

REGULAR MEETING – DECEMBER 17, 2013

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, December 17, 2013 and was called to order by Mayor Minkoff at 7:03 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: Councilperson Foster-Dublin.

Mayor Minkoff asked the Council members to present their reports.

Councilman Potts reported that the Highland Park Recreation Department is now on Facebook for information purposes for registration and cancellations. The annual free holiday dinner is scheduled for December 25, 2013 from 1-3PM at the Senior Center. They need head count for dinner attendees and volunteers. Interested parties are asked to sign up by Monday.

Councilwoman Welkovits reported that the Food Pantry has a new Facebook page. She encouraged everyone to visit the page and “like” it. Tomorrow the Borough will be hosting the 4th grade class from Bartle School. The Borough Administrator, the Department Heads and herself will be in attendance. The Charity Basketball Event will be held on December 19th at 7:15 PM. Attendees are encouraged to bring a donation for the food pantry. On December 21st there will be a candlelight tribute to commemorate National Homeless Persons Memorial Day at 5:30 PM at the Reformed Church. Lastly, she reported on the Kwanzaa lighting that will take place on December 26th at 6:00 PM outside the Main Street Highland Park office.

Councilwoman Brill Mittler reported that Main Street Highland Park has a holiday art and craft bazaar at their office. There are unique gifts; jewelry and art work on display.

Councilman Erickson reported that on December 18th, the Newark Council will vote on earned sick leave. They will be the 2nd town, after Jersey City, to adopt this legislation. The Senate Labor Committee passed the Ban the Box Legislation for criminal history until after interviews.

Councilman Millet thanked the Department of Public Works for helping keep streets in good condition during the recent storms. Sustainable Highland Park is moving forward with grant proposal for pilot program for organic waste recycling.

Borough Administrator Kovach reported that the recent tax sale went smoothly.

Borough Attorney Schmierer – No report.

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 session.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEYEE 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 for public inspection, 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, Mayor Minkoff closed the public hearing.

On motion made by Councilman Millet, seconded by Councilman Erickson, the ordinance entitled as above, being Ordinance No. 13-1855, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster-Dublin.

Consent Agenda Resolution Nos. 12-13-363 through 12-13-377 were duly adopted on motion made by Councilman Erickson, seconded by Councilman Millet, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-13-363

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2013 budget appropriation balances shall be made as follows:

CURRENT FUND

Account No.	Description	From	To
20-145-227	Collection of Taxes	\$ 4,000.00	
20-155-250	Legal	\$ 20,000.00	
21-180-2at	Planning	\$ 20,000.00	

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36-471-235	PERS	\$ 15,000.00	
20-135-235	Audit	\$ 2,900.00	
45-930-299	Interest on Bonds		\$ 25,943.71
20-120-100	Borough Clerk – S&W		\$ 4,361.00
20-130-101	Finance-Salary		\$ 5,000.00
220-2mm	Group Insurance		\$ 29,236.29
23-211-2JI	Other Insurance		\$ 2,500.00
430-2TS	Electric	\$ 10,580.00	
25-240-100	Police – S&W		\$ 33,000.00
25-265-102	Fire Department – PT – S&W		\$ 10,200.00
26-290-100	Public Works S&W	\$ 27,208.00	
28-371-100	Dept of Aging	\$ 10,553.00	
		\$ 110,241.00	\$110,241.00

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-13-364

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 12/17/13, 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. 12-13-365

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. 3 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 \$22,903.85 in accordance with said Pay Estimate No. 3 for work performed from September 26, 2013 to December 11, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-814-220 in the amount of \$22,903.85, 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 \$22,903.85, as certified by the Borough Engineer in Pay Estimate No. 3, 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 Public Safety Committee, was duly adopted as above:
No. 12-13-366

WHEREAS, Parmjit K. Lehal (RSR Cab, Inc.), Sukhchain Singh Gill (Gill Car 3 LLC) and Leon Rozenblat (LRNO12, LLC) has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such licenses for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determined that said applicant is qualified and that public necessity and convenience would be served by the issuance of such Licenses.

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 12-13-367

WHEREAS, Arthur Stephen Lipson, Rajinderpal Lehal, Nicholas George Lagakos and Sukhchain Singh Gill have 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 2014; and

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

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 Licenses.

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

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

No. 12-13-368

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough and its residents to publicly bid for Electric Energy and Natural Gas Consulting Services to develop a program to aggregate the electrical load of electricity users within Highland Park both residential and commercial in connection with a Government Energy Aggregation (GEA) program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough is hereby authorized to seek proposals for Electric Energy and Natural Gas Consulting Services.

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

No. 12-13-369

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 No. 73 to the said contract for the additional work outlined below that was not anticipated at the time that plans and specifications were prepared for \$25,321.92; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#73	\$ 25,321.92	Change Hardware for Aluminum Doors

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$25,321.92, 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 No. 73, for \$25,321.92 to the contract of H & S Construction & Mechanical, Inc.; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to The Goldstein Partnership, H & S Construction & Mechanical, Inc., and the Finance Director forthwith.

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

No. 12-13-370

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. 15, 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 \$190,711.77 in accordance with said Pay Estimate for work performed from November 1, 2013 to November 31, 2013; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$190,711.77, 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 H & S Construction & Mechanical, Inc. the sum of \$190,711.77, as certified by the Architect in Pay Estimate No. 15, 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 Finance Committee, was duly adopted as above:

No. 12-13-371

WHEREAS, the Highland Park Conservative Temple – Congregation Anshe Emeth has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Casino Night Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on February 15, 2014; 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 Highland Park Conservative Temple – Congregation Anshe Emeth 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.

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

No. 12-13-372

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:

STEPHEN RIZCO, Borough Police Chief, \$300.00 adjustment to annual salary.

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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. 12-13-373

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 the buyback of 2013 vacation time for the Borough Administrator:

	Calculation	Amount Due
Vacation	53 hours x \$83.21	\$4,410.13
Total Payment		\$4,410.13

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-13-374

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 the buy back of 2013 vacation time for the Borough Police Chief:

	Calculation	Amount Due
Vacation	112 hours x \$80.17	\$8,979.04
Total Payment		\$8,979.04

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-13-375

WHEREAS, the Borough of Highland Park desires to use Information Technology at Continuing Studies, ITaCS for technology support services from January 1, 2014 through December 31, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the agreement for aforesaid services, attached to the original of this resolution, is hereby approved.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator and Information Technology at Continuing Studies, ITaCS forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-13-376

WHEREAS, the Borough of Highland Park has a need to stepping stone in offices in Borough Hall, as more fully described on the attached Purchase Requisition; and

WHEREAS, only one proposal for the replacement was able to be obtained from the following:
 S & M Carpet, Inc., Middlesex, NJ \$5,295.00

and

WHEREAS, Director of Code Enforcement Scott Luthman recommended that said replacement be performed by S & M Carpet, Inc.; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-205 in the amount of \$5,295.00, as reflected by the certification of funds by Chief Financial Officer Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Director of Code Enforcement is hereby authorized and directed to arrange for said improvements from S & M Carpet, Inc., Contract Specialist, Sales & Service, 104 Wood Avenue, Middlesex, NJ 08846, at a total cost of \$5,295.00; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Director of Code Enforcement Scott Luthman and Finance Director Kathleen Kovach forthwith.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:
No. 12-13-377

WHEREAS, the Mayor and Council of the Borough of Highland Park adopted Resolutions 3-13-119 and 8-13-262 requesting that the Borough of Highland Park Planning Board pursuant to *N.J.S.A. 40A:12A-6* to undertake an "area in need of redevelopment" investigation of properties in the vicinity of South Seventh Avenue and Donaldson Street in the southeast portion of the Borough, commonly known as the "Buck Woods and Upper Meadows/Lower Meadows" properties, said properties designated on the Borough of Highland Park Tax Map as follows: Block 47, Lots 27-75; Block 47, Lots 76-81; Block 48, Lots 30-33; Lot 49, Lots 41-56 and Block 75, Lot 6; and

WHEREAS, as a part of the Planning Board investigation, and after public notice a hearing was held by the Planning Board on October 17, 2013 to determine if the investigation area meets the criteria set forth in Section 5 of the New Jersey Local Redevelopment and Housing Law, *N.J.S.A.40A:12A-1 et seq.*; and

WHEREAS, the firm of Clarke, Caton Hintz was retained to prepare a report entitled "Buck Woods and the Upper and Lower Meadows Sites: Preliminary Investigation of a Determination of an Area in Need of Redevelopment", said report containing maps showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein; and

WHEREAS, following the public hearing on October 17, 2013, the Planning Board voted unanimously to recommend to the Mayor and Council that the study area previously referred to hereinabove meets at least two criteria under the New Jersey Local Redevelopment and Housing Law; recommended further that the Mayor and Council deem the study area as an area in need of redevelopment; and

WHEREAS, the Highland Park Planning Board adopted a resolution dated December 12, 2013 setting forth said recommendation; and

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WHEREAS, the Mayor and Council has reviewed and wishes to accept this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey as follows:

1. Pursuant to *N.J.S.A. 40A:12A-6 (5)*, the Mayor and Council hereby accept the aforementioned recommendations from the Borough of Highland Park Planning Board and hereby determine that the delineated area set forth hereinabove to be a redevelopment area.
2. The Mayor and Council of the Borough of Highland Park hereby authorize Clarke Caton Hintz to prepare a redevelopment plan for the aforementioned redevelopment area.
3. A certified true copy of this resolution shall be furnished by the Borough Clerk to the commissioner of the New Jersey Department of Community Affairs, 101 South Broad Street, Trenton, New Jersey 08608 for said commissioner's review.

The following resolution, introduced by the Finance Committee, was 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, Erickson, Millet, Potts, Welkovits.

Opposed: None.

Abstain: None.

Absent: Councilperson Foster-Dublin.

No. 12-13-378

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET PURSUANT TO *N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)*

WHEREAS, *N.J.S. 40A:4-87* provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$3,582.46, which item is now available as revenue from State and Federal programs pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$3,582.46 be and the same is hereby appropriated under the caption of:

2013 Body Armor \$3,582.46

BE IT FURTHER RESOLVED that the above is the result of a grant for Fiscal Year 2013; and

BE IT FURTHER RESOLVED that two (2) certified copies of the certification of adoption of this resolution shall be forwarded to the Director of the Division of Local Government Services for approval.

The following resolution, introduced by the Finance Committee, was 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, Erickson, Millet, Potts, Welkovits.

Opposed: None.

Abstain: None.

Absent: Councilperson Foster-Dublin.

No. 12-13-379

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET PURSUANT TO *N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)*

WHEREAS, *N.J.S. 40A:4-87* provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$11,473.27, which item is now available as revenue from State and Federal programs pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$11,473.27 be and the same is hereby appropriated under the caption of:

2011 Recycling Tonnage Grant \$11,473.27

BE IT FURTHER RESOLVED that the above is the result of a grant for Fiscal Year 2013; and

BE IT FURTHER RESOLVED that two (2) certified copies of the certification of adoption of this resolution shall be forwarded to the Director of the Division of Local Government Services for approval.

On motion made by Councilwoman Brill Mittler, seconded by Councilman Millet and carried by affirmative voice vote of all Councilpersons present, Agenda Items #28A and #28B were tabled from consideration.

On motion made by Councilman Erickson, seconded by Councilman Millet and carried by affirmative voice vote of all Councilpersons present, Agenda Item #28C was tabled from consideration.

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The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Erickson, and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstain: None.

Absent: Councilperson Foster-Dublin.

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

No. 12-13-383

1,500 students in grades pre-K through 12; and

WHEREAS, the Highland Park taxpayers provide approximately 80% of the funding to support the Highland Park School District's operation; and

WHEREAS, the Highland Park Board of Education has had to budget and expend approximately \$472,360.00 from the 2010-2011 through the 2013-2014 school years for tuition to the Hatikvah International Academy Charter School located in East Brunswick; and

WHEREAS, the Highland Park Board of Education has had to budget approximately \$204,783.00 for the 2013-2014 school year for the tuition costs for 13 of its residents to attend Hatikvah International Academy Charter School for this current school year; and

WHEREAS, the Hatikvah International Academy Charter School was originally established in 2010 in East Brunswick, with its charter originally limiting enrollment to 240 students, with 90% of those students coming from East Brunswick, and which enrollment number was then increased to 273 students in 2012 by the Commissioner of Education; and

WHEREAS, the Hatikvah International Academy Charter School has not met such enrollment quotas and has had to recruit from other school districts, including Highland Park School District and has therefore, become a regional or state-wide school with students attending from a total of 22 districts throughout New Jersey contrary to its State-approved charter; and

WHEREAS, the Hatikvah International Academy Charter School's current waitlist is comprised of 394 students from approximately 38 school districts and which 36 of those students on the wait list are from Highland Park School District; and

WHEREAS, the Highland Park School District has the second-highest number of its residents on the Hatikvah International Academy Charter School wait list, second only to East Brunswick, the district where Hatikvah International Academy Charter School is located; and

WHEREAS, the Hatikvah International Academy Charter School has proposed to the Commissioner of Education that its charter school be expanded to a grade K-8 school with an increased enrollment of 600 students, consisting of approximately 75 students at each grade level; and

WHEREAS, the current diversion of funds from the Highland Park School District to the Hatikvah International Academy has threatened the competitiveness of the District's educational offerings through the reduction of funds and which impact will substantially increase if the Commissioner of Education grants the requested expansion; and

WHEREAS, approval of the Hatikvah International Academy Charter School expansion would clearly result in even further reduction of funds for the Highland Park School District as it would continue to pay tuition for its residents' attendance at a charter school which was become a de facto regional and/or state-wide charter school, without the express approval of the Commissioner of Education; and

WHEREAS, the Highland Park Board of Education wishes to maintain the excellence of its educational offerings and outcomes; and

WHEREAS, the approval of the Hatikvah International Academy Charter School expansion would be contrary to N.J.S.A. 18A:36A-16(e)(3) as it would have an overall negative impact on the Highland Park School District's students, staff, parents, educational programs and finances; and

NOW, THEREFORE, BE IT RESOLVED, that the Highland Park Board of Education opposes the Hatikvah International Academy Charter School's proposed extension and expansion from a maximum of 273 students to 600 students; with a proposed increase from 50 to 75 students at each grade level and a proposed change in grade levels from K-5 to K-8; and

BE IT FURTHER RESOLVED, that this resolution be certified and submitted to the Commissioner of Education as soon as possible upon the approval of same by the Highland Park Board of Education.

Borough Attorney explained that the Borough Council adopted a resolution on the Consent Agenda designating Buck Woods and the Upper and Lower Meadows as Redevelopment Areas. The next step in the process is to prepare a Redevelopment Plan. The Borough received a proposal from Special Planner Phil Caton for an amount not to exceed \$18,500.00. This work will be paid for thru an escrow account and not with public funds.

A motion was made by Councilman Millet, and seconded by Councilman Erickson to retain Phil Caton, Clarke, Caton & Hintz, to prepare redevelopment. The motion was carried by the following roll call vote, to wit:

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

Opposed: None.

Abstain: None.

Absent: Councilperson Foster-Dublin.

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

No. 12-13-384

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant to prepare a Redevelopment Plan for the Buck Woods and Upper and Lower Meadows Study Area in accordance with the proposal submitted by Clarke Caton Hintz, dated December 2, 2013, attached to the original of this resolution in the amount of \$18,500.00; and

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

WHEREAS, Clarke Caton Hintz is a firm of licensed professional planners of the State of Pennsylvania with extensive experience in planning matters; and

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WHEREAS, the Mayor and Council desire to provide compensation for the Planning Consultant and funds will be available for this purpose in Account No. T-12-56-827-126 in the amount of \$18,500.00, as reflected by the certification of funds by Finance Director Kathleen Kovach, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for Professional Services with Clarke Caton Hintz, 100 Barrack Street, Trenton, NJ 08608, for the preparation of a Redevelopment Plan for the Buck Woods & Upper and Lower Meadows Study Area, said agreement to be in a form approved by the Borough Attorney, 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.

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 following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman Millet, seconded by Councilwoman Brill Mittler, and carried by affirmative voice vote of all Councilpersons present:

No. 12-13-385

WHEREAS, the Mayor and Council are mindful of the right of the public to attend and witness meetings of governmental bodies at which public business is discussed, and to be involved in all phases of governmental action; and

WHEREAS, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy; and

WHEREAS, as authorized by the Open Public Meetings Act, N.J.S.A. 10:4-12(B), the Mayor and Council have a need to meet in private session to discuss two matters affecting pending or anticipated litigation to which the public body may be party; matters within the attorney-client privilege.

BE IT RESOLVED that the Mayor and Council will meet in private session at 6:30 P.M. on December 17, 2013, to discuss the above mentioned items.

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public when no longer deemed confidential.

There being no further business, on motion made by Councilman Millet, seconded by Councilwoman Brill Mittler, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 8:11 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk