

REGULAR MEETING – MARCH 1, 2016

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday March 1, 2016 and was called to order by Mayor Brill Mittler at 7:00 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler; Councilpersons Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits; Borough Attorney Schmierer; Borough Administrator Kovach; Borough Deputy Clerk Santiago.

Absent: Borough Clerk Hullings.

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

Councilman Jim Walsh reported that he was working on reinvigorate the Arts Commission, a meeting is scheduled for March 14, 2016 @ 7:00 p.m. at the Senior Center and will be working on creating a vibrant and a sustainable arts community and folks who are interested should attend the meeting and participate in helping form on how to carry out that mission. He said that the annual fireworks event will be held on July 3, 2016 with a rain-date of July 10, 2016 with music, food and activities for all ages. The fireworks event is being partnered with the City of New Brunswick to help reduce cost for the event in sharing the expenses. The summer camp jobs will be posted this week and usually hire between 45-55 seasonal employees, high school students and others who are interested in these jobs should start getting those applications in soon. Summer camps run from July 5 through August 19, the deadline for registration is June 14th, in addition to the K-12 camps that are offered a grant was received to run a special needs camp for K-6 graders that will include a variety of activities and applications should be coming in soon. The recreation arts program should be coming out soon with a number of activities, applications are on-line on the Borough's web-site under Recreation Services, flag football for 3-8 graders registration deadline is March 3, 2016; girls on the run a transformational learning program for girls grades 3-5 life lessons paired with running to promote health and confidence in young women, every girl participates at their own pace and at the end of the program there is an optional 5k run; basketball training clinics will run from April 4 - 27th and the deadline to register is March 30; track and field co-ed program for grades 3-8 program runs April and May and registration deadline is April 20th; youth baseball runs from March to June with a registration deadline of March 4th and the softball program is April – June with a registration deadline of March 4th. There will be on-going Chess every Thursdays from 5-6 p.m. at the Senior Center. Spring tennis for youths and adults on Sunday's in May and the registration deadline is May 4th. On Wednesday, March 2, 2016 from 9:30 - 11:00 am the Highland Park high school students will be visiting the Senior/Youth Center to read to the members in celebration of Read Across America Day; Senior Luncheon will take place of Friday, March 18th at 11 a.m., seniors will enjoy a traditional Irish lunch in celebration of St. Patrick's Day with musical entertainment by John Gallagher. Starting on Monday, March 28, 2016 the Senior Center will be starting a free 6-week workshop "Taking Control of Your Health" to teach participants ways of managing symptoms if they suffer from chronic conditions such as arthritis, heart disease, osteoporosis's and diabetes and specifically cover on how to start a healthy eating and exercise routine, how to effectively communicate to your doctor, and making daily tasks easier. The Senior/Youth Center has free tax assistance provided by United Way and available to all residents that meet the required guidelines and appointments can be made every Wednesday during tax season from 9 a.m. to 2 p.m. by calling the center.

Councilman George reminded everyone to join the Planning Board, Zoning Board and Redevelopment Agency. The Planning Board on March 10 the continuing application for American Properties with discussions about traffic, environmental which was discussed at the last meeting. The Zoning Board has been relatively quiet but still approving variances; a small home improvement was approved last Monday. At the last Main Street meeting which was training by the State Main Street office who donates the services of a trainer. He said that he got involved in the first hour of the presentation which was the rights and duties under New Jersey laws for Board members with a continuation of training on building consensus involving more of the community and moving forward their 2016 program to expand Main Streets projects into other areas of the town. The next Redevelopment Agency meeting is Thursday, March 3, 2016 there are a couple of items on the agenda with regards to general consults, not any specific projects. He said that with respect to the parking group that is forming, Jeff Perlman wo is the Main Street designee, who has some background from his graduate work in parking and there are several hundred pages prepared already, not the abstract studies or the traffic counts, there are articles from all over the nation and Canada on what are the basic elements when considering real parking, not how many spaces do we have but the dynamics behind using parking to create arts, businesses, opportunities more thriving downtown.

Councilman Erickson reported that earlier that evening the Council met with department heads to go over their budgets resulting in each Council person meeting with their respective areas and working on putting together a final budget for approval.

Councilwoman Foster-Dublin - no report.

Councilman Fine – no report

Councilwoman Welkovits reported that Tuesday, March 8, 2016 at the Highland Park Library Ceil Energy will be doing a presentation on the new Smart Homes program. The Borough did this program about three years ago and it was very successful and asked that everyone please take advantage of this opportunity. They are offering a discounted home energy audit for \$49.00, the report is very comprehensive and many people in the community have already had this done, following the analysis Ceil Energy will come to your home and discuss the results with you and make you aware of the various cash rebates and low interest loans available through the New Jersey Home performance with energy star program should you decide to make improvements or upgrades to your home. The automated garbage collection will begin to expand to the Northside; notification will be given out as soon as tomorrow, as well as on the Borough's web-site. Reminded everyone to save the date, Sunday, April 17, 2016 from 11 a.m. to 3 p.m. at the Environmental Center will be the Earth Day celebration. She indicated

that if anyone was interested in participating in the program or to have the interactive displays, there is usually a bunch of kids that come as well so if you or your organization is interested please contact Council President Welkovits or call the Borough Clerk's office.

Borough Administrator Kovach – No report.

Borough Attorney Schmierer - No report.

Mayor Brill Mittler reported about Sunday's Park Partners voting, over 200 people showed up to vote for their favorite grant opportunity. There were several categories and the winners are in the arts area, there will be a new Highland Park magazine, in the Human Relations category there will be program that will give new books to children, in the area of Health and Human Services - cutting out hunger, a high school student project and will help the Highland Park Food Pantry, and in the Environmental area - the native plant preserve received the grant to allow them to purchase new additional plants that are native to the area. Mayor Brill Mittler thanked everyone who presented their proposals and all of the resident who came out to vote.

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

Herb Gross, Adelaide Gardens said that he was not going to waste the Council's time or the audience's time but wanted to get one thing clear. He indicated in the room, on television, the City of Highland Park, every resident listen to it, every resident in the State of New Jersey who was watching TV that night heard the Mayor say that she issued a citation. Since that night he has asked the Mayor quite a few times to name the person or persons who the citation was issued to. He indicated that evening he was holding a copy of Webster dictionary and hopes that the TV Camera is watching this. He said that he was going to quote Webster's dictionary, there is a certain word in Webster's dictionary that may sum up the whole situation, the word is liar and the definition of liar on page 217 Webster's dictionary says that a liar is one who will not tell the truth. He said that on page 217, when you ladies and gentleman go home tonight, maybe the Webster's dictionary version may be different but the meaning is the same. He indicated that Madam Mayor, along with what he just mentioned, he asked the Councilwoman who is not present tonight, he asked her to name the person or persons who were also a part of this situation and she came up with one name Sam, who Sam is he doesn't know and doesn't think anyone in the room knows, Sam does not have a last name, Sam doesn't have an address but this is what she spoke into the microphone and what the audience heard.

Mayor Brill Mittler said that there was no one that has ever sat, since she has been Mayor, that has lied to you about anything and she indicated that she did not know who is was referring to. She said that she wanted to get to the matter of Mr. Gross' concern which was for the safety of residents walking on South 1st Avenue and whomever owns that property is secondary to your concern because Mr. Gross was worried about the sidewalk being raised, as indicated several times Mr. Brescher went with you and looked at the slabs of concrete and there is a law here regarding the height at which a slab is raised and needs to be replaced and indicated that the Borough Attorney can talk to that nature, if Mr. Gross wished, but it is a 1/2". Even though the slab in which Mr. Gross was concerned with was less than the 1/2" the person being referred to as Sam, is not the homeowner of the property but he is someone that Mr. Brescher spoke with who repaired and ground down the slab.

Borough Administrator Kovach indicated that he replaced a slab last week and ground down a slab that was raised.

Mayor Brill Mittler indicated to Mr. Gross that the issue that he raised was one of safety and she appreciated that and that is why it was taken care of. The slab has been ground down and taken care of.

Mr. Gross said that there has only been one slab of concrete replaced and there are 12 more slabs of sidewalks that are cracked and up rooted from the shrubbery along the side.

Mayor Brill Mittler indicated to Mr. Gross that they went out there and he went along with Mr. Brescher and the slabs were measured and they fall within the Ordinance or the law and indicated that if he would like to take this up further with Mr. Brescher during the week he would be able to explain in more detail.

Mr. Gross indicated that he was not done talking and indicated the Madam Mayor has no right to take the residents, senior citizens, veterans who are his brothers and sisters to court of this sidewalk. He said that there has never been a previous Mayor in Highland Park and he holds the previous Mayor's in high respect and not one Mayor has ever sued the residents of Highland Park.

Mayor Brill Mittler indicated to Mr. Gross that she has never sued anyone and indicated that they could talk about this another time. She said that she did not know exactly what he was talking about but he talks about this every time he comes up and it is explained every time.

Mr. Gross said that it may be explained to him but in his option the Mayor is not telling the residents the truth and the Mayor has not right in suing the residents of Highland Park, you're suing your own people in the Democratic Party.

Mayor Brill Mittler said to Mr. Gross that he ran for Mayor with a different party, and asked that he not bring politics into this, this has nothing to do with politics it has to do with the law.

Mr. Gross indicated that this did not have anything to do with politics, he was going back in time and there has never been one Mayor in Highland Park who has sued the residents and he holds them all in high regards.

Mayor Brill Mittler indicated to Mr. Gross that she was sorry that he did not like her but there was nothing she could do but tell him the truth.

Mr. Gross said that the Mayor has never done anything.

Mayor Brill Mittler thanked Mr. Gross for his comments and asked him to please have a seat.

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

The Deputy Clerk reported advertising an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND

PARK, CHAPTER 3, "ADMINISTRATION OF GOVERNMENT", 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. 16-1903, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.

Opposed: None.

Absent: None.

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. 3-16-89

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 3, "ADMINISTRATION OF GOVERNMENT", 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 Deputy 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. 16-1904, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.

Opposed: None.

Absent: None.

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. 3-16-90

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 Deputy Clerk reported that an ordinance entitled, CAPITAL ORDINANCE PROVIDING FOR VALENTINE STREET ROAD IMPROVEMENTS, PHASE II, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$330,000.00 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 Councilwoman Welkovits, seconded by Councilman Fine, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.

Opposed: None.

Absent: None.

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

No. 3-16-91

WHEREAS, an Ordinance entitled, CAPITAL ORDINANCE PROVIDING FOR VALENTINE STREET ROAD IMPROVEMENTS, PHASE II, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$330,000.00 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 15, 2016, 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.

Resolution Nos. 3-16-92 through 3-16-98 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 Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.

Opposed: None.

Absent: None.

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

No. 3-16-92

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 12/15/2015 can be found in the Bills List Journal Book No. 35.

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

No. 3-16-93

WHEREAS, Lawrence S. Dick, has 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 2016; and

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

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 License.

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

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

No. 3-16-94

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of the Borough of Highland Park to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough of Highland Park hereby endorses the submission of the 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Frank Troy to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

No. 3-16-95

WHEREAS, the Borough Council of the Borough of Highland Park entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained to prepare an expert report (the "Burchell Report"); and

WHEREAS, the Borough of Highland Park contributed \$2,000 to become a member of a consortium of municipalities (hereinafter "Municipal Group") so that the Municipal Group could enter into an agreement with Rutgers University (hereinafter "Research Agreement") for the purpose of having Dr. Burchell prepare a fair share report (hereinafter "Burchell Report"); and

WHEREAS, Dr. Burchell became ill and was unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA required a modification to allow the Municipal Group to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") was prepared to effectuate the modification, and said Amendment was entered into by the Borough of Highland Park; and

WHEREAS, the Amendment authorized the execution of an agreement with Econsult Solutions, Inc. ("ESI") to replace Dr. Burchell and Rutgers, and to prepared its own revised report; and

WHEREAS, ESI prepared a revised report entitled "New Jersey Affordable Housing Need and Obligations", dated December 30, 2015 (the "Solutions Report"), for the Municipal Group; and

WHEREAS, the MSSDA as amended, entitled Members of the Municipal Group to retain ESI to testify about the Solutions Report and for related issues; and

WHEREAS, any Member of the Municipal Group could retain ESI (i) individually, (ii) as part of a local consortium consisting of other municipalities under the vicinage of any particular judge presiding over Mount Laurel matters or (iii) both individually and as part of a local consortium; and

WHEREAS, the purpose of this resolution is to retain ESI individually; and

WHEREAS, the proposed individual agreement, attached hereto, envisions that ESI will split its work if it prepares a report that benefits multiple municipalities; and

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

1. The Borough of Highland Park hereby authorizes its attorney to sign the agreement, attached hereto, on its behalf.
2. This Resolution shall take effect immediately.

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

No. 3-16-96

WHEREAS, the Middlesex County Improvement Authority (the "Authority") has offered to provide assistance to the Borough of Highland Park (the "Borough") with regard to proposed re-development, recreation, transportation and grant writing assistance for various public improvement projects which the Borough may wish to undertake; and

WHEREAS, in order to obtain said services from the Authority, the Borough Council of the Borough wishes to enter into a Shared Services Agreement with the Authority.

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 encourages and authorizes Shared Services Agreement to provide for efficiencies for public entities.

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 a Shared Services Agreement between the Borough and Authority. The Agreement so authorized is on file with the Borough Clerk and may be inspected during regular office hours.
2. The Borough Administrator/CFO is hereby appointed as the project contact for the Borough with the Municipal Clerk hereby appointed as the alternate contact for the Borough with regard to this Shared Services Agreement.
3. A certified true copy of this Resolution together with the executed Shared Services Agreement shall be furnished by the Borough Clerk to Denise Nickel, Middlesex County Improvement Authority upon its adoption.

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

No. 3-16-97

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:

Name	Term to Expire
Robert Fechter	July 11, 2017

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

No. 3-16-98

WHEREAS, pursuant to Resolution No. 11-15-315, adopted by the Borough Council on November 10, 2015, a contract was awarded to P & A Construction of Colonia, NJ, for the 2015 Roadway Improvements; and

WHEREAS, it appears from Pay Estimate No. 2, filed by the CME Associates, that certain work under said contract has been completed and approved, and there is due to P & A Construction the sum of \$54,808.69 in accordance with said Pay Estimate for work performed from December 9, 2015 to February 1, 2016; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-822-210 in the amount of \$54,808.69, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay P & A Construction the sum of \$54,808.69, as certified by the Engineer in Pay Estimate No. 2, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Chief Financial Officer Kathleen Kovach and the CME Associates forthwith.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Highland Park that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
 6. That all other applicable statutory requirements have been fulfilled.
- BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

Ayes: Councilpersons, Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.
 Opposed: None.
 Abstain: None.

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

No. 3-16-99

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2016 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$9,588,900.13; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Highland Park (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20;

1. An emergency temporary appropriation be and the same is hereby made for the budgetary appropriations herein:

	Account Number	2016 TEMPORARY BUDGET #2
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	18,582.75
Other Expenses	20-110-2	4,725.00
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	45,024.75
Other Expenses	20100-2	10,293.75
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	79,775.44
Other Expenses	20-120-2	5,540.63
INFORMATION TECHNOLOGY		
Salaries & Wages	20-140-1	35,437.50
Other Expenses	20-140-2	25,000.00
CENTRAL SERVICES		
Other Expenses	20-316-2	42,469.31
MOTOR POOL		
Salaries & Wages	26-315-1	39,862.13
Other Expenses	26-315-2	74,812.50

FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	66,441.38
Other Expenses	20-130-2	50,000.00
AUDIT SERVICES		
Other Expenses	20-135-2	0.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	19,970.44
Other Expenses	20-150-2	9,202.50
TAX COLLECTION		
Salaries & Wages	20-145-1	62,436.94
Other Expenses	20-145-2	8,718.75
LEGAL SERVICES		
Other Expenses	20-155-2	125,000.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	14,906.25
BUILDING & GROUNDS		
Salaries & Wages	26-310-1	23,376.38
Other Expenses	26-310-2	18,450.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	956.25
PLANNING BOARD		
Other Expenses	21-180-2	24,468.75
ZONING BOARD OF ADJUSTMENT		
Other Expenses	21-185-2	9,618.75
HUMAN RIGHTS COMMISSION		
Other Expenses	21-191-2	1,718.44
CABLE TELEVISION		
Other Expenses	30-411-2	4,781.25
MUNICIPAL COURT		
Salaries & Wages	43-490-1	116,592.19
Other Expenses	43-490-2	7,427.81
PUBLIC DEFENDER		
Salaries & Wages	43-495-1	3,375.00
FIRE DEPARTMENT		
Salaries & Wages	25-265-1	95,625.00
Other Expenses	25-265-2	33,170.63
POLICE DEPARTMENT		
Salaries & Wages	25-240-1	1,921,716.56
Other Expenses	25-240-2	82,335.94
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	118,690.31
Other Expenses	25-250-2	1,406.25
PROSECUTOR'S OFFICE		
Salaries & Wages	25-275-1	19,125.00
Other Expenses	25-275-2	
FIRST AID		
Contribution	25-260-2	14,625.00
OFFICE OF EMERGENCY MANAGEMENT		
Other Expenses	25-252-2	3,565.13
BOARD OF HEALTH		
Other Expenses	27-330-2	731.25
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	123,434.44
Other Expenses	28-371-2	12,009.38
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	9,337.50
Other Expenses	28-370-2	1,000.00

PUBLIC WORKS		
Salaries & Wages	26-290-1	572,222.81
Other Expenses	26-290-2	58,500.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Other Expenses	20-170-2	30,937.50
ARTS COMMISSION		
Other Expenses	28-374-2	421.88
SHADE TREE COMMITTEE		
Other Expenses	28-375-2	1,406.25
UNIFORM CONSTRUCTION CODE		
Salaries & Wages	22-195-1	224,530.31
Other Expenses	22-195-2	4,584.38
COMMUNICATIONS		
Salaries & Wages	20-105-1	51,606.00
Other Expenses	20-105-2	10,535.63
UNCLASSIFIED		
Gasoline	31-460-2	67,500.00
Electricity & Gas	31-430-2	92,812.50
Telephone & Telegraph	31-440-2	34,818.75
Street Lighting	31-435-2	75,937.50
Sanitary Landfill	32-465-2	200,000.00
Accumulated Sick & Vacation	30-415-1	0.00
STATUTORY EXPENDITURES		
Social Security System	36-472-2	183,375.00
Unemployment Compensation Insurance	23-225-2	0.00
INSURANCE		
General Liability/Workers Compensation	23-211-2	198,632.81
Employee Group Health	23-220-2	564,389.25
LIBRARY		
Library S & W	29-390-1	333,569.25
Library OE	29-390-2	208,119.38
GARBAGE COLLECTION		
Apartment Collection	26-305-2	0.00
LOSAP		
Other Expenses	25-265-3	0.00
INTERLOCAL MUNICIPAL SERVICE AGREEMENTS		
County Health Services OE	42-401-2	24,187.50
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	5,062.50
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	10,687.50
SUBTOTAL		0.00
GRANTS		0.00
NJ Sustainable Grant		7,500.00
EPA Cherry Hill		
Municipal Alliance		16,163.25
County Message Board		0.00
Body Camera		7,500.00
NJ DDEF		0.00
Recycling MCIA Grant		0.00
Smart Growth		0.00
Clean Communities		0.00
Subtotal		6,370,737.13
		0.00
CAPITAL IMPROVEMENT FUND	44-901-2	75,000.00
STATUTORY EXPENDITURES (OUTSIDE OF CAP)		
Public Employees' Retirement System	36-471-2	434,104.00
PFRS Other Expenses	36-475-2	711,707.00

DEBT SERVICE		
Bond Principal	45-920-2	1,375,000.00
BAN Principal	45-925-2	
Interest on Bonds	45-930-2	344,250.00
Interest on Notes	45-935-2	15,944.00
Lease Agreement	45-950-2	262,158.00
EDA Loan	45-955-2	0.00
EMERGENCY APPROPRIATION	46-870-2	
SPECIAL EMERGENCY	46-875-2	
RESERVE FOR TAX APPEAL	46-876-2	0.00
RESERVE FOR UNCOLLECTED TAXES	50-899-2	0.00
Grand Total		9,588,900.13
WATER & SEWER		

**2016
TEMPORARY
BUDGET
#2**

OPERATING

	\$
Salaries & Wages	150,000.00
	\$
Other Expenses	1,000,000.00
	\$
Middlesex County MUA	262,500.00

CAPITAL IMPROVEMENTS

Capital Outlay

DEBT SERVICE

	\$
Payment of Bond Principal	420,000.00
	\$
Interest on Bonds	96,000.00
Interest on Notes	
DEP Waste Water Loan	
Repayment	

**STATUTORY
EXPENDITURES**

Public Employees' Retirement System	\$ 15,000.00
	\$
Social Security System	25,000.00
Deferred Charges	

TOTAL **\$ 1,968,500.00**

2. Said emergency temporary appropriations will be provided for in the 2016 budget under the various captions listed herein.
3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

Mayor Brill Mittler appointed the following to serve as a member of the Recreation Advisory Committee for term to expire December 31, 2016: Gary Potts

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

Ayes: Councilpersons Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits
 Opposed: None
 Abstain: None

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

Ruth Bickhardt, 307 Magnolia said that she had attended a couple of meetings that Rite-Aid had and two things that trouble her is that there was barrier that sort of indicates that it is the end of the Rite Aid parking lot, there is a piece in between and there is the municipal, and she has mentioned it before and no one seems to be responsible for the garbage that has been accumulating in between the wedge part.

Mayor Brill Mittler said that there are two places that she could think of as in between there is the parking lot that belongs to the office building. Ms. Bickhardt indicated that she did not know that.

Mayor Brill Mittler said that the other part that she may consider in between is some parking spots that look like they are in the Rite Aid parking lot but are open to the public for parking.

Ms. Bickhardt suggested sending them a notice to get a garbage truck and clean up because when she goes out late to walk her dog she sees rats running around that area, as well as other rodents.

Mayor Brill Mittler asked the Borough Administrator to bring that to the attention of the Health Department.

Ms. Bickhardt said that her other complaint is the race track or circle, she said that she was somewhere today and there were speed bumps in the driveway and suggested that that may be helpful because it is such a wide road, and with speed bumps the cars cannot go racing through.

Mayor Brill Mittler asked Councilman George if he would discuss this with Rite Aid. Mr. George said that he would be glad to and he knows that that area is a continuing concern; there are people that ignore the one way entrance and exit. He indicated that he seen someone nearly get clipped with a shopping cart over the weekend and would be glad to speak with the Managers about the possibility of putting speed bumps there. Mayor Brill Mittler said maybe better signage as well.

Ms. Bickhardt said that she thinks that the taxes would go down 20% if there were some traffic lights there that would record the cars going the wrong way. Mr. George said unfortunately that is private property and the cameras were outlawed.

Ms. Bickhardt said that she was cleaning out her cabinet and came across some old policies from the Borough, one that would have to be revised. Many years ago sometime in the late 70's she had just bought the house and one of their tenants had gotten a littering tickets because garbage pick-up was on Monday morning and she was leaving on vacation and her garbage sat at the curb all weekend. She indicated that she wished it was against the law today or maybe some other laws that need to be revised and or enforced and she would be happy to help with that.

Council President Welkovits indicated that she believes that there is still a law in place and should anyone see that someone has left there cans out or put their cans out at the wrong please let the Borough know. We cannot always find these items out but if anyone notices just call the Borough and let them know and we will send someone out right away.

Ms. Bickhardt said that there is a building up for sale and pick up there is on Monday, and when she passes by there on Saturday morning for services the cans are overflowing. Council President Welkovits asked that Ms. Bickhardt give her a call with the details. Ms. Bickhardt agreed.

The following resolution, introduced by Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Walsh, and carried by the following roll call vote, to wit:

Ayes: Councilpersons, Erickson, Fine, Foster-Dublin, George, Walsh, Welkovits.

Opposed: None.

Abstain: None.

No. 3-16-100

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: Kraus vs. Highland Park)
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.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilman Walsh, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:34 PM. to go into executive session and conference.

Respectfully submitted,

Jennifer Santiago
Deputy Borough Clerk