

REGULAR MEETING – SEPTEMBER 3, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, September 3, 2019 and was called to order by Mayor Brill Mittler at 7:00 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Deputy Clerk Santiago.

Absent: Borough Clerk Hullings.

Mayor Brill Mittler administered the Oath of Office and Allegiance to newly promoted Lieutenant John Sachau.

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

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

No. 9-19-247

WHEREAS, the position of Lieutenant became available due to retirements/promotions; and
WHEREAS Sgt. John Sachau has applied for and is qualified to fill the position; and
WHEREAS, the Public Safety Board recommends that Sgt. John Sachau be promoted to Lieutenant, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that John Sachau be appointed to the position of Lieutenant in the Highland Park Police Department, effective July 8, 2019 at a base salary of \$140,085.00.

Mayor Brill Mittler administered the Oath and Office of Allegiance to new Police Officer Matthew Buttermark.

Chief Abrams commented that this has been the best part of his job. With the void left by the recent retirement, Officer Buttermark is a great addition to the department. He thanked everyone for coming out and noted that there is cake and refreshments in the hallway.

Mayor Brill Mittler asked the Council members to present their reports.

Councilwoman Kim-Chohan reported that fall programming begins this month with boys and girl's youth soccer. You can register online at highlandparkrec.com. The Recreation Department is hiring seasonal employees and you can apply online. The next trip for the seniors is to Atlantic City on September 9th. The Fall luncheon will be held on September 17th at 12:00 PM. There will be a special brain and health workshop and it is free and open to the public. On September 25th, there will be a Middlesex Senior Walk in Edison and transportation will be provided. The Fall course by AARP for driver safety will be held on September 25th and October 2nd. Participants must attend both sessions to get discount on auto insurance. The Arts Commission is working on the Access grant and it is moving smoothly. The Band-Aid bench is almost finished and will be revealed at the Arts in the Park event. The Chalk Art event went very smoothly and plans are moving forward with the project to be held again.

Councilman Hale reported that later this month, the Board of Chosen Freeholders will recognize September as Hunger Action Month and celebrating the 25th Anniversary of McFoods. They will be hosting a fundraising dinner on September 26th. Donations can be made at www.feedingmiddlesex.org. The Food Pantry works closely with this organization. He congratulated Julie Castellano on her recent election as Chair of the Highland Park Equity Commission and Shaina Ward on her appointment to the Commission on Immigrant and Refugee Affairs. He thanked Lt. Sachau and Officer Buttermark for joining the Police Force.

Councilwoman Welkovits reported that there will be an update meeting on redevelopment held in the Council Chambers with a neighborhood meeting on 130-134 Raritan Avenue at 7:00 p.m. This will be a special information session for the neighbors. A flyer has been distributed and the developers will be present to answer questions. Hoping to have an application before the Planning Board by year end. 31 River Road will be coming before the Planning Board on September 12th at 7:30 p.m. We are getting a lot of emails about a subdivision called Solop on Skyview Terrace. A resolution can be sent to you via email if you request a copy. On September 10th at 7:30 p.m. there will be a Master Plan community meeting. They are required by State law to review their Master Plan. The Planner will review the plan with the public. The Department of Consumer Affairs has awarded Highland Park \$25,000 for a pavilion that will be erected in the Borough Parking Lot. The Borough's parking lot where the Farmer's Market is held will be repaved. In September, the Farmer's Market will have a health festival, arts in the park, music and food. The Town Wide Garage Sale will be held September 14th and 15th. Go to Main Street website to register.

Councilwoman Foster Dublin reported that the National Night Out location was been moved to the Irving School and was a great success. The Police Department was serving ice cones and interacting with the children and with the community. Hurricane Season is here and there are public safety tips available. Residents should check their flashlights, make sure that medications are properly labeled. On the Police Department Facebook page, they posted a going out of town form. Having had three major fires in town, they will be having a fire safety meeting in those communities. The Fire Department goes into the schools, but will expand into the community. She asked that residents keep those involved in the horrific shootings in their prayers. The Police Department is in need of Crossing Guards. Contact them if interested.

Councilman Fine – No report.

Councilman George reported that on tonight's agenda there are two resolutions related to the water and sewer operations. We're repealing the \$3 million bond issue because it was originally part of the application process for the State Infrastructure Bank application, which was not received. Therefore, we no longer need to have this bonding on record. The second part of the water and sewer bond ordinance process is the \$320,000 bond for water meter testing and replacement. This is part of the process which you've heard me discuss and updating over the past 18 months or so, and the water meter testing and replacement is one of the more important first steps in curbing water loss and collecting lost revenue from old, inaccurate meters. The County is commencing repairs and improvements on Woodbridge Avenue, which is a County Road. The Department of Public Works noticed that the block of bad road on Hilton Street from Woodbridge Avenue to Labakan could be milled and paved for a small sum since work was already going to be done there, so we are also authorizing that work to be done tonight. The Shade Tree Advisory Committee has been very active this summer with tree inspections along with the Department of Public Works and the Arborist Contractor. In addition, they have undertaken a review of our tree replacement ordinance, which is now over 20 years old, and they are finalizing recommendations and consultations with the Department of Public Works, our inspection staff and Administration. Once they are done with that work, their recommendations will be reviewed by the Public Works Committee. He thanked Dr. Melanie McDermott and Rosie Baruh for their work with the existing ordinance and the meetings with Administration. Sustainable Highland Park has been working on a number of projects since their completion of the plastic bag ordinance program. Presently, the members have been working on a follow-up program which is the reduction of non-degradable plastic straws by substituting paper straws. Many of you might remember that years ago, paper straws were standard. Sustainable Highland Park will be distributing paper straws to merchants who volunteer to participate, and will follow up with the merchants to see how the public reacted and how well the replacement straws worked in their particular business. Sustainable Highland Park's high school members have been working with school officials to set up and maintain food redistribution at "Share Tables". Rather than generate food waste, which has become a national issue, students can swap out parts of lunches, whether brought from home or purchased. The program is already running at a limited level in the high school. The Native Plant Sanctuary has planted about 90 of the purchased 140 native plants and shrubs this year, and has been cleaning out the sections closer to the Environmental Center since the County is doing substantial work on the Johnson Park side. The County will be replanting the disturbed areas and has been very cooperative. The Native Plant Sanctuary is also working on a strategic plan for next year to allocate volunteer resources to improve the area. The Environmental Commission discussed the changeover to our fleet vehicles for electric vehicles for our inspection staff, and several hybrid vehicles for the Police Department. This is one of the first steps in becoming much more efficient and cost effective as well as making what contributions Highland Park can make to the cause of our environment. The Environmental Commission is also working on a plan for improvements and maintenance at the Environmental Center, in which the Shade Tree Advisory Committee has weighed in regarding replanting the roof garden. Finally, if any of you have been down to the Meadows Trail, you'll see that the volunteers have been hard at work on Sunday mornings building the boardwalk sections to reopen the trail to riverside. The Meadows Trails are seeing an increase in use, and a number of photographers have been using the area for new work. Expanding the Raritan as a passive and active recreational opportunity has been the topic of County and University discussion for several years and our volunteers are working to make this happen.

Borough Administrator Jover reported that on September 10th there will be a community meeting at the Community Center at 7:30 p.m. She is very pleased with an online survey with 250 responses. They are looking for more responses at publicinput.com/highlandpark and she thanked everyone for participating. The Deer Management Company that did the drone survey is no longer in business and they have to start again. She reminded everyone that in October and November the leaves turn and begin to fall. They are back to regular business hours.

Borough Attorney Schmierer- No report.

Mayor Brill Mittler reported that summer is over and they are very busy here in the Borough. There is a new census being conducted for 2020 and she encouraged everyone to get the word out. It is extremely important that everyone participate. On September 26th, she will start her first open hours in the office. Once a month, she will have open hours from 10:30 a.m. – 12:30 p.m. They have scheduled their first agenda less meeting on September 5th at 7:00 p.m. at the Community Center. This meeting will not have an agenda and it will allow anyone to ask questions.

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

John Kovac, North 3rd Avenue, asked why it is important to have an anti BDS resolution in Highland Park. BDS is a rank anti-Semitic movement founded by and entwined with terrorist organizations out to destroy Israel and presently out to spread its hateful lies in Highland Park. The British Journalist Melanie Phillips defined anti-Semitism as a delusional hatred and fear of Jews, Judaism or the Jewish people. It attributes characteristics to Jews applied to no other group, people or cause. It proliferates an obsessional and unhinged narrative based entirely on lies, accusing Jews of crimes of which they are not only innocent, but are the victims, holding them to standards expected of no one else, depicting them as global conspirators of unique malice and power. As Phillips points out, anti-Semitism, a defining feature of the boycott Israel movement, possesses the same characteristics. It is not criticism of Israel's policies based on fact or reality, but a dehumanization and delegitimization of Israel in order to destroy it. This is just one of many examples. Ariel Gold, a Jewish Voice for Peace member, organized a visit by intifada advocate Benjamin Tamoon, at United States educational institutions, including an elementary school in Ithaca, NY. Tamoon was previously convicted in Israel of inciting Palestinian children to throw rocks at Israelis and urged 9-year-old students in Ithaca to become freedom fighters for Palestine.

Sam Freedman, commented that he is a Jewish resident of Highland Park and has been for over 40 years. The sad thing is that the previous gentleman believes what he just said. As a person who took part in the southern civil rights movement, he has heard this kind of self-righteous hatred before. It is the language that can create lynch mobs. The Jewish people in this city are divided on this issue. That is self-evident after the discussions on the reading of P is for Palestine. This is not the circumstance where the Borough Council should enflame the disagreements. There is a problem of racism. There is a problem of anti-Semitism. The Jewish people in this Borough should unite to fight against racism and anti-Semitism. BDS is a non-violent response to actions toward Palestinians. He has taken part in boycotts and he has boycotted southern towns that have been racist. He boycotted South Africa and he boycotts Israel. The Borough Council should pass an ordinance against racism and anti-Semitism. The people he works with will be glad to do various actions against racism and anti-Semitism. Don't divide them by passing this type of resolution.

Larry Cohen, Humane Society of the United States, Fanwood, NJ, commented that he was here six months ago to urge them to pass an ordinance prohibiting the retail sale of dogs in town. He felt like he got positive response and wanted to thank Councilwoman Welkovits for that. He returns tonight to urge the entire Council to follow through on this and get it passed. In doing so, you will be taking a stand against government sanctioned institutional animal cruelty, which affects our State, but which you do not have to be a party to. It is not unusual for towns to take action against things that for a very long time were considered harmless and are still legal. Most towns restrict smoking. Some are starting to restrict the use of plastic bags. Just because animal cruelty is legal on factory farms, why do you have to accept its result here? In your packet, the first sheet lists the standards under which large scale USDA licensed breeders are legally allowed to treat their animals. For any one of these on this list, you or I would be charged with animal cruelty. Yet, the States where it happens and the Federal Government accept it as nothing more than the cost of doing business. Even though you would think that bar couldn't be set any lower, the second sheet in the packet shows pet stores to have done business with breeders who can't even maintain these pathetic standards. The offenses are documented, pervasive and have been going on for a long-time and the State does nothing about it, but individual communities have. 127 just in New Jersey and counting. Now, when you have no store selling dogs to worry about is the time to join them. The cost is non-existent and the statement you would make would be powerful. The last sheet is an example of how pet stores in New Jersey makes news. They get laundered puppies from fake rescues in Iowa that are being sued by that State's Attorney General. Not only don't you want your town in a position to have to deal with that, he thought the Borough would want to say that this cruel dying business model, which uses torture and death to produce a product readily available elsewhere, is something Highland Park is proud to take a public stand against.

Herb Gross, Adelaide Gardens, commented that he listened to people coming up to speak about anti-Semitism, but no one spoke about Veterans. He cautioned the Mayor that she is not allowed to speak about politics.

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

The Clerk reported that an ordinance entitled, BOND ORDINANCE REPEALING BOND ORDINANCE NUMBER 18-1966 AND BOND ORDINANCE NUMBER 18-1967 FINALLY ADOPTED ON SEPTEMBER 4, 2018 AND PROVIDING FOR THE REPLACEMENT AND REHABILITATION OF WATER MAINS, INTERCONNECTIONS AND WATER METERS IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilman George, seconded by Councilman Hale, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman George, seconded by Councilman Hale, and carried by unanimous affirmative voice vote:
No. 9-19-248

WHEREAS, an Ordinance entitled, BOND ORDINANCE REPEALING BOND ORDINANCE NUMBER 18-1966 AND BOND ORDINANCE NUMBER 18-1967 FINALLY ADOPTED ON SEPTEMBER 4, 2018 AND PROVIDING FOR THE REPLACEMENT AND REHABILITATION OF WATER MAINS, INTERCONNECTIONS AND WATER METERS IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 17, 2019, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

BE IT FURTHER RESOLVED that said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

The Clerk reported that an ordinance entitled, BOND ORDINANCE PROVIDING FOR THE INSPECTION AND SURVEY OF THE SANITARY SEWER SYSTEM IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$320,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilman George, seconded by Councilwoman Welkovits, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

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

No. 9-19-249

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR THE INSPECTION AND SURVEY OF THE SANITARY SEWER SYSTEM IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$320,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 17, 2019, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

BE IT FURTHER RESOLVED that said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

Resolution Nos. 9-19-250 through 9-19-265 were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Absent: None.

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

No. 9-19-250

WHEREAS, pursuant to Resolution No. 5-19-158, adopted May 7, 2019, the Borough Council authorized execution of a contract with JADS Construction for Improvements to North Third Avenue and Hilton Street, Improvements to Merilind Avenue and South Seventh Avenue, and Improvements to Various Municipal Parking Lots, in an amount not to exceed \$739,639.00, without further resolution of Council; and

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

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

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for additional work on Hilton Street, work that was not anticipated at the time that plans and specifications were prepared for an additional cost of \$8,800.00; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-971-100 in the amount of \$8,800.00, as reflected by the Certification of Funds by the Finance Department, shown below; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gayle Brill Mittler be and is hereby authorized and directed to execute Change Order No. 1, dated August 15, 2019, to the contract of JADS Construction upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

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

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

No. 9-19-251

WHEREAS, the Police Department of the Borough of Highland Park is in need of annual maintenance for their Enforsys Police System, as more fully described on the attached Purchase Requisition; and

WHEREAS, Enforsys Police Systems, Inc. is able to provide the annual maintenance commencing October 1, 2019 through September 30, 2020; and

WHEREAS, funds are available for this purpose in Account No. 9-01-25-240-235 in the amount of \$6,900.00, as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Police Chief Rick Abrams is hereby authorized and directed to authorize said maintenance contact for the Enforsys Police System from Enforsys Police Systems, Inc., 27 Bleeker Street, Suite 222, Millburn, NJ 07041, at a net price of \$6,900.00.

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

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

No. 9-19-252

WHEREAS, the Highland Park Department of Public Works had a need to make emergency repairs to water mains at South Park Avenue and North 6th Avenue, as more fully described on the attached quotation; and

WHEREAS, pursuant to Local Public Contracts Law NJSA 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be [provided when an emergency affects the public health, safety or welfare; and

WHEREAS, J. Fletcher Creamer and Son, Inc. was called out to make said emergency repairs; and

WHEREAS, the Superintendent of the Department of Public Works has confirmed that said repairs were completed by J. Fletcher Creamer and Son, Inc. and payment is due to them for said repairs; in an amount not to exceed \$8,398.88; and

WHEREAS, funds for this purpose are available in the amount of \$8,398.88 in Account No. 9-05-55-500-423, as reflected by the certification of funds by the Chief Financial Officer, shown below:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized and directed to issue payment in the amount of \$8,398.88 to J. Fletcher Creamer and Son, Inc, 101 East Broadway, Hackensack, NJ 07601, for services in connection with said water main repairs; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Superintendent of Public Works Donald Rish and the Chief Financial Officer.

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

No. 9-19-253

WHEREAS, the Transfiguration of the Lord, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a 50/50 Off-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on September 13, 2019; 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 Transfiguration of the Lord, Inc., for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefor, 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 Public Works and Public Utilities Committee, was duly adopted as above:

No. 9-19-254

WHEREAS, pursuant to Resolution No. 2-19-73 adopted by the Borough Council on February 19, 2019, Rich Tree Service, was awarded the annual maintenance contract for tree pruning, tree removal, stumps removal and/or root grinding for 2019 and 2020; and

WHEREAS, a Blanket Purchase Order was generated for 2019, Purchase Order No. 19-00413, in the amount of \$45,750.00; and

WHEREAS, it is necessary to increase the Blanket Purchase Order by \$16,250.00; and

WHEREAS, funds for this purpose are available in Account No. 9-01-26-290-237, as reflected by the certification of funds by the Finance Director, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Purchase Order No. 19-00413 be increased from \$45,750.00 to \$62,000.00.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Superintendent of Public Works and Public Utilities.

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

No. 9-19-255

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 Fire Department is in need of Turnout Gear, said gear as more fully described on the attached quote; and

WHEREAS, under State Contract No. A80945, the Borough may purchase said equipment from Continental Fire & Safety, 2740 Kuser Road, Hamilton, NJ 08691, at the State contract prices; and

WHEREAS, funds for this purpose are available in Account No. 9-01-25-265-252 in the amount of \$12,694.32, as reflected by the certification of funds by the Finance Director.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Fire Chief is hereby authorized and directed to purchase said turnout gear from Continental Fire & Safety, 2740 Kuser Road, Hamilton, NJ 08691, at a total price of \$12,694.32; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Fire Supervisor Andrew Berardo and the Finance Director, forthwith.

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

No. 9-19-256

WHEREAS, the Borough is committed to preserving the health of its new street trees planted in May 2019; and

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WHEREAS, the street trees would benefit from consistent watering and health check-ups to bring them to one-year maturity; and

WHEREAS, the Department of Public Works does not currently have the equipment necessary to water the new trees; and

WHEREAS, the Shade Tree Advisory Committee wishes to utilize money in the Tree Replacement Fund to pay a company to water the trees through the end of the 2019 season; and

WHEREAS, the Shade Tree Advisory Committee received and reviewed three competitive quotes and Bartlett Tree Experts came in at the most competitive per-watering price;

WHEREAS, funds are available for this purpose in Account Number No. T-12-56-806-100 in an amount not to exceed \$5,000.00, as reflected by the Certification of Funds by the Finance Department, shown below.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to enter into a contract with Bartlett Tree Experts for weekly watering services not to exceed \$5,000.00 in totality.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and the Shade Tree Advisory Committee forthwith.

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

No. 9-19-257

WHEREAS, the Shade Tree Advisory Committee has partnered with the Highland Park school district to plant more than 75 native trees at the high school and the two elementary schools; and

WHEREAS, the Shade Tree Advisory Committee has submitted and approved a planting plan to the NJDEP; and

WHEREAS, the Shade Tree Advisory Committee has obtained three competitive quotes from licensed tree contractors and reviewed the proposals with the Borough's Qualified Purchasing Agent; and

WHEREAS, the Shade Tree Advisory Committee would like to purchase said trees from New Jersey Tree Foundation utilizing funds from an Urban & Community Forestry Grant from NJDEP; and

WHEREAS, funds are available for this purpose in Account Number No. G-02-40-740-201, in an amount not to exceed \$11,320.50, as reflected by the Certification of Funds by the Finance Department, shown below.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Shade Tree Advisory Committee is hereby authorized to purchase said trees from New Jersey Tree Foundation.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and the Shade Tree Advisory Committee forthwith.

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

No. 9-19-258

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2019 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:

- CATHERINE CIORCIARI, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- MARYANNE KINSEY, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- KIBBY MAY, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- LUCILLE MORRIS, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- CHARLENE RAYSIDE, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- DEBORAH RIDDICK SMITH, Crossing Guard, at annual salary of \$9,027.00 effective September 5, 2019.
- BEVERLY ROBINSON, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- MARGARET TOMAN, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- MICHAEL STAZESKI, Crossing Guard, at annual salary of \$11,323.00 effective September 5, 2019.
- LOUANN MORGAN, Crossing Guard, at annual salary of \$9,027.00 effective September 4, 2019.
- JACQUELINE RHEIN, Crossing Guard, at annual salary of \$9,027.00 effective September 4, 2019.

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2019 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

- KATIE VOLPERT, Seasonal Recreation Employee, at an hourly rate of \$10.00, effective August 17, 2019.
- CAMILA YANEZ, Seasonal Recreation Employee, at an hourly rate of \$10.00, effective August 17, 2019.
- CURTIS MORRIS III, Seasonal Recreation Employee, at an hourly rate of \$10.00, effective August 17, 2019.
- MYLES HERZOG, Seasonal Recreation Employee, at an hourly rate of \$10.00, effective August 17, 2019.
- SUMMER CAMP: All resignations effective August 16, 2019

BE IT FURTHER RESOLVED that the Finance Director be and 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. 9-19-259

WHEREAS, THEODORE PARDO, POLICE OFFICER, has retired from the Highland Park Police Department; and

WHEREAS, per the requirements of the PBA Contract, Theodore Pardo is entitled to unused accrued time payments in the amount as calculated below.

	Calculation	Amount Due
Sick Hours (85.73 – 1 for 3)	85.73 x \$62.34	\$5,344.68
Total Payment		\$5,344.68

REGULAR MEETING – SEPTEMBER 3, 2019

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the unused accrued time payment in an amount not to exceed \$5,344.68 be approved and distributed in the next available pay cycle.

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

No. 9-19-260

WHEREAS, a tax overpayment refund of \$11,784.00 was approved on April 2, 2019 for 433 Cleveland Ave. on Block 154, Lot 11 due to a successful appeal; and

WHEREAS, a tax overpayment refund of \$12,262.50 was approved on May 7, 2019 for 433 Cleveland Ave. on Block 154, Lot 11 due to a successful appeal; and

WHEREAS, the tax overpayment refunds were paid after 60-days-time.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized and directed to pay interest of \$788.24 to the Davidson Legal Group LLC 433 Cleveland Avenue LLC for Block 154 Lot 11.

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

No. 9-19-261

WHEREAS, the Borough wishes to change its priorities regarding improvements to the water and sewer utility, and

WHEREAS, the Borough has introduced Ordinances 1988 and 1989 for the purposes of changing the purposes from those envisioned in 2018.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Capital Improvement Program for 2019 - 2024 is hereby amended and revised to read as shown in Attachment A.

BE IT FURTHER RESOLVED that a copy of this resolution and attachment be send to the Division of Local Government Services.

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

No. 9-19-262

WHEREAS, it has come to the attention of the Borough Council of the Borough of Highland Park that an excessive water and sewer charge has been levied with regard to Block 54, Lot 38 Borough of Highland Park Tax Map due to an undetected leak at said property; and

WHEREAS, an excessive water and sewer charge has been levied with regard to Block 52, Lot 4 Borough of Highland Park Tax Map due to a malfunction in the remote reader at said property; and

WHEREAS, the Borough Council of the Borough of Highland Park wishes to authorize the adjustment of the water and sewer billings for said parcels.

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

1. With regard to Block 54, Lot 38 Borough of Highland Park Tax Map, the charges for sewer and water service including interest thereon are hereby adjusted to \$3,210.40.
2. With regard to Block 52, Lot 4 Borough of Highland Park Tax Map, the charges for sewer and water service including interest thereon are hereby adjusted to \$2,750.68.
3. The Tax Collector shall develop a payment plan for both of these reduced charges so that the sewer and water accounts on both properties can be brought current without an undue burden on the property owners.
4. A certified true copy of this resolution shall be furnished to both property owners upon its adoption.

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

No. 9-19-263

WHEREAS, the Borough of Highland Park is authorized by statute to enter into grant agreement contracts which receive Federal funding through the New Jersey Department of Transportation (NJDOT) Local Aid Division; and

WHEREAS, it is the understanding of the Borough of Highland Park that certain Federal programs including the Federal Highway Administration require specific procurement requirements for the selection of firms which must be followed in order to obtain funds from these agencies; and

WHEREAS, it is the desire of the Borough of Highland Park to standardize the procedure for the solicitation of proposals for such contracts and to insure to the maximum extent practical competition in the selection of firms; and

WHEREAS, it is the desire of the Borough of Highland Park to insure a process consistent with these requirements and with State law; and

WHEREAS, the Borough created a Policy and Procedure Manual for the oversight of Federal Aid Projects, dated September, 2019;

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

1. Administrative responsibilities of the Borough, contract bid preparation and award procedures, construction and project management for Federal Aid Projects shall be coordinated as outlined in the Policy and Procedure Manual.
2. Solicitation for Consultant Services for Professional Services, Competitive Contracts, and Extraordinary Unspecifiable Services for Federal Aid Projects shall be coordinated as outlined in the Policy and Procedure Manual.
3. All proposals and contracts for professional services, competitive contracting and extraordinary unspecifiable services related to Federal Aid projects shall require submission of a statement of corporate ownership and the provision of PL 1975, c. 127 (C.10:5-31 et seq.) concerning equal employment opportunity, Affirmative Action Regulations PL 1975, c. 127 (N.J.A.C. 17:27) and Non-Collusion Affidavit.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to the Borough Administrator and the Finance Office.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-19-264

WHEREAS, the Borough of Highland Park presently contracts with Automatic Data Processing (ADP) for payroll services; and

WHEREAS, the Borough of Highland Park has sought and received a proposal from Prime Point Payroll Services to provide those same services in addition to other offered services for a reduced cost over a two-year contract period of more than \$6,400.00; and

WHEREAS, staff have prepared a comparative analysis to clearly illustrate the cost and service advantages of the attached Primepoint LLC proposal; and

WHEREAS, staff have recommended a two-year contract with Prime Point to begin on or about October 1, 2019 and to expire on or about October 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, that the Borough Administrator is hereby authorized and directed to execute an agreement for the payroll and human resources services as per proposal from Primepoint LLC Payroll Services, 2 Spingside Road, Westampton, NJ 08060 said agreement to be in a form approved by the Borough Attorney.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 9-19-265

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 9/3/2019 can be found in the Bills List Journal Book No. 39.

Mayor Brill Mittler appointed the following to serve as Crossing Guards for terms to expire June 30, 2020.

- | | |
|---------------------|-----------------------|
| Catherine Ciorciari | Mary Ann Kinsey |
| Kibby May | Lucille Morris |
| Charlene Rayside | Deborah Riddick Smith |
| Beverly Robinson | Margaret Toman |
| Michael Stazeski | Louann Morgan |
| Jacqueline Rhein | |

Mayor Brill Mittler appointed Shelee Saal to serve as a member of the Public Information Commission for a term to expire December 31, 2019.

Mayor Brill Mittler appointed Shaina Ward to serve as a member of the Commission on Immigrant and Refugee Affairs for a term to expire December 31, 2019.

Mayor Brill Mittler appointed Shawn Harrison to serve as a member of the Recreation Advisory Committee for a term to expire December 31, 2019.

The above appointments were confirmed on motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Abstained: None.

Absent: None.

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

Ruth Bickhardt, 307 Magnolia Street, thanked the people who finally repaired the crosswalk on South 3rd Avenue and wished they would do so on South 4th Avenue. She noted that she found someone's retainer and fills a shopping bag full of garbage every morning, containing bags, candy, bottles and cigarette containers. She wondered what kind of people they are littering. The new trash containers are going to be sitting on the streets. They are big, bulky and heavy and they are just sitting up against the curbs. There are students on both sides of her and this takes up parking. She spoke about sidewalk repairs and it needs to be broadcast to residents/homeowners as she broke her elbow. Mayor Brill Mittler noted that the Borough has a plan to do a new sidewalk project for 2020. Ms. Bickhardt commented about the tree ordinance and noted that she did not want a tree 10 years ago. There are trees that do not belong in small municipalities. Four houses were without power for a day and a half. She is tripping over tree branches and these trees don't belong in such an active community. She asked what BDS means. She asked that they teach children to not litter. Mayor Brill Mittler noted that if branches get entangled in wires, residents should notify PSE&G and they will come out and trim them.

Aaron Todd, Lawrence Avenue, commented that several weeks ago he was concerned with and had a sense of fear about things happening in the Library. He feels he is at seas in some ways. He consulted books in the Library and one he found was a book called Trouble in the Tribe and he confirmed today that tribe is a real word and read it in a recent local newspaper, the American Jewish conflict over Israel. In New Brunswick, he found a book, the Righteous Mind. He wondered why good people are divided by politics and religion. It is also an academic book. He is trying to learn and keep an open mind.

Betty Turock, 343 North 4th Avenue, commented that she is a longtime resident, a Rutgers University Professor, and past President of the American Library Association. She commented about the support the Highland Park Public Library needs to preserve its role as a vibrant community center. Less than 2 years ago in a survey cited in the library strategic plan, the townspeople showed that it valued the library. All ages are in the community library together and it has an appealing atmosphere and a welcoming and personable staff. The library is the center of Highland Park community life. The facts state that in the last year, our neighbors and friends visited the library close to 160,000 times. The library circulated 154,000 items, well above the national average for communities of our size and libraries of our size, clearly making

it a community center. We know our library as a community educational hub that champions literacy development through print and digital book, audio and visual programs, electronic databases, along with story times that begin for children 6 months to 24 months and resources to support lifelong learning. It is a center for civic engagement, where recently the Asian Pacific American Heritage night was held, to help us become more culturally component as our nation becomes more culturally diverse. It is a cultural center that offers a highly regarded and well attended poetry series, evenings with international films, and an art gallery that features the work of our local artists. It is a community center where we can take part in blood drives, blood pressure and glucose screening. It is a digital center that provides Highland Park with its only free public access to computing and the internet and with that equitable access to digital information for our neighbors whose incomes might preclude having a compute in their homes. It creates the opportunity to retrieve and fill out job applications more and more important in our society, because more and more businesses and government agencies are requiring people to file their applications online.

A resident commented that there was no mention of a 9-11 event. They asked that there be a moment of silence. He commented about the wonderful comments made about the Library and the P is for Palestine book. He went to the library and asked the children's librarian to show he the children's books they had on Palestine and Israel. They had a lot of books on Israel.

Deb Looter, 150 Valentine Street, commented that she has never been to a meeting. She comes from a family of readers. She is concerned about the Middlesex County Library and asked why Highland Park is not a member. Mayor Brill Mittler noted that she should ask the Library Board. The Board President is Bruce Tucker and they meet on the 3rd Monday of each month.

No one else 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 Councilwoman Welkovits, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

Abstained: None.

No. 9-19-266

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

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

1. The public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:
(Litigation: Cappell v. Highland Park)
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:40 PM.

Respectfully submitted,

Jennifer Santiago
Deputy Clerk