by the issuance of said Licenses.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue an Operator License to the aforesaid applicants.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:
No. 8-17-250

WHEREAS, the Agreement between the Borough of Highland Park and Middlesex Water Company for supplying water to the Borough is expired; and

WHEREAS, a proposed renewal Agreement has been prepared and reviewed by the Borough Administrator, Borough Attorney and Borough Water & Sewer Superintendent who have recommended approval of the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk be and hereby are authorized and directed to execute the original of the attached Agreement for the supply of water with Middlesex Water Company for the period January 1, 2017 to December 31, 2037.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 8-17-251

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 3, 2017 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

YASMINE LEKHAL, Junior Counselor, at an hourly rate of \$8.50, effective July 1, 2017.

AMELIA KOBAYASHI, Junior Counselor, at an hourly rate of \$8.50, effective July 1, 2017.

DYLAN DARKWAH, Seasonal Recreation, at an hourly rate of \$8.44, effective July 1, 2017.

BE IT FURTHER RESOLVED that the Finance Director be and is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:
No. 8-17-252

WHEREAS, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., ten (10) bids were received for the Senior Center Roof Replacement Contract ("Contract") on July 12, 2017; and

WHEREAS, the three (3) lowest apparent bids were submitted as follows:

- JDS General Contracting, Inc. \$111,400.00;
- Journey Contracting Co., Inc. \$125,000.00; and
- VMG Group \$138,250.00; and

WHEREAS, the bid submitted by JDS General Contracting, Inc. did not include a Consent of Surety as required by the Borough's Bidding Documents which, pursuant to N.J.S.A. 40A:11-23.2b., is a fatal defect that renders said bid unresponsive; and

WHEREAS, the bid submitted by Journey Contracting Co., Inc. included a Bid Bond and Consent of Surety from a Surety Company that is not named in the current list of "Surety Companies Acceptable on Federal Bonds" as required by the Borough's Bidding Documents, which renders the Bid Bond and Consent of Surety materially defective and therefore said bid unresponsive; and

WHEREAS, the Borough Engineer, in consultation with the Borough Attorney's office, recommends that the remaining eight (8) bids be rejected because the lowest bid (after the unresponsive bids) substantially exceeds the Engineer's cost estimate, and further, the Borough Engineer seeks to make clarifications to the Borough's Bidding Documents for same; and

WHEREAS, the Local Public Contracts Law, and specifically N.J.S.A. 40A:11-13.2, authorizes the Borough to reject all bids for certain enumerated reasons, including but not limited to whenever the lowest bid substantially exceeds the cost estimates for the goods or services and when the contracting unit wants to substantially revise the specifications for the goods or services.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey as follows:

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1. The ten (10) bids received on July 12, 2017 for the Senior Center Roof Replacement Contract are hereby rejected on the basis that the two lowest bids are unresponsive and the remaining eight (8) bids substantially exceed the Engineer's cost estimate, and further to allow the Engineer's office to make necessary clarifications to the Bidding Documents for same.

2. Borough staff, the Borough Engineer and the Borough Attorney are hereby authorized and directed to take all necessary action to make the necessary revisions to the specifications for the Contract and to readvertise same.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 8-17-253

WHEREAS, the Borough of Highland Park is in need of replacing the postage machine in the Municipal Building, as more fully described on the attached proposal; and

WHEREAS, Pitney Bowes, Shelton, CT, quoted a per monthly charge of \$328.77 per month for the next 60 months for the lease of said equipment, including maintenance; and

WHEREAS, funds for this purpose are available in Account No. 7-01-20-316-202 in the amount of \$1,315.08, for the remainder of 2017 as reflected by the certification of funds by the Finance Officer, shown below; and

WHEREAS, funds for this purpose shall be appropriated in each applicable budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk is hereby authorized and directed to execute the agreement for the lease of the aforesaid postage machine from Pitney Bowes, 27 Waterview Dr., Shelton, CT 06484-4361 at the aforementioned monthly charge; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance Office forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 8-17-254

WHEREAS, the Borough of Highland Park has mistakenly deposited a Municipal Court fee in the amount of \$51.00; and

WHEREAS, the Borough of Highland Park Finance Department has recorded the deposit as miscellaneous revenue within its Financial Accounting and Reporting System; and

WHEREAS, the Finance Department finds it necessary to refund the amount of \$51.00 to the Municipal Court to satisfy a claim made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of the Borough Council that a refund of \$51.00 be made to the Highland Park Municipal Court as detailed above.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:

No. 8-17-255

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010, the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire contract awards; and

WHEREAS, salary costs to a great extent, drive property tax increases; and

WHEREAS, in December, 2010, the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and costs under control; and

WHEREAS, the December, 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June, 2014, the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December, 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these costs saving measures as many police and fire contracts will come due for negotiation after the sunset date; and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Highland Park urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent;

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Senator Patrick Diegnan, Assemblyman Robert Karabinchak, Assemblywoman Nancy Pinkin, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of the State of New Jersey, the New Jersey Conference of Mayors and the League of Municipalities.

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The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 8-17-256

BE IT RESOLVED by the Mayor and Borough Council that the Mayor and Borough Clerk are hereby authorized and directed to execute and attest the Memorandum of Understanding between the Borough of Highland Park and the New Jersey Board of Public Utilities attached to the original of this resolution.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Board of Public Utilities forthwith.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 8-17-257

WHEREAS, the Borough Council of the Borough of Highland Park adopted Resolution No. 6-17-201 in support of certain international agreements regarding cooperation to reduce greenhouse gases and other environmental initiatives known as the Paris Agreement; and

WHEREAS, Sustainable Highland Park wishes to support Resolution No. 6-17-201; and

WHEREAS, Sustainable Highland Park recommends to the Borough Council of the Borough of Highland Park that all municipal departments, agencies, authorities and offices should participate in and support the development and implementation of sustainable practices by designating a Sustainability Officer from each department, agency, authority and office to exchange information with Sustainable Highland Park on a regular basis to increase communication and knowledge base, activities and best practices in accordance with Resolution No. 6-17-201;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Sustainability Officers be so named from all municipal departments, agencies, authorities and offices of the Borough of Highland Park.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 8-17-258

WHEREAS, on June 18, 2014, Francis E. Parker Memorial Home, Inc., heretofore posted with the Borough of Highland Park a Cash Surety Bond in the amount of \$16,111.32, along with Bond No. 1145722 issued by Selective Insurance Company in the amount of \$145,002.00, in connection with a site plan and variance application on the property known as Block 189, Lot 3, in the Borough of Highland Park; and

WHEREAS, Francis E. Parker Memorial Home, Inc. has requested that said performance bond be released; and

WHEREAS, CME Associates, Borough Engineer, has reviewed the site in the field and found all of the required work has been completed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the cash surety bond and performance bond heretofore posted by Francis E. Parker Memorial Home, Inc., in the amount of \$16,111.32 (cash surety bond) and \$145,002.00 (performance bond) for the site plan and variance application, shall be and is hereby released subject to the following:

1. Posting of a 2-year Maintenance Bond in the amount of \$24,166.98.
2. Payment of any outstanding engineering inspection fees.
3. Payment of any outstanding Borough fees.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance Department, Borough Engineer, Construction Official, and Francis E. Parker Memorial Home, Inc.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 8-17-259

WHEREAS, pursuant to Resolution No. 3-17-118, adopted March 21, 2017, the Borough Council authorized execution of a contract with Z Brothers Concrete Contractors, Inc. for Improvements to Grant Avenue, Felton Avenue and Graham Street, in an amount not to exceed \$538,982.97, without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for supplemental work for the above referenced project; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for additional work on Graham Street between South Second Avenue and South Third Avenue and the Firehouse Apron, work that was not anticipated at the time that plans and specifications were prepared for an additional cost of \$42,390.22; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-822-210 in the amount of \$42,390.22, as reflected by the Certification of Funds by the Finance Department, shown below; and

WHEREAS, Council has reviewed the proposed Change Order No. 1 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gayle Brill Mittler be and is hereby authorized and directed to execute Change Order No. 1, dated June 28, 2017, to the contract of Z Brothers Concrete Contractors, Inc. upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, Borough Treasurer and Z Brothers Concrete Contractors, Inc. forthwith.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:

No. 8-17-260

WHEREAS, Americans in general, and Highland Parkers in particular, are increasingly bicycling and walking to commute, for exercise, or just for fun; and

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WHEREAS, Highland Park encourages bicycling and walking as healthy modes of transportation and exercise; and

WHEREAS, walking and bicycling can increase expose of pedestrians and cyclists to motor vehicles and other risks; and

WHEREAS, pedestrian injuries and fatalities result from a number of contributing influences including the inappropriate use of sidewalks, distracted walking and high-risk environments; and

WHEREAS, cyclist injuries and fatalities result from a number of contributing influences including violations of traffic lawns, poorly designed roads and other infrastructure, distracted drivers and other factors; and

WHEREAS, many injuries and fatalities resulting from crashes and collisions may have been prevented with changes in behavior and the engineering and educational environment; and

WHEREAS, the Borough of Highland Park has been recognized and continues to receive grants for educational programs and to increase safety, by improving lighting, signage and roadways;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that September is designated as:

SAFE WALKING AND CYCLING MONTH

The following resolution, introduced by the Council as a Whole, was duly adopted as above:

No. 8-17-261

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey, as follows:

1. The public shall be excluded from the closed session at close of tonight’s open session.
2. The general nature of the subject matter to be discussed is as follows:
(Litigation: (a) Sharoni v. Borough of Highland Park; (b) Schwartz v. Borough of Highland Park; (c) Redevelopment: 212 Raritan Avenue and Other Properties)
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 8-17-262

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall include in the minutes of this meeting a statement as to all such claims approved as shown in a Bills List Journal in accordance with said Ordinance.

The bills approved for payment at this meeting, Bills List 8/8/17 can be found in the Bills List Journal Book No. 36.

Mayor Brill Mittler appointed Kira Herzog to serve as a Student Member of Sustainable Highland Park for a term to expire December 31, 2017.

The above appointment was confirmed on motion made by Councilwoman Welkovits, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

- Ayes: Councilperson Fine, Foster-Dublin, Hersh, Kim, Welkovits.
- Opposed: None.
- Abstained: None.
- Absent: Councilperson George.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Ruth Bickhardt, 307 Magnolia Street, commented about the timing sequence of the traffic lights on Raritan Avenue. Chief Rizco will look into the matter with the NJ Department of Transportation. Ms. Bickhardt asked what HP Gives a Hoot is all about. Mayor Brill Mittler explained that she and other Borough employees noticed that children would hang around Borough Hall looking for food/snacks when school was not in session. She spoke to the Superintendent of Schools and found that 38% of students are on free or reduced lunch program. When school is not in session, they are not getting lunch. HP Gives a Hoot was started with donations. They provide lunch at the senior center and sometimes show a movie. The Committee is being reformed and is chaired by Michael Buchman. They need volunteers to work with the committee to help serve lunch to the children.

No one else appearing to be heard, the Mayor closed public discussion.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilwoman Kim, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:41 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk

