

REGULAR MEETING – MARCH 5, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, March 5, 2013 and was called to order by Mayor Minkoff at 7:00 PM. Mayor Minkoff read the Open Public Meetings Statement.

Present: Mayor Minkoff; Councilpersons Brill Mittler (8:24 PM), Erickson, Foster-Dublin (left meeting at 8:00 PM), Millet, Potts, Welkovits; Borough Attorney Schmierer; Borough Administrator Kovach; Borough Clerk Hullings.

Absent: None.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Foster-Dublin reported that the Gun Safety Task Force held a meeting two weeks ago. They had a representative from the Prosecutor's Office as well as Reginald Johnson in attendance. They discussed gun buyback programs that were held in Somerset and Monmouth counties. If residents have guns to turn in they should contact the Police Department. They will be holding a workshop for residents to discuss gun safety for kids and adults. The Highland Park Police Department has gun locks available. The workshop will be held in the next couple of weeks and will be advertised on Facebook, the website and Nixle.

Councilman Potts reported that the seniors will have a St. Patrick's Day celebration on March 18<sup>th</sup> at 12 PM. The Mayor's Teen Advisory Committee Talent Show will be held on Saturday at 8 PM in the high school cafeteria. The Memorial Day Parade will be held on May 27<sup>th</sup> and will begin in New Brunswick.

Councilwoman Welkovits reported that the Irving School will hold an Open House Registration on March 6<sup>th</sup>. The Commission for Universal Access will meet on March 7<sup>th</sup>.

Councilman Erickson noted that there are two items on the agenda with regard to the budget. The Borough is \$800,00 under the cap as per State regulations. The Borough had hoped to hire two Police Officers this year and will only hire one.

Councilman Millet reported that the Borough will be ordering magnets that will contain recycling and trash collection information for the north side, south side and triangle. The magnet will not contain information for the central business district. They will use this magnet as a template for the 2014 magnet.

Borough Administrator reported that on the agenda tonight is the public hearing and final reading of the bond ordinance for the sidewalk improvement program. Every participant in the program had to be sent a copy of the ordinance by law. The Borough Engineer will visit each location in order to prepare specs that will be advertised for bids. They will review all the bids submitted with the Borough Attorney and accept one. After that is done, each resident will be notified and can elect to participate in the program or opt out. The Borough Engineer was sent a list of the properties once residents were notified. Hope to have bid phase completed by beginning of the summer.

Borough Attorney Schmierer - No report.

Mayor Minkoff commented that they will devote a portion of the public comment session to sidewalk questions. The Borough does not know costs until bids are received. Copies of the Highland Park News are available in Borough Hall and were mailed to each resident in Highland Park. It was a terrific effort on the part of many people. He thanked Monica Jackson, Valerie Weidman, Gayle Brill Mittler and Matt Hersh for their efforts. They did yeoman's work to get this project off the ground. He attended the Governor's budget address in Trenton and is pleased to report that fiscally Highland Park is in good shape. The Borough did everything possible to be responsible about budget increase. Last Friday, he spent time in the Bartle School for Read Across America and also spent forty-five minutes with a 5<sup>th</sup> grade class along with Borough staff to talk about what the Mayor does and how the Borough runs. The 4<sup>th</sup> graders from Bartle School will be visiting Borough Hall soon. Last night, the Boy Scouts visited Borough Hall to observe the Municipal Court in sessions. The Mayor's Teen Advisory Committee is active and he is working on getting them interested in public service. He would like to devote the first part of the public discussion to questions about sidewalks. The municipal budget is being introduced tonight, but the public hearing on the budget is not until April 2<sup>nd</sup>.

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

Chris Davies, 152 Dartmouth Street, commented that he has been a resident in town for 11 years and the sidewalk condition is the same now as it was then. He mentioned a problem with the fire hydrant near his home. Borough Engineer will be asked to check into that matter.

Bernadette Methven, 301 So. 4<sup>th</sup> Avenue, asked if a copy of the specs are available. Borough Clerk indicated that the bid specs come from the Borough Engineer's office and will be available in the Clerk's Office, but will not be put on the Borough website.

John LaPadula., 411 Graham Street, asked if the program is strictly confined to the sidewalk in front of his home, or could it include the pathway to his home. Mayor Minkoff noted that the program deals specifically with the sidewalk in front of the home, but resident could deal privately with contractor for extra work.

REGULAR MEETING – MARCH 5, 2013

Marc Weinstein, 15 No. 8<sup>th</sup> Avenue, asked about getting better contractor than last time program was done. Blocks in front of his home are being lifted again by Borough tree. Mayor Minkoff indicated that they now look, to sculpt sidewalk around roots of trees. For the last program, the contractor was fired and replaced. Goal is to get the work done right the first time. They will coordinate work with contractor and certified tree expert. Residents will receive diagram of work to be done along with contract. Mr. Weinstein asked about warranty and fact that he has to replace sidewalk again. Borough Attorney noted that warranty is only for a specified amount of time and resident would have to pay for sidewalk work again. Mr. Weinstein noted that cutting roots down too much would compromise the tree. Mayor noted that the issue would need to be reviewed by the Borough Engineer and the Certified Tree Expert.

Marc Mappen, 33 No. 6<sup>th</sup> Avenue, indicated that he did a sketch of work he needed to have done. He asked if the Borough Engineer takes into account sketch provided when they do inspections. Borough Administrator noted that the Borough Engineer has copies of what everyone submitted and will discuss any issues with the resident.

Steve Urow, 41 Highland Avenue, commented about alternative products used to replace sidewalks such as sakrete. Councilman Millet noted that the Borough is looking for more permanent solutions. There are no defined specs for use of alternative materials. In his opinion and that of the Code Enforcement Department that there is no guarantee that it will last. Mayor Minkoff added they conferred with the Borough Engineer and Code Enforcement Director about patching and bonding agents and they felt that those products would not last. He asked that Mr. Urow give information to the Borough Council and they will have the Borough Engineer review and research the product and given his expert opinion. He further noted that he received a report today that someone fell and broke their wrist on a sidewalk. Also, he himself took a nasty spill recently. He asked the Borough Attorney about the sidewalk ordinance. The Borough Attorney noted that there are no specific standards in the ordinance to determine whether a sidewalk needs repair, but it is the Borough Engineer's responsibility to evaluate sidewalks for safety. Mayor Minkoff added that the Borough does not profit economically from this program. This program is about pedestrian safety as this is a walking community. They had the inspectors walk the town to evaluate the sidewalks and have enlisted the help of their professionals. Mr. Urow commented that the Borough shouldn't deem this a successful project when there are still areas in town where there are no sidewalks. The Borough should offer a 50/50 program to residents with no sidewalks. Mayor Minkoff commented that the Borough cannot require residents to put in sidewalks where they don't presently exist, but they can enforce the ordinance to ensure proper maintenance of sidewalks. He asked that Mr. Urow email the specifications he has on sidewalk material to the Borough Administrator.

Joy Kuchinsky, 116 No. 5<sup>th</sup> Avenue, commented that she has not finished paying for last sidewalk improvement program and has to replace her sidewalk again. The same Borough tree is lifting her sidewalk. They did curvature last time and the tree is still lifting the sidewalk. Mayor Minkoff advised that the Borough Administrator will make list of properties where this issue is happening. Borough Administrator noted that if the tree keeps lifting the sidewalk, they will grind the roots. If the tree is compromised, the tree will have to be removed. Ms. Kuchinsky noted that the tree is big and old. She has to make final payment in April. Mayor Minkoff advised that she should make the final payment. Possibility that blocks can be reset and not be replaced if roots can be ground or tree is removed. Ms. Kuchinsky asked who is responsible for small portion of sidewalk that is perpendicular to sidewalk and curb. Councilman Millet noted that it is not part of pedestrian walkway, but put in for homeowner's convenience. Resident's own the sidewalks and the borough has the right of way. Responsibility for property owners to maintain them for safe passage by pedestrians.

Henning Christiansen, 21 So. 6<sup>th</sup> Avenue, noted that he owns property on Volkert Street. He has product to fix sidewalks and it is guaranteed for 20 years. This will cut down on expenses and Borough could have well maintained roads. He has written specifications for this product and he has used it in Highland Park on a driveway. Will provide information that can be shared with the Borough Engineer.

Stan Ravens, 250 Harrison Avenue, commented that he has a similar problem with his sidewalk due to a tree. One of the trees at front of house was replaced 10 years ago. He also has an old tree that was planted over 30 years ago. Borough should look at types of trees that plant as the trees that were planted are breaking the sidewalk. Mayor Minkoff advised that the Shade Tree Advisory Committee has been researching types of trees to plant where roots do not grow so far out thus causing problems. Mr. Ravens asked why he is responsible for the town's tree that does damage to his sidewalk. He asked why he should have to pay cost to replace sidewalk. Mayor Minkoff indicated that the Borough now requires written request from homeowner for a tree to be planted. When homes change hands, they require new homeowner to sign for tree that was planted. Councilman Erickson noted that in the past trees were planted at resident's requests and certain species picked that were not appropriate. The Shade Tree Advisory Committee is trying to steer people to pick more appropriate trees. Mr. Ravens commented that old beautiful trees do damage to the sidewalk. He asked why the town isn't partially responsible for the damage caused by tree roots. Borough Attorney advised that they cannot go back and figure out how ancient tree was planted. This is consequence of prior owner. Sidewalks wear out due to wear and tear and tree roots and it still the responsibility of the homeowner to repair. The Borough will look at the tree and see if the roots can be shaved and curve the sidewalk to keep the tree. Mr. Ravens requested that the tree be removed to protect his sidewalk. Borough Attorney advised that they would consult with the Borough Engineer. Since this is the second time, the Borough would take down the tree at their cost. Mr. Ravens commented that it is silly to spend a lot of money to remove tree. He is willing to keep tree but does not want to be responsible for the sidewalk repairs. Mayor Minkoff commented that the issue is not what the Borough would rather do, but there are ordinances to adhere to. The right of way and sidewalks are the responsibility of the homeowners to take care of. They are in the middle of this program right now and they will address issues as they arise. There are well over 500 applications that were submitted for this program.

Ms. Mano, 500 So. 4<sup>th</sup> Avenue, asked if the Borough Engineer has looked at other materials besides concrete that allows water to seep through so that tree roots can grow downwards instead of out. Can lift up pads as tree grows. Concrete last up to 10 years. New materials are sustainable and environmentally friendly and might cost more now. Mayor Minkoff noted that they researched this with Sustainable Highland Park, the Borough Engineer and the Code Enforcement Officer. They have not found anything with a track record or durability that would meet criteria they are comfortable with. Councilman Millet added that between now and when they go out to bid it won't work. If they put Borough stamp on it, it better be right. Will take Borough owned area to use as a pilot area so that if there is an issue they can fix it. Do not have enough time to organize and put out in meaningful way so that people can save money. Ms. Mano commented that since Highland Park is a sustainable community it should be researched more. With 500 property owners in the program, she thinks it is a good chance to not go so fast and do concrete. She referenced a product used mostly on the west coast and suggested they take the time to get educated about it since there is such a mass of people signed up. Mayor Minkoff indicated that they would continue to look at other options. Ms. Mano commented about the corner of South 4<sup>th</sup> Avenue that Borough poured that is now uplifted by tree roots. Councilman Millet clarified that the areas she referred to is the handicapped access at the corner. Those installations are some of the ways the Borough tries to maintain sidewalks especially when the repave a road. If the Borough took over total maintenance of all sidewalks, taxes would go up.

Jason Postelnic, 20 No. 4<sup>th</sup> Avenue, commented that the sidewalk is the homeowner's responsibility, the tree is the Borough's responsibility, and questioned if the tree grinding is responsibility of the Borough.

Mark Oshinskie, 240 Wayne Street, commented that if this program is to advance safety, the Borough missed the mark. He noted that he reviewed accident report information provided to him and it was very sketchy. Finally, he commented that if you damage more roots get ready for more trees to come down.

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

Councilman Erickson noted that they submitted grant for rubber sidewalks and the DOT turned down the grant and would not approve it. The Borough Council is open to idea of using alternatives that are more pervious.

The Clerk reported that an ordinance entitled, CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14), had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

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

Ayes: Councilpersons Erickson, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Brill Mittler, Foster-Dublin.

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

No. 3-13-89

WHEREAS, an Ordinance entitled, CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14) 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, March 19, 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 daily 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.

The Clerk reported that the 2013 Municipal Budget and Tax Resolution were introduced in writing by the Finance Committee for consideration of passage on first reading. Copies of the full text will be available at the Highland Park Public Library and Borough Hall. The full final budget as adopted and approved will appear in the minutes of the meeting at which the budget is finally adopted.

On motion made by Councilman Erickson, seconded by Councilman Millet, the 2013 Municipal Budget and Tax Resolution were duly adopted on first reading by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Millet, Potts, Welkovits.

Opposed: None.

Abstained: None.

Absent: Councilpersons Brill Mittler, Foster-Dublin.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Erickson, seconded by Councilman Millet, and carried by affirmative voice vote of all Councilpersons present:

REGULAR MEETING – MARCH 5, 2013

No. 3-13-90

Municipal Budget of the Borough of Highland Park, County of Middlesex for the Year 2013

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Neptune, N.J. in the issue of March 8, 2013.

The governing Body of the Borough of Highland Park does hereby approve the following as the Budget for the year 2013:

General Appropriations

Appropriations Within "CAPS"

Municipal Purposes \$10,517,531.00

Appropriations Excluded from "CAPS"

Municipal Purposes 2,533,571.00

Reserve for Uncollected Taxes – Based on

Estimated 99+ Percent of Tax Collections 280,000.00

Total General Appropriations 13,331,102.00

Less: Anticipated Revenues Other Than Current

Property Tax 3,510,523.20

Difference: Amount to be Raised by Taxes

For Support of Municipal Budget:

Local Tax for Municipal Purposes Including

Reserve for Uncollected Taxes \$9,367,220.40

Water & Sewer Utility Operating Fund:

Total Water & Sewer Utility Revenues \$3,550,000.00

Total Water & Sewer Utility Appropriations \$3,550,000.00

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on March 5, 2013.

A hearing on the Budget and Tax Resolution will be held at Borough Hall on April 2, 2013 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

The Clerk reported advertising an ordinance entitled, 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 SPECIAL ASSESSMENT OF THE COST THEREOF, 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 Millet, seconded by Councilman Erickson, 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.

On motion made by Councilman Millet, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 13-1843, was considered for final adoption by the following rollcall vote, to wit:

Ayes: Councilpersons Erickson, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Brill Mittler, Foster-Dublin.

The above noted ordinance was not finally adopted with only four Council Members in attendance. Ordinance to be voted on at next meeting.

Consent Agenda Resolution Nos. 3-13-92 through 3-13-102 were duly adopted on motion made by Councilman Millet, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Erickson, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Brill Mittler, Foster-Dublin.

Abstain: None,

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

No. 3-13-92

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. 28-29 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$7,608.30; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#28	\$ 4,245.80	UV resistant window film fire house garage doors
#29	\$ 3,362.00	Install drywall soffits around exposed ducts

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$7,608.30, 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;

REGULAR MEETING – MARCH 5, 2013

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. 28-29, for \$7,608.30 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. 3-13-93

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 2013 1<sup>st</sup> quarter taxes for the property indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>REMITTEE</u>	<u>PERIOD</u>	<u>AMOUNT TO BE REMITTED</u>
68	24		1 <sup>st</sup> Qtr.	\$ 3,184.60(taxes) \$ 9.11(interest)

Highland Park, NJ 08904

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. 3-13-94

WHEREAS, Jason Fox 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. 3-13-95

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 3/5/13, can be found in the Bills List Journal Book No. 32.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 3-13-96

WHEREAS, 1<sup>st</sup> quarter taxes were paid by Golda Pearlman, for property located at 612 South Park Avenue, Block 140, Lot 3, utilizing the Borough's online payment option; and

WHEREAS, due to a problem with the "WIPP Program" the payment was returned for insufficient funds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the returned check fee charged of \$20.00 shall be and hereby is reversed.

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

The following resolution, introduced by the Council as a Whole, was duly adopted as above:  
No. 3-13-97

WHEREAS, the Borough of Highland Park entered into an Agreement with Middlesex Council No. 7 New Jersey Civil Service Association (the "Parties") for the term January 1, 2012 to December 31, 2014; and

WHEREAS, one of the items negotiated as part of this contract was summer hours; and

WHEREAS, the Borough may, in its sole discretion, between Memorial Day and Labor Day each year, modify work hours in the summer by going to a four (4) day, 35 hour workweek schedule, with Borough operations closed on Fridays in the summer for Borough Hall and the Senior/Youth Recreation Center; and

WHEREAS, the Borough would like to extend this benefit to the non-union employees in Borough Hall and the Senior/Youth Recreation Center;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that summer hours be approved for both Borough Hall and the Senior/Youth Recreation Center between Memorial Day and Labor Day.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Middlesex Council No. 7 New Jersey Civil Service Association and the Borough Administrator forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 3-13-98

WHEREAS, Guaranteed Motor Towing Service, New Brunswick, NJ; Dependable Motors, Somerset, NJ and George Logan Towing, Inc., North Brunswick, NJ have filed with the Clerk of this Borough for a Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

REGULAR MEETING – MARCH 5, 2013

WHEREAS, the Chief of Police has investigated said applicants and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determines 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 be and is hereby authorized and directed to issue Heavy Duty Wrecker/Towing Licenses to the aforesaid applicants.

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

No. 3-13-99

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

WHEREAS, it has been determined by the Highland Park Water & Sewer Department that the water meter was broken 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 in the amount of \$654.70 for water and \$456.75 for sewer to the water and sewer account of the Reformed Church of Highland Park, Account #20121670-2.

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 Works and Public Utilities Committee, was duly adopted as above:

No. 3-13-100

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of the Borough of Highland Park to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough of Highland Park hereby endorses the submission of the 2012 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Frank Troy to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

No. 3-13-101

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

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

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at [www.govdeals.com](http://www.govdeals.com) and also available from the Borough Clerk's Office in the Borough of Highland Park.
- (2) The sale will be conducted online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com).
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached to the original of this resolution.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Highland Park reserves the right to accept or reject any bid submitted.

REGULAR MEETING – MARCH 5, 2013

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

No. 3-13-102

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Section 3 of Resolution 1-13-19, adopted by the Borough Council on January 7, 2013, shall be amended by the addition of the following:

Summer Camp:		
	\$200.00/week	In-town
	\$250.00/week	Non-resident
	\$55.00/week	Reduced lunch
Teen Camp:		For ages 12-17

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Director, Community Services Director and Camp Director.

Mayor Minkoff appointed the following to serve as a Professional for 2013:

Borough Planner Allen Schectel

Mayor Minkoff appointed Debbie Hehir to serve as a member of Commission for Universal Access for a term to expire March 2, 2016.

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

Ayes: Councilpersons Erickson, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Brill Mittler, Foster-Dublin.

Abstained: None.

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

Ruth Bickhardt, 307 Magnolia Street, asked when the copy of the budget would be available. She was advised that it would be available tomorrow at the Clerk's Office. Ms. Bickhardt commented that the recycling schedule was confusing. Borough Administrator advised that bulk trash is collected every other month. Ms. Bickhardt noted that it does not which month will be north side/south side. Borough Administrator noted that the information will be on the magnet that will be issued soon. Ms. Bickhardt commented that there was no tree in front of her house when she bought it. She never wanted a tree, but the Borough planted it. She replaced three slabs on her sidewalks for the 3<sup>rd</sup> time. There is something wrong underground and the Water Department has checked. Councilman Millet indicated that the Borough would look into the matter. Ms. Bickhardt commented that the problem started when the Borough replaced water lines and that's where the slab is.

Mayor Minkoff asked Marc Mappen for update on the Library Board. Mr. Mappen noted that they did a strategic plan for the future of the library. Looking into getting expert to reconfigure the layout of the library to make it more accessible and welcoming. Mayor Minkoff noted that there would be a public presentation at a future Council Meeting. Councilwoman Welkovits will coordinate with the Library Board.

No one else 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 8:28 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk