

## REGULAR MEETING – FEBRUARY 4, 2014

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, February 4, 2014 and was called to order by Mayor Minkoff at 7:08 PM. Mayor Minkoff read the Open Public Meetings Statement.

Present: Mayor Minkoff, Councilpersons Brill Mittler, Millet, Potts, Welkovits; Borough Attorney Schmierer; Borough Administrator Kovach, Deputy Borough Clerk Senior.

Absent: Councilpersons Erickson and Foster-Dublin.

On motion made by Councilman Millet seconded by Councilman Potts, the minutes of the Regular and Conference Meetings held on October 1, 2013, October 15, 2013, November 12, 2013, December 3, 2013 and December 17, 2013 were approved as distributed by the following roll call vote, to wit:

Ayes: Councilpersons, Brill Mittler, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons, Erickson and Foster-Dublin.

Abstain: None.

Main Street Minute – No report.

Mayor Minkoff asked the Council members to present their reports.

Councilman Potts reported that the next Senior Luncheon will be on Valentine's Day, Friday, February 14, 2014 starting at 12:00 noon at the Senior/Youth Center. The United Way is offering some free tax assistance for people who are qualified. If anyone is interested in finding out more information, they should contact the Senior/Youth Center to find out about the guidelines. It is being offered on Monday's and Wednesday's from 9:30 a.m. to 2:00 p.m. through April 14, 2014.

Councilwoman Welkovits reported that on January 20, 2014 our Human Relations Commission held our annual Martin Luther King celebration and honored a dedicated resident who has spent her career and volunteerism to support issues in line with Reverend Dr. Martin Luther King. This year the Humanitarian Award went to resident Debra Morgan. She was honored in front of a full house and her family. Other esteemed guests that attended were Congressman Frank Pallone, Assemblywoman Nancy Pinkin, keynote speaker Freeholder Ken Armwood, Mayor Minkoff with his personal notes honoring Debra Morgan, fellow Council Members, Lieutenant Panichella, Community Service Department, our performers by Darryl Johnson, Lamore Hanna, Ladarra Korn, Deacon James Jones, who did the invocation, artist Jonathan Horowitz, who did some beautiful original portraits that we will be displaying for the month of February in honor of National Black History Month. Thanks to Shelia Hiesman, Chairwoman of the Committee and the members of the Relations Commission. Universal Access Committee meets February 6, 2014, the first Thursday of the month at 7:30 p.m. in the Berman Conference Room. Board of Health meets the second Thursday of every month with the next meeting being February 13, 2014 at 7:00 p.m. in the lower level of Borough Hall. This evening in about half an hour Matt Hersh is having a meeting for the School Communication Task Force. Last Friday they brought about a breakfast meeting that the Superintendent had with the parents of Irving School. She thanked Matt. Finally tonight we are going to be having the first reading of an Ordinance to transfer property to Habitat for Humanity. Knowing Highland Park's commitment to lower income residents and affordable housing Habitat for Humanity approached her and asked if the Borough of Highland Park would be interested and if they would donate a piece of property for a Habitat project. We looked into it and located a piece of property. We worked with Habitat for Humanity to design a layout on this odd shaped lot. It is a great opportunity for the Borough to address needs for our residents and for the community to come together in this volunteer project. Thanks to the New Jersey Department of Community Affairs for funding the entire funding costs. Highland Park received a grant for about \$133,500 and she thanked the Governing Body, Borough Administrator Kathy Kovach, Code Enforcement Director Scott Luthman and Borough Attorney Ed Schmierer.

Mayor Minkoff welcomed back Councilmember Gayle Brill Mittler, this has been and exceedingly difficult stretch for her. As mentioned during the agenda meeting we offer our condolences and our sympathy. Gayle lost both of her mother and her father within the past month. It is difficult enough to car for one if not two aging and ailing parents. To lose both of them had to be absolutely devastating, so the community grieved with you and we are happy you are back. We are certainly happy that you are feeling better, because unfortunately Gayle had to battle a couple illnesses along the way. She is here smiling to the extent that she can and we are thrilled that she are back with us.

Councilwoman Brill Mittler thanked Mayor Minkoff. There is a resolution we will be voting on this evening that will allow us to replace 2 kiosks throughout the Borough. One will be placed on the corner of South 3<sup>rd</sup> and the other on Woodbridge Avenue, near Bank of America. The communications committee has worked very hard to make this happen. These kiosks will allow us to post flyers and information about events that are occurring. So whether or not our residents have electronic access to electronic date through facebook, nixle, etc., they will be able to get the information that is going out electronically, manually at these 2 kiosks in real time. Special thank you to Borough Administrator Kathy Kovach for making this happen so quickly and thank you to the communications committee for staying on top of this. At the re-organization committee Council meeting she was a little pre-occupied so she neglected to mention two of the committees that fall under Economic Development. She just wanted to give a quick update on what they are doing. The Redevelopment Agency has been working very hard this year and they are attracting more and more interest from developers in our redevelopment zone. That has been very exciting and bodes well for our future. Our Highland Park Cable TV, HPTV Committee has new members and new volunteers and if you take a look at their schedule you will find that you can find new

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programming in the way of classic movies and many other topics. They are working on new programming going forward as well. She thanked Gary Leslie and his team. Main Street Highland Park has very exciting programs coming up in the next few weeks. The first of which is called a pop-up shop, in which she believes about 20 local businesses, will be participating by selling some of their products in the Main Street Office. This will run from Wednesday, February 12 – Sunday, February 16, and the address of the Main Street office is, 212 Raritan Avenue. Please come by and shop some merchandise from local merchants. Additionally right after the pop-up shop on the Thursday, February 13, Main Street will be hosting a wine tasting party. The wine is coming courtesy of Highland Park's own Pino's Wine Shop and a book signing party courtesy of Rutgers University press and Highland Park author Mark Mapin. The wine tasting is from 5:00 – 8:00 pm and the book signing is from 6:30 – 7:00 pm. We are hoping that you will all be able to go out and enjoy some wine and certainly meet Mark Mapin and talk to him about his book, regarding prohibition in New Jersey. Additionally there will be, if you pass the Main Street office you will see a window full of merchandise, we are running our annual win the window program. Residents are encouraged to visit local businesses and guess how much the value of the window is. Whoever comes closest to that will win the entire window. So thank you Main Street for all of your activity in the month of February. And on a personal note as the Mayor had mentioned my family went through a very difficult period throughout the month of January. She thanked her fellow Council members, the Mayor, so many of the residents that sent their good wishes and sympathy to them over the past month. Special thank you to the First Aid Squad, especially Captain Andy Brown, the Highland Park Police Department, especially Sergeant Gary Panichella. It really does take a village not just only to raise a child but to take care of our families. Thank you.

Councilman Millet just a brief note, in our consent agenda meeting there is a resolution going out to bid for the replacement of the Water Main on Montgomery Street. This is the problem child in our water system and hopefully with replacing this it be reduce the amount of repairs we will be having to make and providing much better and more consistent service to the North Side and throughout the Borough. It's a good thing to finally get this started.

Mayor Minkoff stated to amplify and clarify going out to bid means in the very near future we will issue a bid specification; there will be a period under of which prospective contractors can respond. We will have our professionals evaluate those bids. If there is a bid that is acceptable they can make a recommendation to Council. Council can accept it and then we can actually enter into a contract and begin work. There is light at the end of this water main but it is not immediate, but it is sooner than later.

Borough Administrator Kovach reported that in the E-News letter that went out today listed the Environmental Center meeting being held in the Berman Conference Room, was incorrect it is going to be in the Environmental Education Center tomorrow night at 7:30 pm. Tomorrow morning Borough Hall, because of the weather, will not be opening until 10:00 am. Just wanted to make sure the word got out to everyone. This week was supposed to be bulk trash pickup. Because of the weather and Public Works being pre-occupied trying to clear the roads, we have rescheduled this month's bulk pick-up to March 5, 2014 for the North Side and Triangle and March 6, 2014 for the South Side. The April pick-up will be as scheduled. Also, please not that in this weather everyone should really drive carefully, walk carefully and clear your sidewalks. However, if anyone loses power please call PSE&G. If you need a warming center we arranged with the Reform Church, but we would please ask that you contact the police non-emergency number at 732-572-3800 and they will help you.

Borough Attorney Schmierer – No report.

Mayor Minkoff would like to compliment the Police Department and the Department of Public Works in particular. January has been a most interesting set of challenges for us. Most of which is not of our own making. He would be remised if he didn't compliment Councilmember Brill Mittler and Matt Hersh, who chairs our Communications Committee as our Council Liaison and is our volunteer. They literally have been working overtime in trying to keep the public informed related to the issues of the water main and as he had put a letter on the website around New Year's Day. We recognize that this was a problem last year, we were not ignoring it, and we agreed that there was an infrastructure upgrade that was indicated. Unfortunately, we do not get to do these things immediately both for legal and practical reasons. That process is moving forward and that should be resolved shortly. So to the extent that is an infrastructure problem that is within our control we are addressing it and it should go away soon. As far as the current power outages, we are doing our best to keep everybody apprised as we have learned through PSE&G as to what is going on. We have had a follow-up meeting with the representative from PSE&G. On February 18, 2014, PSE&G will be the focus of our Council meeting. If there is anybody in the audience or anybody watching from home that has questions related to what happened in January, related to the fire in the substation in Edison and the subsequent repeated power outages that we experienced. We certainly made our feeling known as the Governing Body, we certainly encourage members of the public that have concerns to come out and speak to them. PSE&G have told us that they plan on having representatives here to address issues related to the outages themselves, that is from an operations standpoint, how they communication with us governmentally, how they communicate with the public, as well as issues related to customer service. Certainly we as a Governing Body are very disenchanted and very disappointed and have communicated this both to PSE&G as well as to our legislators and regulators. It is unacceptable to us to learn that people who have been frightened and anxious in near polar temperatures. In certainly the most adverse weather conditions, snow, rain, sleet and ice, found themselves in the dark for extended periods of time, fearful for when the power might return and were greeted by a hang up or a dismissive customer service representative or just an extended period of time on hold. We don't understand why or how that happened, we have explained that to PSE&G and we have told them it is not acceptable. We certainly don't mind and we encourage people who have experienced this first hand, come and tell us what transpired. He thinks it is important for PSE&G to hear that firsthand. What we have done is restructured our agenda for the February 18,

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2014 Council meeting so we can allow people to really say what needs to be said. He will allow public comment go beyond the 15 minute minimum in this instance because it would certainly be appropriate. In addition to that additional meeting we had with PSE&G, there will be a follow-up meeting that he plans to attend, which is in the process of being coordinated by Senator Pete Barnes office, that will include some senior representatives with PSE&G. He will request that at least one representative of the Board of Public Utilities, the regulator be present at that meeting. The Mayor of Edison may be there as well since they were also affected by the spade of outages. That should be a most interesting and candid exchange and he certainly plans to share his thoughts with them. The essence of that is he thinks PSE&G candidly, while they do a good job in general with keeping the power on, that when these complicated systems fail in these unanticipated ways clearly there is much work to be done. In terms with how power gets restored or how that gets communicated with the public and the obvious disconnects, between their internal systems and processes and how that is visible and negatively and adversely affects members of the public, notably their customers. It's unfortunate at best frightening at worst and potentially very serious in the worst possible scenarios. He received an email today from PSE&G, while they have all hands on deck, with the coming ice storm coming tonight, we already have snow laying on power lines and trees that the additional, whether it is a quarter of an inch or more snow, it may cause some interruptions in service. This means we may experience power outages, but hopefully we won't. We have done everything we possibly can but this is beyond our control. We will certainly keep everyone informed as we communicate regularly with PSE&G to let them know what concerns we have, where we see outages, where we have issues that they may or may not be aware of. To put this into perspective we had 9 outages in the month of January the longest being between 24-30 hours from start to finish. He is not aware of anything other than perhaps a misdemeanor crime at most during those outages. He isn't aware of any serious injury, loss of life, limb or property during that time. That speaks not only to the police but to the outstanding job that Chief Rizco and his officers did during that time and do each and every day for us, but also to the Fire Department and First Aid as well. In the midst of all that having Department of Public Works out in some cases with no lights clearing 11 inches of snow. The Governing Body, our professionals and our staff, from the lowest rank employee right up through the Mayor are working overtime and then some to make sure that we doing everything that we can to be of service to our residents.

Chief Rizco wanted to remind residents that park on the snow streets to please remove their cars. We don't like to tow vehicles but sometimes we have no choice when the plows cannot get through. With the weather the way it's been if they could please find other parking until the roads are plowed we would appreciate it.

Mayor Minkoff stated that we have an Ordinance that states 6 daylight hours after the snow has ended the Commercial properties are supposed to have their sidewalks cleared of snow and ice. After 12 daylight hours after the snow has ended for residential properties to have their sidewalks cleared of snow and ice. If you do not have the means to get out and clear your sidewalks, Andrea Baay in the Department of Community Services has a list of high schools that will clear snow on a volunteer basis.

Mayor Minkoff 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 Deputy Clerk reported advertising an ordinance entitled, AN ORDINANCE AUTHORIZING THE BOROUGH OF HIGHLAND PARK TO CONVEY TO HABITAT FOR HUMANITY BLOCK 61 LOT 25 AS SHOWN ON THE BOROUGH OF HIGHLAND PARK TAX MAP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; has been introduced in writing by Council as a Whole for consideration of passage on first reading by title.

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

Ayes: Councilpersons, Brill-Mittler, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Erickson, Foster-Dublin.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Millet, and carried by unanimous affirmative voice vote:

No. 1-14-48

WHEREAS, an Ordinance entitled, AN ORDINANCE AUTHORIZING THE BOROUGH OF HIGHLAND PARK TO CONVEY TO HABITAT FOR HUMANITY BLOCK 61, LOT 25 AS SHOWN ON THE BOROUGH OF HIGHLAND PARK TAX MAP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY 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 18, 2014, 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

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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.

Consent Agenda Resolution Nos. 1-14-49 through 1-14-73 were duly adopted on motion made by Councilman Millet, seconded by Councilwoman Brill-Mittler, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Brill Mittler, Millet, Potts, Welkovits.  
Opposed: None.  
Absent: Councilpersons Erickson, Foster-Dublin

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

No. 1-14-49

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

<u>APPLICANT</u>	<u>BUSINESS LOCATIONS</u>
Pomerantz Properties – Kiss Salon, Judaica Gallery	300 Raritan Avenue
I-Converted – Elliot Denenberg	231B Raritan Avenue
Covered Girl Clothing	235 Raritan Avenue

and

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

WHEREAS, funds for this purpose will be available in Account No. G-02-12-CD2-210 in the amount of \$6,197.95, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the application from the above named business/property owner be approved for funding under the Highland Park Façade Improvement and Awning Promotion Program in the amount set opposite, to wit:

<u>APPLICANT</u>	<u>AMOUNT</u>
Pomerantz Properties – Kiss Salon, Judaica Gallery	\$3,000.00
I-Converted – Elliot Denenberg	\$3,000.00
Covered Girl Clothing	\$ 197.95

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

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

No. 1-14-50

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Attorney for the calendar year of 2014; 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, Edwin Schmierer, Esq., is an Attorney at Law of the State of New Jersey with experience in municipal law and has heretofore been appointed as Borough Attorney for 2014;

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of the Borough Attorney; and

WHEREAS, funds for this purpose are not to exceed the amount of \$45,000.00 and an additional \$20,000.00 for litigation, without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$65,000.00 in Account No. 4-01-20-155-233, upon adoption of the 2014 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Edwin Schmierer, Esq., a copy of which is attached hereto, 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 Finance Committee, was duly adopted as above:

No. 1-14-51

WHEREAS, the Borough of Highland Park has need of the services of a Tax Appeal Counsel for the calendar year 2014; 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, Martin Allen of the Law firm of Di Francesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer is an Attorney at Law of the State of New Jersey with extensive experience in tax appeal matters and has heretofore been appointed as Tax Appeal Counsel for 2014; and

WHEREAS, the Mayor and Council desire to provide compensation for the Tax Appeal Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$10,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose will be available in the amount of \$10,000.00 in Account No. 4-01-20-155-2TA, upon adoption of the 2014 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Martin Allen, a copy of which is attached hereto

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and made a part of hereof, 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 Finance Committee, was duly adopted as above:

No. 1-14-52

WHEREAS, the Borough of Highland Park has need of the services of a Labor Consultant for the calendar year of 2014; 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, Arthur Thibault, Esq., is an Attorney at Law of the State of New Jersey with extensive experience in labor relations matters and has heretofore been appointed as Labor Consultant for 2014; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Labor Consultant; and

WHEREAS, funds are available for this purpose are not to exceed the amount of \$40,000.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$40,000.00 in Account No. 4-01-20-155-2LA, upon adoption of the 2014 municipal budget, 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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Arthur Thibault, Esq., Apruzzese, McDermott, Mastro & Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938, a proposed copy of which is attached hereto, 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 Finance Committee, was duly adopted as above:

No. 1-14-53

WHEREAS, the Borough of Highland Park has need of the services of Bond Counsel for bonding and related matters the calendar year of 2014; 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, Wilentz, Goldman & Spitzer, Esqs., is a firm of attorneys at law of the State of New Jersey with extensive experience in bonding and related matters and has heretofore been appointed as Borough Bond Counsel for 2014; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of Bond Counsel; and

WHEREAS, funds are or will be made available for this purpose in all capital ordinances as the same are adopted;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Wilentz, Goldman & Spitzer, Esqs., a proposed copy of which is attached hereto, 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 Finance Committee, was duly adopted as above:

No. 1-14-54

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Auditor for the calendar year of 2014; 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, Andrew G. Hodulik of Hodulik & Morrison, P.A., is a certified Public Accountant and Registered Municipal Accountant of the State of New Jersey with extensive experience in municipal auditing and has heretofore been appointed Borough Auditor for 2014; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Auditor; and

WHEREAS, funds for this purpose are not to exceed the amount of \$43,500.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$29,000.00 in Account No. 4-01-20-135-235, and \$14,500.00 in Account No. 4-05-55-500-4AE, upon adoption of the 2014 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Andrew G. Hodulik of Hodulik & Morrison, P.A., a copy of which is attached hereto, 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 Finance Committee, was duly adopted as above:

No. 1-14-55

WHEREAS, the Borough of Highland Park desires to use Balken Risk Management Consulting Services, LLC for risk management consulting services;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the agreement for aforesaid services, attached to the original of this resolution, is hereby approved.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, the Garden State Municipal Joint Insurance Fund and Balken Risk Management Services, LLC forthwith.

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

No. 1-14-56

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Engineer for the calendar year of 2014; 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, David J. Samuel, of CME Associates, is a licensed engineer of the State of New Jersey with extensive experience in municipal engineering and has heretofore been appointed Borough Engineer for 2014; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Engineer; and

WHEREAS, funds for this purpose are not to exceed \$9,500.00 or the amount specified in agreements for specific projects; and

WHEREAS, funds will be available for this purpose in the amount of \$9,500.00 in Account No.4-01-20-165-2EN, upon adoption of the 2014 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 David J. Samuel, CME Associates, a copy of which is attached hereto, 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 Finance Committee, was duly adopted as above:

No. 1-14-57

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant for the calendar year of 2014 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, Allen Schectel is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Borough Planner for 2014; and

WHEREAS, the Mayor and Council desire to provide compensation for the Planning Consultant; and

WHEREAS, funds for this purpose are available in Account No. 4-01-21-180-2PL in an amount not to exceed \$9,000.00, upon adoption of the 2014 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below, and in various escrow accounts now or hereafter established pursuant to Chapter 17-10.12 of the Revised General Ordinances of the Borough of Highland Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Allen Schectel, a copy of which is attached hereto, 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 Works and Public Utilities Committee, was duly adopted as above:

No. 1-14-58

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 2013 and 2014; and

WHEREAS, four bids were received as follows:

J. Fletcher Creamer & Son, Inc., Hackensack, NJ

2013: \$239,095.00

2014: \$249,570.00

Total \$488,665.00

Montana Constuction Corp., Inc., Lodi, NJ

2013: \$367,259.35

2014: \$367,259.35

Total \$734,518.70

Rock Solid Constuction, Inc., Newark, NJ

2013: \$353,080.00

2014: \$415,690.00

Total \$772,770.00

B&W Construction Co., South River, NJ

2013: \$275,400.00

2010: \$275,400.00

Total \$550,800.00

WHEREAS, the bid for the annual contract for repairs and maintenance of the water distribution and sanitary sewer systems in the Borough of Highland Park was awarded to J. Fletcher Creamer & Son, Inc., as per Resolution No. 1-13-368, adopted by the Highland Park Borough Council on January 7, 2013; and

WHEREAS, funds for this purpose will be made available in Account No. 4-05-55-500-423 upon adoption of the 2014 Municipal and Water & Sewer Budgets in the amount of \$249,570.00, 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 the Finance Director shall be and is hereby authorized and directed to remit to the above the amount indicated, the same being the amount due for said services.

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BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Superintendent of Public Works and Public Utility and the Finance Director forthwith.

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

No. 1-14-59

WHEREAS, advertisement was made for receipt of bids on March 7, 2013, for the 2013/2014 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding; and

WHEREAS, one bid was received as follows:

Chestnut CAFS, LLC, Old Bridge, NJ

**2013/2014**

Pruning of various shade trees	\$135.00	2 person crew per hour
Removal of trees	\$202.50	3 person crew per hour
Grinding of stumps	\$140.00	per hour
Optional root grinding	\$150.00	per hour

WHEREAS, the bid for the annual maintenance contract for tree pruning, tree removal, stumps removal and/or root grinding was awarded to Chestnut CAFS., Inc., as per Resolution No. 3-13-115, adopted by the Highland Park Borough Council on March 19, 2013; and

WHEREAS, funds for said contract shall be made available in Account No. 4-01-26-290-237 upon adoption in the 2014 Municipal Budget in an amount not to exceed \$50,000.00, 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 Finance Director shall be and is hereby authorized and directed to remit to the above the amount indicated, the same being the amount due for said services.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Superintendent of Public Works and Public Utility and the Finance Director forthwith.

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

No. 1-14-60

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 credit the following the amount set opposite, the same being the amount of tax credit for 2014 taxes for the property indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>REMITTEE</u>	<u>AMOUNT TO BE REMITTED</u>
46	32	Daniel Sullivan 254 South 7 <sup>th</sup> Avenue Highland Park, NJ 08904	1 <sup>st</sup> quarter \$283.06 2 <sup>nd</sup> quarter \$283.06

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

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

No. 1-14-61

WHEREAS, certain Water & Sewer Utility Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective funding source and unused debt authorizations may be canceled;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex that the following unexpended and dedicated balances of Water & Sewer Utility Capital Appropriations be canceled:

<u>ORD NO.</u>	<u>DATE AUTH</u>	<u>PROJECT DESCRIPTION</u>	<u>AMOUNT FUNDED</u>	<u>CANCELED UNFUNDED</u>
1325	9/1/92	Acquis Of Equip/Improv W&S Sys.	\$29,391.84	
1430	11/8/95	System for Triangle		\$13,402.00
1473	5/20/98	Improv Water/Sewer System	30,477.24	
1523	4/30/99	Sewer TV Rehabilitation	92,511.80	26,000.00
1583	5/21/02	Suppl. Distr. For Southside Area	108,054.50	679.00
1584	6/27/00	Portion of Northside (Phase D)	99,665.02	3,000.00
1585	6/27/00	Portion of Northside (Phase E)	391,066.00	6,000.00
1625	12/9/03	Refunding Bonds, Series 2004	4,697.59	
1654	3/22/05	Replace/Reline Sewer-Harrison	50,000.87	
1677	3/7/06	Acquis. JETVAC Truck	19,588.19	
1696	9/5/06	Replace/Reline Sewer-2 <sup>nd</sup> Lincoln		178,938.42
1746	9/16/08	Water & Sewer Pipe Replace	<u>3,455.79</u>	
<b>Totals</b>			<b><u>\$828,908.84</u></b>	<b><u>\$228,019.42</u></b>

BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex that the following adjusting journal entry be recorded within the Water & Sewer Utility Capital Fund financial accounting and reporting system maintained by the Borough for the improvement authorizations as canceled above:

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**GENERAL  
LEDGER  
ACCOUNTS**

	<u>DEBIT</u>	<u>CREDIT</u>
Improvement Authorizations:		
Funded	\$828,908.84	
Unfunded	<u>228,019.42</u>	
Fixed Capital A& U		\$218,340.42
Deferred Reserve for Amortization		9,000.00
Reserve for Amortization		679.00
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Reserve for Capital Surplus		134,155.73
Reserve for Debt Service		<u>694,753.11</u>
<b>Totals</b>	<b><u>\$1,056,925.26</u></b>	<b><u>\$1,056,926.26</u></b>

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 1-14-62

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

WHEREAS, the Architect, The Goldstein Partnership, has prepared the attached Change Order Nos. 76, 77 & 78 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$8,326.89; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#76	\$ 3,224.00	New Flagpole
#77	\$ 1,467.63	Roof Drains at Gutters
#78	\$ 3,635.26	Change Weather Barrier at the Masonry Backup Walls

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$8,326.89, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gary Minkoff be and is hereby authorized and directed to execute Change Order Nos. 76, 77 & 78, for \$8,326.89 to the contract of H & S Construction & Mechanical, Inc.; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to The Goldstein Partnership, H & S Construction & Mechanical, Inc., and the Finance Director forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 1-14-63

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Carl A. Taylor III shall be and is hereby appointed to serve as the Alternate Public Defender for the Borough of Highland Park, effective immediately, for a term to expire December 31, 2014, and to be compensated at the rate of \$175.00 per appearance.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 1-14-64

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 set opposite the following, the same being the amount of overpayment of taxes, including accrued interest, for the year 2014 based on successful tax appeal to the Middlesex County Board of Taxation in 2014, to wit:

<u>BLOCK</u>	<u>LOT</u>	<u>CHECK MADE PAYABLE TO</u>	<u>REFUND</u>
71	12	Isaac & Edna Salomon 214 Hilton Street Highland Park, NJ 08904	1 <sup>st</sup> quarter \$911.87 2 <sup>nd</sup> quarter \$911.87

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 Economic Development and Planning Committee, was duly adopted as above:

No. 1-14-65

WHEREAS, the Highland has a need to purchase 100kw generator for the Fire House; 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>
100kw Generator	\$76,000.00

WHEREAS, the Public Safety Committee has recommended the purchase of said items, from ARCO Electric Inc., 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 Public Safety Committee is hereby authorized and directed to purchase said items for a total not to exceed \$76,000.00; and



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BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Director of Code Enforcement, Scott Luthman and Finance Director Kathleen Kovach forthwith.

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

No. 1-14-66

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk shall be and is hereby authorized and directed to advertise for bids for a 200kw Generator for the Senior Center on a date and time to be determined by the Capital Project Manager and Borough Clerk.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Capital Project Manager forthwith.

The following resolution, introduced by the Communications Department, was duly adopted as above:

No. 1-14-67

WHEREAS, Highland has a need to purchase 2 kiosks for public; 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>
2 Kiosks	\$7,596.70

WHEREAS, the Communications Department has recommended the purchase of said items, from Kirby Built Quality Products, at the above quoted price; and

WHEREAS, funds will be available for this purpose in Account No. C-04-55-801-420 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 Communications Department is hereby authorized and directed to purchase said items for a total not to exceed \$7,596.70; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Administrator and Finance Director Kathleen Kovach forthwith.

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

No. 1-14-68

WHEREAS, SHMBA, LLC/AA Discount Taxi & Frank Catafamo have 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 2014; 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 that this Council hereby determined that said applicants are 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 Public Safety Committee, was duly adopted as above:

No. 1-14-69

WHEREAS, Bruce S. Evans, Arshad Hameed Khan, Thomas Anthony Sena, George S. Balenta III, Larry Sale and Frank Catafamo 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 2014; 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 Finance Committee, was duly adopted as above:

No. 1-14-70

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 2/4/14, can be found in the Bills List Journal Book No. 33.

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

No. 1-14-71

WHEREAS, the Borough of Highland Park is the owner of certain real property designated as Block 91, Lots 4, 5 and 6 Borough of Highland Park Tax Map and commonly known as 128 South 11<sup>th</sup> Avenue; and

WHEREAS, since November 21, 1949, said Borough has leased this property to the Highland Park First Aid Squad, a non-profit corporation organized and existing under the laws of the State of New Jersey; and

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WHEREAS, the Highland Park First Aid Squad is undertaking renovations to their building located on said property to improve the efficiency of their building to better provide first aid assistance to the citizens of the Borough of Highland Park; and

WHEREAS, funding for said renovations is being made available to the Highland Park First Aid Squad by Unity Bank; and

WHEREAS, Unity Bank has asked for an affirmation from the Borough of Highland Park that they authorize and consent to the Highland Park First Aid Squad renovations and further wish to have a Memorandum of Lease signed confirming the Highland Park First Aid Squad's authority to use, occupy and renovate their building on said property.

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 Borough of Highland Park hereby consents and authorizes the renovations to be undertaken on Block 91, Lots 4, 5 and 6 Borough of Highland Park Tax Map by the Highland Park First Aid Squad as set forth in plans and specifications prepared by PCS Engineering Inc. entitled: "Highland Park First Aid Squad Renovations, 128 South 11<sup>th</sup> Avenue, Highland Park, New Jersey 08904."

2. The Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to execute a Memorandum of Lease with regard to the November 21, 1949 lease between the Borough of Highland and the Highland Park First Aid Squad.

3. The Borough hereby agrees to indemnify WFG National Title Insurance Company against any and all judgments or liens against the Borough of Highland Park with regard to said property.

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

No. 1-14-72

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk shall be and is hereby authorized and directed to advertise for bids for a replacement water main break on Montgomery Street on a date and time to be determined by the Borough Engineer and Borough Clerk.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Borough Engineer David Samuel forthwith.

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

No. 1-14-73

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$6,417.43 for services in connection with the said project; and

WHEREAS, the Mayor and Council have reviewed the said invoice and have approved the same for payment; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and hereby authorized and directed to issue payment in the amount of \$6,417.43 to The Goldstein Partnership, for architectural services in connection with the renovation of the Public Safety Building; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Finance Director forthwith.

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

Ayes: Councilpersons Brill Mittler, Millet, Potts, Welkovits.

Opposed: None.

Abstain: None.

Absent: Councilperson Erickson, Foster-Dublin.

No. 1-14-74

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

Account No.	Description	From	To
20-100-102	S & W Administrator	\$ 3,131.19	
20-130-101	S & W Finance	\$ 574.30	
21-180-2at	Planning Board OE	\$ 3,385.01	
21-185-2en	Zoning Board OE	\$ 2,100.00	
21-191-235	Human Rights Commission	\$ 2,700.00	
22-195-102	Uniform Construction SW	\$ 1,506.93	
25-240-107	Police SW	\$ 2,544.68	
25-250-102	Dispatch SW	\$ 15,085.71	
25-265-102	Fire SW	\$ 7,039.23	
26-290-103	Public Woks SW	\$ 1,292.94	
28-370-102	Recreation SW	\$ 3,790.72	
28-375-233	Shade Tree OE	\$ 2,000.00	
36-472-235	Social Security OE	\$ 18,306.54	
43-490-101	Municipal Court SW	\$ 2,819.69	
32-465-235	Sanitary Landfill		\$ 12,000.00
31-460-235	Motor Fuel		\$ 3,000.00
23-220-2mn	Group Insurance for Employees		\$ 51,276.94
		\$ 66,276.94	\$ 66,276.94

Mayor Minkoff appoints the following to serve as Professionals for 2014:

Special Counsel  
Special Planner

Jeffrey Surenian  
Phil Caton

Mayor Minkoff 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.

There being no further business, on motion made by Councilman Millet, seconded by Councilman Potts, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 7:37 PM.

Respectfully submitted,

Kathie Senior  
Deputy Borough Clerk