

REGULAR MEETING – MARCH 7, 2017

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, March 7, 2017 and was called to order by Mayor Brill Mittler at 7:26 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler; Councilpersons Fine, Foster-Dublin, George, Hersh, Welkovits; Borough Attorney Schmierer; Borough Administrator Kovach; Borough Clerk Hullings.
Absent: None.

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 the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hersh, Welkovits.
Opposed: None.
Abstain: None.
Absent: None.

No. 3-17-102

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that due to the resignation of Councilman James Walsh, Stephany Kim is hereby appointed to temporarily fill the vacancy on the Borough Council, effective immediately;

BE IT FURTHER RESOLVED that Stephany Kim shall serve on the Borough Council until such time as a candidate is elected to fill the remainder of the unexpired term at the General Election to be held on November 7, 2017.

Mayor Brill Mittler administered the Oath of Office to new Councilperson Stephany Kim.

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 the following roll call vote, to wit:

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

No. 3-17-103

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Resolution No. 1-17-03 adopted by the Borough Council on January 3, 2017, shall be and is hereby amended to read as follows:

“BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Standing Committees of said Council for the year 2017 shall be and are hereby established as follows:

RECREATION AND ARTS	Councilpersons GEORGE, Kim, Foster-Dublin.
ECONOMIC DEVELOPMENT & PLANNING	Councilpersons WELKOVITS, Fine, George.
FINANCE	Councilpersons FINE, Welkovits, Hersh.
HEALTH AND HUMAN SERVICES	Councilpersons HERSH, Foster-Dublin, Fine.
PUBLIC SAFETY	Councilpersons FOSTER-DUBLIN, Hersh, Kim.
PUBLIC WORKS & PUBLIC UTILITIES	Councilpersons Kim, George, Welkovits.

BE IT FURTHER RESOLVED that the first Councilpersons listed above for each Committee shall serve as Chair of that Committee.”

Councilwoman Foster-Dublin left the meeting at 7:35 PM.

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

Councilman Fine – No report.

Councilman George reported that the sculpture project is moving forward.

Councilman Hersh reported that the Highland Park Housing Authority will meet tomorrow and they have found an investor for the 24 family units on South 6th Avenue to help with essential capital needs. They no longer get that type of funding from the Department of Housing and Urban Development. HUD encourages public Housing Authorities to work with outside investors to do necessary capital improvements. They have partnered with the Community Loan Fund of NJ, New Brunswick, New Jersey. They believe in the mission of providing safe, decent, affordable housing. The stewardship of the housing is still public, and still under the management of the Housing Authority. It is not an ideal situation, but they are thrilled to have partnered with this group that does meaningful neighborhood stabilization work around the state.

Councilwoman Welkovits reported that the new Safe Walking and Cycling Committee meets the first Wednesday of every month at 7PM in Borough Hall and will be meeting tomorrow. They will be discussing their partnership with Rutgers in a bicycle share program. They were awarded a \$1.1 million dollar grant from the NJ Department of Transportation and Jack Molinar, Rutgers Transportation, is very eager to have entire program in place by Spring of next year. The bike share program will include 350 bicycles and about 35 different hubs (bike racks). The neat thing about the program is that each bicycle will have a GPS built into it. You can drop a bicycle off anywhere you want as it has a built in lock. You might pay a little bit more if the bike is not returned to a hub. You can use a smartphone app to locate the nearest bicycle and a credit card swipe to pay. With the GPS on the bicycles, the Borough will be able to get some data as to where people are riding around town and use that to create some bicycle lanes. Working on this project for two years. Rutgers is working with the Borough to determine where to put them and they will hold some open public meetings in Highland Park to get resident input. They will also hold meetings at the Edison train station and in Piscataway to form a network. Tomorrow at 6PM two of Main Street’s committees will meet, Organization and Promotions. They will be discussing the music on

the corner program which has been extremely successful the last couple of years. Any musicians who want to sign up can contact Main Street.

Borough Administrator Kovach – No report.

Borough Attorney Schmierer - No report.

Mayor Brill Mittler commented that there was a horrendous crime committed a few weeks ago. She thanked the Highland Park Police Department and the Middlesex County Prosecutor's Office for arresting the person in one weeks' time. She asked Lt. Hammill, in attendance at tonight's meeting, to share the thanks of the Governing Body with the members of the Police Department and the Prosecutor's Office. She noted that there was a public safety meeting held on Sunday and representatives from Women Aware gave a presentation about how to report concerns for sexual assault or abuse primarily with an intimate partner. Officer Curbelo shared safety tips. Freeholder Nara was in attendance and there was a nice turnout. They plan to hold additional meetings in the future. There are street signs missing along Vickie White Way and Rosa Parks Way and they have been reordered and will be replaced. This is women's history month and she wants to introduce everyone to historic women in Highland Park who contributed to growth in Highland Park and in the country. She noted that Joan Snyder was born in Highland Park and is a painter and her paintings can be found in museums and collections all across the country. She founded the Mary H. Dana Women Artist Series in 1971, which is the oldest continuous running exhibition space in the United States dedicated to making visible the work of emerging and established contemporary women artists. She is a MacArthur Fellow, a Guggenheim Fellow and a National Endowment of the Arts Fellow.

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

Craig Hanoach, 237 Montgomery Street, appeared to read letter to the Governing Body from Rabbi Ronald Schwarzberg, Rabbi Emeritus of Congregation Ahavas Achim, relating to the issue of immigration and refugee policies being discussed by the Governing Body. It was noted that the Governing Body is going to be hosting a forum on immigration and refugee policies on March 14th at 7:00 PM.

Herb Gross, Adelaide Gardens, commented that the traffic light button on Raritan Avenue and 5th Avenue has been fixed. The Borough Council should pursue voice activated lights for pedestrians and is needed in Highland Park. The Mayor should pursue this with the State. Mayor Brill Mittler noted the Borough is talking to NJDOT about safety features.

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

The Clerk reported advertising an ordinance entitled, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 85, AFFORDABLE HOUSING, 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 for public inspection as required by law.

On motion made by Councilman Hersh, 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 Councilman Hersh, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 17-1933, was duly adopted on final reading by title by the following roll call vote, to wit:

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

Opposed: None.

Abstain: Councilperson Kim.

Absent: Councilperson Foster-Dublin.

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

No. 3-17-104

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, CHAPTER 85, AFFORDABLE HOUSING, 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 PROVIDING FOR IMPROVEMENTS TO GRANT AVENUE, FELTON AVENUE AND GRAHAM STREET, IN AN BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESES, STATE OF NEW JERSEY; APPROPRIATING \$400,000.00 THEREFOR 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 Welkovits, 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, George, Hersh, Welkovits.

Opposed: None.

Abstain: Councilperson Kim.

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Absent: Councilperson Foster-Dublin.

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

No. 3-17-105

WHEREAS, an Ordinance entitled, CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO GRANT AVENUE, FELTON AVENUE AND GRAHAM STREET, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$400,000.00 THEREFOR 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 March 21, 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, CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14), 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 Welkovits, 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, George, Hersh, Welkovits.

Opposed: None.

Abstain: Councilperson Kim.

Absent: Councilperson Foster-Dublin.

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

No. 3-17-106

WHEREAS, an Ordinance entitled, CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14), 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, March 21, 2017, at 7:00 PM, 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.

The Clerk reported that the 2017 Municipal Budget and Tax Resolution were introduced in writing by the Finance Committee for consideration of passage on first reading. Copies of the full text will be available at the Highland Park Public Library and Borough Hall. The full final budget as adopted and approved will appear in the minutes of the meeting at which the budget is finally adopted.

On motion made by Councilman Fine, seconded by Councilwoman Welkovits, the 2017 Municipal Budget and Tax Resolution were duly adopted on first reading by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Hersh, Welkovits.

Opposed: None.

Abstained: Councilperson Kim.

Absent: Councilperson Foster-Dublin.

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

No. 3-16-107

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2017;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Neptune, N.J. in the issue of March 10, 2017.

The governing Body of the Borough of Highland Park does hereby approve the following as the Budget for the year 2017:

General Appropriations	
Appropriations Within "CAPS"	
Municipal Purposes	\$11,961,947.00
Appropriations Excluded from "CAPS"	

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Municipal Purposes	3,238,884.56
Reserve for Uncollected Taxes – Based on Estimated 99+ Percent of Tax Collections	<u>200,000.00</u>
Total General Appropriations	15,400,831.56
Less: Anticipated Revenues Other Than Current Property Tax	<u>3,288,638.80</u>
Difference: Amount to be Raised by Taxes For Support of Municipal Budget:	
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	11,695,293.79
Minimum Library Tax	<u>416,898.97</u>

Water & Sewer Utility Operating Fund:

Total Water & Sewer Utility Revenues	<u>\$4,221,421.35</u>
Total Water & Sewer Utility Appropriations	<u>\$4,221,421.35</u>

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on March 7, 2017.

A hearing on the Budget and Tax Resolution will be held at Borough Hall on April 4, 2017 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Fine, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

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

No. 3-16-108

Account No.	Description	To	From
6-05-55-500-101	Salary & Wage		\$ 126,354.00
6-05-55-500-411	Purchase of Water	\$ 126,354.00	
6-05-55-541-4DC	FICA		\$ 36,446.54
6-05-55-500-411	Purchase of Water	\$ 539.89	
6-05-55-501-4DC	MCUA	\$ 35,906.65	
6-05-55-507-4DC	Bond Interest	\$ 96,000.00	
6-05-55-500-411	Purchase of Water	\$	\$ 96,000.00
6-05-55-505-4DC	Bond Principal	\$ 57,480.67	
6-05-55-501-4DC	MCUA		\$ 57,480.67
6-01-45-930-299	Current Bond Interest	\$ 18,093.75	
6-01-28-371-101	Aging SW		\$ 18,093.75
6-05-55-500-411	Purchase of Water	\$ 6,754.33	
6-05-55-501-4DC	MCUA		\$ 6,754.33
	TOTAL	\$ 341,129.29	\$ 341,129.29

Resolution Nos. 3-17-109 through 3-17-111 were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by the following roll call vote, to wit:

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

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

No. 3-17-109

WHEREAS, pursuant to Resolution No. 7-16-195, the Mayor and Council awarded an agreement to PSE&G Co. for the lease of the Borough's property consisting of approximately 3.63 acres and identified as Block 49, Lots 42 – 55 on the Highland Park Tax Map (the "Property") to design, build and operate a solar photovoltaic array system for generating solar electricity and battery storage, and providing resilience to the Borough, for an initial term of twenty (20) years; and

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 are hereby authorized and directed to execute the Surface Lease Agreement with PSE&G.
2. The executed Agreement shall be maintained on file in the Borough Clerk's Office.

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

No. 3-17-110

WHEREAS, there exists a need to retain a Professional Municipal Consultant to serve as the Certified Municipal Finance Officer (CMFO); and

WHEREAS, the Mayor and Borough Council have selected Ronald Gardner, of Hodulik and Morrison, to serve in the capacity of CMFO of the Borough of Highland Park for such period of time as shall be determined at the pleasure of the governing body; and

WHEREAS, CMFO Services has been declared to be an Extraordinary Unspecifiable Service (EUS) by the New Jersey Division of Local Government Services in N.J.A.C. 5:34-2.2 et seq; and

WHEREAS, the Borough Attorney has certified that this award meets the statutes and regulations governing the award of EUS contracts; and

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WHEREAS, the maximum amount of this contract will not exceed \$90,000.00 and whereas certified funds are available for this contract from line item budget appropriation entitled Financial Administration, said certificate being attached;

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

1. The Mayor and Borough Council hereby directs the Mayor and Borough Clerk to execute a contract with Ronald Gardner, Hodulik and Morrison to procure the services of CMFO of the Borough of Highland Park.
2. This contract is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with the Local Public Contracts Law because it involves substantial training, experience and a knowledge of municipal government’s financial operations, rules and regulation, etc.
3. Notification of contract award shall be printed once in The Home News Tribune.

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

No. 3-17-111

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 3/7/17 can be found in the Bills List Journal Book No. 36.

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 public discussion.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilman Hersh, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:53 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk