

REGULAR MEETING – MARCH 19, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, March 19, 2013 and was called to order by Mayor Minkoff at 7:05 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: Councilpersons Brill Mittler, Welkovits.

Main Street Minute – Jamie McCrone appeared to present the Main Street Minute and noted that the Shop Your Town initiative is slowly getting underway. Unity Bank is on board as the principal sponsor. This is the town-wide shoppers reward card, where participating downtown businesses provide an extra incentive toward shopping locally. Key Main Street Board Members took part in the “20 Ingredients to a Successful Downtown” webinar with Roger Brooks that was sponsored by Main Street NJ. It was very informative and talked about branding and is paying dividends in terms of getting landlords and Main Street talking productively. They are also moving forward on new website and mobile platforms. Their metrics tell them that more than 30% of the users to ShopHP.com are mobile users. They are revamping the website to put both MainSt.org and ShopHP.com on a single, integrated platform, all paid for by a grant. It is paying dividends already with new volunteers and increased attendance. They are assisting with a downtown mural project being put on by a local artist and one of the Promo Team Members. It is being financed through micro-sourcing. The streetscape living rooms are better than they thought they would be. Main Street is looking at a pilot program to use engineered soil in the planters on the avenue to help reduce watering costs. BBQ is getting ready to open and is contemplating a grand opening on April 17<sup>th</sup>. Simmuel’s Closet, a new clothing store, will open soon at 141 Raritan Avenue. Old Queens Coffee and others are doing well and there is continued interest in vacancies. They have a small vacancy rate at this time.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Foster-Dublin reported that they have been seeing signs of graffiti throughout town. If anyone sees anything they should contact the Police Department. They are working on efforts to remove the graffiti as soon as possible. The Borough cannot remove the graffiti from utility boxes as permission is need from the utility company.

Councilman Potts reported that the Teen Advisory Committee held a talent show on March 9<sup>th</sup> at the high school. They raised \$192 for the Food Pantry as well as collected food donations. He congratulated the Executive Board on a successful event. The summer camp and Jr. Owls sports camp brochures are available at the Senior Center and on the borough’s website. The seniors have a trip planned to historic Smithville on April 25<sup>th</sup>. The Memorial Day Parade will be on May 27<sup>th</sup> and will start in New Brunswick and end at the Doughboy Monument. Mayor Minkoff commented on the terrific leadership and ownership that the students have taken. There were over 100 people that attended the event. Great job by Councilman Potts and Recreation Program Coordinator Andrea Baay. He thanked Carvel for their generous donation. He thanked the Highland Park Board of Education and the Highland Park High School for use of their facility.

Councilman Erickson reported that they will be hosting a meeting with Building One NJ nextweek. The program works to revitalize inner city suburbs.

Councilman Millet reported that there will be an Earth Day Celebration on April 21<sup>st</sup> at the Environmental Education Center from 11AM to 3PM. More details to be posted on the Borough’s website.

Borough Administrator – No report.

Borough Attorney Schmierer – No report.

Mayor Minkoff reported that the Board of Public Utilities has been holding hearings and debriefings in the aftermath of Superstorm Sandy. He attended one of those meetings yesterday. There is information from the Small Business Administration on the Clerk’s Counter in Borough Hall. He hopes to be able to scan the information and post on the Borough’s website and to also include loan program information.

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

Dan Keel, 119 Harper Street, commented that he has lived in Highland Park for 9 years. He loves Highland Park and it is a great town to live in. He appreciates the community’s involvement and support of the arts. He made note of the big moldy retaining wall coming into Highland Park. He wished Highland Park could come up with a way to make it attractive and make it a gateway in the community. The former headquarters of Main Street Highland Park is the model he has been looking at. He would love to get support of the community and volunteer his time. Mayor Minkoff thanked him for his idea and interest. Councilman Minkoff noted that the Borough does not own the property and the NJDOT considers it part of the right of way. Mayor Minkoff noted that on the cover of the Redevelopment Plan or the Master Plan there is a sample of what the Borough is looking to do. He was encouraged to fill out a volunteer application and consider becoming a member of the Arts Commission.

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

The Clerk reported advertising an ordinance entitled, 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),, 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 Potts, 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 Councilman Erickson, the ordinance entitled as above, being Ordinance No. 13-1844, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons Brill Mittler, Welkovits.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Millet, seconded by Councilman Potts and carried by unanimous affirmative voice vote:  
No. 3-13-104

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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), 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.

On motion made by Councilman Millet, seconded by Councilman Erickson and carried by affirmative voice vote of all councilpersons present, the 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 was tabled from consideration until the April 2<sup>nd</sup> meeting.

Consent Agenda Resolution Nos. 3-13-106 through 3-13-117 were duly adopted on motion made by Councilman Millet, seconded by Councilman Erickson, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons Brill Mittler, Welkovits.

Abstain: None,

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 3-13-106

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount set opposite the following, the same being the amount of overpayment of taxes, including accrued interest, for the year 2013 based on successful tax appeal to the Middlesex County Board of Taxation in 2013, to wit:

| <u>BLOCK LOT</u> |    | <u>CHECK MADE PAYABLE TO</u>     | <u>REFUND</u> |
|------------------|----|----------------------------------|---------------|
| 162              | 36 | 247 Raritan Ave ; 4Rkidz, II LLC | \$4,716.11    |
| 162              | 36 | 247 Raritan Ave ; 4Rkidz, II LLC | \$4,716.11    |

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 3-13-107

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount set opposite the following, the same being the amount of overpayment of taxes, including accrued interest, for the year 2013 based on successful tax appeal to the Middlesex County Board of Taxation in 2013, to wit:

| <u>BLOCK LOT</u> |      | <u>CHECK MADE PAYABLE TO</u>          | <u>REFUND</u> |
|------------------|------|---------------------------------------|---------------|
| 190              | 4.05 | Overlook @ Highland Park Condo Assoc. | \$3,418.88    |
| 190              | 4.05 | Overlook @ Highland Park Condo Assoc. | \$3,418.88    |

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 3-13-108

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$8,217.50 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 \$8,217.50 to The Goldstein Partnership, for architectural services in connection with the renovation of the Public Safety Building; and

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

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

No. 3-13-109

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 3/19/13, can be found in the Bills List Journal Book No. 32.

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

No. 3-13-110

WHEREAS, Raymond and Gloria Morrils, 131 Barnard Street, 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 \$257.19 for water and \$155.43 for sewer to the water and sewer account of the Raymond and Gloria Morris, Account #10061831-0.

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

No. 3-13-111

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. 6, 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 \$179,771.81 in accordance with said Pay Estimate for work performed from February 1, 2013 to, March 1, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$179,771.81, 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 \$179,771.81, as certified by the Architect in Pay Estimate No. 6, 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.

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

No. 3-13-112

WHEREAS, Spartan Towing, Middlesex, NJ, Coppa's Service Center & Towing, North Brunswick, NJ and Car Guys Auto Repair, Edison, 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

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. 3-13-113

WHEREAS, Udi Shorr and Ora Gourarie wish to donate beehives for the Borough's Environmental Education Center/Native Plant Preserve; and

WHEREAS, the Borough of Highland Park Police desires to accept said donation; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk shall be and are hereby authorized to execute the beehive volunteer agreement, attached to the original of this resolution;

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

No. 3-13-114

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant for the calendar year of 2013 and

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

WHEREAS, Allen Schectel is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Borough Planner for 2013; and

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

WHEREAS, funds for this purpose are available in Account No. 3-01-21-180-2PL in an amount not to exceed \$9,000.00, upon adoption of the 2013 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below, and in various escrow accounts now or hereafter established pursuant to Chapter 17-10.12 of the Revised General Ordinances of the Borough of Highland Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, an Agreement for professional services with Allen Schectel, a copy of which is attached hereto, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the Office of the Borough Clerk.

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

No. 3-13-115

WHEREAS, advertisement was made for receipt of bids on December 20, 2012, for the 2013/2014 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding, with said bids rejected as per Resolution No. 1-13-3699; and

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

WHEREAS, one bid was received as follows:

Chestnut CAFS, LLC., Old Bridge, NJ

**2013/2014**

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

WHEREAS, the Superintendent of Public Works has recommended that the 2013/2014 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding be awarded to Chestnut (CAFS LLC), Old Bridge, NJ based on their bid and compliance with the specifications; and

WHEREAS, funds for said contract shall be made available in Account No. 3-01-26-290-237 upon adoption in the 2013 Municipal Budget in an amount not to exceed \$50,000.00 as reflected by the certification of funds of Chief Financial Officer, Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with Chestnut (CAFS LLC), PO Box 564, Old Bridge, NJ 08857, in an amount not to exceed \$50,000.00 without further resolution of Council for pruning, tree and stump removal as described above, said contract to cover period beginning January 1, 2013 and ending December 31, 2014. Said contract shall be in accordance with the specifications and bid documents and in a form approved by the Borough Attorney.

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

No. 3-13-116

WHEREAS, pursuant to a duly advertised Notice to Bidders, in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., seven (7) bids were received on February 14, 2013 for the project known as "2011 Sidewalk Improvements" for the reconstruction of sidewalks and handicap ramps at the Highland Park Public Library, the intersection of North Fourth Avenue and Madison Avenue, and the eastern "catwalk" easements along Lincoln Avenue, Lawrence Avenue, Grant Avenue, Harrison Avenue and Cleveland Avenue ("Project") as follows:

1. A-Team Concrete, Inc. \$142,064.60
2. Tony's Concrete Construction Co. \$149,149.00
3. GSP Construction, Inc. \$188,161.00
4. A-Tech Concrete Co., Inc. \$194,775.00
5. CMS Construction, Inc. \$211,995.00
6. A. Takton Concrete Corp. \$244,209.00
7. JAK Construction Corp. d/b/a Diamond Construction \$263,958.76

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-4, requires that the award of a contract for this Project be made to the lowest responsible and responsive bidder; and

WHEREAS, the Borough Engineer recommends that the award of the contract be made to A-Team Concrete, Inc. ("A-Team"); and

WHEREAS, the Borough Attorney finds A-Team's bid documents to be in order; and

WHEREAS, the award of this contract is subject to review and approval by the New Jersey Department of Transportation; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this Project; and

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WHEREAS, funds for this contract are included in the appropriations authorized in Ordinance #11-1814 and Ordinance #09-1770.

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

1. The contract for the 2011 Sidewalk Improvements Project is hereby awarded to ATeam Concrete, Inc. as the lowest responsible and responsive bidder.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with A-Team Concrete, Inc. for completion of 2011 Sidewalk Improvements Project for the contract price of \$142,064.60.
3. The award of this contract is subject to review and approval by the New Jersey Department of Transportation.
4. A copy of this Resolution and the agreement shall 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 Safety Committee, was duly adopted as above:  
No. 3-13-117

WHEREAS, Thomas Katchisin 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.

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

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

There being no further business, on motion made by Councilman Millet, seconded by Councilman Potts, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 7:38 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk

The following resolution was adopted at the Conference Meeting:  
No. 3-13-119

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of Redevelopment, the Highland Park Borough Council wishes to authorize and direct the Highland Park Planning Board ("Planning Board") to conduct a preliminary investigation to determine whether the area consisting of Block 49, Lots 42 through 55 and Block 47, Lots 27 through 75 meet the criteria set forth in the Redevelopment Law and should be designated as an area in need of redevelopment.