

REGULAR MEETING – OCTOBER 1, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, October 15, 2013 and was called to order by Mayor Minkoff at 7:12 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: Councilman Millet.

On motion made by Councilman Erickson, seconded by Councilwoman Brill Mittler, the minutes of the Regular and Conference Meeting held on September 17, 2013 were approved as distributed by unanimous affirmative voice vote.

Councilwoman Foster-Dublin reported that the OEM presentation will be done at the next meeting. This year the Borough had a full-fledged incident command center. Freeholder Polos is the new Director of the Office of Emergency Management. October is Fire Prevention Month. The Fire Department will be doing education programs at the various schools throughout town. The Police Department has been busy and held a successful National Night Out event. They hired 2 new Police Officers and 1 has graduated the Academy and is on the road being trained. The new public safety building is coming along with an expected completion date of April, 2014. On October 26th and 27th at the Senior Center the Police Department will be hosting the Operation Take Back Program where residents can dispose of unwanted or unused medications. On Sunday, October 6th they will be naming South 11th Avenue near the 1st Aid Squad "Barry Criss Way", to honor a long time member for his years of volunteerism.

Capt. Golden reported that Global Connect, the Police Department's reverse 9-1-1 system was bought out by Code Red. This new system is more interactive and will utilize data pulled from Verizon for notifications. Residents are encouraged to go on and opt in with their cell phone numbers so that they can receive notifications both at home and on their cell phones. Councilman Erickson inquired if the new system was quicker. Capt. Golden indicated that the numbers are called randomly and it takes about the same time. Councilwoman Foster-Dublin added that residents who use their cell phones as their main home phone would need to register them to receive notifications.

Mayor Minkoff asked the Council members to present their reports.

Councilman Potts reported that the Mayor's Teen Advisory Committee held their kick off meeting and elected officers. They hope to recruit additional members. The annual Halloween parade and costume party will take place on October 26, 2013 from 2:00 p.m. to 5:00 p.m. in the Highland Park High School gym. Youth basketball registration is open until October 25th and parent coaches are needed. The senior luncheon for October will be held on October 21st and a podiatrist will do a presentation and sponsor the lunch. The Veteran's Day Parade will be held on November 11th at 11:00 a.m. and will begin at the Dough Boy Monument going towards New Brunswick.

Councilwoman Welkovits reported that the various committees under the umbrella of Health and Human Services are looking for volunteers. The next meeting of the Commission for Universal Access is October 3rd at 7:30 p.m. The next meeting of the Food Pantry is October 9th at 7:30 p.m. The Board of Health will meet again on October 3rd at 7:30 p.m. The Mayor's Wellness Committee created the "Walk the Park" Program and the next walk is scheduled for October 24th, with the time and location to be announced. The next walk to be hosted by local resident, Marc Mappen, who is an historian and an author. Interested residents can register at walktheparkmwc@gmail.com. Congressman Frank Pallone will hold a special session on the Affordable Care Act at Borough Hall on December 9th at 7:00 p.m. He will discuss with residents the facts about eligibility and enrollment information and answer questions about the program. There will be an enrollment session held at the Senior/Youth Center on December 10th from 5:30-7:30 p.m., with representatives from the three companies offering insurance in New Jersey's Health Insurance Marketplace. Certified Application Counselors will be on-hand to help residents enroll in the program.

Councilwoman Brill Mittler reported that Sunday's Arts in the Park event featured the largest number of artists and juried crafts people. She thanked Main Street Highland Park, Rebecca Hersh, Jamie McCrone and the Board of Directors for their efforts. The Town wide Garage Sale will be held this coming weekend. The Autumn in the Park Event will be held on October 27th and will feature buggy rides and music. The Communications Committee, Matt Hersh, Stacy and Monica are busily working on the next HP News.

Councilman Erickson reported that there is a resolution on the consent agenda for consideration to support the increase in the minimum wage in New Jersey. In New Jersey there are 429,000 people who earn near or about minimum wage. 350,000 of those people are over the age of 20 and 20,000 of them are women and minorities.

Borough Administrator Kovach reported that to date 285 residents have responded yes to participate in the Sidewalk Improvement Program. There are 185 applications outstanding and residents are urged to submit their responses as soon as possible. Work is expected to start in the Spring of 2014.

Borough Attorney Schmierer – No report.

Mayor Minkoff thanked Main Street Highland Park and all the volunteers who helped make Arts in the Park a terrific success. He complimented Councilwoman Foster-Dublin for her efforts with OEM and thanked Freeholder Polos for volunteering to lead the effort. He congratulated the Rabbi Pesach Raymon Yeshiva for receiving Blue Ribbon Designation from the US Government.

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The Clerk reported advertising an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2013 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY, for consideration of passage or 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 Councilwoman Welkovits, 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 Council President closed the public hearing.

On motion made by Councilman Erickson, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 13-1853, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Millet

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

No. 10-13-296

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2013 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY, 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 advertising an ordinance entitled, BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF A WATER MAIN ON MONTGOMERY STREET WITHIN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$350,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES TO FINANCE 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 for public inspection, as required by law, and that the Supplemental Debt Statement filed in her office prior to introduction by Chief Financial Officer Kathleen Kovach had been filed with the New Jersey Division of Local Government Services on September 17, 2013.

On motion made by Councilman Erickson, seconded by Councilwoman Foster-Dublin, 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 Council President closed the public hearing.

On motion made by Councilman Erickson, seconded by Councilwoman Foster-Dublin, the ordinance entitled as above, being Ordinance No. 13-1854, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Millet

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

No. 10-13-297

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF A WATER MAIN ON MONTGOMERY STREET WITHIN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, (THE "BOROUGH"); APPROPRIATING \$350,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, 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 Councilwoman Brill Mittler, seconded by Councilman Erickson, and carried by affirmative voice vote of all Councilpersons present, Resolution No. 10-13-308 was separated from the Consent Agenda.

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The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman Potts, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Foster-Dublin, Potts, Welkovits.

Opposed: None.

Abstained: Councilpersons Brill Mittler, Erickson.

Absent: Councilperson Millet.

No. 10-13-308

WHEREAS, application for renewal license issued in the Borough of Highland Park under the provisions of the Alcoholic Beverage Law (NJSA 33:1-1 et seq.) has been made by the hereinafter applicant, and

WHEREAS, said application has been examined and the Mayor and Council of the Borough of Highland Park have made the following findings of fact with respect to the applicant:

1. Said application is complete in all respects.
2. The applicant has obtained a Special Ruling to permit the filing of renewal application of an Inactive License for the 2013-2014 license term.
3. The applicant is qualified to be licensed in accordance with Title 33, all regulations promulgated by the New Jersey Division of Alcoholic Beverage Control and local ordinances as amended and supplemented pertinent to and consistent with Title 33.
4. The applicant has disclosed, and the issuing authority has ascertained and reviewed, the source of any additional financing obtained in the previous license term for use in the licensed business.
5. The Mayor and Council are of the opinion that said application should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following renewal application of an inactive license issued under the Alcoholic Beverage Control Law (NJSA 33:1-1 et seq.) under the terms and conditions prescribed in the Act aforesaid, the amendments and supplements thereof, and the ordinances, rules and regulations promulgated by the Director of the Division of Alcoholic Beverage Control, State of New Jersey, shall be and is hereby approved with the specific condition that no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2014 to wit:

PLENARY RETAIL CONSUMPTION LICENSE W/ BROAD PACKAGE PRIVELEGE

Eric Weinberg, 149 Livingston Avenue, New Brunswick, NJ 08901 – 1207-32-008-011

BE IT FURTHER RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to maintain the aforesaid license certificate in the municipal file, which license shall be effective July 1, 2013, and shall expire June 30, 2014.

Councilwoman Foster-Dublin left the meeting at this time.

Consent Agenda Resolution Nos. 10-13-298 through 10-13-315, except Resolution No. 10-13-308 were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Potts, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons Foster-Dublin, Millet.

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

No. 10-13-298

WHEREAS, the Borough of Highland Park has two deferred compensation plans in place and desires to expand opportunities by adding a third plan provider; and

WHEREAS, the Borough of Highland Park seeks to implement an additional deferred compensation plan for the employees of the Borough (hereinafter referred to as "Employer"), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

WHEREAS, the Employer seeks to adopt a plan provided by MetLife (Plan Document – 19-PD-MetLife-051899 Service Agreement – 19-SA_MetLife-051899) by the Division of Local Government Services; and

WHEREAS, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees; and

WHEREAS, there is no direct financial cost to the Employer to adopt and implement an additional employee deferred compensation plan; and

WHEREAS, the Employer solicited written proposal for a Deferred Compensation Plan that meets requirements of the Municipal, County and Authority Deferred Compensation Programs Rule N.J.A.C. 5.37; and

WHEREAS, the following contractors are currently offering plans and have active Agreements with the Borough of Highland Park.

- 1) AXA Equitable Life Insurance Company
- 2) VALIC

WHEREAS, it was deemed that MetLife has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer is hereby authorized to execute the Service Agreement Plan Document – 19-PD-MetLife-051899 Service Agreement- 19-SA-MetLife-051899 assigned by the New Jersey Division of Local Government, with MetLife for the provision of administrative and investment services.

BE IT FURTHER RESOLVED that the Borough's Chief Financial Officer is hereby designated as Local Plan Administrator for the administration of this plan.

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BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of MetLife in the selection of MetLife as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

BE IT FURTHER RESOLVED that the Borough of Highland Park has adopted a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the Federal Internal Revenue Service except for provision added by reason of the Small Business Job Protection Act 1996 (United States Public Law No. 104-188), the Tax Payer Relief Act 2001 (United States Public Law No. 105-34) and the Economic Growth and Tax Relief Reconciliation Act 2001 (United States Public Law No. 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue code section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

BE IT FURTHER RESOLVED that a certified copy of this resolution and all necessary required documents shall be submitted to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 10-13-299

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 10/1/13, 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. 10-13-300

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Highland Park formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Council and the Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Highland Park Borough-00169 to the New Jersey Department of Transportation on behalf of the Borough of Highland Park.

BE IT FURTHER RESOLVED, that the Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Highland Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 10-13-301

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. 52, and 68-70 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$35,956.53; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#52	\$40,097.53	Provide Fire Alarm System at Fire House
#68	\$ 2,259.75	Manage the concrete testing process
#69	\$ -8,668.00	Reduce scope of Fire Houses Fire Alarm System
#70	\$ 2,267.85	Upgrade flooring in multipurpose room

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$35,956.53, 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. 52 and 68 thru 70, for \$35,956.53 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. 10-13-302

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Highland Park has a need for consulting services to assist with the 2013 Tax Sale; and

WHEREAS, the ~~Borough Tax Sale on~~ ~~December 16, 2013~~ and would hire TAP Associates, Box 695, Davis, WV 26260 to oversee the Tax Sale starting on November 1, 2013; and

WHEREAS, TAP Associates will be acting as a consultant and not the Tax Collector and will be held harmless while overseeing the duties of the Tax Collector during the Tax Sale;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, that TAP Associates will serve as a consultant for the 2013 Tax Sale at an hourly rate of 65.00 per hour up to a maximum of twenty (20) hours per week not to exceed 2,500.00 starting November 1, 2013.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Chief Financial Officer/Tax Collector Kathleen Kovach.

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

No. 10-13-303

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:

BARBARA KUBEY, Full Time Crossing Guard, at an annual salary of \$8,072.00, effective July 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. 10-13-304

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale;

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Highland Park wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

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

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

No. 10-13-305

WHEREAS, NJSA 40A:4-63 provides that money held in any separate fund shall be treated as moneys held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that PNC Bank shall be the depository for the Tax Sale Account of the Borough of Highland Park for the period ending December 31, 2013 and the custodian shall be Chief Financial Officer, Kathleen Kovach.

BE IT FURTHER RESOLVED that all disbursements shall be made by check signed by Chief Financial Officer, Kathleen Kovach.

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

No. 10-13-306

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 and attest the Interlocal Agreement with the County of Middlesex for the milling and paving of Central Avenue, a copy of which is attached to the original of this resolution.

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

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

No. 10-13-307

WHEREAS, pursuant to Resolution No. 5-13-174 adopted by the Borough Council on May 21, 2013, Atlantic Tactical was awarded the contract for various items of Police Equipment; and

WHEREAS, two Purchase Orders were generated, Purchase Order No. 13-0116, in the amount of \$7,975.20 and 13-01184, in the amount of \$3,370.80; and

WHEREAS, it is necessary to increase Purchase Order No 13-01184 by \$100.80;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Purchase Order No. 13-01184 be increased from \$3,370.80 to \$3,471.60.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Chief Financial Officer Kathleen Kovach and the Chief of Police forthwith.

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

No. 10-13-309

WHEREAS, the Middlesex County Board of Chosen Freeholders desire to provide for the orderly development of wastewater facilities within Middlesex County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a QM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on October 7, 2013 for the Future Wastewater Service Area (FWSA) map has been prepared by the Middlesex County Office of Planning;

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

1. The Borough of Highland Park hereby consents to the amendment entitled Future Wastewater Service Area (FWSA) Map, and publicly noticed on October 7, 2013, prepared by the Middlesex County Office of Planning, for the purpose of its incorporation into the applicable WQM plan(s).
2. This Consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the Middlesex County Office of Planning, Division of Comprehensive Planning and the Environment.

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

No. 10-13-310

WHEREAS, pursuant to Resolution No. 4-13-129, adopted August 13, 2013, the Borough Council authorized execution of a contract with Lucas Construction Group, Inc. for Improvements to Wayne Street from North 2nd Avenue to North 4th Avenue, with the exception of North 3rd Avenue intersection in an amount not to exceed \$179,648.73 without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for supplemental work for the above referenced project; and

WHEREAS, the said Change Order will not result in an increase to the original contract price; and

WHEREAS, Council has reviewed the proposed Change Order No. 1 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

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 No. 1, dated September 26, 2013, to the contract of Lucas Construction Group, Inc. upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, Borough Treasurer and Lucas Construction Group, Inc. forthwith.

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

No. 10-13-311

WHEREAS, pursuant to Resolution No. 4-13-129, adopted by the Borough Council on April 2, 2013, a contract was awarded to Lucas Construction Group, Inc., Morganville, NJ, for improvements to Wayne Street from North 2nd Avenue to North 4th Avenue, with the exception of North 3rd Avenue intersection; and

WHEREAS, it appears from Pay Estimate No. 2, filed by Borough Engineer David J. Samuel, that certain work under said contract has been completed and approved, and there is due to Lucas Construction Group, Inc., the sum of \$17,315.70 in accordance with said Pay Estimate No. 2 for work performed from July 25, 2013 to September 25, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-813-320 in the amount of \$17,315.70, 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 Finance Department be and is hereby authorized and directed to pay to Lucas Construction Group, Inc., the sum of \$17,315.70, as certified by the Borough Engineer in Pay Estimate No. 2, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports from the Contractor; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance Department and Borough Engineer David J. Samuel.

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

No. 10-13-312

WHEREAS, pursuant to Resolution No. 3-13-116, adopted by the Borough Council on March 19, 2013, a contract was awarded to A-Team Concrete, Inc., South River, NJ, for the 2011 Sidewalk Improvement Project; and

WHEREAS, it appears from Pay Estimate No. 2 filed by Borough Engineer David J. Samuel, that certain work under said contract has been completed and approved, and there is due to A-Team Concrete, Inc. the sum of \$23,550.67 in accordance with said Pay Estimate No. 2 for work performed from June 27, 2013 to September 25, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-814-220 in the amount of \$23,550.67, 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 Finance Director be and is hereby authorized and directed to pay to A-Team Concrete, Inc., the sum of \$23,550.67, as certified by the Borough Engineer in Pay Estimate No. 2, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports from the Contractor; and

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

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

No. 10-13-313

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$7,858.47 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

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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 \$7,828.47 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 Council as a Whole, was duly adopted as above:

No. 10-13-314

WHEREAS, the federal minimum wage was signed into law in 1938 by President Franklin Roosevelt, at the height of the Great Depression; and

WHEREAS, the minimum wage increases consumer purchasing power, increases workers' standards of living, reduces poverty, and stimulates the economy; and

WHEREAS, the cost of living in New Jersey continues to rise, yet there has been no state legislative action approved to increase the minimum wage since 2005; and

WHEREAS, unlike New Jersey, 19 other states and the District of Columbia currently maintain a minimum wage above the federal rate of \$7.25; and

WHEREAS, 10 states provide for the annual adjustment of their minimum wage to ensure that the real value of the lowest paid workers' wages does not shrink as normal costs of living goes up, 4 states have amended their constitutions to do so; and

WHEREAS, according to New Jersey Policy Perspective, 429,000 workers in New Jersey earn at or near the minimum wage, more than 350,000 are over the age of 20, 250,000 are women, 79,000 are men, 154,000 are Hispanic, 69,000 are Black and 31,000 are Asian; and

WHEREAS, because Governor Chris Christie vetoed a minimum wage increase this year, the state legislature voted to place the questions before voters on the November 5, 2013 ballot to raise the minimum wage and adjust it annually according to the consumer price index; and

WHEREAS, by raising the standard of living through higher minimum wage, New Jersey would likely realize various societal benefits such as improved education, safer communities, greater opportunity for upward mobility, and more financial stability for families; and

WHEREAS, The Chicago Federal Reserve Bank conducted a study in 2011 that estimates that for every dollar increase in the minimum wage, there is \$2,800 in new consumer spending by that household the following year, this revenue is injected into the local economy which translates into greater consumer demand for local goods and services, thereby requiring employers to hire additional workers to meet this demand which translates into job creation; and

NOW, THEREFORE, BE IT RESOLVED that we, the governing body of the Borough of Highland Park, urge residents to support Ballot Question # 2 to Raise New Jersey's minimum wage from \$7.25 to \$8.25 per hour and adjust annually based on the Consumer Price Index to reflect the economic condition's facing New Jersey workers and to ensure that New Jersey's minimum wage is not a poverty wage but is a fair wage for workers.

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

No. 10-13-315

WHEREAS, Congregation Ahavas Achim has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct an Off-Premise Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on December 28, 2013; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the Congregation Ahavas Achim for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefore, subject to the provisions of the Raffles Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

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

Lois Lebbing, North 2nd Avenue, asked about item #19 on the agenda. Borough Administrator Kovach indicated that the Borough is going to host their year-end tax sale online.

Ruth Bickhardt, 307 Magnolia Street, asked about item #15 on the agenda. Borough Administrator advised that the Borough is applying to the NJDOT for grant money to repair Valentine Street. Mayor Minkoff added that the Borough compiles a list of requests from residents and the Police Department, Engineer's Office and the Department of Public Works prioritize the list. Based on amount of grant money available, they select a street to be repaired.

Lois Lebbing, North 2nd Avenue, indicated that she had information on emergency shelters from the Department of Justice and noted that miniature horses are considered service animals. She asked whether OEM meetings are open to the public. She noted that she could not find OEM meeting notices posted anywhere. She asked why meeting minutes and agendas are no longer posted at the library. She also asked why emergency shelter locations were kept a secret. Capt. Golden indicated that the only time an OEM meeting would not be open to the public would be if they were discussing security issues. Councilwoman Brill Mittler added that the Communications Committee is working on publicizing meeting dates, agenda and minutes and posting them on the website. They are also looking to get a community bulletin board in the future. Mayor Minkoff commented about the emergency shelters and noted that due to security limitations, they were not allowed to designate a shelter. OEM Coordinator Polos can give more specific details. Capt. Golden added that the Senior Center has been used as a shelter. Freeholder Polos has now taken over the reins of OEM and has made great strides with upgrading

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standards and equipment over the last few months. Ms. Lebbing noted that she picked up copies of the minutes from the Clerk's Office a few weeks ago. She referenced a 2005 list from former Mayor Meryl Frank about dealing with emergencies. Mayor Minkoff noted that the Borough got the word out to the community with volunteers. They had printed materials delivered to numerous businesses on Raritan Avenue to post in their establishments. Ms. Lebbing mentioned the fact that other municipalities had deliveries of ice and water and she wanted to know why Highland Park is always forgotten. Mayor Minkoff noted that they have a significant of supplies on order for future emergencies. Freeholder Polos will make a formal presentation at a future Council meeting. Ms. Lebbing suggested that they post emergency preparedness lists at drug stores and in the Public Library. Councilwoman Brill Mittler noted that they had foot soldiers (volunteers) deliver notices to the restaurants, stores and the Public Library and they also posted signs around town. The Borough had warming stations at the Reformed Church, Congregation Ohav Emeth, the Conservative Temple and the Senior Center. The Mayor wrote an update every day that was posted around town. The Borough had approximately 50 volunteers and this is the Borough's 1st experience with a major disaster such as Superstorm Sandy. She suggested that Ms. Lebbing speak with Matt Hersh of the Communications Committee or attend a future communications meeting to provide them with input on how the Borough can communicate better. Mayor Minkoff noted that the Borough is looking for volunteers for a Civilian Emergency Response Team (CERT) and perhaps she might be interested in volunteering. It is groups such as the CERT Team, OEM and the Communications Committee that makes the Borough successful in dealing with major crises. Ms. Lebbing declined to become a member of the CERT team as she volunteers her time being an advocate. She commented that the Police car that went around making announcements was not sufficient notification to residents as she could not hear the message. The Borough needs to resort to more old fashioned communication techniques. Mayor Minkoff noted that they would take her comments under advisement. Ms. Lebbing pointed out the light outside Borough Hall is not reflected on the flag, the doughboy monument light is also not reflected on the flag and the water fountain flow needs to be adjusted.

Matt Hersh, 333 Felton Avenue, commented that the Communications Committee would be meeting on October 3rd, but they normally meet on the 4th Thursday of the month. There was news coverage and News 12 NJ about fracking ban and Arts in the Park.

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

There being no further business, on motion made by Councilwoman Brill Mittler, seconded by Councilman Potts, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 8:09 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk