

REGULAR MEETING – FEBRUARY 5, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, February 5, 2013 and was called to order by Mayor Minkoff at 7:02 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: None

Mayor Minkoff asked for a moment of silence to commemorate the passing of two Highland Park Treasures, former Councilwoman Irene Dworeck, and former Highland Park First Aid Squad Member Barry Criss.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Foster-Dublin advised that the Public Safety Committee met last week and held a forum on gun control/gun safety. They will meet again in three weeks to discuss the matter further. They will be working with the Prosecutor's Office, the Police Department and Juvenile Justice. Highland Park is able to do background checks on all applicants and the Police Department can do fingerprinting and records check before issuing a gun permit. They will be sending out information via Nixle and the Borough's website.

Councilman Potts reported that the Teen Advisory Committee will meet on Thursday at 7:30 PM. There are a lot of senior activities going on at the Senior Center. Summer camp program information will be coming out shortly.

Councilwoman Welkovits reported that the Martin Luther King Celebration held on January 21<sup>st</sup> was the biggest event to date. She thanked the performers, the presenters, the recipient, Ashton Burrell, and all those who helped to organize and set up the event. The Housing Authority recently accepted applications for Section 8 housing and a representative from the Reformed Church presided over the drawing. Morgan Chen will be appointed to the Housing Authority at a future meeting. The Library has promoted their part-time Teen Librarian to full time. The library will be offering two music performances on February 28<sup>th</sup> and March 3<sup>rd</sup>. Information about performers can be found on the Library website. Lastly, she reported that the Food Pantry will be holding food drives at Stop and Shop on February 10<sup>th</sup> and March 17<sup>th</sup>.

Councilwoman Brill Mittler reported that the communications group will be sending out regular Nixle messages about upcoming events and important information. Residents can sign up at [www.hpboro.com](http://www.hpboro.com). The E-news is up and running again. It will be issued every two weeks. Gary Leslie, Chair of the Cable TV Advisory Committee, is holding a meeting on February 26<sup>th</sup> for volunteers and for new ideas at 7:30 PM. Main Street Highland Park is running a "Win the Window" contest at Highland Sparks near 2<sup>nd</sup> Avenue. Lastly, she reported that the living room sitting areas on Raritan Avenue as part of the streetscape project now have lights installed. All of the living room areas will have lights and be functional in the next couple of weeks.

Councilman Erickson reported that there is a bond ordinance listed on the agenda for introduction. This is the funding for the Sidewalk Improvement Program. Lastly, he reported that the audit is available for review in the Borough Clerk's Office.

Councilman Millet reported that the Borough is refurbishing the firehouse and will be building a new building for the Police Department. The Borough bonded for this work and the cost to do so in this economic climate was beneficial. This will provide the Borough with a safer and compliant building.

Mayor Minkoff thanked Councilwoman Foster-Dublin and Welkovits for garnering the focus group on gun violence. He congratulated Ashton Burrell on being the recipient of the Martin Luther King Award. He thanked Councilwoman Welkovits for organizing an extraordinary program.

Borough Administrator – No report.

Borough Attorney Schmierer – No report.

Mayor Minkoff deferred the public discussion to the end of the meeting.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION" , for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman Erickson, seconded by Councilman Millet, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

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

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

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On motion made by Councilman Erickson, seconded by Councilman Millet, the ordinance entitled as above, being Ordinance No. 13-1842, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Erickson, seconded by Councilman Millet, and carried by unanimous affirmative voice vote:  
No. 2-13-49

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION" passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, BOND ORDINANCE PROVIDING FOR THE 2013 SIDEWALK IMPROVEMENT PROGRAM ALONG VARIOUS REAL PROPERTIES, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, (THE "BOROUGH"); APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$571,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF AND THE SPECIALL ASSESSMENT OF THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title and that the Supplemental DebtStatement had been filed in her office prior to introduction by Chief Financial Officer Kathleen Kovach.

On motion made by Councilman Erickson, 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, Erickson, Foster-Dublin, Millet, Potts, Welkovits.

Opposed: None.

Absent: None.

Abstain: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Erickson, seconded by Councilman Millet, and carried by unanimous affirmative voice vote:  
No. 3-13-50

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR THE 2013 SIDEWALK IMPROVEMENT PROGRAM ALONG VARIOUS REAL PROPERTIES, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, (THE "BOROUGH"); APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$571,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF AND THE SPECIALL ASSESSMENT OF THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on March 5, 2013, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

BE IT FURTHER RESOLVED that 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 in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

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

Consent Agenda Resolution Nos. 2-13-51 through 2-13-67 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, Erickson, Foster-Dublin, Millet, Potts, Welkovits.

Opposed: None.

Absent: None.

Abstain: None,

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 2-13-51

BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Borough Clerk shall be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 7, 2013 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:

KAREN MITCHELL, Teen Librarian, at an annual salary of \$51,891.00, effective February 15,, 2013.

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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, 2013 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:

CHRISTOPHER A. DECOSTA, Public Safety Dispatcher, part-time, at an hourly rate of \$19.29, effective February 5, 2013.

CAMERON PETKOV, Seasonal Recreation employee, at an hourly rate of \$7.25, effective February 1, 2013.

ELENA WEISSMANN, Seasonal Recreation employee, at an hourly rate of \$7.25, effective February 1, 2013.

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 Finance Committee, was duly adopted as above:  
No. 2-13-52

WHEREAS, Joseph Spezio, Sergeant, has retired from the Highland Park Police Department effective February 1, 2013; and

WHEREAS, per the requirements of the Borough's Personnel Manual, Joseph Spezio is entitled to unused accrued time payments in the amount as calculated below.

	Calculation	Amount Due
Comp Time	20 hrs. x \$62.77	\$1,255.40
Vacation	209.30 hrs. x \$62.77	\$13,137.76
Sick	188.33 hrs.x \$62.20	\$11,714.33
Personal Day	0	0.00
Total Payment		\$26,107.49

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the unused accrued time payment in an amount not to exceed \$26,107.49 be approved and distributed in the next available pay cycle.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 2-13-53

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 Orders Nos. 16-21 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$12,081.26; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#16	\$ 1,144.00	Change kick plate to rigid vinyl
#17	\$ 3,426.80	Temp doors & frames (fire)
#18	\$ 1,881.26	Explore apron of fire house
#19	\$ 4,923.48	Run wiring for radio room & fiber optic lines
#20	\$ 216.00	Remove existing telephone pole
#21	\$ 489.72	Install drywall in hallway ceiling

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$12,081.26, 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. 16-21, for \$12,081.26 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 Economic Development and Planning Committee, was duly adopted as above:  
No. 2-13-54

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

WHEREAS, it appears from Pay Estimate No. 3, filed by the Goldstein Partnership, architects that certain work under said contract has been completed and approved, and there is due to H & S Construction & Mechanical, Inc. the sum of \$108,952.74 in accordance with said Pay Estimate for work performed from November 1, 2012 to November 30, 2012; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$108,952.71, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay to H & S Construction & Mechanical, Inc. the sum of \$108,952.74, as certified by the Architect in the Pay Estimate, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Chief Financial Officer Kathleen Kovach and the Goldstein Partnership forthwith.

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The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 2-13-55

WHEREAS, pursuant to Resolution No. 1-13-34, adopted by the Borough Council of Highland Park on January 15, 2013, approval of payment to excavation company Tom Buske & Son Construction, LLC for excavation of soil at the Public Safety Building, was authorized in an amount not to exceed \$6,600.00 without further authorization of Council; and

WHEREAS, additional work has been provided by Tom Buske & Son Construction LLC for which additional compensation is warranted, in an amount not to exceed \$9,466.80, for a total amount not to exceed \$16,066.80; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-220 in the additional amount of \$9,466.80, 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 payment be made to Tom Buske & Son Construction, LLC in the additional amount of \$9,466.80; and

BE IT FURTHER RESOLVED that no additional payments be made without further authorization of Council.

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

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

No. 2-13-56

WHEREAS, the Reformed Church of Highland Park, 19-21 South 2<sup>nd</sup> Avenue, received a water and sewer bill; and

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

WHEREAS, the Tax Collector recommends that this account be credited for the erroneous charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to issue a credit to account #20121670-2, in the amount of \$2,937.22 for water, and \$1,770.07 for sewer, for a total amount of \$4,707.29 to the water and sewer account of the Reformed Church of Highland Park, 19-21 South 2<sup>nd</sup> Avenue.

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 2-13-57

WHEREAS, Ehab Elnozy has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2013; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicant and has reported favorably upon said application;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that said applicants are qualified and that public necessity and convenience would be served by the issuance of said License.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 2-13-58

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 2/5/13, can be found in the Bills List Journal Book No. 32.

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

No. 2-13-59

WHEREAS, pursuant to Resolution No. 7-11-204, adopted by the Borough Council on July 19, 2011, a contract was awarded to ConQuest Industries, LLC, Westwood, NJ, for Highland Park Streetscape: Raritan Avenue Phase I Project; and

WHEREAS, it appears from Pay Estimate No. 12, filed by the Borough Engineer that certain work under said contract has been completed and approved, and there is due to ConQuest Industries, LLC the sum of \$97,946.10 in accordance with said Pay Estimate No. 12 for work performed from October 4, 2012 to January 23, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-801-200, in the amount of \$97,946.10, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay to ConQuest Industries, LLC the sum of \$97,946.10, as certified by the Borough Engineer in Pay Estimate No. 12, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary; and

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 2-13-60

WHEREAS, the Highland Park Police Department has a need to purchase a Lighted Crosswalk and Solar Kit, as well as a message board; and

WHEREAS, quotes for said purchases were requested and quotes were received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
Traffic Safety Corp. Sacramento, CA	\$10,898.00
Traffic Safety Service, South Plainfield, NJ	\$17,740.00

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

WHEREAS, funds will be available for these purposes in Account No. G-02-13-MB3-205 in the amount of \$29,000.00, as reflected by the certification of funds available by the Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief of Police is hereby authorized and directed to purchase said items; and

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

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

No. 2-13-61

WHEREAS, pursuant to Res. No. 12-11-310, adopted by the Borough Council of Highland Park on December 6, 2011, execution of a professional services agreement with CME Associates, for engineering services in connection with receipt of bids for the 2011 Sidewalk Improvements Project, was authorized in an amount not to exceed \$48,036.00 without further authorization of Council; and

WHEREAS, additional services have been provided by CME Associates for which additional compensation is warranted, in an amount not to exceed \$3,203.00, for a total amount not to exceed \$51,239.00; and

WHEREAS, funds for this purpose in the additional amount of \$3,203.00 are available Account No. C-04-55-803-315 in an amount not to exceed \$3,203.00, 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 Agreement for professional services with CME Associates to provide services as consulting engineer for the 2011 Sidewalk Improvements Project shall be and is hereby amended to provide additional compensation in the amount of \$3,203.00, for a total amount not to exceed \$51,239.00, without further authorization of Council.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to CME Associates and Chief Financial Officer Kathleen Kovach forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 2-13-62

WHEREAS, the Highland Park Police Department has the need to have wiring done for the relocation of the Police Dispatch area; and

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

<u>NAME</u>	<u>PRICE</u>
Tactical Public Safety, West Berlin, NJ	\$9,408.00

WHEREAS, the Chief of Police has recommended that this company be hired to perform said work at the above quoted price; and

WHEREAS, funds will be available for these purposes in Account No. C-04-55-811-225 in the amount of \$9,408.00, as reflected by the certification of funds available by the Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief of Police is hereby authorized and directed to have said work performed; and

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 2-13-63

WHEREAS, an application has been filed for a Person to Person transfer of Plenary Retail Distribution License No. 1207-44-006-008, heretofore issued to Briart Corporation, t/a Pino's Fruit Basket Shoppe and Wine Cellar, for premises located at 13 North 4<sup>th</sup> Avenue, Highland Park, NJ; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Highland Park does hereby approve, effective February 13, 2013, the Person to Person transfer of the aforesaid Plenary Retail Distribution License located at 13 North 4<sup>th</sup> Avenue, Highland Park, NJ, from Briart Corporation, t/a Pino's to Kiadan, Inc.

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BE IT FURTHER RESOLVED that the said Borough Council does hereby direct the Borough Clerk to endorse the License Certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Kiadan, Inc. for premises located at 13 North 4<sup>th</sup> Avenue, Highland Park, New Jersey, effective February 13, 2013."

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

No. 2-13-64

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and is hereby appointed to serve as a member of the Highland Park Housing Authority for a term to expire as indicated:

Morgan Chen

September 1, 2014

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

No. 2-13-65

WHEREAS, the Borough of Highland Park has need of the services of a consulting engineer in connection with receipt of bids for the 2012 Curb/Sidewalk Program, said services to be in accordance with letter proposal from CME Associates, dated January 22, 2013, attached to the original of this resolution; and

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

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

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

WHEREAS, funds will be available for this purpose on March 11, 2013, which date corresponds to the completion of the estoppel period of Bond Ordinance No. 1843, in the amount of \$66,823.00, 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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with CME Associates, 3141 Bordentown Avenue, Parlin, NJ, 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.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise for receipt of bids for the aforementioned 2012 Curb and Sidewalk Replacement Program at a date and time to be determined by the Borough Clerk and the Borough Engineer, said bids to be in accordance with the plans and specifications prepared by the Borough Engineer.

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

No. 2-13-66

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$7,063.51 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 \$7,063.51 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 Public Works and Public Utilities Committee, was duly adopted as above:

No. 2-13-67

WHEREAS, the Shade Tree Advisory Committee would like to institute a tree planting program for the spring of 2013; and

WHEREAS, the Shade Tree Advisory Committee has a list of approximately thirty (30) residents who are interested in having a shade tree planted in front of their home; and

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

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

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

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

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

Opposed: None.

Absent: None.

Abstained: None.

No. 2-13-68

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2012 budget appropriation balances shall be made as follows:

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CURRENT FUND

Account No.	Description	From	To
20-110-102	Mayor & Council S&W	\$ 241.38	
25-240-101	Police S&W	\$ 7,996.57	
25-250-101	Dispatch S& W	\$ 5,506.43	
25-250-103	Dispatch S&W OT	\$ 4,716.50	
25-265-101	Fire S&W	\$ 5,340.60	
26-290-101	Public Works S&W	\$ 34,125.25	
26-290-103	Public Works S&W OT	\$ 26,322.38	
28-371-102	Dept of Aging S&W	\$ 4,022.46	
43-490-103	Courts S&W	\$ 2,865.45	
32-465-235	Landfill		\$ 30,000.00
42-402-2YW	Leaf Recycling		\$ 5,000.00
26-315-2PW	Motor Pool - Public Works		\$ 5,000.00
23-220-200	Group Health Insurance		\$ 40,040.02
	Tree Maintenance		\$ 11,097.00
	Total	\$ 91,137.02	\$ 91,137.02

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

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

No. 2-13-69

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2013 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2013 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$7,657,245.30;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Highland Park (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20;

1. An emergency temporary appropriation be and the same is hereby made for the budgetary appropriations herein:

	Account Number	2013 TEMPORARY BUDGET #2
<b>MAYOR &amp; COUNCIL</b>		
Salaries & Wages	20-110-1	16,518.00
Other Expenses	20-110-2	4,702.50
<b>BOROUGH ADMINISTRATION</b>		
Salaries & Wages	20-100-1	41,245.50
Other Expenses	20100-2	8,100.00
<b>MUNICIPAL CLERK</b>		
Salaries & Wages	20-120-1	53,748.50
Other Expenses	20-120-2	4,487.50
<b>CENTRAL SERVICES</b>		
Other Expenses	20-316-2	33,712.50
<b>MOTOR POOL</b>		
Salaries & Wages	26-315-1	33,395.00
Other Expenses	26-315-2	63,712.50
<b>FINANCIAL ADMINISTRATION</b>		
Salaries & Wages	20-130-1	54,154.00
Other Expenses	20-130-2	12,850.00
<b>AUDIT SERVICES</b>		
Other Expenses	20-135-2	
<b>TAX ASSESSMENT</b>		
Salaries & Wages	20-150-1	28,402.50
Other Expenses	20-150-2	3,116.00
<b>TAX COLLECTION</b>		
Salaries & Wages	20-145-1	21,953.00
Other Expenses	20-145-2	3,100.00
<b>LEGAL SERVICES</b>		
Other Expenses	20-155-2	128,000.00
<b>ENGINEERING &amp; PLANNING</b>		
Other Expenses	20-165-2	12,500.00

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<b>BUILDING &amp; GROUNDS</b>		
Salaries & Wages	26-310-1	19,573.00
Other Expenses	26-310-2	18,448.50
<b>ENVIRONMENTAL COMMISSION</b>		
Other Expenses	27-335-2	500.00
<b>PLANNING BOARD</b>		
Other Expenses	21-180-2	35,750.00
<b>ZONING BOARD OF ADJUSTMENT</b>		
Salaries & Wages	21-185-1	14,079.00
Other Expenses	21-185-2	9,000.00
<b>HUMAN RIGHTS COMMISSION</b>		
Other Expenses	21-191-1	1,500.00
<b>RENT LEVELING BOARD</b>		
Other Expenses	21-192-2	
<b>CABLE TELEVISION</b>		
Other Expenses	30-411-2	1,000.00
<b>INFORMATION TECHNOLOGY</b>		
Other Expenses	20-140-2	28,850.00
<b>MUNICIPAL COURT</b>		
Salaries & Wages	43-490-1	95,747.00
Other Expenses	43-490-2	2,960.00
<b>FIRE OSHA</b>		
Other Expenses	25-268-2	
<b>PUBLIC DEFENDER</b>		
Salaries & Wages	43-495-1	3,000.00
<b>FIRE DEPARTMENT</b>		
Salaries & Wages	25-265-1	67,122.00
Other Expenses	25-265-2	28,125.00
<b>POLICE DEPARTMENT</b>		
Salaries & Wages	25-240-1	1,533,927.00
Other Expenses	25-240-2	105,666.30
<b>POLICE DISPATCH/911</b>		
Salaries & Wages	25-250-1	108,264.50
Other Expenses	25-250-2	1,225.00
<b>PROSECUTOR'S OFFICE</b>		
Salaries & Wages	25-275-1	17,000.00
Other Expenses	25-275-2	
<b>FIRST AID</b>		
Contribution	25-260-2	13,000.00
<b>OFFICE OF EMERGENCY MANAGEMENT</b>		
Salaries & Wages	25-252-1	
Other Expenses	25-252-2	1,000.00
<b>FIRE OFFICIAL</b>		
Salaries & Wages	25-266-1	52,034.00
Other Expenses	25-266-2	2,090.00
<b>UNIFORM FIRE SAFETY ACT</b>		
Fire Prevention - OE	25-267-2	6,500.00
<b>BOARD OF HEALTH</b>		
Other Expenses	27-330-2	700.00
<b>COMMISSION FOR UNIVERSAL ACCESS</b>		
Other Expenses	27-331-2	
<b>COMMUNITY SERVICES - AGING</b>		
Salaries & Wages	28-371-1	92,338.50
Other Expenses	28-371-2	13,295.00
<b>COMMUNITY SERVICES - RECREATION</b>		
Salaries & Wages	28-370-1	53,437.50
Other Expenses	28-370-2	3,800.00
<b>PUBLIC WORKS</b>		
Salaries & Wages	26-290-1	466,231.50
Other Expenses	26-290-2	57,025.00
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>		
Other Expenses	20-170-2	14,000.00
<b>ARTS COMMISSION</b>		
Other Expenses	28-374-2	375.00
<b>SHADE TREE COMMITTEE</b>		
Other Expenses	28-375-2	250.00



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<b>UNIFORM CONSTRUCTION CODE</b>		
Salaries & Wages	22-195-1	173,079.00
Other Expenses	22-195-2	2,950.00
<b>UNCLASSIFIED</b>		
Gasoline	31-460-2	45,000.00
Electricity & Gas	31-430-2	80,500.00
Telephone & Telegraph	31-440-2	24,300.00
Street Lighting	31-435-2	65,000.00
Sanitary Landfill	32-465-2	135,000.00
Accumulated Sick & Vacation	30-415-1	
<b>STATUTORY EXPENDITURES</b>		
Social Security System	36-472-2	133,126.50
Unemployment Compensation Insurance	23-225-2	
<b>INSURANCE</b>		
General Liability/Workers Compensation	23-211-2	152,335.00
Employee Group Health	23-220-2	549,568.00
<b>LIBRARY</b>		
Library S & W	29-390-1	269,751.00
Library OE	29-390-2	162,263.00
<b>GARBAGE COLLECTION</b>		
Apartment Collection	26-305-2	
<b>LOSAP</b>		
Other Expenses	25-265-2	
<b>INTERLOCAL MUNICIPAL SERVICE AGREEMENTS</b>		
County Health Services OE	42-401-2	20,124.50
<b>M.C.I.A. RECYCLING</b>		
Other Expenses	42-402-2	4,500.00
<b>ANIMAL CONTROL SERVICES</b>		
Other Expenses	27-340-2	14,477.50
<b>SUBTOTAL</b>		<b>5,223,486.30</b>
<b>GRANTS</b>		
Business Stimulus Grant		
EPA Cherry Hill		\$ 1,300.00
Municipal Alliance		\$ 14,510.00
Bias County Grant		
Body Armor		
NJ DDEF		
Recycling MCIA Grant		
Clean Communities		
<b>Subtotal</b>		<b>5,281,936.30</b>
<b>CAPITAL IMPROVEMENT FUND</b>	44-901-2	
<b>STATUTORY EXPENDITURES (OUTSIDE OF CAP)</b>		
Public Employees' Retirement System	36-471-2	381,179.00
PFRS Other Expenses	36-475-2	653,933.00
<b>DEBT SERVICE</b>		
Bond Principal	45-920-2	843,000.00
BAN Principal	45-925-2	0.00
Interest on Bonds	45-930-2	148,604.00
Interest on Notes	45-935-2	115,227.00
Lease Agreement	45-950-2	226,866.00
EDA Loan	45-955-2	6,500.00
<b>EMERGENCY APPROPRIATION</b>	46-870-2	0.00
<b>SPECIAL EMERGENCY</b>	46-875-2	0.00
<b>RESERVE FOR TAX APPEAL</b>	46-876-2	0.00
<b>RESERVE FOR UNCOLLECTED TAXES</b>	50-899-2	0.00
<b>Grand Total</b>		<b>\$7,657,245.30</b>

WATER & SEWER

	2013
	TEMPORARY
	BUDGET
	#2
<b>OPERATING</b>	
Salaries & Wages	110,849.50
Other Expenses	664,839.73
Middlesex County MUA	500,000.00

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<b>CAPITAL IMPROVEMENTS</b>	
Capital Outlay	
<b>DEBT SERVICE</b>	
Payment of Bond Principal	575,000.00
Interest on Bonds	92,754.00
Interest on Notes	900.00
DEP Waste Water Loan Repayment	310,330.00
<b>STATUTORY EXPENDITURES</b>	
Public Employees' Retirement System	15,000.00
Social Security System	25,000.00
Deferred Charges	
<b>TOTAL</b>	<b>\$ 2,294,673.23</b>

2. Said emergency temporary appropriations will be provided for in the 2013 budget under the various captions listed herein.

3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

Mayor Minkoff appointed the following to serve as Professionals for 2013:

Special Counsel	Jeffrey Surenian
Special Planner	Phil Caton
Borough Engineer	David Samuel

Mayor Minkoff appointed the following to serve as a Professional for 2013 for an additional 30 day term:

Borough Planner	Allen Schectel
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Mayor Minkoff appointed H. James Polos to serve as a Deputy OEM Coordinator for a term to expire March 22, 2014.

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

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

Opposed: None.

Absent: None.

Abstained: None.

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

Brian Taxman, 13 North 4<sup>th</sup> Avenue, commented that it has been a pleasure to own Pino's for the last 27 years. Main Street Highland Park has done a great job of keeping stores in town occupied. He asked that residents support the local merchants and shop locally. The closing for the sale of the business will take place on February 12, 2013. He asked that the effective date for transfer of license be amended to February 13<sup>th</sup>.

On motion made by Councilwoman Brill Mittler, seconded by Councilman Erickson, the effective date for the transfer of the Pino's liquor license was amend. The motion was carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstained: None.

Mayor Minkoff congratulated Brian Taxman on retiring as owner and operator of Pino's. He congratulated the new owner and hopes that he does a great service to the community.

Juan Ratliffe, 219 South 6<sup>th</sup> Avenue, commented that he wrote a letter to the Police Chief that he handed to Lt. Panichella. He also complained about the one hour limit for computer use at the senior center. Mayor Minkoff advised that he was not aware of any letter. Chief Rizco indicated that he spoke to Andrea Baay from the Senior Center and the policy in place is the same that is utilized at the Library and it is fair. Mr. Ratliffe complained about the nastiness of the employees. Someone at the senior center made a racial slur and should be made to apologize. Everyone should be treated with respect and dignity. Mayor Minkoff noted that he would look into the matter along with the appropriate Council Liaison and the Borough Administrator. Mr. Ratliffe commented that he has spoken to the Borough Administrator and she was rude. If this type of situation happens again, he is going to Court. Borough Administrator advised that she remembers having a conversation with him but does not remember it being confrontational.

REGULAR MEETING – FEBRUARY 5, 2013

Ruth Bickhardt, 307 Magnolia Street, commented that when residents put out overloaded garbage/recycling cans and there is a storm, garbage is then all over the street. Councilman Millet indicated that it is legitimate for residents to put out recyclables the night before pickup day. Borough can look into other options if there is going to be a wind event. They will have to discuss this matter in committee. Councilwoman Foster-Dublin commented that during the last storm, the Borough send out alerts that the Borough would not be collecting garbage. There is an ordinance in place that governs that refuse not be put out more than 24 hours prior to pick up. Mayor Minkoff noted that while the Borough does not charge for the messaging system, individual phone carriers might.

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 to the Conference Meeting at 7:44 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk