

## REGULAR MEETING – JULY 11, 2017

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, July 11, 2017 and was called to order by Mayor Brill Mittler at 7:04 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler; Councilpersons Fine (left meeting at 7:45 PM), Foster-Dublin, George, Hersh, Kim, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: None.

Chief Rizco noted that this is the semi-annual meeting for commendations. He thanked all the first responders for everything they do every day. He recognized Chief MacAleer from the County Prosecutor's Office as well as many members of his staff in the audience. Before they hand out the commendations, they will start with Police promotions. This is a small department, and this doesn't happen very often. They did an extensive review of service files and an extensive promotion process. The Mayor will administer the Oath of Office along with Councilwoman Foster-Dublin.

Chief Rizco called up Sgt. Rick Abrams to be promoted to the rank of Lieutenant. Sgt. Abrams was hired from the Alternate Route program at the Monmouth County Police Academy in June of 2003. He graduated from Brookdale Community College in 1997 with an Associate's Degree in Science. He was assigned to the Patrol Division after completing Field Training. Along with working in the Patrol Division, he advanced his training and became a Firearms Instructor for the department, a position he has held for over 13 years. He has been a member of the Middlesex County Special Operations Response Team (SORT) for 13 years. He has also been a tactical firearms instructor and TASER instructor at the County level. He was promoted to Sergeant in 2012. Holding the bible will be his wife, Erika, and son, Lucas.

Mayor Brill Mittler administered the Oath of Office and Allegiance to newly promoted Lt. Abrams. Councilwoman Foster-Dublin presented him with his new badge.

Lt. Abrams thanked them for the opportunity and he looks forward to this new chapter in his career in serving this department and the residents of Highland Park.

Chief Rizco called up Officer John Sachau to be promoted to Sergeant. Officer Sachau graduated from the Monmouth County Police Academy in 2000. After graduation, he worked as a Class II Officer for Manasquan Borough, before being hired by the Department of Defense Police Department (DOD). From DOD, Officer Sachau was hired by the Deal Borough Police Department, where he was employed until July, 2008. In July, 2007, Officer Sachau was hired by the Highland Park Police Department. He started his career in the Patrol Division and eventually moved to the Detective Bureau. In the Detective Bureau, he attended specialized training and became an Arson Investigator and also a grant writer for the Police Department. After 5 years in the Detective Bureau, Officer Sachau returned to the Patrol Division, where he currently is a certified Field Training Officer and Police Motorcycle Officer. Holding the bible will be his wife, Joanne, and their two sons, Michael and Nicholas.

Mayor Brill Mittler administered the Oath of Office and Allegiance to newly promoted Sgt. Sachau. Councilwoman Foster-Dublin presented him with his new badge.

Chief Rizco called up Officer Jose Curbelo to be promoted to Sergeant. Officer Curbelo graduated from the Mercer County Police Academy in 2003. From 2003 to 2006, he worked as a Police Officer for the Human Services Police Department. In April, 2006, he joined the Highland Park Police Department. Officer Curbelo started his career in the Patrol Division and then served in the Traffic Division. While in that position, he completed special training in accident reconstruction and addressed traffic complaints and traffic needs throughout the Borough. He is a certified Field Training Officer and currently holds the position of Youth Officer, where he works with the faculty and students of all Highland Park schools. He is also a LEAD instructor (Law Enforcement Against Drugs) and organizes and teaches the Junior Cadet Academy, a week long program for children to learn about police officers and their duties and responsibilities. Holding his family's bible will be his son, Joseph, and his daughter, Paige.

Mayor Brill Mittler administered the Oath of Office and Allegiance to newly promoted Sgt. Curbelo. Councilwoman Foster-Dublin presented him with his new badge.

Chief Rizco called up Detective Sean McGraw and Detective Allie Bitterman to receive commendations. He noted that on February 19, 2017, the Highland Park Police Department received a 9-1-1 call from a resident on Harper Street, reporting that a female, who was holding a baby, was screaming for help. Officers quickly arrived on scene and began treating the victim, who was suffering from multiple abrasions and trauma. Responding officers were able to determine that an aggravated assault had occurred against the female. Fortunately, the child was not harmed. The victim and her child were treated at the scene and transported to Robert Wood Johnson University Hospital by the Highland Park First Aid Squad. The Middlesex County Prosecutor's Office was contacted, because of the severity of the crime, and a joint investigation was immediately opened, headed by Detective Sean McGraw of the Highland Park Police Department (HPPD) and Detective Allie Bitterman of the Middlesex County Prosecutor's Office (MCPO). The MCPO and the HPPD committed its full resources to identify a suspect in this horrific crime and many different individuals worked pretty much non-stop to get this person off of the street. He personally met with Prosecutor Carey and his staff and he was contacted several times a day by Chief MacAleer, who kept him updated on the status of the investigation. Although we are recognizing the two lead investigators tonight, and deservedly so, this was indeed a team effort. Through a thorough investigation and persistent detective work, an individual was identified and taken into custody, within 48 hours of the crime, for an unrelated offense. Through further investigation, this suspect was charged eight days later with 16 counts of criminal offenses and ordered held without bail on this case. The suspect, since incarceration, has pleaded guilty to crimes in this incident and will be sentenced to 23 years in prison for his acts.

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Mayor Brill Mittler read proclamation and an embossed copy was presented to both Detective McGraw and Detective Bitterman. Detective McGraw was presented with a medal by Councilwoman Foster-Dublin.

Chief Rizco asked Naomi Hanoach, Captain of the Highland Park First Aid Squad to talk about the next commendation to be given. She noted that a call for aid was received just after 9:00 PM for a 15-year-old female “in active labor”. They were finishing up a business meeting at the squad and so there were a bunch of individuals who were able to respond immediately. As they entered the house, the patient was being carried out of the bathroom by members of the Highland Park Police Department. The baby’s head was coming out slightly and they immediately set up a sheet underneath her and prepared for the baby to come. The patient did not know that she was pregnant. They called for ALS and more squad members to help. Officer Giles was able to go behind the patient and support her as she delivered the infant. At 21:12, she delivered the baby. He was very small and at first not breathing. After suctioning the baby, he took a few breaths, but then they had to begin CPR because the baby stopped moving. The baby began to “pink up” as ALS was arriving. Soon after their arrival, the baby became pulseless once more and CPR was resumed. They transported the mother and baby separately due to the seriousness of the baby’s condition. They did CPR until they reached the hospital where the baby’s care was given to the ER staff. They did not initially think that the baby would make it. However, the next evening she visited the new mother and her baby, who is currently in the NICU, and she told them that the doctors have told her that his first brain scan showed no deficits and a normal development. They estimate him at approximately 24 weeks’ gestation. He is expected to make a full recovery, though of course, with a very long road ahead of him.

She asked the following Highland Park First Aid Squad Members to come up to be recognized: Josh Loewenstein, Shari Larsen, Rachel Miller, Dov Lankin, Beccy Lauer, Robin Loewenstein, Sam Lee, Dave Larsen, Ezra Mann and Ari Kerzner. Chief Rizco asked the following members of the Highland Park Police Department to come up to be recognized: Sgt. Derek Wenskoski, Officer Sean Garley, Officer Alaina Giles and Officer Joseph Olarra, Jr.

Mayor Brill Mittler read proclamation and an embossed copy was presented to the above named individuals. Councilwoman Foster-Dublin assisted in the presentation of pins. First Aid Squad Members were presents with stork pins and CPR pins. Police Department Members received exceptional duty pins.

Chief Rizco thanked everyone for the support of the first responders and the work that they do. He thanked Kim McGraw and Andrea Baay for their efforts in providing refreshments for this event.

On motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, there was a brief recess taken at 7:33 PM.

The meeting reconvened at 7:52 PM with all those previously in attendance still present, except Councilman Fine.

Resolution Nos. 7-17-222, 7-17-223, and 7-17-224 were duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Hersh and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

No. 7-17-222

WHEREAS, the position of Lieutenant became available due to retirements/promotions; and  
WHEREAS, Sgt. Richard Abrams has applied for and is qualified to fill the position; and  
WHEREAS, the Public Safety Board recommends that Sgt. Richard Abrams be promoted to Lieutenant, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that Richard Abrams be appointed to the position of Lieutenant in the Highland Park Police Department, effective July 11, 2017 at a base salary of \$137,338.00.

No. 7-17-223

WHEREAS, the position of Sergeant became available due to retirements/promotions; and  
WHEREAS, John Sachau has applied for and is qualified to fill the position; and  
WHEREAS, the Public Safety Board recommends that John Sachau be promoted to Sergeant, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that John Sachau be appointed to the position of Sergeant in the Highland Park Police Department, effective July 11, 2017 at a base salary of \$124,305.00.

No. 7-17-224

WHEREAS, the position of Sergeant became available due to retirements/promotions; and  
WHEREAS, Jose Curbelo has applied for and is qualified to fill the position; and  
WHEREAS, the Public Safety Board recommends that Jose Curbelo be promoted to Sergeant, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that Jose Curbelo be appointed to the position of Sergeant in the Highland Park Police Department, effective July 11, 2017 at a base salary of \$124,305.00.

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

Councilwoman Foster-Dublin noted that the National Night Out event will be held on August 1<sup>st</sup>. She encouraged cyclists to wear helmets and to be safe when traveling around town. She reminded everyone to look up and put cell phone down when crossing the street.

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Councilwoman Kim reported that the 13<sup>th</sup> Annual Senior Prom was held on June 20<sup>th</sup>. It was a night enjoyed by all who attended. Murray Cohen was crowned Prom King and Ann Glatt was crowned Prom Queen. On July 2<sup>nd</sup>, the fireworks event was a huge success. She thanked the sponsors for helping to fund this wonderful community event. Summer camps are doing great and this week day camp will be going to IPlay America and Rutgers Gardens. Next week's basketball sports camp is full. Registration is still being accepted for day camp and future sports camps. Upcoming sports camps are wrestling, football, soccer, tennis and cheerleading. Today at the senior center they distributed 70 \$25 vouchers to be used at the local farmer's market for fresh fruits and vegetables. This program was funded by the US Department of Agriculture, sponsored by NJ Department of Health and Senior Services, and coordinated by the Middlesex County Department on Aging and the Department of Community Services Office on Aging. She encouraged residents to stop by the Senior Center or visit the website to find out about special events happening this summer, including ice cream socials, trips to Atlantic City, Crystal Springs and beach trips. On August 2<sup>nd</sup>, across from National Night Out, the Arts Commission will hold Chalk Art Festival. She asked residents to join them to watch local artists create incredible chalk art pictures. They will have a special section for children to create their own artwork. Sponsorships and donations will benefit Middlesex County's Adult Substance Abuse Program. Middlesex County is holding a senior citizen art contest. Works will be on display at Middlesex County College Studio Art Gallery from July 17<sup>th</sup> through August 10<sup>th</sup>. First place winners then advance to the State competition. More information is available at the Highland Park Senior Center.

Councilman George reported that tree planting has been completed thanks to the Department of Public Works crews who worked to complete the plantings before the season got too late to complete the work with the best chance of success. The Environmental Commission met on July 5<sup>th</sup> at the Environmental Center. Dan Larkins, Environmental Commission Member, accepted a position out of state and will be resigning. He ran the birding and other projects for kids and adults in the Native Plant Reserve and Environmental Center. He wished him the best of luck in his new endeavors. The Upper Freehold Conservation District has granted permit for soil disturbance at the upper meadows solar farm location. The Department of Public Works repaired mower and weed cutter and volunteers have been clearing Meadows trails. New entrance is being reconstructed by volunteers. Sustainable Highland Park met on June 28<sup>th</sup>. The Plastic Bag reduction campaign has kicked off with presentation at the Friday Farmer's Market. The campaign involves counts at local commercial sites and awareness campaign with "Bag it Movie and Trailer. A survey will be conducted for residential awareness. The solar challenge website is still open for interested residents, even though the challenge part is over. They discussed work on the next Silver Certification for Sustainable New Jersey – 1-year vs 3-year process. The Raices Center conducted a natural healing presentation at the Environmental Center which as over capacity with 33 people attending. The Shade Tree Advisory Committee will meet tomorrow night. They will discuss tree inventory update with planting list from recent Department of Public Works replanting program. Volunteers are needed in the near future to remove wisteria and grape vines from trees at the Native Plant Reserve. Four baby skunks were found at the Native Plant Reserve.

Councilman Hersh commented that he is excited to see full room honoring the first responders for things that happen when we're not looking. He reported that tonight we are holding the second and final reading of an ordinance that will establish an official commission on Immigrant and Refugee Affairs. This body will serve as the cornerstone of the policies and initiatives that stem from our Inclusive Community resolution passed in May. He anticipates that their regular meetings will begin in the fall and he is thrilled that the six members of the Immigrant and Refugee Task Force has agreed to join the commission. There are three additional seats available. Anyone interested in volunteering to ensure that Highland Park is a fair and welcoming community for their immigrant neighbors and friends, should visit [www.hpboro.com](http://www.hpboro.com) and fill out a volunteer application. It was wonderful representing the Borough Council at the Interfaith-RISE celebration of World Refugee Day on Sunday, July 9. We have a White House that is more interested in fraying the fabric of our communities than mending it, but we are strong in Highland Park thanks to Pastor Seth Kaper-Dale and to the work of so many champions for immigrant and refugee rights and justice. He was so proud to receive awards on behalf of Mayor Brill Mittler, Chief Rizco and Officer Hannout for their work in fostering greater cross cultural understanding in town. He also received an award, which was very unexpected and for which he is grateful. The Human Relations Commission hosted the borough's second Pride Flag raising on June 20<sup>th</sup> as they honored LGBT Pride Month. They had about 40 people in attendance at the event, co-sponsored by the Pride Center of New Jersey. He thanked the Pride Center's Nicole Brownstein and David Rogoff for their remarks and to everyone who believes that no matter if the times are good or bad, fighting for a just society is a daily struggle and a moral imperative. He thanked Freeholder Deputy Director Charles Tomaro and Michael Spadaro and Richard Green III of the LGBT Caucus of the Middlesex County Democratic Organization for being pioneers on the county level. The Human Relations Commission will hold its monthly meeting Wednesday, July 19<sup>th</sup> at 7:00 PM in Borough Hall. The Housing Authority has been hard at work ensuring safe, decent affordable housing conditions for the 124 public homes in Highland Park, having recently partnered with the New Brunswick based New Jersey Community Capital, a mission based community development financial institution that will help with necessary capital improvements to the 40-year-old public housing facilities. They are fortunate to have found a financial partner that embraces the goal of affordable housing, providing them with the ability to continue their public stewardship and management of the public housing stock. The next Housing Authority meeting is July 12<sup>th</sup> at 6:30 PM. He reported that the Highland Park Conservative Temple-Congregation Anshe Emeth recently launched a social justice initiative. As a component of this work, the temple will provide one volunteer to each Thursday night distribution of the Highland Park Food Pantry. The first distribution for the Food Pantry is Thursday, July 13<sup>th</sup> at 5:00 PM. Finally, he was thrilled to report that the Highland Park Commission for Universal Access will donate \$500 to the Highland Park Police Department for National Night Out on August 2<sup>nd</sup>. Universal Access has a dedicated funding stream that is capitalized by way of handicapped parking enforcement. He thanked Lt. Gary Panichella, who represents the Department on Universal Access, and to the entire Highland Park Police Department.

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Councilwoman Welkovits thanked Councilman Hersh and noted that it was a pleasure to be a steward of the rainbow flag and to pass it on. It was a gift to the Borough last year from the Pride Center. She reported that they will be voting on an ordinance to help the Borough keep better tabs on vacant and abandoned properties. Residences or buildings that become deteriorated or vacant cause public health, safety and nuisance problems and they bring down property values of neighboring homes. The intention is to create a registry, at a cost to the owner, to incentivize the owner to maintain and/or make necessary repairs. They believe this initiative will improve the Borough's quality of life. She thanked the Main Street organization for all their programs and events. They have started a new program called, Ladies Nights, coming this summer to downtown Highland Park on Wednesday evenings in July and August. Many Highland Park businesses are staying open late and participating in the 1<sup>st</sup> ladies' night out event, an evening of exclusive promotions and discounts brought to you by the shops and restaurants of downtown Highland Park. Women account for over 85% of all consumer purchases. Women make the decision in 94% of home furnishing, 92% of vacations, 91% of homes, 60% of automobiles, 51% of consumer electronics, and because women serve as primary caregivers for children and the elderly, women buy on behalf of people who live in their households, as well as for extended family and friends. Main Street has recognized this and so far the participating businesses are Bridge Turkish & Mediterranean Grill, where ladies will receive 20% off on Wednesday evenings; Over the Moon Toys and Through the Moongate, July 26<sup>th</sup> and August 23<sup>rd</sup> only; Linx8 Computers will be offering 10% off; Kinetics will be offering \$7 for all classes; Tete's will have a two for one deal; Chamber 43 will have 15% off; and Pino's will be having \$4 glasses of wine. Upcoming at the Outdoor Movie Theater will be Time Bandits on July 15<sup>th</sup>, and Do the Right Thing on July 29<sup>th</sup>. There will be a couple more movie offerings in the month of August. The Farmer's Market operates every Friday, June through December, from 11:00 AM to 5:30 PM. She is looking forward to the annual Tomato Festival on July 28<sup>th</sup>. She made a plea for all artists, vendors and sponsors for the 12<sup>th</sup> Annual Arts in the Park Street Festival. It includes a jewelry art show and arts and crafts sale on Sunday, September 24<sup>th</sup> from 11:30 AM to 4:30 PM. More information is available at [www.mainstreethp.org](http://www.mainstreethp.org) or on their Facebook page. Lastly, she reported that the Safe Walking and Cycling Committee are planning on naming September, Safe Walking and Cycling Month. To celebrate that they will have a few events. They are working on a town bike ride and a bike rodeo for the kids and adults.

Borough Administrator Jover reported that the Borough will observe a summer schedule beginning July 3<sup>rd</sup> through September 1<sup>st</sup>. Offices will be closed on Fridays during this time. The Borough is poised to send out tax bills, but it is on hold due to budget negotiations and tweaks being made to state aid for schools. A resolution will be adopted to extend deadline for tax payment until August 31<sup>st</sup>. Lastly, she noted that there is an opening for a Finance Position and information can be obtained on the Borough's website.

Borough Attorney Schmierer – No report.

Mayor Brill Mittler thanked everyone who attended the annual 4<sup>th</sup> of July celebration. It is important to remember what we are celebrating. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. She thanked Andrea, Kim and their team, the Police Department, Fire Department, First Aid Squad and Department of Public Works for all their efforts. She thanked everyone who donated to HP Gives a Hoot, which raised \$400. PSE&G will be repairing the streets they dug up in the near future. This work has been a major disturbance to all residents. The Borough got them to agree to pave the streets from curb to curb, which was not an easy feat. The Transportation Trust Fund awarded \$262,000 to Highland Park for paving. That amount is half of what has been received in the past. That funding will only get one main road repaired. She met with Legislators today about going forward. She and Councilwoman Welkovits visited the BPU 2-3 years ago after Hurricane Sandy when Highland Park was without power for 12 days and then was dark again after fire at substation. They made pitch to BPU for micro grid so that municipal buildings could be kept lit. They received grant from BPU for \$130,000 to conduct feasibility study for micro grid.

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

Warren Ratliffe, 219 South 6<sup>th</sup> Avenue, asked if there is an ordinance for fireworks. Borough Attorney Schmierer advised that there is a state law about fireworks. Councilwoman Foster-Dublin noted that the State of New Jersey lifted the ban on certain types of fireworks. Mayor Brill Mittler advised him to contact the Police Department if he is disturbed. Mr. Ratliffe commented that when you call the Police they tell who called. Chief Rizco advised that the Police Department follows State law and they do not release the name of any informants. Mr. Ratliffe asked when they planned to build the teen center. Council Woman Foster-Dublin noted that they will be discussing that matter at the conference meeting. They have a rendering to review and there will be more information forthcoming.

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

The Clerk reported advertising an ordinance entitled, ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", CHAPTER 303 BY ADDING THERETO ARTICLE III REQUIRING CARE AND MAINTENANCE OF FORECLOSED PROPERTIES, AND ARTICLE V AUTHORIZING THE DEMOLITION OF HAZARDOUS STRUCTURES AND REGULATION OF VACANT OR ABANDONED PROPERTIES, 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.

Councilman George explained that there were some minor grammatical corrections that needed to be made to this ordinance in some sections, but they are not substantial in nature.

The ordinance was amended on motion made by Councilwoman Welkovits, and was seconded by Councilman George.

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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, as amended.

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 George, the ordinance entitled as above, being Ordinance No. 17-1940, as amended, was duly adopted by the following roll call, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

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

No. 7-17-225

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", CHAPTER 303 BY ADDING THERETO ARTICLE III REQUIRING CARE AND MAINTENANCE OF FORECLOSED PROPERTIES, AND ARTICLE V AUTHORIZING THE DEMOLITION OF HAZARDOUS STRUCTURES AND REGULATION OF VACANT OR ABANDONED PROPERTIES, 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 OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2017 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY; 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 Foster-Dublin, seconded by Councilwoman Welkovits, 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 Foster-Dublin, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 17-1941 was duly adopted by the following roll call, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

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

No. 7-17-226

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2017 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY, 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, A LOAN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2017 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$415,300.00, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT BONDS, SERIES 2017 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY; 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 George, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

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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 George, the ordinance entitled as above, being Ordinance No. 17-1942, was duly adopted by the following roll call, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

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

No. 7-17-227

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, A LOAN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2017 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$415,300.00, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT BONDS, SERIES 2017 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY, 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 TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER VII, "TRAFFIC"; 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 George, 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 George, the ordinance entitled as above, being Ordinance No. 17-1943, was duly adopted by the following roll call, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

The following resolution, introduced by the Public Safety Committee, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by unanimous affirmative voice vote:

No. 7-17-228

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER VII, "TRAFFIC" 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 AMENDING THE CODE OF THE BOROUGH OF HIGHLAND PARK, 2010 CHAPTER 9, BOARDS, COMMITTEES AND COMMISSIONS, CREATING A COMMISSION ON IMMIGRANT AND REFUGEE AFFAIRS; 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 Councilman Hersh, seconded by Councilwoman Welkovits, 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 Councilman Hersh, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 17-1943, was duly adopted by the following roll call, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

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



No. 7-17-229

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF HIGHLAND PARK, 2010 CHAPTER 9, BOARDS, COMMITTEES AND COMMISSIONS, CREATING A COMMISSION ON IMMIGRANT AND REFUGEE AFFAIRS, 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, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE, 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 Councilman George, seconded by Councilwoman Welkovits, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Fine.

No. 7-17-230

WHEREAS, an Ordinance entitled, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE, 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 Council Chambers, Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on August 8, 2017 for the purpose of considering said Ordinance on final passage.

BE IT FURTHER RESOLVED that 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 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.

Mayor Brill Mittler left the meeting.

Resolution Nos. 7-17-231 through 7-17-242, were duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Hersh, and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: Councilperson Fine.

The following resolution, introduced by the Health and Human Services Committee, was duly adopted as above:

No. 7-17-231

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Resolution No. 6-17-200, adopted by the Borough Council on June 13, 2017, shall be amended to read as follows:

"WHEREAS, N.J.S.A. 40A:12A-36 of the Local Redevelopment and Housing Law provides in its pertinent part that "all projects and other properties of a housing authority are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof"; and

WHEREAS, N.J.S.A. 40A:12A-40 of the Local Redevelopment and Housing Law further provides that, in connection with any housing project designed to provide living accommodations for persons of low and moderate income, a municipality "may agree with a housing authority, redevelopment agency, redevelopment entity or the federal government that a certain sum, in no event to exceed the amount equal to 10% of the amount received by the authority, agency or entity or government in the form of shelter rents, or that no sum, shall be paid by that authority, agency, entity or government in lieu of taxes for any year or period of years"; and

WHEREAS, the Borough of Highland Park (the "Borough") and the Housing Authority of the Borough of Highland Park (the "PHA") heretofore entered into a Cooperation Agreement, a copy of which is attached hereto, providing for a payment in lieu of taxes ("PILOT") for all projects and property of the PHA; and

WHEREAS, the PHA has received approval from the U.S. Department of Housing and Urban Development ("HUD") to substantially rehabilitate 100 residential units located in the Samuel J. Kronman building located at 242 South Sixth Avenue, Highland Park, NJ, (collectively, the "Property") through HUD's Rental Assistance Demonstration ("RAD") program; and

WHEREAS, in order to facilitate financing for the rehabilitation and in accordance with the PHA's HUD RAD approval, the PHA will transfer the Property to a for-profit entity, created and controlled by the PHA known as the Kronman Affordable Housing LP, for the syndication of low income housing tax credits, which entity will contract with the PHA to conduct the rehabilitation and to manage the Property upon completion; and

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WHEREAS, the Property will continue to meet the definition of “project” in the Agreement as (a) low-rent housing, (b) developed by the PHA, and (c) subject to a contract with HUD for loans and annual contributions, following transfer of title.,

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highland Park, New Jersey, that the PHA’s senior building known as the Samuel J. Kronman building located at 242 South Sixth Avenue, Highland Park, NJ, will remain governed by the terms of the attached Cooperation Agreement by and between the Borough of Highland Park and the Housing Authority of the Borough of Highland Park following rehabilitation and transfer of fee title to an entity controlled by the Housing Authority of the Borough of Highland Park;

BE IT FURTHER RESOLVED that the Property will be required to continue to make payments in lieu of tax to the Borough of Highland Park calculated in accordance with Section 3 of the Agreement;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute a modification to the Cooperation Agreement, subject to HUD approval if necessary, as follows:

- (a) The definition of Shelter Rent shall be restated as follows: “Shelter Rent” shall mean the total of all charges paid by all tenants of a Project for dwelling rents and non-dwelling rents (excluding all other income of such Project), excluding any and all rental subsidies received by the Local Authority from the Government on behalf of either the Property or any individual Property tenant, and less the cost to the Local Authority of all dwelling and non-dwelling utilities as defined in the Agreement.
- (b) So long as any contract between the Local Authority and the Government for loans (including preliminary loans) or annual contributions, or both, in connection with any Project remains in force and effect, or so long as any bonds issued in connection with any Project or any monies due to the Government in connection with any Project remain unpaid, this Agreement shall not be abrogated, changed or modified without the consent of the Government. The privileges and obligations of the Municipality hereunder shall remain in full force and effect with respect to each Project so long as (a) Government Use Agreement, (b) Deed of Easement and Restrictive Covenant for Extended Low-Income Occupancy or Financing, (c) Deed Restriction and Regulatory Agreement, or (d) any such similar document recorded against such Project in favor of the Government, the Local Authority, or any other public body or governmental agency, authorized by law to engage in the development or administration of low-rent housing projects as may be applicable. If at any time the beneficial title to, or possession or, any Project is held by such other public body or governmental agency, including the Government, the provisions hereof, shall inure to the benefit of and may be enforced by such other public body or governmental agency, including the Government. Notwithstanding the above, to the extent the modification is not executed, the Cooperation Agreement shall remain in full force and effect.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.”

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

No. 7-17-232

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount set opposite the following, the same being the amount of overpayment of taxes, including accrued interest, for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2017 based on successful tax appeal to the Middlesex County Board of Taxation in 2017, to wit:

<u>BLOCK</u>	<u>LOT</u>	<u>CHECK MADE PAYABLE TO</u>	<u>REFUND</u>
23	9	St. George Greek Orthodox Church	\$6,075.11
(240 Magnolia Street)		1101 River Road Piscataway, NJ 08904	

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Finance Director and Tax Collector forthwith.

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

No. 7-17-233

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:

PATRICIA MCDANIEL, Desk Assistant - Library, at an hourly rate of \$12.41, effective June 22, 2017.

TIANQI LI PAGE, Library Page, at an hourly rate of \$8.55, effective July 12, 2017.

LEILA GUZMAN, Receptionist – Community Service, at an hourly rate of \$12.00, 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. 7-17-234

WHEREAS, on January 3, 2017, Congressman Richard Hudson (R-NC) introduced H.R.38, known as the Concealed Carry Reciprocity Act of 2017, and on February 27, 2017, Senator John Cornyn (R-TX) introduced S.446, known as the Constitutional Concealed Carry Reciprocity Act of 2017, both of which would force every state to recognize concealed carry permits by every other state, regardless of the permitting standards, or lack thereof, of that state; and

WHEREAS, while every state allows concealed carry under some circumstances, each state has different requirements on who is permitted to carry, what requirements are appropriate, and what type of training should be required of permit holders; and

WHEREAS, currently, many states, including New Jersey, prohibit out-of-state residents from carrying concealed weapons within their borders without complying with their own requirements; and



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WHEREAS, the Concealed Carry Reciprocity Act of 2017 (H.R.38) and the Constitutional Concealed Carry Reciprocity Act of 2017 (S.446) would force all states to recognize so-called “constitutional” or permitless carry, which allows gun owners to carry without receiving any permit or training; and

WHEREAS, H.R.38 also would override the Gun-Free School Zones Act, which makes it a federal crime to carry a gun in a school zone; and

WHEREAS, New Jersey, like many other states, requires applicants to demonstrate a specific need for obtaining a concealed-carry permit; and

WHEREAS, the bills would effectively override existing state and city laws and severely limit the city’s ability to prevent dangerous people from carrying loaded, hidden firearms in public;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the Borough of Highland Park hereby registers its OPPOSITION to H.R.38 and S.446, the Concealed Carry Reciprocity Act of 2017 and the Constitutional Concealed Carry Reciprocity Act of 2017.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 7-17-235

WHEREAS, pursuant to P.L. 1997, Chapter 99, a municipality may hold a tax lien sale within the last month of a calendar year for any unpaid taxes or other municipal liens or charges that are in arrears as of the 11<sup>th</sup> day of the eleventh month of the calendar year; and

WHEREAS, the Finance Committee has advised the Borough Council that it is advisable for the Borough to hold such sale during December of 2017 in order to maximize the percentage tax collection rate in calendar year 2017, and minimize the budget requirement for the Reserve for Uncollected Taxes in calendar year 2018; and

WHEREAS, the Council acknowledges that all proper notification of taxpayers will still be made in accordance with applicable State regulations and that all taxpayers will be given ample opportunities to bring their accounts up to date;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized and directed to schedule and conduct a tax sale during December, 2017, for all taxes and municipal charges unpaid as of November 11, 2017; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector and Finance Director forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 7-17-236

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale;

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Highland Park wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to sign the agreement to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Administrator, Tax Collector and Director of the Division of Government Services forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 7-17-237

WHEREAS, application for renewal license issued in the Borough of Highland Park under the provisions of the Alcoholic Beverage Law (NJSA 33:1-1 et seq.) has been made by the hereinafter applicant, and

WHEREAS, said application has been examined and the Mayor and Council of the Borough of Highland Park have made the following findings of fact with respect to the applicant:

1. Said application is complete in all respects.
2. The applicant has obtained a Special Ruling to permit the filing of renewal application of an Inactive License for the 2016-2017 and 2017-2018 license terms.
3. The applicant is qualified to be licensed in accordance with Title 33, all regulations promulgated by the New Jersey Division of Alcoholic Beverage Control and local ordinances as amended and supplemented pertinent to and consistent with Title 33.
4. The applicant has disclosed, and the issuing authority has ascertained and reviewed, the source of any additional financing obtained in the previous license term for use in the licensed business.
5. The Mayor and Council are of the opinion that said application should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following renewal application of an inactive license issued under the Alcoholic Beverage Control Law (NJSA 33:1-1 et seq.) under the terms and conditions prescribed in the Act aforesaid, the amendments and supplements thereof, and the ordinances, rules and regulations promulgated by the Director of the Division of Alcoholic Beverage Control, State of New Jersey, shall be and is hereby approved with the specific condition that no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2018 to wit:

PLENARY RETAIL CONSUMPTION LICENSE

Kiadan Inc., Highland Park, NJ 08904 - 1207-44-006-009

BE IT FURTHER RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to maintain the aforesaid license certificate in the municipal file, which license shall be effective July 1, 2017, and shall expire June 30, 2018.

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

No. 7-17-238

WHEREAS, in 1994 the Borough of Highland Park deposited waste in a landfill operated by Marine Shale Processors Inc. located in St. Mary's Parish, Louisiana; and

WHEREAS, said landfill is now the subject of a United States Department of Environmental Protection Superfund Litigation; and

WHEREAS, the Borough of Highland Park has been identified as a *de minimis* contributor to said landfill and can be released from any liability in the Superfund Litigation in consideration of the payment of \$8,500.00; and

WHEREAS, the Borough of Highland Park has determined that the most cost efficient way to proceed as a *de minimis* contributor to said landfill would be to enter into a Settlement Agreement releasing the Borough of Highland Park from any liability as a result of the Superfund Litigation.

