

ADJOURNED MEETING – JANUARY 6, 2015

An Adjourned Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, January 6, 2015, and was called to order by Mayor Brill Mittler at 6:30 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Councilpersons Brill Mittler, Erickson, Fine, Foster-Dublin, George, Potts, Welkovits; Borough Clerk Hullings; Borough Administrator Kovach; Borough Attorney Schmierer.

Consent Agenda Resolution Nos. 1-15-388 to 1-15-395 were duly adopted on motion made by Councilman George, seconded by Councilman Potts, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Foster-Dublin, George, Potts, Welkovits

Opposed: None.

Abstained: Councilman Fine

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

No. 1-15-388

WHEREAS, John Andrulwich, Joseph Peter Majoros, and Brian Shutz have filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2015; and

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

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

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

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

No. 1-15-389

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:

APPLICANT	BUSINESS LOCATIONS
Sushiana	17 North 4th Avenue
Ackerman Healthcare Supply	425 Raritan Avenue

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-02-12-CD2-210 for a total amount not to exceed \$3,400.00, 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
Sushiana	\$3,000.00
Ackerman Healthcare Supply	\$ 400.00

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 Council as a Whole, was duly adopted as above:

No. 1-15-390

WHEREAS, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., five bids were received for the procurement of Universal Garbage/Recycling Containers as follows:

1. Otto Environmental Systems North America, LLC ("Otto")	\$50,457.00
2. Cascade Engineering, Inc. ("Cascade")	\$51,780.00
3. IPL, Inc. ("IPL")	\$55,510.00
4. Sanitation Equipment Corp. ("Sanitation")	\$56,920.00
5. Rehrig Pacific Co. ("Rehrig")	\$58,165.50

WHEREAS, following the receipt of the above-referenced bids, said bids were reviewed by the Superintendent of Public Works to ensure their compliance with the Borough's technical requirements for the containers and also by the Borough Attorney's office to ensure their compliance with the terms and conditions of the Notice to Bidders and other bid documents; and

WHEREAS, following said review it was determined that the bids submitted by Otto, Cascade and IPL contain material exceptions to the Borough's technical specifications rendering all three bids unresponsive to the Borough's technical requirements; and

WHEREAS, the material exceptions are identified in bidding notes drafted by the Superintendent of Public Works, including that each of the containers offered to be supplied by Otto, Cascade and IPL are for containers with dimensions which fail to comply with the Borough's requirements for same; and

WHEREAS, as a result of the unresponsiveness of the Otto, Cascade and IPL bids, it has been recommended by the Borough staff that the contract be awarded to the fourth lowest bidder, Sanitation, for a contract in the amount of \$56,920.00; and

WHEREAS, Sanitation's bid contains no exceptions to the Borough's technical specifications for the containers and the Borough Attorney's office has found Sanitation's bid documents to be in order; and

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WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this purpose.

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 bids submitted by Otto Environmental Systems North America, LLC, Cascade Engineering Inc., and IPL, Inc. are hereby rejected on the basis that they are unresponsive to the Borough's technical requirements for the sought-after containers.

The contract for the procurement of Universal Garbage/Recycling Containers is hereby awarded to Sanitation Equipment Corporation as the lowest responsive and responsible bidder for a total not-to-exceed contract amount of \$56,920.00.

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

No. 1-15-391

WHEREAS, the Mayor and Council have proposed an amendment to the Borough's Holiday Schedule which would exchange the 2015 Election Day Holiday (November 3, 2015) for a floating holiday; and

WHEREAS, employees covered under collective bargaining units; the Department of Public Works Association (DPWA), has ratified said proposal for the year 2015, and the Middlesex Council 7 NJ Civil Service Association (Council 7) will vote to ratify said proposal upon successful completion of contract negotiations;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all non-union and administrative employees and all members of the Council-7 collective bargaining unit and members of the DPWA bargaining unit will be able to take a floating holiday in 2015 for Election Day; and

BE IT FURTHER RESOLVED that the date of Tuesday, November 3, 2015, heretofore a paid holiday, shall hence be taken and considered for all such purposes as a normal day of employment; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to all non-union and administrative employees and all members of the Council 7 collective bargaining unit and members of the DPWA bargaining unit.

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

No. 1-15-392

WHEREAS, Tax Sale Certificates were sold for the following premises at the Tax Sale held on December 15, 2014;

Block	Lot	Lien Holder	Amount
17	6.01	US Bank Cust Actlien Holding	\$ .24

WHEREAS, the Tax Collector has determined that due to an error, the Tax Sale Certificates should be voided, as the properties do not exist, and thus the lien holders are due refunds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized to remit to the lien holders, the above stated amounts, the same being the amounts paid at the Tax Sale.

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

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

No. 1-15-393

WHEREAS, Tax Sale Certificates were sold for the following premises at the Tax Sale held on December 15, 2014;

Block	Lot	Lien Holder	Amount
46	51	PFS Financial 1, LLC	\$ 115.82

WHEREAS, the Tax Collector has determined that due to an error, the Tax Sale Certificates should be voided, as the properties do not exist, and thus the lien holders are due refunds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized to remit to the lien holders, the above stated amounts, the same being the amounts paid at the Tax Sale.

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

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

No. 1-15-394

WHEREAS, pursuant to Division of Local Government Services, Local Finance Notice 92-15, all local units are required to prepare and submit a Corrective Action Plan as part of their annual audit process;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, that the Corrective Action Plan in connection with the 2013 Audit, prepared by Chief Finance Officer Kathleen Kovach and attached to the original of this resolution, shall be and is hereby approved; and

BE IT FURTHER RESOLVED that copies of said Corrective Action Plan, as approved by the Borough Council, be forwarded to the Finance Director Kathleen Kovach and the N. J. Division of Local Government Services forthwith.

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

No. 1-15-395

WHEREAS, pursuant to Resolution No. 7-11-204 adopted by the Borough Council on July 19, 2011, a contract was awarded to ConQuest Industries, LLC, Westwood, NJ, for Highland Park Streetscape: Raritan Avenue Phase I Project, in an amount not to exceed \$2,134,156.94; and

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

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 2 to the said contract to allow the adjustment of the contract quantities to reflect the actual field conditions and the additional work outlined that was not anticipated at the time that plans and specifications were prepared for no additional cost; and

WHEREAS, the Borough Council has reviewed the proposed Change Order for this contract and has approved the same;

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gary Minkoff be and is hereby authorized and directed to execute Change Order No. 2, dated December 13, 2013 to the contract of ConQuest Industries, LLC.; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Engineer, Conquest Industries, LLC., and the Finance Director forthwith.

The Clerk reported receipt of notification of the election of Volunteer Firefighter Michael J. Gershen to the rolls of the Highland Park Volunteer Fire Department.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman George, the above confirmation was confirmed by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Foster-Dublin, George, Potts, Welkovits

Opposed: None.

Abstain: Councilman Fine

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

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

There being no further business, on motion made by Councilman Potts, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 6:36 PM, sine die.

Respectfully submitted,

Joan Hullings  
Borough Clerk