

REGULAR MEETING – APRIL 14, 2015

A regular meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5<sup>th</sup> Avenue, on Tuesday, April 14, 2015 and was called to order by Mayor Gayle Brill Mittler at 7:06 p.m. Mayor Brill Mittler read the Open Public Meetings Statement.

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

Absent: None.

Mayor Brill Mittler read and presented a proclamation in recognition of Sexual Assault Awareness Month. Mayor Brill Mittler encouraged everyone to wear denim on the 28<sup>th</sup> of April.

Main Street Minute – No one appeared to present Main Street Minute.

Council Reports:

Councilwoman Foster-Dublin reported that with the weather getting warmer bicyclists will be out and about. She encouraged bicyclists to wear helmets and for those that travel along Raritan Avenue they should utilize the newly painted sharrows. She warned residents to beware of scam telephone calls from people pretending to be from the IRS. The Internal Revenue Service does not make telephone calls. The Police Department is aware of this activity.

Councilman Fine – No report.

Councilman Potts reported that the next senior luncheon would be held on April 17<sup>th</sup> from 11AM till 2PM. Vision screenings will be offered at the Senior/Youth Recreation Center and is open to the public. On April 20<sup>th</sup>, the seniors will have a game show/luncheon. The Senior Prom will be held on June 18<sup>th</sup>. The Youth Theater Company will be performing Annie Jr. at the Highland Park High School on May 14<sup>th</sup>. There are two adult vacancies and 2 youth vacancies on the Recreation Advisory Committee. Interested residents should contact the Borough Clerk's Office for an application. The Memorial Day parade will be held on May 25<sup>th</sup> and will begin in New Brunswick. Summer camp registration forms are available and they are accepting applications for camp counselors. Applications are due by April 30<sup>th</sup>. Counselors in Training (CIT's) 14 years old; Jr. Counselors 16 -17 years old; Counselors 18 years and older.

Councilman George reported that his committee has been working on changes to the Zoning Ordinance. A draft has been prepared for distribution to the group for review and comment and he anticipates presenting to the Borough Attorney for discussion at future meeting.

Councilman Erickson – No report.

Councilwoman Welkovits reported that there is a resolution on the agenda for the Environmental Commission for \$6,500 for improvements to the Meadows Trail and Bike Rack. There is also a resolution on the agenda to select a firm for the Home Energy Audits. Additional information will be forthcoming when they are ready to roll out the program. She thanked Jonathan Horowitz, Artist, for completing the vibrant mural at the Environmental Education Center. Earth Day festivities will be held on April 19<sup>th</sup> from 11 AM till 3 PM. The event will feature food, music and hands on demonstrations. Earlier that day at 10 AM trees will be planted at the Native Plant Reserve. She thanked Mary Denver and Belinda Beetham for getting the plants from the Native Plant Society. April 24<sup>th</sup> will be the annual Walk your child to School Day. Peter Bilton, Chairperson of Complete Streets, will host the event. Participants will meet in the Stop & Shop Parking lot and walk to either Irving or Bartle Schools. Lastly, she reported that as of April 1<sup>st</sup>, the Department of Public Works has filled 1,015 potholes, using nearly 24 tons of asphalt.

Borough Administrator Kovach – No report.

Borough Attorney Schmierer – No report.

Mayor Brill Mittler reported that the Capital Improvements Task Force will report back to the Council at the end of April or beginning of May. The Governing Body has a great appreciation for the many volunteers in town and this year they will celebrate them at a Volunteer Event to be held on April 22<sup>nd</sup> at the Senior/Youth Center. Many different types of foods to be donated by downtown restaurants and the Highland Park orchestra will perform. Certificates of honor will be presented and the Volunteer of the Year will be revealed. The event will be held from 7 PM till 9 PM. She is planning a fundraiser for the Roots Program to raise funds for high school students to attend a camp to learn how to mentor other young students. The fundraiser is planned for May 20<sup>th</sup> and more information will be released shortly. The Highland Park Education Foundation is running a fundraiser on May 30<sup>th</sup> and the Elijah's Promise, who run a Better World Café are having a fundraiser on June 8<sup>th</sup>. She will be joining three other Mayors from Middlesex County at a Middlesex County Chamber of Commerce event to talk about issues important to the economy and our municipalities.

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 the public discussion session.

The Clerk reported advertising an ordinance entitled, CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) 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 Erickson, seconded by Councilman George, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

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

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

On motion made by Councilman George, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 15-1883, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

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

No. 4-15-131

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14), 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 Clerk reported advertising a summary of the 2015 Municipal Budget and Tax Resolution, introduced and approved on first reading March 3, 2015, with the public hearing scheduled for April 14, 2015, and that affidavits of publication thereto are on file. She also reported that copies of the budget were made available to the public in Borough Hall and the Highland Park Library.

On motion made by Councilman Erickson, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2015 Municipal Budget amendment was opened.

No one appearing to be heard, on motion made by Councilman Erickson, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2015 Municipal Budget was closed.

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

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

Opposed: None.

Absent: None.

Abstained: None.

No. 4-15-132

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$10,938,636.00 (Item 2a below) for Municipal Purposes
- (c) \$ 420,428.16 (Item 2c below) for Minimum Library Tax

**SUMMARY OF REVENUES**

General Revenues

1. Surplus Anticipated	\$1,000,000.00
Miscellaneous Revenues Anticipated	2,595,525.84
Receipts from Delinquent Taxes	
2. Amount to be Raised by Taxation for Municipal Purposes	
Municipal Support (Item (a), Sheet 11)	10,938,636.00
Minimum Library Tax (Item (c), Sheet 11)	420,428.16
<b>Total Revenues</b>	<b><u>\$14,954,590.00</u></b>

**SUMMARY OF APPROPRIATIONS**

5. General Appropriations	
Within "CAPS"	
(a&b) Operations Including Contingent	\$10,164,166.00
(e) Deferred Charges and Statutory Expenditures-Municipal	1,388,854.00
(f) Judgements	
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	1,080,553.00
(c) Capital Improvements	100,000.00
(d) Municipal Debt Service	1,941,017.00
(e) Deferred Charges and Statutory Expenditures – Municipal	
(m) Reserve for Uncollected Taxes	280,000.00
<b>Total Appropriations</b>	<b><u>\$14,954,590.00</u></b>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 14<sup>th</sup> day of April, 2015. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the CY 2015 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Prior to casting his vote, Councilman Fine made the following comments – “I just began a three year term on the Borough Council less than four months ago, and I understand that the 4.61% tax increase in municipal taxes, which represents about 26% of property taxes in Highland Park, is considered necessary due to prior commitments made by past administrations and due to the fact that we have not received some \$800,000 due to the Borough by the State of New Jersey in energy tax rebates. Although I am voting yes for the 4.61% tax hike, I must say that I am opposed to seemingly frequent, significant tax hikes. In addition to being against tax hikes, I’m also not in favor of service cuts. So, the question remains how may Highland Park taxes be stabilized? I believe there are ways for us to stabilize out taxes. One of those ways is to pursue more shared services and cooperative purchasing agreements. To date, this Governing Body continues to save taxpayers money by sharing a Fire Official, a Health Officer, and Animal Control with Middlesex County, and a Housing Director with Woodbridge. I know our Governing Body remains committed to engaging local entities, such as the Board of Education, the Library, the Housing Authority, other surrounding municipalities and Middlesex County to engage in discussions to pursue more of these types of agreements. I also believe that we need to continue to explore additional ways to stabilize our taxes. So, while I voted yes for the proposed 4.61% tax increase tonight, please know that I am committed to finding ways to put a stop to the seemingly frequent, significant tax hikes that our citizens are experiencing.”

Mayor Brill Mittler thanked Councilman Fine for his comments.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE AMENDING THE “CODE OF THE BOROUGH OF HIGHLAND PARK, 2010”, CHAPTER 165 BY ADDING THERETO ARTICLE III CONCERNING RETAIL SALE OF TOBACCO AND ELECTRONIC SMOKING DEVICES 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 Fine, 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.

Eric Silverman, 30 South Adelaide Avenue, commented that he is in favor of the ordinance because of the addictive nature of tobacco. Minimum age is 19 and raising the age makes it less likely for younger people to start smoking. Cigarette smoking is the leading preventable cause of death.

Resident, 110 Montgomery Street, noted that she is an intern at NJ Global Advisors on Smokefree Policy and a Rutgers University Senior. She commented that she is in favor of this ordinance and admired that Highland Park is going forward with this ordinance. New York City has also adopted this ordinance.

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

On motion made by Councilman Fine, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 15-1884, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

Prior to casting their votes, the following members of the Governing Body made comments as follows:

Councilman George reported that he has been smoking on and off for 50+ years and has done so since the age of 19. He recognizes and feels the physicality of addiction and this is a different type of addiction. The State regulates this at 19 years old. He has spoken to merchants and others about this ordinance. Some of the merchants voiced their support of it and they sell cigarettes.

Councilwoman Welkovits commended Councilman Fine for bringing this to the Council. Highland Park has done many things as it relates to smoking, with smoke free buildings/area, etc.

Mayor Brill Mittler commented that this Governing Body deliberated this issue long and hard, with much debate.

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

No. 4-15-133

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 165 BY ADDING THERETO ARTICLE III CONCERNING RETAIL SALE OF TOBACCO AND ELECTRONIC SMOKING DEVICES, 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 Clerk reported that an ordinance entitled, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", CONCERNING TREE REPLACEMENT, had been introduced in writing by the Public Works & Public Utilities Committee for consideration of passage on first reading by title.

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 Erickson, Fine, Foster-Dublin, George, Potts, Welkovits.

Opposed: None.

Absent: None.

Councilwoman Welkovits commented that they are clarifying the number of replacement trees for diameter of trees to be removed.

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

No. 4-15-134

WHEREAS, an Ordinance entitled, AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF HIGHLAND PARK, 2010, CONCERNING TREE REMOVAL 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, May 5, 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.

Resolution Nos. 4-15-135 through 4-15-150 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 Erickson, Fine, Foster-Dublin, George, Potts, Welkovits.

Opposed: None

Absent: None

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

No. 4-15-135

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 4/14/2015 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. 4-15-136

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 27 in the Borough of Highland Park; and

WHEREAS, New Jersey Department of Transportation (NJDOT) Investigation revealed the current centerline pavement markings on Route 27 meet and conform to current design standards; and

WHEREAS, New Jersey Department of Transportation (NJDOT) will update existing records to reflect current No Passing Zone conditions along NJ Route 27; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that it supports the use of a "No Passing Zone" on Route 27 in the Borough of Highland Park as recommended by the New Jersey Department of Transportation (NJDOT); and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the New Jersey Department of Transportation (NJDOT) as requested.

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

No. 4-15-137

WHEREAS, Venilateswara Reddy Chinthala and Daniel Brian Lipson 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 Public Works and Utilities Committee, was duly adopted as above:

No. 4-15-138

WHEREAS, the borough of Highland Park desires to apply for and obtain a National Recreation Trails grant administered by the NJ Department of Environmental Protection in the amount of \$6,500 with a local match requirement of 20% with in-kind labor. The grant application, which has been prepared by the Highland Park Environmental Commission, provides for trail maintenance, signage, and building additional trails in the Meadows.

WHEREAS, the Highland Park Environmental Commission has endorsed the submission of the application, and

WHEREAS, the Environmental Commission and its associated volunteers have committed to provide a minimum of 87 hours of in-kind services to meet the required match.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Highland Park Environmental Commission is hereby authorized to make application for the grant, on behalf of the Borough, to the NJ Department of Environment Protection.

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

No. 4-15-139

WHEREAS, the Borough of Highland Park, County of Middlesex, State of New Jersey is engaging in a municipal-wide campaign to promote energy efficiency, and home energy audits are the first step in reaching the Borough's energy efficiency goals and completing the New Jersey Home Performance with Energy Star Program; and

WHEREAS, the Borough requested proposals from Business Performance Institute accredited auditors to perform home energy audit services; and

WHEREAS, pursuant to the duly advertised Request for Proposals ("RFP"), two proposals were received on or about February 23, 2015 for home energy audit services; and

WHEREAS, the Borough has reviewed the proposals in accordance with the criteria set forth in the RFP, and has decided to award the contract for home energy audit services to Ciel Power; and

WHEREAS, Ciel Power shall render home energy audit services to Borough residents as set forth in its proposal, hereby incorporated is if fully set forth herein; and

WHEREAS, all home energy audits performed by Ciel Power shall not exceed the amount of \$49.00 per home; and

WHEREAS, the contents of the RFP and the proposal submitted by Ciel Power shall become a part of, and are specifically incorporated into, the contract to be awarded to Ciel Power.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The contract for home energy audit services is hereby awarded to Ciel Power.
3. The Mayor and Clerk are hereby authorized to execute a contract with Ciel Power, the form and substance of which shall be reviewed by and deemed acceptable to the Borough Attorney.
4. The Borough Administrator, Clerk, Attorney and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts as may be proper and necessary to effectuate the terms of this Resolution.
5. A copy of this Resolution and the agreement shall be placed on file in the Office of the Borough Clerk, and shall be available for public inspection.

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

No. 4-15-140

WHEREAS, advertisement was made for receipt of bids on December 18, 2014, for the 2015-2016 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding, with said bids rejected as per Resolution No. 2-15-96; and

WHEREAS, advertisement was made again for receipt of bids on April 1, 2015, for the 2015-2016 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding; and

WHEREAS, four (4) bids were received as follows:

Chestnut CAFS, LLC., Old Bridge, NJ

	2015-2016
Pruning of various shade trees	\$130.00 2 person crew per hour
Removal of trees	\$198.00 3 person crew per hour
Grinding of stumps	\$135.00 per hour
Optional root grinding	\$150.00 per hour
Consulting	\$ 90.00 per hour

Rich Tree Service, South Plainfield, NJ

	2015-2016
Pruning of various shade trees	\$132.00 2 person crew per hour
Removal of trees	\$200.00 3 person crew per hour
Grinding of stumps	\$135.00 per hour
Optional root grinding	\$146.00 per hour
Consulting	\$ 20.00 per hour

Greenscape Landscape Contractor Inc., Glenside, PA

	2015-2016
Pruning of various shade trees	\$130.00 2 person crew per hour
Removal of trees	\$190.00 3 person crew per hour
Grinding of stumps	\$135.00 per hour
Optional root grinding	\$100.00 per hour
Consulting	\$ 80.00 per hour

High Tech Landscape Inc., Branchburg, NJ

2015-2016

Pruning of various shade trees	\$ 80.00 2 person crew per hour
Removal of trees	\$120.00 3 person crew per hour
Grinding of stumps	\$ 40.00 per hour
Optional root grinding	\$ 40.00 per hour
Consulting	\$ 40.00 per hour

WHEREAS, the Superintendent of Public Works has recommended that the 2015-2016 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding be awarded to High Tech Landscape Inc., Branchburg, NJ based on their bid and compliance with the specifications; and

WHEREAS, funds for said contract shall be made available in Account No. 5-01-26-290-237 upon adoption in the 2015 Municipal Budget in an amount not to exceed \$30,200.00 as reflected by the certification of funds of Chief Financial Officer, Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with High Tech Landscapes Inc., 10 Culnen Drive, Branchburg, NJ 08876, in an amount not to exceed \$30,200.00 without further resolution of Council for pruning, tree and stump removal as described above, said contract to cover period beginning January 1, 2015 and ending December 31, 2016. Said contract shall be in accordance with the specifications and bid documents and in a form approved by the Borough Attorney.

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

No. 4-15-141

WHEREAS, the Department of Public Works obtained quotations for the 2015 Fall Tree Planting Project; and

WHEREAS, two companies were contacted, with the below listed companies responding, as follows:

NAME	AMOUNT
Chestnut Arboricultural Forestry Services	\$11,455.00
NJ Tree Foundation	\$11,498.50
And	

WHEREAS, after review by the Shade Tree Committee and Department of Public Works, it is recommended that the contract be awarded to New Jersey Shade Tree Foundation, Trenton, NJ based on their bid; and

WHEREAS, funds are available for tree planting in the amount of \$11,455.00 in Account No. T-12-56-806-100, as reflected by the certification of funds by Chief Financial Officer Kathleen Kovach;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with Chestnut Arboricultural Forestry Services, Old Bridge, NJ in the amount of \$11,455.00, for the planting of trees as listed in the contract, said contract to be in a form approved by the Borough Attorney.

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

No. 4-15-142

WHEREAS, the Borough of Highland Park has need of the services of an engineer to provide engineering services in connection with the 2015 Reconstruction of Various Public Roofs, in accordance with letter proposal from Bruce M. Koch, CME Associates, dated March 27, 2015, attached to the original of this resolution; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, CME Associates, Parlin, N.J., is a firm of licensed engineers of the State of New Jersey with extensive experience in providing these services; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said consulting engineer; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-825-210 in an amount not to exceed \$40,470.00, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Bruce M. Koch, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859, a copy of which is attached to the original of this original, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

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

No. 4-15-143

WHEREAS, the Highland Park Police Department has a need for the purchase and installation of blinds for the new Public Safety Building; and

WHEREAS, quotes for said purchase were requested and only one quote was received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
-------------	--------------

Sensational Views, Inc. \$13,270.00

WHEREAS, the Chief of Police has recommended the purchase and installation of said blinds, at the above quoted price; and

WHEREAS, funds will be available for this purpose in Account No. C-04-55-811-225 as reflected by the certification of funds available by the 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 of Police is hereby authorized and directed to purchase and installation of said blinds for a total not to exceed \$13,270.00; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Chief of Police and the Finance Department forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 4-15-144

WHEREAS, Akmal Magrufkhodzhayev has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough 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 applications;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determined that said applicant is qualified and that public necessity and convenience would be served by the issuance of such Licenses.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 4-15-145

BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Borough Clerk shall 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:

DAVID LUXENBERG, Day Camp Director, at an annual salary of \$8,500.00, effective May 1, 2015.  
DAVID LUXENBERG, Teen Camp Director, at an annual salary of \$2,000.00, effective May 1, 2015.  
DAVID LUXENBERG, Pre-Camp Set up, at an annual salary of \$1,000.00, effective May 1, 2015.  
RICHARD McGLYNN, Sports Camp Director, at annual salary of \$6,000.00, effective May 1, 2015.  
DANIEL RAMOS, Police Officer, at annual salary of \$50,966.00, effective April 16, 2015.  
STEPHEN RIZCO, Police Chief, at annual salary of \$157,582.00, effective January 1, 2015  
STEPHEN RIZCO, Public Safety Officer, at annual salary of \$15,918.00, effective January 1, 2015.  
SCOTT GOLDEN, Police Captain, at annual salary of \$149,051.00, effective January 1, 2015.  
THOMAS HAMMILL, Lieutenant, at annual salary of \$136,005.00, effective January 1, 2015.  
GARY PANICHELLA, Lieutenant, at annual salary of \$136,005.00, effective January 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:

JAMES WEBB, JR., Seasonal Recreation, at an hourly rate of \$9.00, effective April 20, 2015.  
ANTONIO AVILA, Laborer Public Works, at an hourly rate of \$16.72, effective April 16, 2015.  
JEFFERY MORRIS, On-Call Fire Fighter, at an hourly rate of \$18.78, effective April 16, 2015.

BE IT FURTHER RESOLVED that the Finance Director be and he 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 Council as a Whole, was duly adopted as above:  
No. 4-15-146

WHEREAS, the Mayor and Council of the Borough of Highland Park wishes to amend the PERSONNEL MANUAL AND HANDBOOK, adopted May 5, 2009, by amending Section 304. Sick Leave and Section 404 Vision Coverage;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the above mentioned policies, attached hereto and made a part hereof, shall be and is hereby adopted.

BE IT FURTHER RESOLVED that the Administration Office be provided with a copy of the within policy for distribution to all existing employees and to all new employees, upon hire.

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 4-15-147

WHEREAS, the Highland Park Police Department has a need for the purchase and installation of rollershades for the new Public Safety Building; and

WHEREAS, quotes for said purchase were requested and only one quote was received from the following, to wit:

NAME	PRICE
Window Shading Technologies, Inc.	\$17,499.00

WHEREAS, the Chief of Police has recommended the purchase and installation of said rollershades, at the above quoted price; and

WHEREAS, funds will be available for this purpose in Account No. C-04-55-811-225 as reflected

by the certification of funds available by the 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 of Police is hereby authorized and directed to purchase and installation of said rollershades for a total not to exceed \$17,499.00; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Chief of Police and the Finance Department forthwith.



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

No. 4-15-148

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount as indicated, the same being the amount of overpayment of taxes, including accrued interest, for the year 2011 based on successful tax appeal to the Middlesex County Board of Taxation in 2011; and

BLOCK LOTS	CHECKS MADE PAYABLE TO	REFUND
190 4.02 - 4.06	“Archer & Greiner, P.C. Trustee for Pulte Homes of NJ LP”	\$121,802.43

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

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

No. 4-15-149

WHEREAS, the implementation of Assembly Bill A-1109 (also called “Stephen Komninos’ Law”) would improve protections for individuals with developmental disabilities by providing increased transparency of investigations conducted in connection with an allegation of abuse, neglect or exploitation of individuals with developmental disabilities; and

WHEREAS, Assembly Bill A-1109 was created to honor the memory of Stephen Komninos, an individual with developmental disabilities who died at the age of 22 while under the care of a private licensed facility for persons with developmental disabilities in Haddonfield, New Jersey; and

WHEREAS, the adoption of Assembly Bill A-1109 provides for six bi-monthly unannounced site visits to be conducted at any facility that houses individuals with developmental disabilities, including but not limited to any public or private agency, organization, or institution providing care to the developmentally disabled; and

WHEREAS, upon adoption of Assembly Bill A-1109, the Commission of Human Services or the commissioner’s designee is required to designate members of the public to serve as advocates for individuals with developmental disabilities, and staff members from the Special Response Unit in the Department of Human Services to participate in the bi-monthly unannounced visits. A member of a law enforcement agency would also participate in the visits, which would be conducted to determine if the patients/residents of said organization are being subject to abuse, neglect or exploitation by a caregiver; and

WHEREAS, this Bill also requires the Commissioner or his/her designee to provide written notification to the guardian or an authorized family member of an individual with a developmental disability receiving services from the Division of Developmental Disabilities, of any injury to the individual with a development disability, as soon as possible, but no later than one hour after the occurrence of the injury; and

WHEREAS, a State developmental center and any private licensed facility for individuals with developmental disabilities are to bi-annually host an event in order to provide an opportunity for parents and guardians to share experiences about their family members and wards; and

WHEREAS, Assembly Bill A-1109 also amends Public Law 2010, c.5 (C.30:6D-73, et seq.) which established the Central Registry of Offenders Against Individuals with Developmental Disabilities (Central Registry) in DHS to prevent those caregivers who are identified as offenders against individuals with developmental disabilities from working with such individuals in the future; and

WHEREAS, this Bill further amends the current law to change from a disorderly persons offense to a fourth degree crime the failure of a case manager or supervisor to report an incident and makes it a third degree, rather than a fourth degree crime, if the unreported incident results in death; and

WHEREAS, the confidentiality provisions of the Central Registry law would further be amended to permit records and reports of any investigation to be provided to a guardian or other person responsible for the welfare of the individual with a developmental disability; and

WHEREAS, the adoption of Assembly Bill A-1109 is in the best interests of the Borough of Highland Park, its residents and their families.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park that the Borough supports the adoption of A-1109, which would implement stricter rules and regulations for organizations that house and care for individuals with developmental disabilities; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-1109; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, our District Representatives and the New Jersey State League of Municipalities.

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

No. 4-15-150

WHEREAS, the Borough of Highland Park is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at [www.govdeals.com](http://www.govdeals.com) and also available from the Borough Clerk’s Office in the Borough of Highland Park.
- (2) The sale will be conducted online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com).
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached to the original of this resolution.

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.  
The Borough of Highland Park reserves the right to accept or reject any bid submitted.

Mayor Brill Mittler appointed Linda Tondow to serve as a member of the Ethics Board for a term to expire January 1, 2016.

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

Ayes: Councilpersons Erickson, Fine, Foster-Dublin, George, Potts, Welkovits  
Opposed: None  
Absent: None  
Abstained: None

Mayor Brill Mittler appointed Dr. Ga Rida to serve as a member of the Human Relations Commission for a term to expire April 17, 2016.

Mayor Brill Mittler appointed the following as members of the Community Emergency Response Team for terms expiring December 31, 2015:

Joanna Joseph	Matthew Hersh
Pamela Plastock	Brian Douches
Elisa Kaplan	David Tawil
Muriel Haber	Roberto Munoz

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 the public discussion.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman George, seconded by Councilman Potts, and carried by affirmative voice vote of all Councilpersons present:

No. 4-15-151

WHEREAS, the Mayor and Council are mindful of the right of the public to attend and witness meetings of governmental bodies at which public business is discussed, and to be involved in all phases of governmental action; and

WHEREAS, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy; and

WHEREAS, as authorized by the Open Public Meetings Act, N.J.S.A. 10:4-12(B), the Mayor and Council have a need to meet in private session to discuss two matters affecting pending or anticipated litigation to which the public body may be party; matters within the attorney client privilege.

BE IT RESOLVED that the Mayor and Council will meet in private session at 6:09 P.M. on April 14, 2015, to discuss the above mentioned items.

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public when no longer deemed confidential.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilman Potts, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Joan Hullings  
Borough Clerk