

REGULAR MEETING – FEBRUARY 3, 2015

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, January 20, 2015 and was called to order by Mayor Brill Mittler at 7:05 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

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

On motion made by Councilman George seconded by Councilwoman Welkovits the minutes of the Regular and Conference Meetings held on September 2, 2014, September 16, 2014, October 21, 2014, December 2, 2014 and December 16, 2014 and the Special Meeting held September 23, 2014, were tabled from consideration until the March 2, 2015 meeting.

Ayes: Councilpersons, Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilman Erickson, Councilwoman Foster-Dublin

Abstain: None

Mayor Gayle Brill Mittler recognized Youth Art Month.

Main Street Minute, Rebecca Hersh reported that there were a few new businesses in town, a new Turkish restaurant, The Bridge Café, and Ackerman Healthcare Supply. People have been wondering about the Barbeque place at 418 Raritan Avenue, there were some setbacks and they are finally on track to open. There is an Ethiopian restaurant interested in coming to town at 427 Raritan Avenue. Main Street is working on the 2015 calendar and it should be up on the web-site within the week. All the meetings will now take place outside of the facility to be ADA compliant and the location will also be posted on the web-site. A few key dates to remember: the 5K and Street Fair, Sunday May 3rd; Spring Planting days: May 14 and 16, the outdoor Movie Theater starts on Saturday, May 26, 2015; June 5, 2015 is the first day of the Farmer's Market; Sunday, September 20, 2015 is Arts in the Park; Saturday, November 28, 2015 Small Business Saturday and the Tree lighting; Wednesday, November 18-Main Streets Annual Board meeting and December 16, 2015 is the Main Street Community Holiday party. The 5K course has changed with a start line and finish line closer together, easier to navigate and certified by the United States Track and Field Association. The Strategic Plan draft is now complete, a lot of good recommendation on things that can be improved based on the community wide survey and meetings that have taken place over the last few months. She indicated that they were in receipt of the Middlesex County grant and received approximately \$500.00 more than received in previous years.

Councilwoman Welkovits asked if there was going to be a kid run before the 5K run.

Rebecca Hersh said after the main runners, around 10 a.m. in partnership with the Yellow Brick Road Preschool, there will be a superhero kids run. Children will be asked to dress in their favorite super hero costumes.

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

Councilman George reported the sidewalk task force had their working session, now that all the factual resource is done, there is an interface with planting of shade trees, all the information is in, but unfortunately due to the weather and the unavailability of public employees the meetings were adjourned and are rescheduling but hoping to have the report in February or first week in March for Council review. Redevelopment is having a working session to go over the refinements to the Redevelopment Plan and will have recommendations to the Mayor and Council on the 17th. The results of the Parking Study will be introduced at this meeting as completed by Rutgers under Dr. Andrews, who sits on the Redevelopment Committee. Councilman George encouraged everyone to come out to the meeting to watch the Borough in the process. The Reorganization of the Zoning Board of Adjustment was rescheduled due to weather and is now scheduled for the 27th of the month, the reorganization meeting followed by the regular meeting.

Councilwoman Welkovits reported that earlier in the day she and the Mayor attended a presentation at Orchard Gardens with the CEO and other members of PSE&G. They just completed an amazing project with the help of PSE&G, a \$1.3 million upgrade of energy efficiency infrastructure. It was a wonderful project and PSE&G was able to offer it through their residential multi-family housing program, with a very low interest loan which is paid back over time. Highland Park hopes to work with PSE&G should they get more funding for similar projects. Last year the Borough of Highland Park generously donated property to Habitat for Humanity, the contract of sales has been finalized and in February the Borough will be hosting a couple of sessions in town for applicants who are interested in taking on the volunteer work that is necessary to own and live in the house, two sessions at the Recreation Center, Tuesday, February 17 between 6:30 p.m.-8:00 p.m. and Saturday, February 21, 2015 from 10:00 a.m.-11:30 a.m. There will be a question and answer period; anyone who wants to apply will have to volunteer their time and effort to help build the house, must be of a certain income, working, and other stipulations. The deadline is March 16th.

Mayor Brill Mittler asked that the information be provided to the Communication Department to have it placed on Facebook.

Councilwoman Welkovits indicated that a Resolution was going to be passed at tonight's meeting partnering with the Lower Raritan Watershed Association. The entire Borough of Highland Park resides in this watershed. This Resolution enforces out initiative for a clean community and environmental awareness and will be partnering with then and other federal and State agencies and non-profits. On February 7, 2015 at 7 p.m. the Lower Raritan Watershed Partnership will be hosting a benefit concert, coordinated and held at the Reform Church on South 2nd Avenue.

Councilman Potts reported that the Teen Advisory Council will be having a meeting on Thursday, February 5, 2015 at 7:30 p.m. at the Senior/Youth Center. They are working on trying to plan some activities for late winter and early spring seasons. For the seniors the monthly senior luncheon for February is going to be on February

20, 2015 @ 12 noon at the Senior/Youth center and the highlighted luncheon is the Chinese New Year celebration. Mr. Potts reminded everyone about the free tax services at Community Services. The program is for free tax assistance if you made less than \$60,000 in 2014 and this is available to all residents of Highland Park. Appointments are required through the Department of Community Services. These services are available on Mondays and Wednesdays starting this week from 9:30 a.m. to 2:00 p.m. There is no expense to residents through taxes and services are by United Way.

Councilman Fine reported the reorganization of the Highland Park Library Board of Trustees has been rescheduled due to snow and will now be held on February 23, 2014 at the Library. The Board of Health is sponsoring an Affordable Care Act enrollment event on February 10, 2015 from 7-8:30 p.m. at the Highland Park Library. There will be certified application counselors and navigators available to help you sign up to avoid penalties; registration for insurance under the Affordable Care Act must be completed by February 15. For more information residents may visit www.healthcare.gov web-site or e-mail acahighlandpark@gmail.com. The Commission of Universal Access has purchased ten radios to distribute to resident using the Commission's trust fund and they are also sponsoring an adaptive yoga class available to anyone with a disability or special needs on February 10, 2015, February 17, 2015, March 3, 2015, March 10, 2015 and March 17, 2015 from 1-2 p.m. Registration forms may be found on the Borough's web-site at www.hpboro.com or at the Community Center. Mr. Fine recognized former long-time resident Steve Hart who passed away on January 10, 2015 at the age of 56. Mr. Hart was a long time Borough resident and author and was the former owner of the Knight Hawk Books and the publisher of the online newspaper "The Highland Park Monitor". Mr. Hart gave several readings and talks at the Highland Park Public Library and as liaison to the Library Board of Trustees encouraged all residents to visit the Highland Park Library to view the Highland Park artist collection, February Art Exhibit that is titled "Reflections", which is be dedicated to Steve Hart.

Mayor Brill Mittler reported that Councilwoman Welkovits did a great job talking about the vent that she and Councilwoman Welkovits attended about the Orchard Gardens. Highland Park was New Jersey's first green community and encouraged any private enterprise that decides to become greener.

Borough Administrator Kovach – No report

Borough Attorney Schmierer – No report

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

George Stafford, NJ Highland Coalition reported that he had been here before some time ago, NJ Highland Coalition is asking communities that receive water from the Highlands to consider passing a resolution of support for the Highlands Act. The State Department of Environmental Protection indicates that you get up to 25% of your water from NJ Highland Coalition sources. It has become more critical recently because the original Master Plan for the NJ Highland Coalition is dated 2008 and the law requires that this be updated every six (6) years, the process has begun to update the Master Plan. There are some groups that oppose some of the restrictions, such as the nitrate dilution standards in some areas meaning the more waste put into the ground through septic systems, etc., the more people that receive water, you have to pay to get that out before they take it and that is not necessarily a good thing. Another reason to support the Highlands Act is going forward aside from the conservation; the only place that new water is going to come from in the Northern part of the State of New Jersey is NJ Highland Coalition sources, ground water sources are pretty tapped out. There are any number of communities with the Highlands that are under water deficient situations. They want to encourage people to look into doing more to preserve the watersheds that exist rather than find ways to tweak the rules. There have been two lawsuits about restrictions in the Highlands, taking of property, both of the lawsuits failed. Public comment ends on this at the end the month of February, an extension was requested so they could meet with Eastern and Central New Jersey, over 5 million, receive some or all of their water from Highlands sources. He has asked in the past to consider their resolution, the Highlands think it is very important, have 72 Freeholder Boards, Environmental Commissions and communities that have passed this Resolution.

Mayor Brill Mittler asked that he connect with Councilwoman Welkovits, the Borough Liaison to the Environmental agencies. The Borough is looking into Raritan Watershed situation now and asked that Councilwoman Welkovits take this up with the Environmental agencies.

George Stafford, NJ Highland Coalition indicated that all of his contact information is on the resolution and looks forward to hearing from the Borough.

The Deputy Clerk reported advertising an ordinance entitled, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" CHAPTER 64 CONCERNING RATES OF PAY FOR OFF-DUTY POLICE SERVICES for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman George, 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 George, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 15-1878, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson and Foster-Dublin

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

No. 2-15-62

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" CHAPTER 64 CONCERNING RATES OF PAY FOR OFF-DUTY POLICE SERVICES, passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, 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 AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION" 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 Potts 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 Potts seconded by Councilwoman Welkovits the ordinance entitled as above, being Ordinance No. 15-1879, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson and Foster-Dublin

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

No. 2-15-63

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION", passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, 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, BOND ORDINANCE PROVIDING FOR ROOF IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$266,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title and that the Supplemental Debt Statement had been filed in her office prior to introduction by Chief Financial Officer Kathleen Kovach.

On motion made by Councilwoman Welkovits, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson, Foster-Dublin

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. 2-15-64

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR ROOF IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$266,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF 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 Tuesday, February 17, 2015 at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality,

together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

The Deputy Clerk reported that an ordinance entitled, BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN APPROXIMATE 4.176 ACRE TRACT OF LAND DESIGNATED AS BLOCK 47, LOTS 27 - 75 ON THE OFFICIAL HIGHLAND PARK TAX MAP, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,860,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,767,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title and that the Supplemental Debt Statement had been filed in her office prior to introduction by Chief Financial Officer Kathleen Kovach.

On motion made by Councilman George, seconded by Councilwoman Welkovits, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson, Foster-Dublin

Resolution Nos. 2-15-66 through 2-15-80 were duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson, Foster-Dublin

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

No. 2-15-66

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 2/3/2015 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. 2-15-67

WHEREAS, Ronald Mortellito 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 2015; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicant 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 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. 2-15-68

WHEREAS, pursuant to Resolution No. 7-12-218, adopted by the Borough Council on July 17, 2012, a contract was awarded to H & S Construction & Mechanical, Inc. Elizabeth, NJ, for Highland Park New Police Building Capital Project; and

WHEREAS, it appears from Pay Estimate No. 27, filed by the Goldstein Partnership, architects that certain work under said contract has been completed and approved, and there is due to H & S Construction & Mechanical, Inc. the sum of \$17,335.74 in accordance with said Pay Estimate for work performed from December 1, 2014 to November 31, 2014; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$17,335.74, 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 H & S Construction & Mechanical, Inc. the sum of \$17,334.74, as certified by the Architect in Pay Estimate No. 27, 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 Goldstein Partnership forthwith.

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

No. 2-15-69

WHEREAS, the Shade Tree Advisory Committee would like to institute a tree planting program for the spring of 2015; and

WHEREAS, the Shade Tree Advisory Committee has a list of interested residents; and

WHEREAS, the Shade Tree Advisory Committee would like to purchase said shade trees utilizing funds from the Tree Replacement Fund;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Shade Tree Advisory Committee is hereby authorized to purchase said trees utilizing funds from the Tree Replacement Fund.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and the Shade Tree Advisory Committee forthwith.

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

No. 2-15-70

WHEREAS, advertisement was made for receipt of bids on December 20, 2012, for an annual contract for repairs and maintenance of the water distribution and sanitary sewer systems in the Borough of Highland Park for the years 2014 and 2015; and

WHEREAS, five bids were received as follows:

J Fletcher Creamer and Son Inc, Hackensack, NJ

2015: \$244,985.00

2016: \$244,985.00

Total \$489,970.00

B&W Construction Co, South River, NJ

2015: \$253,125.00

2016: \$253,125.00

Total \$506,250.00

Montana Construction Corp., Inc., Lodi, NJ

2015: \$300,334.35

2016: \$300,334.35

Total \$600,668.70

Rock Solid Construction Inc., Newark, NJ

2015: \$294,745.00

2016: \$303,005.00

Total \$597,750.00

Reivax Contracting Corp., Newark, NJ

2015: \$310,435.00

2016: \$329,435.00

Total \$639,870.00

John Garcia Construction Corp, Clifton, NJ

2015: \$338,837.50

2016: \$348,743.75

Total: \$687,581.25

Joseph Jinogli & Son, Inc., Lawrenceville, NJ

2015: \$386,715.00

2016: \$400,270.00

Total: \$786,985.00

and

WHEREAS, funds for this purpose will be made available in Account No. 5-05-55-500-423 upon adoption of the 2015 Municipal and Water & Sewer Budgets in the amount of \$489,970.00 as reflected by the certification of funds by Chief Financial Officer, Kathleen Kovach, shown below;

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with J. Fletcher Creamer and Son, Inc., for maintenance of the water distribution and sanitary sewer systems beginning January 1, 2015, and ending December 31, 2016.

2. Said contract is to be in accordance with the specifications and bid documents and in a form approved by the Borough Attorney.

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

No. 2-15-71

WHEREAS, Joseph Rak LLC by Lukoil North America LLC ("Taxpayer"), is the owner of the service station location at 702 Raritan Avenue, Block 87, Lot 25 on the Borough of Highland Park Tax Assessment Maps (the "Property"), filed appeals of its 2012 and 2014 tax assessments in the Tax Court of New Jersey, Docket Nos. 011359-2012 and 012357-2014; and

WHEREAS, the Property was assessed in each of the years, 2012 and in 2014, at a total tax assessment of \$397,300; and

WHEREAS, the Mayor and Council of the Borough of Highland Park met and discussed the aforesaid tax appeals and the recommendations of its Borough Tax Assessor and Special Tax Attorney; and

WHEREAS, the Borough Assessor has reviewed the relevant market data for the properties, and has determined that the Assessment should be reduced and adjusted; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal was negotiated which results in the affirmation of the assessments for both of the years under appeal, as more specifically set forth in the Stipulations of Settlement annexed to this Resolution, which have been reviewed by the Mayor and Council; and

WHEREAS, as an intrinsic part of the settlement, the Borough Tax Assessor has agreed to set the 2015 total aggregate tax assessments on the Property at \$370,000; and

WHEREAS, the Taxpayer may file an appeal to affirm the agreed upon assessments for 2015, or, if the Borough Assessor fails to make the agreed upon adjustments for 2015, then the Taxpayer may file an appeal to correct that failure, in either of which case the Borough will consent; and

WHEREAS, the Taxpayer has agreed to accept any refunds, pursuant to the settlement as a credit against the Property's next due quarterly taxes after issuance of the judgments if the Assessor does not correct the assessment; and

WHEREAS, there may not be any refunds and/or credits due to the Taxpayer in the event that the Borough Tax Assessor has amended and/or corrected the tax duplicate books for the Property to reflect the agreed upon assessment in 2015 of \$370,000; and

WHEREAS, if the Borough Tax Assessor has amended and/or corrected the tax duplicate books for the Property to reflect the agreed upon assessment in 2015 of \$370,000, the Mayor and Council have reviewed that action and ratify it by the passage of this Resolution; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Borough as a result of the aforesaid specific fact situation; and

WHEREAS, the Mayor and Council make this settlement with Taxpayer without prejudice to its dealing with any other Borough taxpayer's request for tax assessment reduction.

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 Special Tax Attorney is hereby authorized to execute the Stipulations of Settlement, a copy of which is annexed hereto relative to the tax appeals captioned Joseph Rak by Lukoil North America LLC v Highland Park, Docket Nos. 011359-2012 and 012357-2014, which settlements result in the assessments under appeal being affirmed and unchanged, and which further result in the Assessor revising the 2015 tax book for the Property, located at Block 87, Lot 25, to a total 2015 tax assessment of \$370,000, at the allocations between the lots, land and improvements, and pursuant to the terms and conditions, as more fully set forth in the annexed Stipulation of Settlement.

2. The settlement outlined above shall be without prejudice to the Borough's dealings with any Borough's taxpayers' request for tax assessment reductions.

The following resolution, introduced by the Environmental Commission, was duly adopted as above:
No. 2-15-72

WHEREAS, the Highland Park Environmental Commission serves in an advisory role to the Highland Park Borough Council to oversee and provide public advice regarding environmental issues in Highland Park; and

WHEREAS, the Lower Raritan River and the Lower Raritan Watershed is an asset to the Borough of Highland Park; and

WHEREAS, the entirety of the land mass of the Highland Park is within the Lower Raritan Watershed; and

WHEREAS, the Lower Raritan Watershed Partnership is a cooperative effort of volunteer community "citizen scientists", governmental agencies and academic entities working to conserve, enhance and restore the natural resources of the Lower Raritan Watershed; and

WHEREAS, a primary goal of the Lower Raritan Watershed Partnership is to establish and formalize a partnership effort including Federal, state and local government agencies, academic institutions, non-governmental organizations, community based volunteer "citizen scientists" and others to improve water quality throughout the entire Lower Raritan Watershed; and

WHEREAS, the environmental stewardship efforts of the Lower Raritan Watershed Partnership will support the protection and preservation of habitat and biodiversity within the Raritan River ecosystem, providing recreational and natural assets for the benefit of the residents of Highland Park and the quality of life of all Highland Park residents; and

WHEREAS, the restoration and protection of the watershed area that provides water to Highland Park and to the Raritan River is a sound planning principle that should be promoted; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highland Park, the Environmental Commission supports in concept the Lower Raritan Watershed Partnership and recommends that its membership and the residents of Highland Park work as active members of this Partnership to promote efforts to restore and protect the Lower Raritan Watershed and its residents.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 2-15-73

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2014 budget appropriation balances shall be made as follows:

CURRENT FUND		
BUILDINGS & GROUNDS SW	\$ -	\$ 3,393.84
FINANCE ADMIN SW	\$ -	\$ 6,398.63
ANIMAL CONTROL	\$ 9,792.47	\$
POLICE OE	\$ 7,000.00	\$ 3,600.00
CENTRAL SERVICES	\$ 3,600.00	
	<u>\$ 13,392.47</u>	<u>\$ 13,392.47</u>

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 2-15-74

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2015 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 2015 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$5,979,815.50; 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:

		#2
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	8,259.00
Other Expenses	20-110-2	2,351.25
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	5,219.50
Other Expenses	20100-2	10,000.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	32,988.25
Other Expenses	20-120-2	2,011.25
INFORMATION TECHNOLOGY		
Salaries & Wages	20-140-1	10,000.00
Other Expenses	20-140-2	2,000.00
CENTRAL SERVICES		
Other Expenses	20-316-2	16,925.00
MOTOR POOL		
Salaries & Wages	26-315-1	17,373.25
Other Expenses	26-315-2	30,293.75
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	41,574.75
Other Expenses	20-130-2	8,462.50
AUDIT SERVICES		
Other Expenses	20-135-2	8,750.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	15,034.75
Other Expenses	20-150-2	1,740.00
TAX COLLECTION		
Salaries & Wages	20-145-1	15,503.25
Other Expenses	20-145-2	2,900.00
LEGAL SERVICES		
Other Expenses	20-155-2	46,500.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	6,250.00
BUILDING & GROUNDS		
Salaries & Wages	26-310-1	10,181.50
Other Expenses	26-310-2	7,325.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	425.00
PLANNING BOARD		
Other Expenses	21-180-2	10,875.00
ZONING BOARD OF ADJUSTMENT		
Other Expenses	21-185-2	4,275.00
HUMAN RIGHTS COMMISSION		
Other Expenses	21-191-1	763.75
CABLE TELEVISION		
Other Expenses	30-411-2	537.50
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	15,250.00
MUNICIPAL COURT		
Salaries & Wages	43-490-1	51,069.00
Other Expenses	43-490-2	3,268.75
PUBLIC DEFENDER		
Salaries & Wages	43-495-1	1,500.00
FIRE DEPARTMENT		
Salaries & Wages	25-265-1	40,318.00
Other Expenses	25-265-2	14,242.50
POLICE DEPARTMENT		
Salaries & Wages	25-240-1	812,150.75
Other Expenses	25-240-2	29,640.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	55,857.75
Other Expenses	25-250-2	625.00
FIRST AID SQUAD		
Other Expenses	25-260-2	26,000.00
PROSECUTOR'S OFFICE		
Salaries & Wages	25-275-1	8,500.00
Other Expenses	25-275-2	0.00
FIRST AID		
Contribution	25-260-2	6,500.00
OFFICE OF EMERGENCY MANAGEMENT		
Other Expenses	25-252-2	1,584.50
BOARD OF HEALTH		

Other Expenses	27-330-2	332.50
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	50,085.00
Other Expenses	28-371-2	5,337.50
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	3,750.00
Other Expenses	28-370-2	1,913.75
PUBLIC WORKS		
Salaries & Wages	26-290-1	245,894.75
Other Expenses	26-290-2	24,750.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Other Expenses	20-170-2	11,750.00
ARTS COMMISSION		
Other Expenses	28-374-2	187.50
SHADE TREE COMMITTEE		
Other Expenses	28-375-2	625.00
UNIFORM CONSTRUCTION CODE		
Salaries & Wages	22-195-1	97,890.25
Other Expenses	22-195-2	4,162.50
COMMUNICATIONS		
Salaries & Wages	20-105-1	21,250.00
Other Expenses	20-105-2	3,750.00
UNCLASSIFIED		
Gasoline	31-460-2	25,000.00
Electricity & Gas	31-430-2	40,215.75
Telephone & Telegraph	31-440-2	15,375.00
Street Lighting	31-435-2	32,500.00
Sanitary Landfill	32-465-2	62,500.00
Accumulated Sick & Vacation	30-415-1	6,250.00
STATUTORY EXPENDITURES		
Social Security System	36-472-2	326,000.00
Unemployment Compensation Insurance	23-225-2	0.00
INSURANCE		
General Liability/Workers Compensation	23-211-2	81,704.00
Employee Group Health	23-220-2	271,982.00
LIBRARY		
Library S & W	29-390-1	145,355.75
Library OE	29-390-2	92,682.50
GARBAGE COLLECTION		
Apartment Collection	26-305-2	33,750.00
		0.00
LOSAP		
Other Expenses	25-265-2	3,750.00
INTERLOCAL MUNICIPAL SERVICE AGREEMENTS		
County Health Services OE	42-401-2	10,263.50
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	2,250.00
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	6,500.00
SUBTOTAL		2,726,332.75
GRANTS		
NJ Sustainable Grant		10,000.00
EPA Cherry Hill		0.00
Municipal Alliance		0.00
County Message Board		0.00
Outreach		0.00
NJ DDEF		0.00
Recycling MCIA Grant		0.00
Smart Growth		0.00
Clean Communities		0.00
		0.00
Subtotal		2,730,970.50

CAPITAL IMPROVEMENT FUND	44-901-2	100,000.00
STATUTORY EXPENDITURES (OUTSIDE OF CAP)		
Public Employees' Retirement System	36-471-2	415,518.00
PFRS Other Expenses	36-475-2	606,021.00
DEBT SERVICE		
Bond Principal	45-920-2	1,311,000.00
BAN Principal	45-925-2	0.00
Interest on Bonds	45-930-2	358,631.00
Interest on Notes	45-935-2	0.00
Lease Agreement	45-950-2	251,175.00
EDA Loan	45-955-2	6,500.00
EMERGENCY APPROPRIATION	46-870-2	0.00
SPECIAL EMERGENCY	46-875-2	0.00
RESERVE FOR TAX APPEAL	46-876-2	200,000.00
RESERVE FOR UNCOLLECTED TAXES	50-899-2	
Grand Total		\$5,979,815.50

2. Said emergency temporary appropriations will be provided for in the 2015 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.

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

No. 2-15-75

WHEREAS, the Highland Park Public School District provides educational services to over 1,600 students in grades pre-K through 12; and

WHEREAS, the Highland Park taxpayers provide approximately 80% of the funding to support the Highland Park Public School District's operation; and

WHEREAS, the Hatikvah International Academy Charter School (hereafter, "Charter School") was originally approved in 2010, and East Brunswick is the Charter's only district of residence; and

WHEREAS, in March, 2014 the Charter School's charter was renewed as a K-5 "single resident district community charter school" with a "reaffirmed" maximum enrollment of 300 students; and

WHEREAS, only 54% of the students currently attending the Charter School originate from East Brunswick and the Charter School is actively recruiting students from other school districts; and

WHEREAS, the Charter School has therefore become a regional or state-wide school with students attending from a total of 20 districts in 5 counties throughout New Jersey, contrary to its charter; and

WHEREAS, the lack of interest in East Brunswick has placed an increasing burden on the Highland Park Public School District in each successive school year since the charter opened in 2011; and

WHEREAS, despite the lack of interest in East Brunswick, the Charter School applied to expand by adding an additional class per grade, and add grades 6-8 as part of their 2014 renewal application; and

WHEREAS, the Charter School's expansion request was denied, as was the Charter School's appeal of the decision; and

WHEREAS, despite said denials, and without notice to the Highland Park Public School District, on November 13, 2014 the Charter School submitted two separate yet simultaneous expansion proposals to the New Jersey Commissioner of Education, which will further impact the District; that its charter be expanded from K-5 to K-8 with an increased enrollment of 150 students, or to add a class of 25 students to the two existing classes of 25 in grades K-4 with an increased enrollment of 125 students; and

WHEREAS, the funds the Highland Park Public School District is required to allocate to tuition for the Charter School has increased significantly year after year, and has become a significant financial burden to the district; any expansion would become unsustainable for the taxpayers of Highland Park; and

WHEREAS, the New Jersey Department of Education instructed the Highland Park Public School District to budget \$406,386.00 for a proposed 27 students for the 2014-2015 school year and this figure represented 86% of the District's mandated 2% budget cap for the year; and

WHEREAS, the Charter School is only one of four charter schools to which the Highland Park Public School District must currently pay tuition, and the district was instructed to set aside \$562,473 in proposed charter school tuitions for the 2014-2015 school year and this figure was 21% over the district's mandated 2% budget cap for the year, making it difficult for the District to meet its contractual obligations and maintain and promote competitive educational offerings; and

WHEREAS, the actual number of Highland Park students attending the Charter School when the October 15, 2014 enrollment count was taken was only 21 students, with a total actual cost of \$309,824.00; and

WHEREAS, the Highland Park Public School District therefore over budgeted \$96,562.00 in tuition payments to the Charter School and said funds could not be allocated to programs and staff to serve the students in the District; and

WHEREAS, the \$309,824.00 for the 21 students attending the Charter School is an increase of \$105,041.00 from the \$204,783.00 for the 13 students in the 2013-2014 school year; and

WHEREAS, the Charter School's request to amend their charter specifically states that their expansion proposals will not draw a significant number of students from East Brunswick Township, and will not have a large impact on the budget of the East Brunswick Public School District, which demonstrates that the Charter School intends to continue to draw a significant amount of their enrollment from districts outside of East Brunswick; and

WHEREAS, more Highland Park students attend the Charter School than any of the other 20 districts represented, with the exception of East Brunswick; and

WHEREAS, the taxpayers of Highland Park can therefore expect to see an increased burden placed upon them to support the expansion of the Charter School, which the application states is needed to improve the "financial strength" of their school; and

WHEREAS, the current diversion of funds from the Highland Park School District to the Hatikvah International Academy has threatened the financial strength of the District and the competitiveness of the

District's educational offerings through the reduction of funds and which impact will substantially increase if the Commissioner of Education grants either of the proposed expansion amendments to the charter; and

WHEREAS, the Borough of Highland Park wishes to maintain the excellence of its educational offerings and outcomes; and

WHEREAS, the approval of the Hatikvah International Academy Charter School expansion would be contrary to N.J.S.A. 18A:36A-16(e)(3) as it would have an overall negative impact on the Highland Park School District's students, staff, parents, educational programs and finances; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Highland Park opposes the proposed expansion amendments to the Charter School's original charter; both the proposed addition of a third class of 25 students in grades K-4 with an increase of 125 students and the proposed addition of grades 6-8 with an increase of 150 students; and

BE IT FURTHER RESOLVED, that the Borough of Highland Park urges the New Jersey Commissioner of Education to deny the Charter School's requested charter amendments; and

BE IT FURTHER RESOLVED, that this resolution be certified and submitted to the New Jersey Commissioner of Education as soon as possible upon the approval of same by the Highland Park Borough Council.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded forthwith to the departments referenced above.

The following resolution, introduced by the Environmental Commission, was duly adopted as above:
No. 2-15-76

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Municipal Deputy Clerk are hereby authorized to execute Agreement with the Rutgers, The State University of New Jersey for the Microgrid Project, said agreement having been reviewed and approved as to form and content. The effective date of the Agreement shall be January 7, 2015.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:
No. 2-15-77

WHEREAS, the Borough of Highland Park is committed to providing housing affordable to low and moderate households both within the municipality and within the Borough's housing region; and

WHEREAS, as evidence of its commitment to address the need for affordable housing, the Borough secured substantive certification of its affordable housing plan for the first housing cycle on April 18, 1990 and secured approval of an affordable housing plan for the second housing cycle on November 3, 1999; and

WHEREAS, as evidence of its success in housing the indigenous poor, the Borough is entitled to credit for the rehabilitation of 125 deteriorated units to address the 75-unit rehab obligation that COAH assigned pursuant to the regulations it adopted in 2008; and

WHEREAS, as evidence of its success in housing lower income households in the region, the Borough has created a realistic opportunity for at least 135 new units through affordable housing, all of which has been constructed or approved or is the subject of an executed settlement agreement; and

WHEREAS, the following chart summarizes the 135 new construction credits to which the Borough is entitled:

Highland Park Borough Existing, Approved and Proposed Affordable Housing Units	Affordable Units
Rehabilitation Share = 75	
Middlesex County Rehabilitation Program	2
Highland Park Housing Authority Rehabilitation Program	123
Rehabilitation credits subtotal (min.)	125
Existing affordable credits	
AHEPA – affordable senior rentals	56
ARC Group Homes - bedrooms	9
Pulte – affordable family for-sale units	9
Irayna Court – permanent supportive very low-income units	6
Reformed Church – 11 S. 2 nd Ave. - permanent supportive unit	1
Reformed Church – veterans' permanent supportive very low-income units	11
Approved affordable units	
Y Property – plus a 0.3 in-lieu payment	2
River Road – family for-sale units – court settlement	5
Kaplan "Castle" Property – family rentals (including 4 very low)	30
Pending affordable units	
American Properties – pending settlement	6
Potential third round rental bonuses	
Pending COAH's new regulations	T.B.D
New Construction credits subtotal	135

WHEREAS, notwithstanding the foregoing, the Borough has suffered two builder's remedy suits and settled one and is in the process of seeking court approval of the second; and

WHEREAS, considering its record of providing affordable housing, it would be unfair for the Borough to be exposed to any additional affordable housing lawsuits; and

WHEREAS, in addition to the immunity the Borough and its Planning Board presently enjoy by virtue of an order entered on March 8, 2011, the Borough wishes to extinguish any suggestion that any other possible plaintiff qualifies as the "catalyst for change" and thereby qualify as a "successful plaintiff"; and

WHEREAS, in this regard, in So. Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158, 279-80 (1983) ("Mount Laurel II"), the New Jersey Supreme Court ruled, subject to several other limitations, that in order for a plaintiff to be entitled to a builder's remedy, it must "succeed in litigation;" and

WHEREAS, in Toll Bros. Inc. v. Tp. of W. Windsor, 173 N.J. 502, 507 (2002), the Supreme Court ruled that in order for a developer to succeed in litigation, it must not only prove that the municipality failed to create a realistic opportunity to satisfy its affordable housing obligation, but also must be the “catalyst for change;” and

WHEREAS, on September 26, 2013, the Supreme Court released In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 215 N.J. 578 (2013) which completely invalidated the Round 3 regulations adopted in 2008 by the New Jersey Council on Affordable Housing (“COAH”); and

WHEREAS, on March 14, 2014, the Supreme Court issued an order directing COAH to propose new Round 3 regulations on or before May 1, 2014 and to adopt them by October 22, 2014; and

WHEREAS, the March 14, 2014 Order further provided that, if COAH failed to meet the deadlines, the Court would consider allowing developers on a case-by-case basis to file builder’s remedy suits against municipalities under COAH’s jurisdiction and thereby allow trial judges to determine the affordable housing standards with which those municipalities must comply in lieu of COAH; and

WHEREAS, on April 30, 2014, in accordance with the March 14, 2014 Order, COAH proposed Round 3 regulations and published them in the New Jersey Register on June 2, 2014; and

WHEREAS, pursuant to these proposed regulations, the Borough’s affordable housing obligation is 62 units, which consists of a 55-unit rehabilitation obligation, a zero-unit unmet prior round obligation, and a 7-unit prospective Round 3 obligation; and

WHEREAS, COAH accepted public comments on the proposed Round 3 regulations until August 1, 2014, and indeed received roughly 3,000 comments; and

WHEREAS, on October 20, 2014, the COAH board met to consider adopting the proposed regulations; and

WHEREAS, the COAH board reached a 3-3 deadlock and therefore did not adopt the proposed regulations; and

WHEREAS, COAH therefore failed to meet the Supreme Court’s October 22, 2014 deadline; and

WHEREAS, on October 31, 2014, Fair Share Housing Center (“FSHC”) filed a Motion In Aid of Litigant’s Rights urging the Supreme Court, among other things, to direct trial judges, instead of COAH to establish standards with which municipalities must comply; and

WHEREAS, FSHC’s motion included an alternative fair share calculation for each municipality, further highlighting the uncertainty of the framework with which municipalities must ultimately comply; and

WHEREAS, pursuant to the alternative calculations furnished by FSHC, the Borough would have an obligation of 278 units consisting of a 55 unit rehabilitation obligation, a zero unit prior round obligation and a 223 Round 3 obligation; and

WHEREAS, as a result of future regulations, litigation, and/or legislation, it is entirely possible that the Borough’s obligation may indeed differ from those proposed by COAH or advocated by FSHC; and

WHEREAS, indeed, new laws may reduce the obligations of the Borough under COAH’s prior round regulations; and

WHEREAS, in light of all this uncertainty, it is possible that the Borough may not be in compliance with its third round affordable housing obligations; and

WHEREAS, regardless of whatever its obligation is ultimately assigned, **the Borough remains committed to comply voluntarily with its obligations;** and

WHEREAS, although the Borough has already secured court-ordered immunity from exclusionary zoning lawsuits via an order entered in conjunction with a builder’s remedy lawsuit brought by American Properties at Highland Park, LLC, the Borough wishes to make it clear during this time of such extraordinary uncertainty that it is committed to comply with its Mount Laurel obligations; and

WHEREAS, this commitment to comply extinguishes any possible claim that other than the aforementioned plaintiff, no other additional plaintiff in any type of Mount Laurel lawsuit could qualify as the “catalyst for change;” and

WHEREAS, the Borough herein intends to make its intentions inescapably clear to the public and all concerned.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Highland Park formally stipulates that, given all the uncertainty in the law, it is possible that it may not be in compliance with its unspecified third round affordable housing obligations.

2. The Borough hereby affirms its commitment to satisfy its affordable housing obligations, however they may ultimately be defined, voluntarily and in the absence of any additional Mount Laurel lawsuits.

3. Once its affordable housing obligations are defined, the Borough directs its legal and planning professionals to take all reasonable and necessary actions to enable it and its Planning Board to satisfy those obligations expeditiously.

4. The Borough clerk is hereby directed to place this Resolution on file in Borough Hall to put the public on notice of the formal commitments herein.

5. The Borough hereby authorizes its Special Mount Laurel Counsel to use this resolution as it sees fit to maintain the current immunity from all Mount Laurel lawsuits.

6. This Resolution shall take effect immediately.

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

No. 2-15-78

WHEREAS, Jerald Floesch and Jeffrey Longhofer of 245 So. Adelaide Avenue received an erroneous water and sewer bill; and

WHEREAS, it has been determined by the Highland Park Water & Sewer Department that the water meter malfunctioned thereby causing the issuance of an erroneous water and sewer bill; and

WHEREAS, the Tax Collector recommends that this account be refunded \$398.57 for water and \$237.91 for the sewer charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to issue a refund in the amount of \$636.48 to the water and sewer account of Jerald Floesch and Jeffrey Longhofer of 245 So. Adelaide Avenue.

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

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

No. 2-15-79

WHEREAS, pursuant to Resolution No. 8-13-242, adopted by the Borough Council on August 13, 2013, a contract was awarded to Mario's Concrete & Paving Company, Inc. Parlin, NJ, for the 2013 Residential Curb and Sidewalk Reconstruction Program; and

WHEREAS, it appears from Pay Estimate No. 3 filed by Borough Engineer David J. Samuel, that certain work under said contract has been completed and approved, and there is due to Mario's Concrete & Paving Company, Inc. the sum of \$218,268.17 in accordance with said Pay Estimate No. 3 for work performed from August 28, 2014 to January 2, 2015; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-817-220 in the amount of \$218,268.17, 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 Finance Director be and is hereby authorized and directed to pay to Mario's Concrete & Paving Company, Inc., the sum of \$218,268.17, as certified by the Borough Engineer in Pay Estimate No. 3, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports from the Contractor; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Chief Financial Officer Kathleen Kovach and Borough Engineer David J. Samuel.

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

No. 2-15-80

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 6, 2015 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:

KAITLYN COX, Public Safety Dispatcher, at an annual salary of \$39,646.00, effective February 1, 2015.

DIANE SEABOLDT, Police Records Clerk, at an annual salary of \$38,418.00, effective February 1, 2015.

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 6, 2015 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:

TANIA MAKKER, Intern, at an hourly rate of \$10.00, effective January 26, 2015.

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.

Mayor Brill Mittler appointed the following to serve as members of the Human Relations Commission for terms to expire April 17, 2018: Eleanor Peterson, Daniel Jacobs, and John Wenz.

Mayor Brill Mittler appointed the following to serve as a member of the Employee Safety Committee for terms to expire December 31, 2015: Diane Reh

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

Ayes: Councilpersons Fine, George, Potts, Welkovits

Opposed: None

Absent: Councilpersons Erickson, Foster-Dublin

Abstained: None

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

Matt Hersh, 333 Felton Avenue, congratulated the appointees to the Human Relations Committee. He said that he has worked with Eleanor Peterson and she is a terrific addition to the committee.

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 to the Conference Meeting at 7:44 PM.

Respectfully submitted,

Jennifer A Santiago
Deputy Borough Clerk