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:

1. The Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to enter into a Settlement Agreement providing for the Borough's release from any liability associated with the pending Superfund Litigation involving the Marine Shale Processors, Inc. landfill in St. Mary's Parish, Louisiana. The Settlement Agreement hereby authorized is on file in the Office of the Borough Clerk and may be inspected during regular office hours.

2. The Borough of Highland Park's Chief Finance Officer is hereby directed to prepare a check in the amount of \$8,500 payable to the Marine Shale Processors Site Trust (Federal ID Number 47-6335896) and forward same to the Borough Attorney with the aforementioned executed settlement agreement.

The following resolution, introduced by the Economic Development & Planning Committee, was duly adopted as above:

No. 7-17-239

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and is hereby appointed to serve as a Commissioner of the Highland Park Redevelopment Agency for a term to expire as indicated:

<u>Name</u>	<u>Term to Expire</u>
Robert Fechter	July 11, 2022

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

No. 7-17-240

WHEREAS, there is a need to turn over found cash to the Municipal Treasurer as per the Middlesex County Prosecutor's Office policy; and

WHEREAS, the owner of the found cash came to retrieve his found wallet; and

WHEREAS, the owner, Jeffrey Johnstone, 20 Clark Street, Iselin, NJ 08830 is due \$28.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Department is hereby authorized to process refund of \$28.00 to Jeffrey Johnstone.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Police Department and Finance Department forthwith.

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted as above:

No. 7-17-241

WHEREAS, the Borough of Highland Park desires to apply for and obtain an AARP Community Challenge Grant for the Department of Community Services;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute the grant application for the AARP Community Challenge Grant on behalf of the Borough.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Department of Community Services, the Borough Administrator and Finance

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

No. 7-17-242

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 7/11/17 can be found in the Bills List Journal Book No. 36.

Mayor Brill Mittler appointed Meztli Rocio Herzog to the Arts Commission for a term to expire August 1, 2018.

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

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

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Opposed: None.  
Abstained: None.  
Absent: Councilperson Fine.

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The Clerk reported that 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” 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 Councilman George, 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 Foster-Dublin, George, Hersh, Kim, Welkovits.

Opposed: None.

Abstained: None.

Absent: Councilperson Fine.

No. 7-17-243

WHEREAS, 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, 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, August 8, 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 following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilwoman Kim, and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: Councilperson Fine.

No. 7-17-244

WHEREAS, the Borough of Highland Park finally adopted its 2017 Municipal Budget on April 4, 2017; and

WHEREAS, because of the late adoption of the New Jersey State budget and calculation of the Tax Rate by the County Board of Taxation and the corresponding late printing of the tax bills, third quarter tax bills will not be mailed by the deadline of July 17, 2017; 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 2017 taxes provided the same are paid on or before August 31, 2017, 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, 2017 until the date of actual payment.

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

Council President Welkovits opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Ruth Bickhardt, 307 Magnolia Street, commented about ordinance about bicycling on sidewalks and the enforcement. Councilwoman Welkovits noted that they have a Safe Walking and Cycling Committee and the month of September is going to be declared as Safe Walking and Cycling Month. They will be holding a bike rodeo to educate people on the rules of the road, they plan to have an in-town bike ride where they will create a temporary bike lane on South 1<sup>st</sup> Avenue. They are planning to apply to the NJDOT for technical support for advice on creating a bike lane network and are working on a bike share network with Rutgers.

Mayor Brill Mittler returned to the meeting.

Ms. Bickhardt asked about paving of the roads. Mayor Brill Mittler noted that funding for the main road improvements comes from the NJDOT. There has been a significant cutback in funding and they will only be able to repair one road this year. After a meeting she attended today, there are some discretionary funds that the Borough can apply for. Ms. Bickhardt asked that they add Magnolia Street and South 3<sup>rd</sup> Avenue to the list of roads to be prepared. Mayor Brill Mittler noted that the issue with that section of roadway will be addressed with the Department of Public Works. Councilman George noted that the Department of Public Works keeps a listing of streets that need repairs and they are prioritized based on severity of repairs needed. Ms. Bickhardt commented about trees and the fact that she doesn't want them near her property as they drop leaves and branches and it is not safe to work. She

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complained about overgrowth of hedges and height of fencing in the areas where she walks and asked about an ordinance. She was asked to specifically identify the areas and they will get a message to the Department of Code Enforcement. Lastly, Ms. Bickhardt asked about truck traffic on Raritan Avenue. Mayor Brill Mittler advised that it is a State highway and there is nothing they can do to limit truck traffic on Raritan Avenue.

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 Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:52 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk