

REGULAR MEETING – MAY 20, 2014

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, May 20, 2014 and was called to order by Mayor Minkoff at 7:05 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: Councilperson Foster-Dublin

Main Street Minute – None.

Library Minute – Jane Stanley and Marc Mappen appeared. Circulation is higher than average for a library their size. Twice as many E-books are downloaded by patrons, and there were 24,000 computer internet use sessions. They average 66 people per hour; and 184,574 patrons per year. In 2013, they presented 391 programs, with 7,150 attendees. This month they had a visit from Belle the library dog; working on outdoor planning program; will have a screening of the Producers just to name a few upcoming events. They held the annual book sale that is organized and operated by Friends of the Library. Thousands of books are brought in, sorted, set up and they received over \$6,000. The Department of Public Works recycles the leftovers. Councilman Erickson asked about the leftovers. Jane Stanley advised that they gave a lot to charities and the balance is recycled. Books went to Rutgers and East Brunswick Libraries. Mayor Minkoff commented that it was nice to know those books got some viable use. He is thrilled to hear the Library continues to thrive and serve the diverse community. He had a suggestion that the Teen Advisory Committee partner with the Library to do a program. Marc Mappen reported that one librarian is responsible for putting together programs for the teens.

Mayor Minkoff asked the Council members to present their reports.

Councilman Potts reported that on May 26th the Memorial Day Parade will start in New Brunswick at 11:00 AM at Monument Square and head to Highland Park. On June 15th the Living History timeline event will be held from 10:00 AM – 4:00 PM at the Senior Center. On July 3rd there will be a Fireworks celebration at Donaldson Park. Summer Camp registration is open and camp begins July 7th.

Councilwoman Welkovits thanked Main Street Highland Park and their volunteers for a great Street Fair. She thanked the Department of Public Works and the Office of Emergency Management for their work at the street fair. She thanked Freeholder Polos for the donation of the bike helmets for the bike rodeo. She thanked Andrea Baay for her planning of the 5K route and Gary Panichella for donating space at his gym for the runners to change. She thanked the Library for running a great book sale with the proceeds collected going straight to programming. Rabies clinics will be held on May 29th and June 1st at the Public Works Garage. These clinics are organized by the Board of Health and the County Health Department. On June 8th the Human Relations Commission will hold the 1st Social Justice Forum. Keynote Speaker will be Charlie Kravotil from New Brunswick. Looking to get donation boxes for the Habitat for Humanity Project to be placed throughout town. Council to pass resolution supporting Assembly Bill A-3081.

Councilwoman Brill Mittler thanked Jenni Chapman and Rebecca Hersh for their efforts with the Street Fair. She also thanked the Police and Department of Public Work for making the event safe. It was a great event and there was no rain.

Councilman Erickson – No report.

Councilman Millet reported that on May 26th beginning at 8AM wreaths will be placed at Police/Fire Buildings to pay respects to first responders who died in the line of duty. They then go on to a couple of more sites to lay wreaths and pay respects. If you have never attended before it is a very humbling experience. Tonight there is a resolution on the agenda to award bid for a new garbage truck. It is a one arm bandit that will only need a driver, thus freeing up Department of Public Works employees for other tasks. The Sidewalk Improvement Program has begun and the Triangle section of town has been completed. The program is continuing on the South Side and

Borough Administrator Kovach reported that north side will begin after the south side is completed in June and the program will end by July.

Borough Attorney Schmierer – No report.

Mayor Minkoff echoed and amplified Council Millet's comments about Memorial Day. It is and uplifting and solemn experience. He will be out of state this year and will not be able to participate but will send a message to be read. He had sent a letter to everyone in the community regarding the four pad transformers that were being used to bypass the damaged Edison substation. The substation is back online, fully repaired and functional. The four pads have been removed but some fence posts and debris are remaining and should be removed in the next week or two. PSE&G has landscape contractors and they will address issues with property owners.

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.

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Consent Agenda Resolution Nos. 5-14-169 through 5-14-176 were duly adopted on motion made by Councilman Millet, seconded by Councilman Potts, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilwoman Foster-Dublin.

Abstained: None.

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

No. 5-14-169

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 5/20/14, can be found in the Bills List Journal Book No. 33.

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

No. 5-14-170

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 7, 2014 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:

SEAN GARLEY, Police Officer, at an annual salary of \$98,887.00, effective April 19, 2014.

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 7, 2014 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:

MICHELLE McFADDEN-DiNICOLA, Library Desk Assistant, at an hourly rate of \$11.70, effective May 5, 2014.

NICOLE HUFF, Outreach Coordinator, at an hourly rate of \$18.65, effective May 6, 2014.

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 Public Safety Committee, was duly adopted as above:

No. 5-14-171

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 No. 91 to the said contract for the additional work outlined below; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#91	\$1,121.00	Survey Verizon Lines that Conflicted with Foundation

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$1,121.00, 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 No. 91, for \$1,121.00 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 Council as a Whole, was duly adopted as above:

No. 5-14-172

WHEREAS, Pulte Homes of NJ, L.P. received approval from the Borough of Highland Park Planning Board on June 20, 2013 to construct 94 residential homes including 5 affordable housing units on Block 181, Lots 25-30 and Block 172, Lot 2, Borough of Highland Park tax map; and

WHEREAS, the Borough Planning Board resolution dated August 15, 2013 requires that Pulte Homes of NJ, L.P. enter into a developer's agreement with the Borough of Highland Park to ensure compliance with the terms and conditions of the Planning Board approval; and

WHEREAS, the Borough staff has negotiated said developer's agreement and recommends its adoption at this time.

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 Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to execute a developer's agreement with Pulte Homes of NJ, L. P. for the development of property commonly referred to as the Crossings at Highland Park. The agreement authorized by this resolution is on file in the office of the Municipal Clerk and may be inspected during regular office hours.

2. A certified true copy of this resolution once adopted shall be furnished to Pulte Homes of NJ, L.P., 22 Mount Airy Road, Suite 210, Basking Ridge, New Jersey, 07920, Attention James P. Mullen, Esq.

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

No. 5-14-173

WHEREAS, Known terrorist group Boko Haram abducted at least 276 female students, most of them between 15 and 18 years old, on April 14, 2014, from the Government Girls Secondary School, a boarding school located in the northeastern province of Borno in the Federal Republic of Nigeria; and

WHEREAS, All public secondary schools in Borno state were closed in March 2014 because of increasing attacks that killed hundreds of students, but the young women at the Government Girls Secondary School returned to take their final exams; and

WHEREAS, The militants burned down several buildings before they opened fire on soldiers and police who were guarding the school and forced the students into trucks, with only some students successfully escaping their captors; and

WHEREAS, Abubakar Shekau, Boko Haram's leader, claimed responsibility for the militant group's abduction and declared his plan to sell the kidnapped girls in a video recording; and

WHEREAS, The United States Department of State designated Boko Haram, which loosely translates to meaning "western education is sin," as a Foreign Terrorist Organization in November 2013, recognizing the threat posed by the group's large-scale and indiscriminate attacks against women and children; and

WHEREAS, Boko Haram is philosophically opposed to the education of females, and has kidnapped women and children, forced girls to serve as cooks and sex slaves, bombed churches and mosques, and assassinated politicians and religious leaders; and

WHEREAS, The Nigerian police indicated that the number of kidnapped school girls has risen, and an exact number has not been confirmed because many of the girls are from surrounding villages and the militants burned down the school and all of its student records; and

WHEREAS, On May 5, 2014, suspected Boko Haram gunmen kidnapped an additional eight girls, ranging in age from 12 to 15, from a northeastern village in Nigeria; and

WHEREAS, The young women abducted by Boko Haram are likely to be physically and sexually abused, raped by their captors, dispersed throughout the continent, traded or sold for money, and forced to become child brides of Boko Haram fighters or prostitutes exposed to brutality and disease; and

WHEREAS, Abducted children have been forced to serve as human shields in similar hostile situations; and

WHEREAS, This mass abduction is one of the most extreme examples of students and schools being attacked by a terrorist group, with the threat of abduction effectively halting education in certain areas, including the northern region of Nigeria where thousands of school students have recently ceased attending school out of fear of abduction; and

WHEREAS, Senate Resolution No. 433, introduced on May 1, 2014 by Senator Landrieu along with 27 other co-sponsors, condemns the abduction of female students by armed militants from the Government Girls Secondary School in the northeastern province of Borno in the Federal Republic of Nigeria, and the United States Senate passed the resolution on May 6, 2014; and

WHEREAS, Representative Wilson sponsored, and 60 members of the United States House of Representatives co-sponsored, House Resolution No. 573, which was introduced on May 6, 2014 and condemns the abduction of female students by armed militants from the terrorist group known as Boko Haram in northeastern provinces of the Federal Republic of Nigeria; and

WHEREAS, Advancement of women's human rights around the world is a foreign policy priority of the United States, and the enrollment, retention, and completion of education for girls in Nigeria remains a major challenge; and

WHEREAS, New Jersey has a long and unwavering history of opposing human trafficking, and the reprehensible actions of Boko Haram necessitate a reaffirmed commitment to speaking out against all kinds of human trafficking; and

WHEREAS, On behalf of the citizens of the State of New Jersey and in the public interest of supporting the greater societal good, it is imperative to call for the immediate and safe return of the young women abducted in Nigeria by Boko Haram, and New Jersey, the United States of America, and other democratic nations around the world, are unified in supporting the rescue of the school girls abducted by Boko Haram; now, therefore,

BE IT RESOLVED Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey:

1. Expresses its strong support for the people of Nigeria, especially the parents and families of the young women abducted by Boko Haram;
2. Recognizes that every individual, regardless of gender, should have the opportunity to pursue an education without fear of discrimination or violence, and encourages the government of Nigeria to strengthen efforts to protect the ability of children to safely obtain an education;
3. Fervently supports offers of United States assistance to the government of Nigeria in the search for these abducted young women, and encourages the government of Nigeria to work with the United States and other concerned governments to resolve this tragic situation and ensure the safe and swift rescue of the young women; and
4. Encourages the United States Department of State and the United States Agency for International Development to continue their support of initiatives that promote and protect the human rights, safety, and welfare of women and girls in Nigeria.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of May 2014, that the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, fully supports Senate Resolution 74, and urges for an immediate and safe return of young women abducted in Nigeria by Boko Haram; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the following; The President and Vice President of the United States of America, the Secretary of State of the United States Department of State, the Majority and Minority Leaders of the United States Senate, the Speaker and Majority and Minority Leaders of the United States House of Representatives, every member of Congress elected from this State, the Administrator of the United States Agency for International Development, the United States Ambassador to Nigeria, the Secretary of State of the New Jersey Department of State, the New Jersey League of Municipalities, and the New Jersey Association of Counties.

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

No. 5-14-174

WHEREAS, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* three bids were received for the purchase of a sanitation truck as follows:

1. Detachable Container & Compactor Corp. (Detcon): \$241,506.00
2. Cambria Automotive Companies: \$268,682.00
3. Sanitation Equipment Corp.: \$269,987.00;

WHEREAS, following the receipt of the above-referenced bids, said bids were reviewed by the Borough Attorney's office to ensure compliance with the terms and conditions of the Notice to Bidders and other bid documents; and

WHEREAS, following said review it was determined that the Detachable Container & Compactor Corp. (Detcon) bid was defective and not responsive to the requirements of the Notice to Bidders and other bid documents as follows:

1. The bid documents require that the body manufacturer be ISO 9001 certified in order to meet a certain quality management system standard. The Detcon bid has a body manufacturer that was not ISO 9001 certified.
2. The bid documents require that the hopper capacity of the truck be 4.8 cubic yards minimum. The truck bid by Detcon had a hopper capacity of 4.0 cubic yards.
3. The bid documents require that the truck have a packing panel force for the packer not less than 118,000 pounds. The truck bid by Detcon had a 94,000 pound packer force.
4. The bid specifications require that the side loader be constructed of AR metal. The Detcon accompanying specifications do not provide any information to support that the body of the truck would be constructed of this required metal; and

WHEREAS, as a result of the defects to the Detcon bid, it has been recommended by the Borough staff that the bid be awarded to the second lowest responsible bidder, Cambria Automotive Companies in the amount of \$268,682.00.

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 bid for the purchase of a sanitation truck is hereby awarded to Cambria Automotive Companies for the sum of \$268,682.00.

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

No. 5-14-175

WHEREAS, pursuant to Resolution No. 9-13-275 adopted by the Borough Council on September 3, 2013, for purchase of furniture under State Contract from National Office Furniture, Jasper, IN, upon completion of the new Public Safety Building; and

WHEREAS, National Office Furniture has heretofore submitted an invoice totaling \$7,318.85 for partial delivery of furniture; 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 \$7,318.85 to National Office Furniture, 1205 Kimball Blvd., Jasper, IN 47549, for partial delivery of furniture in connection with the renovation of the above aforementioned property; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Police Chief Stephen Rizco and Chief Financial Officer Kathleen Kovach, forthwith.

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

No. 5-14-176

WHEREAS, our nation's future relies on a high-quality public education system that provides students with the opportunity to maximize their potential, instills lifelong learning, and promotes the development of engaged and informed global citizens; and

WHEREAS, the efficacy of the Common Core State Standards (the Common Core) has never been evaluated relative to the previous New Jersey Core Content Curriculum Standards; and

WHEREAS, the Common Core has been integrally linked to the Partnership for Assessment of College and Career Readiness (PARCC) assessment in New Jersey by which students, teachers, administrators, schools and school districts will be evaluated; and

WHEREAS, the PARCC assessments will be required in all districts for grades 3-11 beginning in the 2014-2015 school year; and

WHEREAS, the PARCC assessments are central to AchieveNJ, which uses student assessment data in the teacher evaluation process through student growth percentiles (SGP's) for public school teachers in certain grade levels and content areas; and

WHEREAS, the use of PARCC assessments or any Value-Added Model (VAM) for assessment purposes of children, schools, and teachers has not been shown to be a reliable method; and

WHEREAS, the New Jersey Education Association (NJEA), the New Jersey Association of School Administrators (NJASA), and the New Jersey School Boards Association (NJSBA) members question the reliability of the data and the implementation of the schedule for AchieveNJ and PARCC assessments; and

WHEREAS, the PARCC assessments will require that districts provide the means to test students in a computer-based testing environment; and

WHEREAS, the Highland Park Public School district has spent approximately \$525,650 and will be required to spend an unknown additional amount for administrative positions, professional development, technology, and staff time to implement these mandates; and

WHEREAS, the Highland Park Public School district's Projected State School Aid for the 2014-15 budget represents a total increase in state funding of \$31,740, or 0.9%, which includes PARCC Readiness Aid of a mere \$15,870 to offset the substantial requirements of the PARCC assessments; and

WHEREAS, AchieveNJ is an unfunded mandate and the PARCC assessments are a severely underfunded mandate; and

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WHEREAS, the New Jersey State Assembly has introduced Assembly Bill A3081, which calls for a minimum of a two-year delay in the use of the PARCC assessment data for any student or school accountability purposes, and calls for the creation of a task force to analyze the potential effects of the adoption of the Common Core State Standards, the new teacher evaluation system, and the use of PARCC assessments.

NOW THEREFORE, BE IT RESOLVED, the Borough Council of the Borough of Highland Park strongly supports passage of Assembly Bill A3081; and

BE IT FURTHER RESOLVED, that a moratorium be placed on the use of SGP's in a teaching staff member's summative evaluation until such time as the measure has been independently validated; and

BE IT FURTHER RESOLVED, that full reimbursement be provided for costs incurred in the administration of and training related to the PARCC assessments and the accompanying administration evaluation mandates; and

BE IT FURTHER RESOLVED, that school districts be given the option of administering the PARCC assessment online, using a pencil and paper format, or a combination of the two during this timeframe; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Commissioner David Hespe, Senate President Stephen Sweeney, Senator Peter J. Barnes, III, Assembly Education Committee Chair Patrick J. Diegnan, Jr., Assemblywoman Nancy J. Pinkin, Senate Education Committee Chair M. Teresa Ruiz, the Joint Committee on Public Schools, New Jersey School Boards Association, New Jersey Education Association, New Jersey Association of School Administrators, New Jersey Principals and Supervisors Association, the Middlesex County Board of Chosen Freeholders, and the Highland Park Borough Council.

The Clerk reported receipt of notification of the election of Volunteer Firefighter Davida T. Resnick to the rolls of the Highland Park Volunteer Fire Department.

On motion made by Councilman Millet, seconded by Councilwoman Brill Mittler, the above confirmation was confirmed by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster Dublin.

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

Chief Rizco reported that at the last meeting Allan Williams asked about the number of violations issued for distracted driving. Year-to-date there have been 2,124 violations issued. During the distracted driving awareness initiative there were 136 violations issued.

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 Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 7:31 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk