

REGULAR MEETING – MARCH 20, 2012

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, March 20, 2012 and was called to order by Mayor Minkoff at 7:01 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: None

Main Street Minute was presented by Paul Lanaris. He noted that the Kosher Sushi restaurant would be opening soon. A new business, Gem's Galleria, opened in the former Centerpiece site. The Schwartzman family purchased the Meeting Point and they plan to make it like the TV show Cheers. Councilwoman Brill Mittler noted that they own a bar/restaurant in Milltown called The Grove. People are looking for a Charlie Brown's type of place. Mr. Lanaris indicated that he would be meeting with a broker for Trader Joe's. Highland Park will not have a Trader Joe's but hopefully he will have other tenants interested in Highland Park. Mayor Minkoff added that Trader Joe's needs a certain type of square footage and a certain amount of foot/car traffic. They are not looking at urban locations anymore. East Brunswick is a better location for the type of square footage needed.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Foster-Dublin reported that the Highland Park 5K race will be held on May 20th beginning at 9AM. Participants can pre-register for the race. Immediately following the race will be the annual Street Fair. On May 25th, there will be a Fly a Kite Day at Donaldson Park for ages 4-12. Additional information can be obtained at the senior center. The festivities for the Independence Day Celebration on July 1st will begin at 3PM with food, music and activities. The summer camp for K-9 is ready for registration and they have added a lot of programs and trips.

Councilman Morris reported that the Police Department is looking to apply for COPS grant which is a federal recovery grant for hiring police officers which would save the Borough money on salaries. Did not get grant last year and we are able to apply this year. The Highland Park Volunteer Fire Department is actively seeking new volunteers. One new member will be confirmed tonight. He is a member of the department and it is a great opportunity for individuals with free training and equipment provided.

Councilwoman Welkovits reported that the Earth Day event would be held at the Highland Park High School on April 22nd from 1:00-4:00 PM.

Councilman Millet reported that the streetscape project is back on track. They are putting soil in the rain gardens. The project is projected to be completed in 6-8 weeks with the installation of street furniture. Borough Attorney will address litigation involving Cleveland Avenue.

Councilman Erickson reported that on March 21st at 9:30 AM there will be a press conference about the "It's In Our Power" Campaign at the corner of North 6th Avenue and Raritan Avenue. Households can sign up for energy audits and get improvements made to their homes.

Councilwoman Brill Mittler reported that she had the pleasure of hosting the Bartle School 4th graders at Borough Hall. Every seat was filled and she received thank you cards from all of the students.

Borough Administrator – No Report.

Borough Attorney Schmierer advised that the date of the arguments has been changed from March 30th to April 27th in front of Judge Paley.

Mayor Minkoff extended condolences to Gary Leslie on the loss of his mom. He is the person behind the camera and is a dedicated volunteer. Tomorrow is the press event to kick off the "It's In Our Power" Campaign. There are simple things that people can do to make homes more energy efficient. A resolution will be adopted tonight about energy tax receipts and CMPTRA. Those two forms of aid over the last 10 years have decreased by \$2.5 million dollars. They will be speaking with legislators about this and the New Jersey State League of Municipalities is also fighting the fight. He attended Economic Development Committee Meeting with other Mayors from around the State and had candid discussion.

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

Sue Anderson, 63 Cleveland Avenue, appeared to make a statement on behalf of their neighbors. They have been called N and people that d want development. They support reasonable density and affordable housing.

Phyllis Goldstein, 30 So. Adelaide Avenue, asked if anything was coming up with the Y property. She has images about similar thing happening there like Cleveland Avenue. Asked for definition of affordable housing. Councilman Millet noted that there has been a proposal submitted for 22 or 24 townhomes and that application was deemed incomplete. Nothing before the Planning Board at this time. Goal is to come up with reasonable development. Borough Attorney noted that there are income limits each year to qualify to rent or buy. It also depends on size of family to qualify as low or moderate income.

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Lou Pichinson, 200 Jackson Avenue, thanked the Council for responding to their repeated concerns/questions about development on Cleveland Avenue. Believes they are doing it for all the residents in Highland Park. Appreciates that they retained Special Counsel and Special Planning Consultant for input. He asked if the Governing Body has come up with solution for affordable housing. Councilwoman Welkovits noted that they have not had discussion about that topic yet. They have spoken to the Housing Authority who deals with those issues.

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

The Clerk reported advertising an ordinance entitled, CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14), for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman Erickson, seconded by Councilman Millet, 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.

Allan Williams, 319 Harrison Avenue, asked for an explanation about this ordinance. Borough Administrator noted that it is required as part of the budget adoption process. The State allows Highland Park to increase in-cap appropriations by 2%. This ordinance allows the Borough to increase it and what is not spent goes into a bank to be used for emergencies.

No one else 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. 12-1833, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

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. 3-12-107

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14), passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

Consent Agenda Resolution Nos. 3-12-108 through 3-12-123 were duly adopted on motion made by Councilman Millet, seconded by Councilwoman Brill Mittler, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

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

No.3 2-12-108

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

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

The bills approved for payment at this meeting, Bills List 3/20 /12, can be found in the Bills List Journal Book No. 31.

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

No. 3-12-109

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Attorney for the calendar year of 2012; and

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

WHEREAS, Edwin Schmierer, Esq., is an Attorney at Law of the State of New Jersey with experience in municipal law and has heretofore been appointed as Borough Attorney for 2012;

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of the Borough Attorney; and

WHEREAS, funds for this purpose are not to exceed the amount of \$45,000.00 and an additional \$20,000.00 for litigation, without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$65,000.00 in Account No. 2-01-20-155-233, upon adoption of the 2012 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

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

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

No. 3-12-110

WHEREAS, the Borough of Highland Park has need of the services of a Tax Appeal Counsel for the calendar year 2012; and

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

WHEREAS, Martin Allen of the Law firm of Di Francesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer is an Attorney at Law of the State of New Jersey with extensive experience in tax appeal matters and has heretofore been appointed as Tax Appeal Counsel for 2012; and

WHEREAS, the Mayor and Council desire to provide compensation for the Tax Appeal Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$10,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose will be available in the amount of \$10,000.00 in Account No. 2-01-20-155-2TA, upon adoption of the 2012 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

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

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

No. 3-12-111

WHEREAS, the Borough of Highland Park has need of the services of a Labor Consultant for the calendar year of 2012; and

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

WHEREAS, Arthur Thibault, Esq., is an Attorney at Law of the State of New Jersey with extensive experience in labor relations matters and has heretofore been appointed as Labor Consultant for 2012; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Labor Consultant; and

WHEREAS, funds are available for this purpose are not to exceed the amount of \$40,000.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$40,000.00 in Account No. 2-01-20-155-2LA, upon adoption of the 2012 municipal budget, 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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Arthur Thibault, Esq., Apruzzese, McDermott, Mastro & Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938, a proposed copy of which is attached hereto, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

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

No. 3-12-112

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Engineer for the calendar year of 2012; and

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

WHEREAS, David J. Samuel, of CME Associates, is a licensed engineer of the State of New Jersey with extensive experience in municipal engineering and has heretofore been appointed Borough Engineer for 2012; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Engineer; and

WHEREAS, funds for this purpose are not to exceed \$9,500.00 or the amount specified in agreements for specific projects; and

WHEREAS, funds will be available for this purpose in the amount of \$9,500.00 in Account No.2-01-20-165-2EN, upon adoption of the 2012 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

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

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

No. 3-12-113

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant for the calendar year of 2012 and

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

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WHEREAS, Allen Schectel is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Borough Planner for 2012; and

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

WHEREAS, funds for this purpose are available in Account No. 2-01-20-180-2PL in an amount not to exceed \$9,000.00, upon adoption of the 2012 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below, and in various escrow accounts now or hereafter established pursuant to Chapter 17-10.12 of the Revised General Ordinances of the Borough of Highland Park.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-12-114

WHEREAS, the Borough of Highland Park has need of the services of Bond Counsel for bonding and related matters the calendar year of 2012; and

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

WHEREAS, Wilentz, Goldman & Spitzer, Esqs., is a firm of attorneys at law of the State of New Jersey with extensive experience in bonding and related matters and has heretofore been appointed as Borough Bond Counsel for 2012; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of Bond Counsel; and

WHEREAS, funds are or will be made available for this purpose in all capital ordinances as the same are adopted;

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-12-115

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Auditor for the calendar year of 2012; and

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

WHEREAS, Andrew G. Hodulik of Hodulik & Morrison, P.A., is a certified Public Accountant and Registered Municipal Accountant of the State of New Jersey with extensive experience in municipal auditing and has heretofore been appointed Borough Auditor for 2012; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Auditor; and

WHEREAS, funds for this purpose are not to exceed the amount of \$43,500.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$29,000.00 in Account No. 2-01-20-135-235, and \$14,500.00 in Account No. 2-05-55-500-4AE, upon adoption of the 2012 municipal budget, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below;

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 3-12-116

WHEREAS, Dependable Motors, Somerset, NJ, has filed with the Clerk of this Borough for a Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

WHEREAS, the Chief of Police has investigated said applicant and has reported favorably upon said application;

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

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue Heavy Duty Wrecker/Towing Licenses to the aforesaid applicant.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 3-12-117

WHEREAS, the Borough of Highland Park would like to apply for the COPS Hiring Recovery Program Grant through the United States Department of Justice; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Chief of Police are hereby authorized and directed to execute and submit, on behalf of the Borough, the COPS Hiring Recovery Program Grant to the United State Department of Justice, a copy of which is attached to the original of this resolution.

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

No. 3-12-118

WHEREAS, the Borough of Highland Park desires to apply for and obtain a 2012 Green Communities Grant;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and the Shade Tree Advisory Committee is hereby authorized and directed to execute and submit the application for the 2012 Green Communities Grant;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Shade Tree Advisory Committee.

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

No. 3-12-119

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 3, 2012 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:

SCOTT LUTTMAN, Capital Projects Manager, at an annual salary of \$10,000.00, effective March 20, 2012.

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 Council as a Whole, was duly adopted as above:

No. 3-12-120

WHEREAS, the 2012 schedule of Borough Council meetings was adopted as per Resolution No. 1-12-09 on January 3, 2012; and

WHEREAS, it is necessary to amend said resolution as follows:

SCHEDULE OF BOROUGH COUNCIL MEETINGS FOR 2012

March	20	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
March	27	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		
April	3	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
April	10	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		
April	17	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
April	24	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		
May	1	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
May	8	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		
May	15	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
May	22	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		
May	29	Standing Committee Meeting /	7:00	PM
		Special Meeting (if needed)		

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June	6	Council Committee Meeting	(Wed.)	6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
June	19	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
July	3	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
July	17	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
August	7	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
August	21	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
September	4	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
September	11	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
September	18	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
September	25	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
October	2	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
October	9	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
October	16	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
October	23	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
October	30	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
November	7	Council Committee Meeting	(Wed.)	6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
November	13	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			
November	20	Council Committee Meeting		6:00	PM
		Agenda Meeting		6:30	PM
		Regular Meeting		7:00	PM
		Conference Meeting to follow			
November	27	Standing Committee Meeting /		7:00	PM
		Special Meeting (if needed)			

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December	4	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		
December	11	Standing Committee Meeting / Special Meeting (if needed)	7:00	PM
December	18	Council Committee Meeting	6:00	PM
		Agenda Meeting	6:30	PM
		Regular Meeting	7:00	PM
		Conference Meeting to follow		

All Borough Council Meetings are held in Borough Hall, 221 South 5th Avenue, unless otherwise indicated. The Governing Body may take official action on matters at Special Meetings as well as Regular Meetings, as needed. The time Conference Meeting begins is dependent on Regular Meeting adjournment. Unless otherwise moved, Conference Meetings are scheduled to be called to order by 9:00 P.M.

BE IT FURTHER RESOLVED that copies thereof be sent to the Home News Tribune, the Star Ledger, the Mirror, and the Monitor and filed with the Borough Clerk.

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

No. 3-12-121

WHEREAS, Resolution No. 1-12-01, adopted by the Borough Council on January 3, 2012, authorized the adoption of the Rules of Order for Borough Council for the year 2012; and

WHEREAS, the Borough Council wishes to amend those Rules of Order by revising Article II, Section 1, to add provision for Council Committee Report Meeting beginning at 6pm;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Rules of Order dated January 3, 2012, and amended on March 20, 2012, on file in the office of the Borough Clerk shall be and are hereby adopted as the amended Rules of Order for this Council for the year 2012.

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

No. 3-12-122

WHEREAS, the Alliance for the Disabled in Action DBA Alliance Center for Independence has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Tricky Tray Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on April 27, 2012; 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 Alliance for the Disabled in Action DBA Alliance Center for Independence 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 Council as a Whole, was duly adopted as above:

No. 3-12-123

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

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WHEREAS, over the last ten years the Borough of Highland Park, had the State of New Jersey complied with the Statutory Funding Requirements, would have received \$15,921,018. However, the Borough of Highland Park only received \$13,334,138, which resulted in a loss of funding totaling \$2,586,879; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEFORE BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Highland Park that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

Mayor Minkoff appointed the following members to the Planning Board for terms to expire December 31, 2012.

Scott Luthman, Borough Official Member

Alan Kluger, Mayor's Designee

The Clerk reported notification of the election of Marie Diaz to the Highland Park Volunteer Fire Department.

On motion made by Councilman Morris, seconded by Councilman Millet, the above election was confirmed by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

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

Michael Kornfeld, 427 So. 3rd Avenue, commented that the property on Cleveland Avenue has an assessed value of \$3.63 per square foot. The neighboring property at 263 Cleveland Avenue is assessed higher. That is one of the lowest in the entire Borough. Before development is done, it should be reassessed. Mayor Minkoff indicated that they would look into the matter.

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 Brill Mittler, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 7:43 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk