

BOROUGH OF HIGHLAND PARK
REGULAR MAYOR & COUNCIL MEETING
SEPTEMBER 6, 2016 - 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday September 6, 2016 and was called to order by Mayor Brill Mittler at 7:07 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

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

Absent: Councilperson George; Borough Administrator Kovach.

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

Councilwoman Foster-Dublin reported that the schools will be open starting tomorrow and she encouraged residents to drive carefully as children will be walking to and from school. October 9th to the 15th is Fire Prevention Week. The Fire Department will be holding their Open House on October 13th. They will also be visiting the schools to speak to the children about fire safety. There was a fire two weeks ago on South 11th Avenue. The Fire Department, Police Department, 1st Aid Squad, OEM and CERT team responded as well as other Fire Departments from New Brunswick, Edison, and North Brunswick. No one was injured during this incident and she thanked all the first responders for keeping everyone safe. The 1st Aid Squad is conducting their annual fundraiser and she asked residents to consider making a donation to this volunteer organization.

Councilman Fine reported that he wanted to bring to residents' attention that on September 11th there will be an informational program on how to eliminate mosquito breeding places on their properties. He also reported on a resolution calling on the 18th District State Legislators to override the Governor's recent veto of important legislation that would codify the definition of justifiable need to carry a handgun in the State of New Jersey as set forth in current regulations. On September 11th the Borough of Highland Park will host the first of a series of important discussions that will explore the many policy complexities brought forth by the worst terror attack on American soil. If asked about the policy implications of September 11th, many individuals would certainly respond with a simple answer: War. But what about the many other themes that day represents? Religion, terrorism, race, wellness and access to emergency mental health and dwindling resources for first responders must be part of the discussion. Highland Park is proud to launch "September 11: A Day of Discussion", to examine these complexities. We will start with a conversation, "Destigmatizing Mental Health Care", on Sunday, September 11th at 1:00 PM at the Highland Park High School Cafeteria. Featured speakers at this inaugural event include Highland Park resident Beth Angell, an Associate Professor in the School of Social Work at Rutgers. Angell is also a member of a National Academies of Sciences, Engineering and Medicine panel that recently called for a national strategy to reduce stigma toward people with mental and substance use disorders. Also featured is Highland Park resident Susan Polkowski, a member of the Highland Park Board of Health, who has worked directly with 9/11 responders. Dr. Jeffrey Axelbank, a Highland Park resident and psychologist, will facilitate a community discussion that will provide opportunities to identify specific issues, as well as small groups to address these issues and start to develop some action plans. We look forward to this gathering serving as the cornerstone for a better equipped, more sympathetic community, in an ever-complex world. The Board of Health has been focusing on mosquitoes and the Zika virus. Although Zika causes only mild symptoms in some patients, it can cause devastating impacts for pregnant women. As of today, the Zika virus has not infected mosquitoes in New Jersey, but it has revealed itself in the blood of at least 120 state residents who contracted the disease while traveling abroad, including a mother who gave birth to a baby with severe birth defects. There are some experts who have said it is unlikely that Zika will take hold in local insect populations, given the state's climate and other factors. There are simple things we can do to reduce the numbers of mosquitoes around our homes and to prevent them from biting us. The Middlesex County Mosquito Commission provides homeowners with steps that may be taken to eliminate mosquito breeding places on their property, which means making every possible effort to eliminate sources of standing water around your home or place of business.

Councilman Walsh reported that the Arts Commission met recently and they discussed changing the statement of purpose for the commission to better reflect the numerous art forms that exist and to support efforts to build upon Highland Park's already strong art training community. John Marron will have an update on the September 17th Art Walk. The art will be installed by September 2nd and will remain displayed until September 30th. On Saturday, September 17th, there will be an art walk to tour all the business windows and to view the art. The kickoff will start at Tiger Arts, heading up to Over the Moon Toys and then down Raritan Avenue and back up Raritan Avenue, ending at Pino's, where there will be a reception at approximately 7:00 PM. There will be wine tasting at this reception, a cash bar, and some light cheese and crackers will be provided. Ken Lipman (jazz saxophonist), Hayden Grayson (guitar player) and the SpeakMusic High School Salsa Band will perform at the reception. There is no cost for the reception. The Highland Park Food Pantry will have a table at the reception. Volunteers to bake treats for the reception are needed. There are two members who will be pulling together an art inventory for Highland Park which will include an art calendar and art resources. They are also going to work to create an art specific page on the Borough website where this and other great information about the arts can be found. They also discussed some fall activities including a table at the Arts in the Park event and spoken word workshops. Freeholder Rios will join the seniors for a luncheon on September 19th at 11:00 AM. He will be discussing senior services offered by the County. Fall sports are about to get underway. They are still in need of soccer coaches. No experience is necessary. Contact Andrea Baay at the Highland Park Recreation Center if interested in coaching or have questions.

Councilman Erickson – no report.

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Councilwoman Welkovits reported that the newly formed Safe Walking and Cycling Committee will be meeting on September 21st at 7:30 PM where they will review the bicycle assessment. Sustainable Highland Park is working on the Sustainable Jersey Solar Challenge. The Meadows Trail Volunteers have been working on obtaining a trails grant in the amount of \$6,500. This group is a team of 14 volunteers headed by Craig Ambrose and assisted by Environmental Commission Member Steve Barnes. Lastly, PSE&G will be working throughout town to replace all gas lines. They will begin this work along Cleveland Avenue from River Road to Madison Avenue and then will do all of Madison Avenue. They hope to start work on September 18th and it should take about 2 months to complete. There will no disruption in gas service to any homes or businesses. They will also install new meters on the outside of homes and put in new laterals. They plan to do additional repairs on South 5th Avenue and other streets in town in 2017.

Borough Attorney Schmierer – no report.

Mayor Brill Mittler reported that Councilman Walsh reported on the wonderful window displays at Rite Aid on the corner of South 4th Avenue. Rite Aid has entered into a partnership with the Mason Gross School of the Arts for rotating art displays by their students. On September 11th, they will hold their first day of discussion on the 15th anniversary, by taking a look at what happened and moving forward. She thanked Greg Trevor who worked with the Human Relations Commission to put this discussion together. They will discuss the scars people carry with them having lived through and seen from that event. The program will be held at the Highland Park High school auditorium. On September 21st at 6:30 AM, the Walk with the Mayor program will begin starting in Donaldson Park. Also on September 21st she will be at River Ridge Apartments at 7:00 PM in the community room to host a quarterly Meet with the Mayor meeting to talk about public safety. Lastly, she reported that the Arts in the Park event will be held on September 25th.

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

Terri DeCorcelle, 20 Cleveland Avenue, commented that she lives next door to 35 Harrison Avenue and has sent a letter to the Governing Body. She would like to know what her recourse is and what the Council plans to do. Mayor Brill Mittler noted that the Governing Body discusses this matter frequently. Borough Attorney Schmierer advised that the Code Enforcement Director attended an earlier meeting and they discussed a course of action. The Governing Body has authorized him to send a letter to the property owner. The construction that took place was done without proper permits. He will instruct him to remove work done and to restore the property. If he fails to do so, they will take the next step with Court action. Borough does not have any permits or approved plans on file. The property owner alleges he has those and has refused to produce those records. If he has proper information, then they will sit down and have him finish the project appropriately or abandon the project. Ms. DeCorcelle asked what the timeframe would be. Borough Attorney Schmierer noted that they would give the property owner a 15-day window and report back at the next meeting for additional instruction from the Governing Body.

Herb Gross, Adelaide Gardens, commented that there is a new benefit available to veterans. They can take a copy of their discharge papers to motor vehicle and get an American flag put on their driver's license. Mayor Brill Mittler thanked him for bringing information about the veterans to their attention. She noted that she has appointed Shayne SantaLucia as the Borough's liaison for veterans and he can assist him with any projects he is working on.

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

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 2016 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 for public inspection as required by law.

On motion made by Councilman Erickson, 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 Erickson seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 16-1913, was duly adopted by the following roll call vote, to wit:

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

Nays: None.

Absent: Councilperson George.

Abstain: None.

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

No. 9-16-235

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 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY, passed on final reading at this meeting be delivered to the Mayor for his approval, and if

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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 169, ARTICLE I, "DRUG-FREE SCHOOL ZONES", 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 Councilwoman Welkovits, seconded by Councilman Fine, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

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

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

On motion made by Councilwoman Welkovits, seconded by Councilman Fine, the ordinance entitled as above, being Ordinance No. 16-1914, was duly adopted by the following roll call vote, to wit:

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

Nays: None.

Absent: Councilperson George.

Abstain: None.

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

No. 9-16-236

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 169, ARTICLE I, "DRUG-FREE SCHOOL ZONES", 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.

On motion made by Councilwoman Welkovits, seconded by Councilman Walsh and carried by affirmative voice vote of all councilpersons present, the Water Conservation Ordinance was tabled from consideration.

On motion made by Councilwoman Welkovits, seconded by Councilman Walsh and carried by affirmative voice vote of all councilpersons present, Resolution No. 9-16-248, Resolution to Retain Planning Services from the Department of Community Affairs and Resolution No. 9-16-252, Resolution to Purchase Trees – Raritan Avenue Tree Replacement, were tabled from consideration.

Resolution Nos. 9-16-238 through 9-16-255, except Resolution Nos. 9-16-248 and 9-16-252, were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Walsh, and carried by the following roll call vote, to wit:

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

Nays: None.

Absent: Councilperson George.

Abstain: None.

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

No. 9-16-238

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended from time to time (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation and the Redevelopment Law provides that the finding for an area in need of rehabilitation may extend to the entire area of a municipality; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council of the Borough of Highland Park (the "Borough Council") has determined that the entirety of the area within the municipal boundaries of the Borough of Highland Park (the "Borough") shall be designated as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law; and

WHEREAS, the Redevelopment Law, provides that prior to the adoption of a resolution designating the Property as an area in need of rehabilitation, the Borough Council must first submit a copy of the proposed resolution to the Borough Planning Board (the "Planning Board") for review; and

WHEREAS, the Borough Engineer, by Memorandum dated _____, 2016 (the "Engineer's Memorandum", attached hereto as Exhibit A), confirmed that within the Borough the majority of the water and sanitary sewer lines are at least fifty (50) years old and are in need of repair or substantial maintenance; and

WHEREAS, based on the Engineer's Memorandum, the Planning Board found that the Borough satisfied the statutory criteria to be designated as an area in need of rehabilitation in accordance with the Redevelopment Law; and

WHEREAS, the designation of the entirety of the area within the municipal boundaries of the Borough as an area in need of rehabilitation, in accordance with the requirements of N.J.S.A. 40:12A-14, is expected to prevent further deterioration and to promote the overall development of the Borough; and

WHEREAS, the designation of the Borough as an area in need of rehabilitation will promote the goals and objectives of the Master Plan, which include to ensure a vibrant downtown and commercial

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corridors, to expand opportunities for mixed-use development in the downtown, to encourage in-fill development that is compatible with the scale, density and design of the Borough's existing residential neighborhoods and historic development patterns, and to preserve and enhance the character and small town feel of the community; and

WHEREAS, the designate of the Borough as an area in need of rehabilitation will not change the existing zoning regulations and will not involve condemnation; and

WHEREAS, the designation of the Borough as an area in need of rehabilitation will provide the Borough with additional planning tools that may be utilized to help provide greater control over unanticipated proposals for infill development than is permitted under conventional zoning and development regulations, including preparation of a detailed plan specifying the use, density, form, scale, height, building type, layout, streetscape relationships, yards, setbacks, landscape treatments and other design characteristics for development of a specific site; and

WHEREAS, the designation of the entire Borough as an area in need of rehabilitation will advance redevelopment efforts along Raritan Avenue where certain properties are located within the designated Redevelopment Area while adjacent or nearby properties are located outside the designated Redevelopment Area, thus presenting challenges for interested parties in assembling adequately sized parcels for redevelopment with consistent zoning regulations and development procedures governing the entire parcel which has hampered redevelopment efforts; and

WHEREAS, the designation of the Borough as an area in need of rehabilitation will allow the Borough to consider payment in lieu of taxes related to a specific development which may be utilized for public improvements such as upgrades to infrastructure or the public realm; and

WHEREAS, the designation of the Borough as an area in need of rehabilitation may aid the Borough in applying for future state assistance related to infrastructure improvements; and

WHEREAS, the Planning Board of the Borough of Highland Park reviewed this resolution and recommended its adoption and the designation of the Borough as an area in need of rehabilitation.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AS FOLLOWS:

1. General. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Designation of Borough as Rehabilitation Area. The Borough Council hereby designates the Borough as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40:12A-14(a).
3. Public Review. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.
4. Effective Date. This resolution shall take effect immediately.

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

No. 9-16-239

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 9/6/16 can be found in the Bills List Journal Book No. 35.

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

No. 9-16-240

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the By-Laws of the Highland Park Municipal Alliance, and on file in the office of the Borough Clerk shall be and are hereby adopted as the By-Laws of the Municipal Alliance for the year 2016

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

No. 9-16-241

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 5, 2016 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

NICOLE BELFIORE, Clerk Typist, at an annual salary of \$35,078.00, effective September 1, 2016.

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 5, 2016 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:

NANETTE DANDE, Library Page, at an hourly rate of \$8.38, effective August 1, 2016 (correction of Resolution No. 8-16-229).

MARTA HERRERA, Library Desk Assistant, at an hourly rate of \$12.17, effective August 10, 2016 (correction of Resolution No. 8-16-229).

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 Finance Committee, was duly adopted as above:

No. 9-16-242

WHEREAS, the Borough of Highland Park has concluded negotiations with the Superior Officers Association of Policeman's Benevolent Association (PBA) Local #64 on a Collective Bargaining Agreement for January 1, 2016 through December 31, 2018;

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest Collective Bargaining Agreement with the Superior Officers Association of PBA Local #64, said agreement to be in a form approved by the Borough Attorney;
2. The Borough Finance Department is authorized and directed to make payment of 2016 retroactive pay adjustments to members of the Superior Officers Association of PBA Local #64, upon receipt and approval of formal Collective Bargaining Agreement, and adoption of the appropriate salary ordinance amendments, if necessary.

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

No. 9-16-243

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 5, 2016 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

SCOTT GOLDEN, Captain of Police, at an annual salary of \$154,991.00, effective January 1, 2016.

THOMAS HAMMILL, Lieutenant of Police, at an annual salary of \$138,725.00, effective January 1, 2016.

GARY PANICHELLA, Lieutenant of Police, at an annual salary of \$138,725.00, effective January 1, 2016.

STEPHEN RIZCO, Police Chief, at an annual salary of \$160,733.00, effective January 1, 2016.

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 Finance Committee, was duly adopted as above:

No. 9-16-244

WHEREAS, the Borough of Highland Park has concluded negotiations with the Highland Park Department of Public Works Association (DPWA), on a Collective Bargaining Agreement for Calendar Years 2016 thru 2018;

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

1. The Mayor and Borough Council hereby approve the Collective Bargaining Agreement between the Borough and the DPWA, which is attached hereto;
2. The Mayor and Borough Clerk are authorized and directed to execute and attest Collective Bargaining Agreement with the DPWA, said Agreement in a form having been approved by the Borough Attorney;
3. The Borough Finance Department is authorized and directed to make payment of 2016 retroactive pay adjustments to members of the DPWA, upon receipt and approval of formal Collective Bargaining Agreement, and adoption of the appropriate salary ordinance amendments, if necessary.

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

No. 9-16-245

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 5, 2016 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:

Effective Date 1/01/2016

	Name		2016 Hourly Rate
Driver	James	Coleman	\$ 33.18
Driver	Edward	Corson	\$ 33.18
Equipment Operator	Thomas	Kohler	\$ 33.98
Driver	Michael	Milan	\$ 32.41
Meter Reader	David	Baldwin	\$ 19.98
Senior Laborer	Frederick	Long	\$ 21.12
Senior Laborer	James	Webb Sr.	\$ 21.12
Laborer	Antonio	Avila	\$ 17.79
Maintenance/Custodian	Ronald	Rowe	\$ 20.38
Driver	Robert	Cahill	\$ 32.41
Master Laborer	Mark	Rohan	\$ 26.62
Mechanic	Robert	West	\$ 34.75
Senior Laborer	Dennis	Chekenian	\$ 24.29
Senior Laborer	John	Geoghan	\$ 24.46
Master Laborer	Jeffrey	Reap	\$ 24.57
Master Laborer	Rudolph	Rohan	\$ 24.57
Master Maintenance	Jose	Gonzalez	\$ 30.39

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 Finance Committee, was duly adopted as above:

No. 9-16-246

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WHEREAS, property tax payments for the 1st and 2nd quarter of 2016 were made for Block 169, Lot 50, a.k.a. 239 Harrison Avenue by Chicago Title (January, 2016) and by homeowner Fu-Zu Jen (April 29, 2016); and

WHEREAS, property was sub-divided for the year 2016, resulting in charges due on the new property known as Block 169, Lot 51.01;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director be and is hereby authorized and directed to transfer payments totaling \$7,359.17 from Lot 50 to Lot 51.01,

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 9-16-247

WHEREAS, the Borough of Highland Park has received a written request authorizing enforcement of traffic regulations on private property pursuant to N.J.S.A. 39:5A-1 et seq. and specifically requesting that the provisions of Subtitle 1, Title 39, of the Revised Statutes of the State of New Jersey shall be made applicable to the following area:

A. American Properties at Highland Park LLC, Block 170, Lots 5 & 6; and

WHEREAS, the Borough Council of the Borough of Highland Park deems that enforcement of traffic regulations on the aforesaid private property will benefit all of the citizens of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Police Department of the Borough of Highland Park and other law enforcement agencies be and the same are hereby empowered to enforce the provisions of Subtitle 1 of Title 39 of Revised Statutes of the State of New Jersey.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:
No. 9-16-249

WHEREAS, Highland Park strives to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, Highland Park wishes to support green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, the State of New Jersey has been a national leader in recognizing and encouraging the use of solar energy; and

WHEREAS, sunlight is 100% clean and renewable source of energy and is one of the fastest-growing renewable energy alternatives in the county; and

WHEREAS, solar energy is one of the most impactful strategies available for reducing greenhouse gas emissions and making the energy supply more sustainable; and

WHEREAS, beyond environmental value, solar energy brings numerous economic, social, and health benefits, as well as the creation of local jobs; and

WHEREAS, the U.S. Department of Energy's SunShot Initiative supported the development and deployment of online solar marketplaces, including EnergySage; and

WHEREAS, the EnergySage interactive web-based marketing platform can bring residents and businesses in Highland Park together with multiple solar installers providing an opportunity for comparison shopping for solar installations; and

WHEREAS, Sustainable Jersey will provide support to participating communities in developing and promoting an outreach campaign in Highland Park;

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

1. Highland Park does hereby agree to participate in the Sustainable Jersey Solar Challenge program is selected; and
2. Highland Park will provide one mailing to residents and businesses in Highland Park about the Sustainable Jersey Solar Challenge if selected to participate in the program; and
3. Highland Park authorizes Stacy Kaplan to serve as the staff liaison for the Sustainable Jersey Solar Challenge for the duration of the local campaign; and
4. Highland Park recognizes Sustainable Highland Park as the Local Campaign Team for the Sustainable Jersey Solar Challenge.

NOW, THEREFORE BE IT FINALLY RESOLVED that Highland Park approves the attached application to participate in the Sustainable Jersey Solar Challenge program.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-16-250

WHEREAS, property tax payment for the 2nd quarter of 2016 was made for Block 173, Lot 37, ANT Realty, in the amount of \$3,017.51 by Brunswick Bank & Trust; and

WHEREAS, the payment needs to be transferred to the newly designated property owned by ANT Realty, Block 173, Lot 36;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director be and is hereby authorized and directed to transfer payment totaling \$3,017.51 from Block 173, Lot 37 to Block 173, Lot 36.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-16-251

WHEREAS, the following business/property owners have submitted a completed application to the Borough of Highland Park for matching grant under the Highland Park Façade Improvement Program and/or the Highland Park Awning Promotion Program, both funded through the Community Block Development Grant and further described on the Purchase Requisition attached to the original of this resolution for the location designated, to wit:

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APPLICANT	BUSINESS LOCATIONS
Petmar Building	320 Raritan Avenue

(Soho Nails, Fallout Shelter, 10,000 Villages, Vapor Talk) and

WHEREAS, the Main Street Design Committee has reviewed the applications and has recommended that the above applications be approved by the Mayor and Council; and

WHEREAS, funds for this purpose will be available in Account No. G-02-13-CD2-210 for a total amount not to exceed \$4,800.00, 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 application from the above named business/property owner be approved for funding under the Highland Park Façade Improvement and Awning Promotion Program in the amount set opposite, to wit:

APPLICANT	AMOUNT
Petmar Building	\$4,800.00

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the applicant, Finance Department and the Main Street Executive Director forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 9-16-253

WHEREAS, the Borough of Highland Park desires to apply for and obtain a grant for community development from the 2016 State Farm Neighborhood Assist Program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Teen Center Executive Director is hereby authorized and directed to execute the application for the 2016 State Farm Neighborhood Assist Program Grant.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-16-254

WHEREAS, "The Electric Discount and Energy Competition Act," P.L. 1999, c. 23 ("EDECA") authorizes the New Jersey School Boards' Association ("NJSBA") to obtain electricity and other energy-related services for local boards of education on an aggregated basis; and

WHEREAS, NJSBA has formed the Alliance for a Competitive Energy Services, hereinafter referred to as "ACES," a Cooperative Pricing System (E88-01-ACESCPS) to effectively obtain electricity and other energy-related services for its members; and

WHEREAS, N.J.S.A. 40a:11-10(b) authorizes municipalities to enter into cooperative pricing agreements; and

WHEREAS, ACES, has offered voluntary participation in a cooperative pricing system for the energy-related services to municipalities and counties; and

WHEREAS, the Borough of Highland Park ("Participant"), desires to participate in the ACES Cooperative Pricing System; and

WHEREAS, NJSBA and the New Jersey Association of School Administrators ("NJASA") has created, and is also offering, the ACESplus Program, which is designed to assist participating government entities with the evaluation and implementation of certain energy related programs; and

WHEREAS, Participant desires to participate in the ACESplus Program; and

WHEREAS, the NJSBA, as the Lead Agency, via its professional energy consultant, will work with the Participant to evaluate, develop and administer an RFP process for energy related services and provide related services all in accordance with the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-4.6 & 4.1), EDECA and a proposal on file with the Borough Clerk and which is available for inspection during regular Borough business hours.

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

1. This resolution shall be known and may be cited as the "ACES Cooperative Pricing and ACESplus Program Resolution of the Borough of Highland Park."
2. Pursuant to the provisions of N.J.S.A. 40A:11-10(b), the Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to enter into the ACES Cooperative Pricing System Agreement and accept and execute the Proposal from Gabel Associates on file in the Office of the Borough Clerk. Kathleen Kovach, Administrator/CFO, or her designee is hereby authorized and directed to work with the Lead Agency, via its professional energy consultant for the Participant under the ACESplus Program, as authorized by, and in accordance with the requirements of, the Local Public Contracts Law (N.J.S.A. 40A:11-4.6 and 4.1), EDECA and the Proposal.
3. The New Jersey School Boards Association, through ACES and its professional energy consultant, shall be responsible for complying with the "Local Public Contracts Law," N.J.S.A. 40A:11-1.1 et seq. and all other applicable laws in connection with the preparation, bidding, negotiation and execution of contracts in connection with the ACES Cooperative Pricing System and the ACESplus Program.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-16-255

WHEREAS, the Mayor and Council of the Borough of Highland Park seek to protect the health, safety and general welfare of the citizens and law enforcement personnel of the Borough of Highland Park by reducing the risk of personal injury, death or property damage caused by firearms; and

WHEREAS under current law, in order to lawfully carry a handgun in public it is necessary for a private citizen to obtain a permit to carry a handgun. Applicants for a permit to carry a handgun need the approval of the chief of police in the municipality where they reside and the approval of the Superior Court judge in the county where they reside. Approval is contingent upon an applicant submitting, with an application, a written certification establishing justifiable need.

WHEREAS under current regulations (N.J.A.C.13:54-2.4), justifiable need is defined as the urgent necessity for self-protection, as evidenced by specific threats or previous attacks which demonstrate a special danger to the applicant's life that cannot be avoided by means other than by issuance of a permit to carry.

MAYOR AND COUNCIL REGULAR MEETING
September 6, 2016

WHEREAS proposed amendments to N.J.A.C.13:54-2.4 add "serious threats" to the circumstances that could demonstrate a special danger to the applicant's life that could be specified in the written certification of justifiable need. In addition, the proposed amendments also specify that a permit to carry a handgun can be issued based on a special danger to the applicant's life that cannot be avoided by other "reasonable" means.

WHEREAS the Mayor and Borough Council believe that the current law and judicial interpretations of the justifiable need standard clearly require demonstration of an urgent necessity for protection from a specific threat to one's life rather than a mere generalized fear of concern.

WHEREAS the Mayor and Borough Council believe the proposed amendment to N.J.A.C.13:54-2.4 expanding the scope of the right to carry well beyond that authorized under current law and judicial interpretation is inconsistent with the Legislature's intent to strictly limit who carries a handgun outside the home in this State.

WHEREAS, the New Jersey State Assembly passed Assembly Bill No. 3689 on June 16, 2016, and the New Jersey State Senate passed Senate Bill No. 2165 on June 27, 2016, which would codify the definition of justifiable need to carry a handgun as set forth in N.J.A.C.13:54-2.4.

WHEREAS, Governor Chris Christie vetoed said legislation on August 24, 2016.

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

1. The Mayor and Council of the Borough of Highland Park hereby urge its state legislators to join in overriding said veto so that this important legislation adding to gun safety can become law for the protection of residents of the Borough of Highland Park and all residents of the State of New Jersey.
2. A certified true copy of this Resolution upon its adoption shall be furnished to the State Legislators representing Highland Park in the Senate and Assembly as well as to Governor Chris Christie.

The following resolution, introduced by the Finance Committee, 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, Walsh, Welkovits.

Nays: None.

Absent: Councilperson George.

Abstain: None.

No. 9-16-256

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$6,500.00, which item is now available as revenue from State and Federal programs pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$6,500.00 be and the same is hereby appropriated under the caption of:

NJDEP National Recreation Trails Grant	\$6,500.00
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BE IT FURTHER RESOLVED that the above is the result of a grant for Fiscal Year 2016; and

BE IT FURTHER RESOLVED that two (2) certified copies of the certification of adoption of this resolution shall be forwarded to the Director of the Division of Local Government Services for approval.

Mayor Brill Mittler appointed Aaron Weiman to serve as a member of Arts Commission for a term to expire August 1, 2017.

Mayor Brill Mittler appointed the following to serve as members of the Safe Walking and Cycling Committee for terms to expire January 1, 2018:

Fern Goodhart, Co-Chair

Trish Sanchez, Co-Chair

Peter Bilton

Sean Meehan

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

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

Nays: None.

Absent: Councilperson George.

Abstain: None.

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.

The following resolution, introduced by the 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:

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

Nays: None.

Absent: Councilperson George.

Abstain: None.

No. 9-16-257

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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 beginning of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:
(Litigation: (a) Borough Highland Park v. JSM at Highland Park, LLC)
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 7:46 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk