

REGULAR MEETING – MAY 7, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, May 7, 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 Brill Mittler, Millet, Potts, Welkovits; Borough Attorney Schmierer; Borough Administrator Kovach, Borough Clerk Hullings.

Absent: Councilpersons Erickson, Foster-Dublin.

Mayor Minkoff read a Proclamation for St. Paul Apostle Church for its 100th anniversary and presented it to representatives in attendance.

On motion made by Councilman Millet seconded by Councilwoman Welkovits, the minutes of the Regular and Conference Meetings held on August 14, 2012, September 4, 2012, October 2, 2012, October 16, 2012, November 13, 2012, November 21, 2012, December 11, 2012, Adjourned Meeting held January 7, 2012, and Organization Meeting held January 7, 2013 were approved as distributed by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons Erickson and Foster-Dublin.

Abstain: None.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Brill Mittler reported that the Annual Street Fair will be held on May 19th, with the 5K race that will be held in the morning. She encouraged residents to attend the event and invite their friends.

Councilman Potts reported that information on the summer camp is available at the senior center and on the Borough's website. The Annual Memorial Day Parade will be held on May 27th. The Senior Prom will be held on June 6th at the Senior Center from 5:00 PM to 8:00 PM and the theme is Dancing Under the Stars. The Teen Advisory Committee met last Thursday and are working on hosting a car wash as a social event. He congratulated St. Paul's on their 100th Anniversary. Lastly, he wished all the moms a Happy Mother's Day.

Councilwoman Welkovits reported that the Highland Park Housing Authority was awarded a grant in conjunction with Parker House. It covers one day week for arts, crafts, lunch and physical and mind exercises. The program will be held for one year on Mondays from 10-2 and will cost \$3/person. The Friends of the Highland Park Library will hold their annual book sale on May 18th and 19th.

Councilman Millet reported that he attended a pre-construction meeting for the catwalk project (eastern section). The contract has been awarded and project to start in mid-May. The grant is funded by the NJDOT. The contractor will also do some sidewalk repairs at the Library.

Borough Administrator Kovach reminded residents that summer hours start the week of May 23rd and will continue through Labor Day. Borough Hall will be open Monday – Wednesday, 8AM-5:30PM and Thursday, 8AM-4:30PM.

Borough Attorney Schmierer - No report.

Mayor Minkoff commented that he owes gratitude to former Mayor Meryl Frank as the streetscape project looks good with the exception of some outstanding items. It puts new aesthetic on Highland Park. They are seeing increased interest in space rentals with new businesses coming to Highland Park. Much more activity to come. He was approached in synagogue recently by a visiting Mayor from Israel who complimented him on how clean the streets are in Highland Park. This leaves visitors and residents with a good impression.

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.

The Clerk reported advertising an ordinance entitled, 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 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 Councilwoman Brill Mittler, the ordinance entitled as above, being Ordinance No. 13-1846, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons Erickson, Foster-Dublin.

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

No. 5-13-155

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, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", CHAPTER 230, LAND DEVELOPMENT, had been introduced in writing by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Brill Mittler, 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, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Erickson, Foster-Dublin.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted on motion made by Councilman Erickson, seconded by Councilwoman Brill Mittler, and carried by unanimous affirmative voice vote:

No. 5-13-156

WHEREAS, an Ordinance entitled, AN ORDINANCE AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", CHAPTER 230, LAND DEVELOPMENT 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 Wednesday, June 5, 2013, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of 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 daily 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. 5-13-157 through 5-13-167 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 Brill Mittler, Millet, Potts, Welkovits.

Opposed: None.

Absent: Councilpersons Erickson, Foster-Dublin.

Abstain: None.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 5-13-157

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. 42-47 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$22,185.23; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#42	\$ 922.90	Procure concrete testing lab services
#43	\$ 3,907.07	Work firehouse slab expose asbestos insulation
#44	\$ 936.00	Remobilize concrete cutting
#45	\$ 746.62	Finish wall in firehouse lobby
#46	\$ 9,762.01	Remove unsuitable soil within building footprint
#47	\$ 5,910.63	Provide grounding for radio tower

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$22,185.23, 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. 42-47, for \$22,185.23 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.

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

No. 5-13-158

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:

KEITH THEDINGA, Supervisor of Part-time Firefighters, part-time, at an hourly rate of \$20.00, effective July 1, 2013.

MICHAEL WIECZORKIEWICZ, FOREMAN, at an hourly rate of \$37.17, effective May 15, 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. 5-13-159

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall include in the minutes of this meeting a statement as to all such claims approved as shown in a Bills List Journal in accordance with said Ordinance.

The bills approved for payment at this meeting, Bills List 5/7/13, 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. 5-13-160

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$12,501.67 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 \$12,501.67 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 Economic Development and Planning Committee, was duly adopted as above:

No. 5-13-161

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. 8, 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 \$162,808.21 in accordance with said Pay Estimate for work performed from April 1, 2013 to, April 30, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$162,808.21, 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 \$162,808.21, as certified by the Architect in Pay Estimate No. 8, 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. 5-13-162

WHEREAS, there were 591 motor vehicle fatalities in New Jersey in 2012; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from May 20 – June 2, 2013 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88.29% to 90%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

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NOW, THEREFORE, BE IT RESOLVED that the Borough of Highland Park declares it's support for the Click It or Ticket safety belt mobilization both locally and nationally from May 20 – June 2, 2013 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted as above:

No. 5-13-163

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute, on behalf of the Borough, the Middlesex County Office on Aging Grant Agreement in the amount of \$5,000.00 for the Highland Park Department of Community Services, a copy of which is attached to the original of this resolution.

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

No. 5-13-164

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

No. 5-13-165

WHEREAS, the Department of Public Works obtained quotations for the 2013 Tree Planting Project; and

WHEREAS, two (2) quotes were received as follows:

<u>NAME</u>	<u>AMOUNT</u>
Silagy Contracting LLC	\$9,240.00
New Jersey Tree Foundation	\$9,806.00

And

WHEREAS, after review by the Shade Tree Committee and Department of Public Works, the Borough Administrator has recommended that the contract be awarded to Silagy Contracting LLC based on their low bid; and

WHEREAS, funds are available for tree planting in the amount of \$9,240.00 in Account No. T-12-56-806-100 upon adoption of the 2013 municipal budget, as reflected by the certification of funds by Chief Financial Officer Kathleen Kovach;

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 Silagy Contracting LLC, 614 Old Post Road, Edison, NJ 08817 in the amount of \$9,240.00, for the planting of trees as listed in the contract, said contract to be in a form approved by the Borough Attorney.

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

No. 5-13-166

WHEREAS, Borough of Highland Park desires to become a member of the Somerset County Cooperative Pricing System, #2-SOCCP, effective May 7, 2013 and, that such membership shall be for the period ending December 31, 2013, and each renewal, thereafter of the system, unless the Borough of Highland Park elects to formally withdraw from the system;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement for such membership.

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

No. 5-13-167

WHEREAS, Timothy Coyle, Housing Inspector/Zoning Officer, has retired from the Highland Park Department of Code Enforcement effective April 30, 2013; and

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

	<u>Calculation</u>	<u>Amount Due</u>
Vacation	22.95 days x \$265.00	\$6,082.88
Sick	14.04 days x \$265.00	\$3,720.34
Total Payment		\$9,803.22

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 \$9,803.22 be approved and distributed in the next available pay cycle.

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

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Ruth Bickhardt, 307 Magnolia Street, asked about the click it or ticket resolution. Chief Rizco explained that it is a program to get people to educate people about seatbelts and to do enforcement. Ms. Bickhardt commented that it should be expanded to bicycle helmets, bells and lights. Chief Rizco noted that the Police Department distributes helmets that are provided by RWJUH Trauma Unit and they have a program where they give out coupons to children caught wearing helmets. Ms. Bickhardt commented about tree plantings and the fact that homeowners should be consulted before a tree is planted in front of their home. Councilman Millet explained that if a homeowner wants a tree, they have to fill out a request form and the Shade Tree Advisory Committee is consulted before a tree is planted. Ms. Bickhardt commented that there are recycling buckets and garbage cans out when south side recycling is on Thursday and garbage pickup is on Friday. Mayor Minkoff will share the information with the Department of Public Works. He asked that she notify DPW herself when she sees violators.

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 7:27 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk

The following resolution was adopted at the Conference Meeting:

No. 5-13-169

WHEREAS, the Borough Council of the Borough of Highland Park has adopted a Resolution requesting that thirty-two (32) acres of parcels of land commonly referred to as the Upper Meadows, the Lower Meadows and Buck Woods be studied to determine whether or not said parcels of land qualify as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law (P.L. 1992, Chapter 79, et al. of the Laws of the State of New Jersey); and

WHEREAS, as a Determination of Need Report must be undertaken and completed by a professional planner on behalf of the Borough of Highland Park Planning Board; and

WHEREAS, the Borough of Highland Park has received a proposal from Clarke Caton Hintz to undertake and complete said study.

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

1. The Borough of Highland Park hereby retains Clarke Caton Hintz, 100 Barrack Street, Trenton, New Jersey 08608 for a sum not to exceed twelve thousand (\$12,000.00) dollars to undertake and complete a Determination of Need Report through the Borough of Highland Park Planning Board with regard to the above referenced properties.