

REGULAR MEETING – DECEMBER 11, 2012

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, December 11, 2012 and was called to order by Mayor Minkoff at 7:08 PM. Mayor Minkoff read the Open Public Meetings Statement.

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

Absent: None.

Chief Rizco noted that this is one of two meetings every year where they recognize the first responders for outstanding performances. They have selected five incidents that occurred and will be honoring eight (8) Police Officers and two (2) citizens. Mayor Minkoff and Councilwoman Foster-Dublin joined the Chief to present proclamations. The Captain of Police and the Lieutenants also joined the Chief to present departmental ribbons.

Chief Rizco noted that the first incident was a call for assistance on Woodbridge Avenue for a resident who was unconscious. Officer Brian O'Mara and Officer Theodore Pardo responded. Their quick response saved the life of the resident. Mayor Minkoff read the proclamation and presented a duly embossed copy to Officers O'Mara and Pardo. They were also presented with departmental ribbons.

Chief Rizco noted that the second incident was a call for assistance at 415 Raritan Avenue for a resident who was unconscious and unresponsive. Sgt. Jason Culver and Officer Theodore Pardo responded. Their quick response saved the life of the resident. Mayor Minkoff read the proclamation and presented a duly embossed copy to Sgt. Culver and Officer Pardo. They were also presented with departmental ribbons. Mayor Minkoff commented that it never ceases to amaze him what the first responders do and they can't say thank you enough. What they do day in and day out is extraordinary. Councilwoman Foster-Dublin commented that the pins the officers receive is but a small token of appreciation. Many Officers have received them for the great work that they do in saving lives.

Chief Rizco noted that the third incident involved a call for assistance for a person on the railroad tracks threatening to commit suicide. Sgt. Jason Culver, Det. John Sachau, Det. Nicole Young, Officer Brian O'Mara and Officer Gaetano Palumbo responded to the call for assistance. The person was safely taken into custody. Mayor Minkoff read the proclamation and presented embossed copies to all who responded. Councilwoman Foster-Dublin presented each of them with pins.

Chief Rizco noted that the fourth incident involved a call for a burglary in progress. Officer Donald Newton responded, was provided with a description by the caller, and was able to apprehend the suspect. Mayor Minkoff read the proclamation and presented an embossed copy to Officer Newton. Mayor Minkoff read another proclamation that was presented to Joseph Oriti. Mr. Oriti was a great help in providing information to the Police Department that led to an arrest. Mayor Minkoff commented that he does not remember the last time a resident received a proclamation for something like this. He cannot imagine how Mr. Oriti was able to retain his composure during an attempted break in. He did a brave and courageous thing and Highland Park is safer for his actions.

Chief Rizco noted that the fifth and final event occurred during Hurricane Sandy. The police radios and the phone lines went down. A large tree in front of the Public Safety Building split and half and looked like it would fall on the Police Dispatch area. Lt. Panichella suggested contacting Bruce Nadler who immediately came and figured out how to move wires to move the dispatch operations to the rear of the building. The tree fell a half hour later. Mr. Nadler is a member of the Highland Park First Aid Squad and they thanked him for his assistance during this emergency. Mayor Minkoff read the proclamation and presented Mr. Nadler with an embossed copy.

Councilwoman Foster-Dublin thanked all the first responders for their assistance during the storm. There are two people she wanted to give special thanks to, Andrea Baay and OEM Coordinator, Jeff Morris. When the roof blew off a building in town, Andrea came out numerous times during the storm to offer assistance and to open the senior center. Jeff worked non-stop from the Saturday before the storm until the following Monday. Both are to be commended for their efforts.

Chief Rizco commented that he appreciates the job done by all the first responders. He thanked the Mayor and Council for taking the time to recognize these individuals.

On motion made by Councilwoman Foster-Dublin, seconded by Councilwoman Brill Mittler, and carried by unanimous affirmative voice vote, the Council took a brief recess at 7:43 PM.

The meeting reconvened at 7:59 PM with all those previously in attendance still present.

Main Street Minute – Jamie McCrone appeared and noted that they had a wonderful interfaith gathering this past Saturday night for a combined tree lighting and menorah lighting ceremony, the first of its kind in Highland Park. They will add a Kinara as Kwanza draws near. There was music and singing and an excellent crowd of neighbors. It takes a village, and this took a good chunk of the Borough community to pull off. He is grateful that Julia Im gave permission to use her property, and he is thankful for the work put in by Public Works employees, volunteers, and Main Street Highland Park Board Members. He especially thanked Freeholder Polos for his assistance and the County electricians, Joe and Ted, for their hard work. The final farmer's market will be held on December 14th. The market was extended by four weeks and they will plan on that again for next year. This has been a challenging and invigorating year for Main Street. They are starting to see signs that the economy may be rebounding and business confidence measurements show that confidence is growing. Locally, we have Old Queens Coffee getting ready to open and BBQ going into the old Charlie Brown's space. The streetscape project

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is coming to an end. Main Street's ER Team is working on a number of initiatives designed to assist current businesses. They are looking to do focus groups, host network events, and do business recruiting. He attended the Statewide Hispanic Chamber event this morning as they continue to look to grow and diversify the business base in Highland Park. Their events continue to be well attended and well received. There has been a lot of interest and good will generated by Arts in the Park, the delayed Trick-or-Treating event and the most recent holiday lights event. Main Street's Design Team has taken on greater responsibility with regard to maintaining planters, the rain gardens and even Centennial Park, providing advice, vision and education in concert with the Borough. The awning and façade improvement program remains a vital and appealing enhancement tool for new businesses and business recruitment. Main Street is bringing in new, energetic members as volunteers and as Board Member volunteers. They need, as a mature entity, to streamline and regularize their policies and support the work of the organization. They have a good basis to do so and they are on sound financial footing. Main Street Highland Park can continue to be the difference and even the catalyst for the local downtown economy. They have new leadership coming in, building on the strong foundation and sound judgment of those who have come before. He finished by mentioning the outgoing Board Members and thanking them and expressing gratitude for their work, vision, guidance, patience and perseverance on behalf of Main Street and Highland Park. Ethan Glickman has resigned from the Board and Walter Deutsch and Steve Hambro together have reached their term limits as Board members and have also resigned. Jenni Chapman will take over in January as Main Street's Board Chair; Jim Polos will hold the Vice Chair position; Paul Lanaris will return to the Board as Board Secretary; and Skip Rogers will continue as the Treasurer. Other new members to the Main Street Board are George Grummet, a landlord and business owner in town; Metra Lundy, owner/operator of Kinetics and our new ER Committee Chair, Ana Ortiz of Unity Bank. He hopes to bring them to one of the first Council meetings in the new year.

Councilwoman Brill Mittler commented that Jamie came up with the idea of a multi-cultural holiday event and found a site with a large fir tree and space available to add the menorah and kinara to pull off the event. She looks forward to this being the first of many events of this kind. Mr. McCrone noted that there were 50-60 people in attendance. Mayor Minkoff expressed gratitude to those leaving the Board and to those joining the Board. He asked that Jamie communicate that message to them.

Mayor Minkoff asked the Council members to present their reports.

Councilwoman Foster-Dublin wished everyone a safe holiday season and a prosperous new year.

Councilman Potts reported that this past Thursday there was an organizational meeting of the Mayor's Teen Advisory Committee. They are working on recruitment of additional teens. The Christmas Dinner will be held on December 25th from 1-3PM. They are looking for volunteers and donations. Information can be obtained on the Borough's website.

Councilwoman Welkovits reported that Highland Park in the 20th Century is a new book by Historian Jean Kolva and is available at the Library. Highland Park was designated by the County as a pilot program site for the issuance of Project Medical Cards. This will take place on December 20th at 10AM at the senior center. This is available for residents that are 60 years of age or older. Medical and vital information is loaded onto this card that can be inserted into a USB port. They will be able to populate a special needs registry that would be maintained by the Police Department. On December 27th the Highland Park Housing Authority will be opening the list for family and Section 8 housing from 10AM to 6PM at the Bartle School.

Councilman Millet reported that there will be a billboard on River Road advertising the It's In Our Power Program. Letters to be sent out to Borough households.

Councilman Erickson – No report.

Councilwoman Brill Mittler – No report.

Borough Administrator – No report.

Borough Attorney – No report.

Mayor Minkoff noted that all teens in Highland Park in grades 7-12 are invited to join the Mayor's Teen Advisory Committee. This includes teens that go to schools not located in Highland Park or those that are home schooled. The newly elected teen leadership will hold a meeting on January 3, 2013.

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

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

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 EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION" for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman 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 Mayor closed the public hearing.

On motion made by Councilman Millet, seconded by Councilman Erickson, the ordinance entitled as above, being Ordinance No. 12-1841, was duly adopted 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 on motion made by Councilman Millet, seconded by Councilman Erickson, and carried by unanimous affirmative voice vote:
No. 12-12-343

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF HIGHLAND PARK AND THE METHOD OF PAYMENT OF SUCH COMPENSATION, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

On motion made by Councilwoman Brill Mittler, seconded by Councilman Millet, and carried by affirmative voice vote of all Councilpersons present, Resolution No. 12-12-360 was separated from the Consent Agenda.

Resolution Nos. 12-12-344 through 12-12-362, except Resolution No. 12-12-360, were duly adopted on motion made by Councilman Erickson, seconded by Councilwoman Brill Mittler and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

On motion made by Councilwoman Brill Mittler, seconded by Councilman Erickson, Resolution No. 12-12-360 was amended to change date of Adjourned/Reorganization Meeting to January 7, 2013 at 6PM. The amendment/motion was carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

No. 12-12-360

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that an Adjourned Meeting of the Mayor and Borough Council will be held at the Senior/Youth Recreation Center, 220 South 6th Avenue, Highland Park, NJ on Monday, January 7, 2013, at 6:00 PM.

BE IT FURTHER RESOLVED that the Organization Meeting of the Borough Council for the Year 2013 will be held at the Senior/Youth Recreation Center, 220 South 6th Avenue, Highland Park, NJ on Monday, January 7, 2013 at 6:30 PM.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 12-12-344

WHEREAS, under the terms and conditions of the Public Contracts Law of the State of New Jersey, a municipality may purchase items without competitive bidding from a firm or corporation currently under contract with the State of New Jersey; and

WHEREAS the Highland Park Police Department is in need of a Chevrolet Impala; and

WHEREAS, under State Contract No. A82926 (T-2776), the Borough may purchase said vehicle from Day Chevrolet, Monroeville, PA, at the State contract price (\$19,249.25) and the associated equipment to outfit the police vehicle to be leased through the prior approved MCIA Leasing Program; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief of Police is hereby authorized and directed to purchase said vehicle from Day Chevrolet, 1600 Golden Mile Highway, Monroeville, PA 15146 at the State Contract price of \$19,249.25; and

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 12-12-345

WHEREAS, The Goldstein Partnership, the Project Architect for the renovation of the Public Safety Building, had heretofore submitted an invoice totaling the amount of \$19,442.34 for services in connection with the said project; and

WHEREAS, the Mayor and Council have reviewed the said invoice and have approved the same for payment; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and hereby authorized and directed to issue payment in the amount of \$19,442.34 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.

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

No. 12-12-346

The Governing Body of the Borough of Highland Park desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$2,000.00 to fund the following project:

2013 Green Communities Grant
Community Forestry Management Plan

Therefore, the Governing Body resolves that Gary Minkoff or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$2,000.00 and not more than \$2,000.00, and (c) to execute [] any amendments thereto [X] any amendments thereto which do not increase the Grantee's obligations.

The authorizes the Borough of Highland Park and hereby agrees to match 2000 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 10% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and Municipal laws, rules, and regulations in its performance pursuant to the agreement.

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

No. 12-12-347

WHEREAS, the Borough of Highland Park would like to rent one (1) outdoor billboard sign for one (1) month; and

WHEREAS, Sustainable Highland Park solicited quotes for the rental, as follows:

<u>NAME</u>	<u>AMOUNT</u>
CBS Outdoor	\$1,400.00

and

WHEREAS, Sustainable Highland Park has recommended that the proposal of CBS Outdoor, as attached to the original of this resolution and more fully described on the attached Purchase Requisition, be accepted based on their quote of \$1,400.00 per month; and

WHEREAS, funds for this purpose are available in Account No. G-02-10-EPA-210 (2010 EPA Grant) 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 Environmental Commission is authorized and directed to accept the quote of CBS Outdoor, 185 Route 46, Fairfield, NJ 07004 for a total price of \$1,400.00 per month; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Sustainable Highland Park and the Chief Financial Officer forthwith.

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

No. 12-12-348

WHEREAS, pursuant to Resolution No. 4-12-141 adopted by the Borough Council on April 17, 2012, a contract was awarded to Envirocon, LLC, Hackettstown, NJ, for Highland Park Library HVAC System Project, in an amount not to exceed \$67,421.00; and

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

WHEREAS, the Capital Project Coordinator has prepared the attached Change Order's No. 2, 3 & 4 to the said contract to allow the adjustment of the contract quantities to reflect the actual field conditions and the additional work outlined that was not anticipated at the time that plans and specifications were prepared for no additional cost; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-701-215 in the amount of \$19,772.26, as reflected by the Certification of Funds Available by Chief Financial Officer Kathleen Kovach, shown below; and

WHEREAS, the Borough Council has reviewed the proposed Change Order's 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's No. 2, 3 & 4, dated November 30, 2012 for \$19,772.26 to the contract of Envirocon, LLC; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Capital Projects Coordinator, Envirocon, LLC., and the Finance Director forthwith.

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

No. 12-12-349

WHEREAS, Phaedra Daipha, located at 126 North 7th Avenue received a high water and sewer bill; and

WHEREAS, it was determined that the high bill was an erroneous bill; and

WHEREAS, the Tax Collector recommends that their account be credited for the excess sewer charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that credit in the amount of \$824.40 for Water & Sewer Account #10031330-0 for Phaedra Daipha, be applied to said account.

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

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

No. 12-12-350

WHEREAS, the Borough of Highland Park wishes to enter into an agreement with the Middlesex County Utilities Authority (MCUA) for disposal of municipally controlled solid waste in the Middlesex County Landfill for the period beginning January 1, 2013 and ending December 31, 2015 and

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et seq., a municipality may enter into a contract for such services with another governmental subdivision without public bidding; and

WHEREAS, MCUA has offered to contract with the Borough for solid waste disposal at the rate of \$62.50/ton maximum through 2013, \$62.75/ton maximum for 2014; and \$63.00/ton maximum for 2015, a copy of which contract and addendum are attached to the original of this resolution; and

WHEREAS, funds will be made available in subsequent budgets for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk shall be and are hereby authorized and directed to execute and attest on behalf of the Borough a contract with Middlesex County Utilities Authority for the disposal of municipally controlled solid waste at the rate of \$62.50/ton maximum for 2013, \$62.75/ton maximum for 2014; and \$63.00/ton maximum for 2015, said contract and addendum to be in a form approved by the Borough Attorney.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Director and Middlesex County Utilities Authority forthwith.

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

No. 12-12-351

WHEREAS, the Borough of Highland Park has need of the services of a Theater Workshop for Adults with Disabilities instructor; and

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

WHEREAS, funds for this purpose are available in Account No. G-02-12-CD2-230 (CDBG) in the amount of \$1,065.00; and Account No. T-12-56-815-155 (CFUA-Violations) in the amount of \$685.00, for a total amount not to exceed \$1,750.00 without further resolution of Council, 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 Mayor and Borough Clerk are hereby directed to execute and attest on behalf of the Borough the contract providing for a Theater workshop for Adults with Disabilities' Instructor with Debra Orenstein of VSA New Jersey, 703 Jersey Ave. New Brunswick, NJ 08901.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Commission for Universal Access, the Finance Director and VSA New Jersey forthwith.

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

No. 12-12-352

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 12/11/12, can be found in the Bills List Journal Book No. 30.

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

No. 12-12-353

WHEREAS, Robert Clementi, Ryan Patrick Dour, Nicholas George Lagakos, Rajinderpal Lehal, John O'Boyle, David Presseisen, Thomas Anthony Sena, Louis DiMaso, Jason Farley, and Randy Shutz 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 2013; 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.

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

No. 12-12-354

WHEREAS, Car Six LLC (Robert Clementi), Matnikel LLC (Randy Shutz), and MEM Eleven LLC (Randy Shutz) have 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 2013; 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 that this Council hereby determined 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 shall be and is hereby authorized and directed to issue an Owner License to the aforesaid applicants.

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

No. 12-12-355

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

No. 12-12-356

WHEREAS, the Borough of Highland Park has a need for a Trail Enhancement Project and Trailhead Improvement Project at the Meadows Trail, as more fully described on the attached quotation; and

WHEREAS, three quotes were solicited and were received.

The lowest responsible bidder being Garden State Landscaping, Bridgewater, NJ for \$3,600 and \$4,200 respectively; and

WHEREAS, funds for this purpose are available in Account No. G-02-10-758-210 (Recreation Trails Grant) in an amount not to exceed \$7,800.00 without further resolution of Council, 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 Environmental Commission is hereby authorized and directed to arrange for said contract with Garden State Landscaping, Bridgewater, NJ; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator and Environmental Commission forthwith.

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

No. 12-12-357

WHEREAS, advertisement was made for receipt of bids on October 17, 2012, for a contract for 2011 Sidewalk Improvement Project; and

WHEREAS, two bids were received as follows:

JAK Construction Corp., Brick, NJ

Total: \$346,433.76

Black Rock Enterprises, Old Bridge, NJ

Total: \$428,671.00

WHEREAS, the Borough chooses to reject the bids because bids exceed the projects available funding;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the bids received for the above described project on December 11, 2012 shall be and hereby are rejected.

BE IT FURTHER RESEOLVED that the Borough Clerk shall be and is hereby directed to readvertise for receipt of bids for the Manor Sidewalk Project on a date and time to be determined by the Borough Clerk and the Superintendent of Public Works and Utility.

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

No. 12-12-358

WHEREAS, the Borough of Highland Park has need of the services of a Professional in connection with the Environmental Assessment of Underground Storage Tank Remediation Project, in accordance with letter of proposal from Brinkerhoff Environmental Services, Inc., dated December, 2012, attached to the original of this resolution; 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, Brinkerhoff Environmental Services, Inc., Manasquan, N.J., is a firm of licensed environmentalists of the State of New Jersey with extensive experience in providing these services; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said consulting planner; and

WHEREAS, funds are available for this purpose in Account Number C-04-55-811-225 in an amount not to exceed \$5,210.00 without further resolution of Council, as reflected by the Certification of Funds by Finance Director Kathleen Kovach, show below;

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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 Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, a copy of which is attached to the original of this resolution, 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. 12-12-359

WHEREAS, on November 14, 2012 charges of misconduct were brought against volunteer firefighter Anthony Szemereta seeking his suspension from the Fire Department; and

WHEREAS, the Fire Department provided Szemereta with notice of the charges and an opportunity to be heard; and

WHEREAS, Szemereta did appear before the Advisory Board of the Fire Department and was heard on his charges; and

WHEREAS, the Advisory Board recommended Szemereta's suspension for a period of six months, to which Szemereta did acknowledge and accept as punishment for his misconduct; and

WHEREAS, the Fire Chief has notified the Borough of the misconduct of Szemereta and the suspension of Szemereta, to which he has agreed; and

WHEREAS, the Borough Council has undertaken its own review of Szemereta's misconduct and the agreed upon suspension;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that, effective December 11, 2012, Anthony Szemereta is hereby suspended from the Highland Park Fire Department for a period of six (6) months to June 11, 2013, during which time he shall not access Fire Department property, operate Fire Department equipment, appear at Fire Department emergency calls, or hold himself out as a Highland Park firefighter; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Highland Park, that should Szemereta be involved in another incident of the nature that has resulted in this suspension, or engage in similar misconduct, he shall be immediately expelled from the Highland Park Fire Department;

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Highland Park, that we do hereby direct the Borough Administrator to advise the Fire Chief and Anthony Szemereta of this Resolution and provide them with a certified copy of this Resolution. This Resolution shall be effective immediately.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 12-12-361

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. 8-9 to the said contract for the additional work outlined below that was not anticipated at the timethat plans and specifications were prepared for \$34,483.03; and

<u>CHANGE ORDER</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
#8	\$ 1,560.00	Locate existing sewer line
#9	\$32,923.03	Rebuild existing fire dept. bathroom

WHEREAS, funds for this purpose are available in Account No. C-04-55-811-225 in the amount of \$34,483.03, 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. 8-9, for \$34,483.03 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 on motion made by Councilman Erickson, seconded by Councilwoman Brill Mittler, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

No. 12-12-362

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2012 budget appropriation balances shall be made as follows:

CURRENT FUND

Account No.	Description	From	To
2-01-28-371-101	Comm Serv-Aging	\$58,000.00	
2-01-20-100-200	Administration	\$ 5,327.26	
2-01-20-110-200	Mayor & Council	\$ 3,530.50	
2-01-20-130-200	Finance	\$ 1,084.98	
2-01-20-135-200	Audit	\$ 2,515.62	
2-01-20-145-200	Collection of Taxes	\$ 2,636.18	
2-01-20-150-200	Assessor	\$ 1,993.59	
2-01-20-165-233	Engineering	\$20,000.00	
2-01-26-290-200	Public Works	\$ 5,206.84	

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Account No.	Description	From	To
2-01-26-310-200	Buildings & Grounds	\$ 8,688.03	
2-01-26-315-200	Motor Pool	\$10,000.00	
2-01-20-316-200	Central Services	\$ 9,992.00	
2-01-31-460-200	Gas & Oil		\$14,000.00
2-01-44-901-200	Capital Improv Fund		\$38,096.00
2-01-25-240-101	Police		\$51,000.00
2-01-22-195-101	Code Enforcement		\$ 8,100.00
2-01-20-165-200	FICA		\$17,779.00
	Total	\$128,975.00	\$128,975.00
Account No.	Description	From	To
2-05-55-500-411	Water & Sewer OE	\$22,900.06	
2-05-55-500-100	Water & Sewer SW		\$22,900.06

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, Mayor Minkoff closed the public discussion.

There being no further business, on motion made by Councilwoman Foster-Dublin, seconded by Councilman Millet, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned to the Conference Meeting at 8:20 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk