

ADJOURNED MEETING – JANUARY 7, 2013

An Adjourned Meeting of the Highland Park Mayor and Council was held in the Senior/Youth Recreation Center, 222 South 6th Avenue, on Monday, January 7, 2013, and was called to order by Mayor Minkoff at 6:13 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Consent Agenda Resolution Nos. 1-13-364 to 1-13-372 were duly adopted on motion made by Councilwoman Brill Mittler, seconded by Councilman Millet, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Brill-Mittler, Erickson, Foster-Dublin, Millet, Potts.

Opposed: None

Absent: Councilperson Welkovits.

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

No. 1-13-364

WHEREAS, Wayne Errichello, John Hishmeh, Ely Kotin, Eremia Lomjaria, John Anderson, Shaukat Bhatti, James Coyle, Jeffrey Freund, Suzanne Glovak, Willie Hampton, Michael Valor, Arshad Khan, Joe Majaros, Fred Powell, and Larry Sale 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 2013; 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 Safety Committee, was duly adopted as above:

No. 1-13-365

WHEREAS, RSR Cab In., (Permjit Lehal), and JJCKEC LLC (James Coyle) 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 2013; 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 Council as a Whole, was duly adopted as above:

No. 1-13-366

WHEREAS, the Mayor and Council have proposed an amendment to the Borough's Holiday Schedule which would exchange the 2013 Election Day Holiday (November 5, 2013) for a floating holiday; and

WHEREAS, employees covered under collective bargaining units, Middlesex Council 7 NJ Civil Service Association (Council 7) and the Department of Public Works Association (DPWA), have ratified said proposal for the year 2013;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all non-union and administrative employees and all members of the Council-7 collective bargaining unit and members of the DPWA bargaining unit will be able to take a floating holiday in 2013 for Election Day; and

BE IT FURTHER RESOLVED that the date of Tuesday, November 5, 2013, heretofore a paid holiday, shall hence be taken and considered for all such purposes as a normal day of employment; and

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

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

No. 1-13-367

WHEREAS, pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., a Notice to Bidders was issued by the Borough of Highland Park, County of Middlesex, State of New Jersey for labor and equipment for sanitary sewer inspection and maintenance (hereinafter "project"), for the years 2013 and 2014; and

WHEREAS, two bids from Russell Reid Company and PIM Corporation were received and opened for said project on December 20, 2012; and

WHEREAS, upon review of the bids, it was determined that ambiguities and inconsistencies existed in the Information to Bidders and General Provisions (hereinafter "bid specifications") and the Notice to Bidders, including, but not limited to, whether bidders were required to bid on each item of work to be performed as set forth in the bid specifications; and

WHEREAS, it is the recommendation of the Borough Attorney's Office that all bids be rejected and that the bid specifications and the Notice to Bidders be substantially revised and clarified in order to correct said ambiguities and inconsistencies; and

WHEREAS, as authorized by law, the Borough of Highland Park reserved the right to reject bids in the Notice to Bidders; and

WHEREAS, the Borough of Highland Park now wishes to reject all of the bids received for said project in order to substantially revise and clarify the bid specifications and the Notice to Bidders.

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

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1. The Borough Administrator is hereby authorized and directed to reject all bids received on December 20, 2012 for labor and equipment for sanitary sewer inspection and maintenance for the years 2013 and 2014.
2. The Borough staff and professionals are hereby authorized and directed to amend and change the bid specifications and documents as needed and to re-bid the project as soon as practicable. The staff and professionals are expressly authorized to include any additional terms and conditions as they deem necessary and appropriate and to undertake any and all actions necessary to effectuate the terms and intent hereof.
3. A copy of this Resolution will 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. 1-13-368

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, five bids were received as follows:

J Fletcher Creamer and Son Inc, Hackensack, NJ

2013: \$239,095.00

2014: \$249,570.00

Total \$488,665.00

Montana Construction Corp., Inc., Lodi, NJ

2013: \$367,259.35

2014: \$367,259.35

Total \$734,518.70

Rock Solid Construction Inc., Newark, NJ

2013: \$353,080.00

2014: \$419,690.00

Total \$772,770.00

B&W Construction Co, South River, NJ

2013: \$275,400.00

2014: \$275,400.00

Total \$550,800.00

and

WHEREAS, funds for this purpose will be made available in Account No. 3-05-55-500-423 upon adoption of the 2013 Municipal and Water & Sewer Budgets in the amount of \$239,095.00 as reflected by the certification of funds by Chief Financial Officer, Kathleen Kovach, shown below;

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with J. Fletcher Creamer and Son, Inc., for maintenance of the water distribution and sanitary sewer systems beginning January 1, 2013, and ending December 31, 2014.
2. Said contract is to be in accordance with the specifications and bid documents and in a form approved by the Borough Attorney.

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

No. 1-13-369

WHEREAS, pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., a Notice to Bidders was issued by the Borough of Highland Park, County of Middlesex, State of New Jersey for annual tree maintenance, including tree pruning, tree removal, stump removal and root grinding (hereinafter "project"), for the years 2013 and 2014; and

WHEREAS, three bids from Andy Matt, Inc., Chestnut Arboricultural & Forestry Services, LLC, and Tuff Greens, LLC were received and opened for said project on December 20, 2012; and

WHEREAS, upon review of the bids, it was determined that ambiguities and inconsistencies existed in the Information for Bidders and General Conditions (hereinafter "bid specifications") and the Notice to Bidders, including, but not limited to, the amount of the bid bond to be submitted and the minimum and the maximum amount of estimated services to be purchased as required by N.J.A.C. 5:30-11.2; and

WHEREAS, it is the recommendation of the Borough Attorney's Office that all bids be rejected and that the bid specifications and the Notice to Bidders be substantially revised and clarified in order to correct said ambiguities and inconsistencies; and

WHEREAS, as authorized by law, the Borough of Highland Park reserved the right to reject bids in the Notice to Bidders; and

WHEREAS, the Borough of Highland Park now wishes to reject all of the bids received for said project in order to substantially revise and clarify the bid specifications and the Notice to Bidders.

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

1. The Borough Administrator is hereby authorized and directed to reject all bids received on December 20, 2012 for annual tree maintenance, including tree pruning, tree removal, stump removal and root grinding, for the years 2013 and 2014.
2. The Borough staff and professionals are hereby authorized and directed to amend and change the bid specifications and documents as needed and to re-bid the project as soon as practicable. The staff and professionals are expressly authorized to include any additional terms and conditions as they deem necessary and appropriate and to undertake any and all actions necessary to effectuate the terms and intent hereof.
3. A copy of this Resolution will be placed on file in the Office of the Borough Clerk and shall be available for public inspection.

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

No. 1-13-370

WHEREAS, the Water and Sewer Department has a need to purchase water quality testing services for the period January 1, 2013 through December 31, 2014; and

WHEREAS, quotes were solicited for same for these services from the below listed companies, with one of the companies not providing proof of liability insurance:

- NJ Analytical Laboratories, Pennington, NJ
- Envirotek Laboratories, Inc., Mullica Hill, NJ
- QC Laboratories, Southampton, PA
- Middlesex Water Company, Iselin, NJ

and

WHEREAS, the Superintendent of Public Works and Utility has recommended that said services be purchased from NJ Analytical Laboratories based on their quote for same; and

WHEREAS, funds for said contract shall be made available in Account No. 3-05-55-500-416, upon adoption of the 2013 Municipal Budget in an amount not to exceed \$11,575.00, 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 Superintendent of the Water and Sewer Department is hereby authorized and directed to accept the quote for water quality testing services from New Jersey Analytical Laboratories, 1580 Reed Road, Pennington, NJ 08534, at a total cost of \$11,575.00; and

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

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

No. 1-13-371

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 remit to the following the amount set opposite, the same being the amount of overpayment of 2012 4th quarter taxes for the property indicated:

| <u>BLOCK</u> | <u>LOT</u> | <u>REMITTEE</u> | <u>PERIOD</u> | <u>AMOUNT TO BE REMITTED</u> |
|--------------|------------|---|----------------------|----------------------------------|
| 190 | 4.04 | Jun Zhao 1305 Ella Lane Highland Park, NJ 08904 | 4 th Qtr. | \$4,245.83 |

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

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

No. 1-13-372

WHEREAS, the Borough of Highland Park advertised for proposals for Leaking Underground Storage Tank for the Public Safety Building; and

WHEREAS, three proposals were solicited and were received; and

WHEREAS, said proposals were reviewed by Code Enforcement Director, Scott Luthman, and he has recommended that the proposal submitted by Brinkerhoff Environmental Services be accepted;

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-220 in an amount not to exceed \$8,79.00 without further resolution of Council, as reflected by the Certification of Funds by Finance Director Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the proposal of Brinkerhoff Environmental Services is hereby accepted; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Code Enforcement Director, forthwith.

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

Allan Williams, 319 Harrison Avenue, asked about the monitoring wells. Borough Administrator explained that monitoring wells are for the public safety building project.

No one else appearing to be heard, Mayor Minkoff closed the public discussion.

There being no further business, on motion made by Councilman Millet, seconded by Councilwoman Brill Mittler, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 6:16 PM, sine die.

Respectfully submitted,

Joan Hullings
Borough Clerk