

REGULAR MEETING – DECEMBER 3, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, December 3, 2019, and was called to order by Mayor Brill Mittler at 7:04 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

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

Absent: Councilpersons George, Welkovits; Borough Clerk Hullings.

Mayor Brill Mittler noted that this is a special night in several ways. She is delighted to see so many of the men and women and their families in blue. Tonight, she has the distinct honor of installing the newest Police Officer.

Acting Chief Abrams noted that Officer Puchacz has been an Officer for 2 years in 2 other jurisdictions. He has been an EMT professionally for 6 years. He is a young man with a long career ahead of him. They are very excited for him to join the Highland Park Police Department.

Mayor Brill Mittler administered the Oath of Office and Allegiance to new Police Officer Michael Puchacz, assisted by Councilwoman Foster-Dublin.

Acting Chief Abrams noted that it is his distinct honor tonight to offer two different awards to three Officers, Sgt. Wenskoski, Officer Giles and Officer Olarra, Jr. In late July of 2018, these three Officers responded to a call for service in town in an apartment building. It was a suicidal male armed with a handgun. As they arrived, they approached the floor he lived on and as they got to the landing, they were confronted by the individual they were looking for. He threatened them and kept his hands behind his back, he advanced towards them and told them he would do awful things to them. They held their ground and tried to talk to this person to try and get him help. Officer Giles came down a flight of stairs and ran to a separate flight of stairs so that she could get behind this person and see. She saw that he was holding a black object behind his back and could not determine what it was. The scene started to deteriorate and knowing that they had to do something quickly before it ended in tragedy, Officer Giles tackled the individual armed with a handgun. As soon as she made contact, Officers Wenskoski and Olarra, Jr. came in to make contact and were able to secure this person and get them the help they needed with nobody being injured seriously. Because of that, he awarded the three Officers with a Meritorious Service Medal. Meritorious Service Medals are awarded for actions that are hazardous to the Officer and puts them in danger of life and limb and also prevents injury or death to a third party. He is very proud to have these officers working for Highland Park and the restraint and the thinking they had that night under that tense situation is exemplary.

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

Councilwoman Kim-Chohan – No report.

Councilman Hale reported that tomorrow at 12:00 PM at the Community Center, Unity Bank is going to be making their annual contribution to the Highland Park Community Food Bank. Their donation is done annually and it greatly supports the efforts of the food bank. There are snow shovelers needed to assist residents in shoveling. To sign up, contact 732-819-0052. On December 9th from 7:00 PM to 8:30 PM at the Reformed Church is the New Jersey Alliance for Immigrant Justice and the ACLU and Highland Park's own Harry Pangemanan will all be speaking about the important law changes for all residents to be able to get drivers licenses. It is a really important issue and residents can sign petitions and send to legislators to make drivers licenses available to all. Later this month, the American Jewish Community's landmark study on anti-Semitism in America, is an enormous study of a large sample of Jews in America and their thoughts and attitudes about anti-Semitism, what it is and what it means, and how it hurts. On December 18th Avi Maher, AGC Managing Director for Global Communications will be giving a presentation at the Highland Park Conservative Temple Congregation Anshe Emeth at 201 South 3rd Avenue. It is open to the community and he will discuss in detail the survey, its results and the pre-striking fact that the vast majority of Jews in America see anti-Semitism on the rise. The time for the presentation is 8:00 PM and it is free to the public. You can register online.

Councilwoman Foster Dublin reported that earlier tonight commendations were presented to three officers for their bravery and services to our town. She congratulated them for all of their hard work and dedication in keeping the residents safe. The Fire Department had their open house and it was a big success. Children were able to learn fire tips and see the fire trucks, gear, etc. As we move into the colder weather, Code Blue is now in effect. It is a service provided to those who may need help during the cold weather if they don't have a warm place to go or they don't have heat in their homes. It is held at the Community Center, but you must call the Police Department to utilize the service. The Coordinator of the program is Amos. It is being staffed by volunteers of the community. She thanked all the volunteers supporting Code Blue to make sure that people are safe in their time of need. She reminded everyone that as the weather changes and it gets darker, it is very hard to see folks. Utilize the sidewalks when walking around town and be careful. The decision to call "Code Blue" is made by the County.

Councilman Fine reported that on Saturday, December 14th and Sunday, December 15th there will be a children's book sale at the Highland Park Public Library to raise money for the library. The Borough owes a debt of gratitude to resident Hagit Mano who is spearheading the fundraiser. He encouraged all residents to try and take some time to attend the sale and buy some books to support the Library.

Borough Administrator Jover reported on the Code Blue effort in town and thanked the town's faith communities as well as Borough staff for pulling together to make it work as this is our first year. They are looking for volunteers to staff the overnight shifts. If interested, you can reach out to Amos Caley at amoscaley@gmail.com. The Planning Board will be hearing the Master Plan Re-Examination and the Land Use Element on December 12th at their regular meeting. There will be public comment and hopefully

adoption that same evening. The plans are available for inspection at the Clerk's Office in Borough Hall and on the website.

Borough Attorney Schmierer- No report.

Mayor Brill Mittler reported that because of the predicted snowstorm, the community's world aids awareness day event had to be cancelled yesterday. There are over 1 million people in the United States still living with Aids today. Keep in mind that this is not a disease that has been wiped out. Because Councilwoman Welkovits is not here, she reminded everyone on behalf of Main Street Highland Park that on Sunday, December 22nd, they will be having their menorah lighting at 4:30 PM. The Kwanzaa celebration will be held on December 26th at Kinetics at 4:30 PM. One issue that has been a part of the business of the Governing Body over the past several years has been concerns we all have about how fair and welcoming we really are as a community. We've grappled with perceptions of safety and equity, as well as considerations of the sensitivity of our diverse community and the decisions we made. In all cases, acting first through our boards, commissions and committees, we see to listen, to learn, and to take careful steps to improve the life in Highland Park for our entire community. These steps take some time, but let me assure you, we are actively addressing issues that concern the safety and peace of mind of each diverse group within Highland Park. To that end, I'm delighted to let you know that we recently held an afternoon brainstorming and planning meeting led by Ms. Elizabeth Williams-Riley of the American Conference on Diversity and involving over a dozen community leaders to consider ways to counter implicit and unconscious bias in town, plus equity and inclusion. The session helped to clarify the difference between equity and inclusion. This is just the beginning of the important work we plan to undertake on this topic in the months ahead. Earlier this year, in response to concerns raised about anti-Semitism in our community, the Borough Council spent many, many hours over some months considering different variations of a resolution to condemn the increase in expressions of anti-Semitism in our Borough. Regretfully, we could not come to a consensus on language that would allow us to move forward constructively. But that is by no means the end of our efforts in this area. In the past weeks, I've been working with a few people to draft a multi-phased strategy which encompasses social, educational, and programmatic activities to spur community building and forge a broader consensus for action. I plan to share more on this initiative in the months ahead, as specific facts start to take shape. As many of you have said, Highland Park is not a bubble. We are faced with the same troubling issues of race, gender, ethnicity, religious tolerance and inherent biases that the rest of America faces in 2019. But I have seen firsthand how we, as a community, can rally around one another, can accept each other's sameness and differences. I saw this through your donations to HP Gives a Hoot as well as the Community Food Pantry. I saw this through your support of our fair and welcoming community resolution. I saw this when thousands of dollars poured in for relief for the victims of the Christmas eve apartment fire in the complex. I saw this as recently as a little more than a week ago, when hundreds of residents of many different faiths filled the sanctuary of the Highland Park Conservative Temple Congregation Anshe Emeth for our annual Interfaith Thanksgiving Ceremony. This is the best of Highland Park. We may argue about many different things, but in the end, I know that we have the capacity to listen to one another and to come together despite our differences of opinions, politics, beliefs, education, or economic backgrounds, as one fair and welcoming community. So, we will continue to work on understanding our inherent biases, racism, anti-Semitism and more. It will take some time, but I'm willing to invest my time. I hope you will join me.

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

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

The 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 Fine, seconded by Councilwoman Kim-Chohan, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler 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 Fine, seconded by Councilwoman Foster-Dublin, the ordinance entitled as above, being Ordinance No. 19-1992, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons George, Welkovits.

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

No. 12-19-334

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 her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER", had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

On motion made by Councilman Hale, seconded by Councilman Fine, 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, Hale, Kim-Chohan.

Opposed: None.

Absent: Councilpersons George, Welkovits.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilman Fine, and carried by unanimous affirmative voice vote:

No. 12-19-335

WHEREAS, an Ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER", 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, December 17, 2019 at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of 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 daily 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. 12-19-336 through 12-19-348 were duly adopted on motion made by Councilman Fine, seconded by Councilman Hale, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilpersons George, Welkovits.

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

No. 12-19-336

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 Borough Hall, 221 South 5th Avenue, Highland Park, NJ on Tuesday, January 7, 2020, at 6:30 PM.

BE IT FURTHER RESOLVED that the Organization Meeting of the Borough Council for the Year 2020 will be held at Borough Hall, 221 South 5th Avenue, Highland Park, NJ on Tuesday, January 7, 2020 at 7:00 PM.

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

No. 12-19-337

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

- General Comments
- Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

- General Comments
- Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon

conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highland Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution, and the required affidavit to said Board to show evidence of said compliance.

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

No. 12-19-338

WHEREAS, pursuant to Division of Local Government Services, Local Finance Notice 92-15, all local units are required to prepare and submit a Corrective Action Plan as part of their annual audit process;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, that the Corrective Action Plan in connection with the 2018 Audit, prepared by the Chief Finance Officer and attached to the original of this resolution, shall be and is hereby approved; and

BE IT FURTHER RESOLVED that copies of said Corrective Action Plan, as approved by the Borough Council, be forwarded to the Finance Department and the N. J. Division of Local Government Services forthwith.

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

No. 12-19-339

WHEREAS, the Borough of Highland Park has need of the services of a Planner to provide planning services in connection with the preliminary investigation of block 173, lots 41, 42, 44 and 45 as a condemnation redevelopment area; 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, Looney Ricks Kiss, Philadelphia, P.A., is a firm of licensed planners 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 engineer; and

WHEREAS, funds for this purpose will be available in a Capital Fund Account No. C-04-55-826-220, funded by the Conditional Developer, in an amount not to exceed \$12,000.00, as reflected by the Certification of Funds by the Chief Financial Officer, shown below; and

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 Jim Constantine, PP, Looney Ricks Kiss, Public Ledger Building, Suite 756, 150 S. Independence Mall West, Philadelphia, PA 191065, a copy of which is attached to the original of this original, 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 Works and Public Utilities Committee, was duly adopted as above:

No. 12-19-340

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including global warming emissions, ground-level ozone, fine particulate matter; and

WHEREAS, numerous scientific studies have found links between exposure to fine particulates and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders, including groundbreaking research from the Rutgers Environmental and Occupational Health Science Institute (EOHSI); and

WHEREAS, New Jersey is especially at threat from the impact of climate change, with more than 300,000 people in coastal areas in danger from rising sea levels, flooding, and dangerous storms; and

WHEREAS, New Jersey is warming at twice the rate of the rest of the United States because of fossil fuel use, leading to dangerous environmental and public health impacts; and

WHEREAS, petroleum-based gasoline and diesel fuel are non-renewable fuels, and for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to climate change nationally and in-state; and

WHEREAS, more than 40 percent of energy-related greenhouse gas emissions in New Jersey are from the transportation sector, with about half of that (20 percent) from fossil fuel-powered cars; and

WHEREAS, increased adoption of electric vehicles and the charging infrastructure to support them is an effective way to reduce climate-heating greenhouse gas emissions and improve air quality; and

WHEREAS, electric vehicles may bring economic benefits, such as reduced electricity costs to residents; and

WHEREAS, the Borough of Highland Park wants to be prepared to take advantage of the rapidly expanding market in electric vehicles and the growing range of funding sources for transit electrification; and

WHEREAS, the Borough of Highland Park is committed to fostering sustainability and ensuring a healthy environment for present and future citizens; and

WHEREAS, with the Trump Administration's proposed rollback of the Clean Cars program and attack on the ability of states like New Jersey to set their own emissions standards, it is more critical than ever for counties like Middlesex to support the goals of the New Jersey Clean Cars program to put more than 330,000 electric vehicles on the road by 2025 to reduce air pollution and carbon emissions; and

WHEREAS, it is essential to pass S2252/A4819 to install at least 600 public DC fast chargers and Level 2 public community chargers at 1,000 locations or more across the state by December 31, 2021 as soon as possible; and

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Highland Park, State of New Jersey, supports the electrification of transportation and welcomes investment in electric vehicles and electric vehicle supply equipment by agencies public and private.

BE IT FURTHER RESOLVED that in order to achieve this, the Borough Council of the Borough of Highland Park supports S2252/A4819 and urges New Jersey's legislature to pass the bill as quickly as possible to expand charging infrastructure and rebates for electric vehicle owners.

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Highland Park supports and encourages the efforts of non-profits and agencies in the county to raise money and interest in transportation electrification with the goal of beginning to electrify the municipal fleet of towns as soon as possible.

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

No. 12-19-341

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:

MICHAEL WIECZORKIEWICZ, Acting Superintendent of Public Works, at annual salary of \$100,000, effective November 12, 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:

WYZE TOMAN, Seasonal Recreation, at an hourly rate of \$10.00, effective October 1, 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 Public Works and Public Utilities Committee, was duly adopted as above:

No. 12-19-342

WHEREAS, there is a need for an ADA compliant ramp at 212 Raritan Avenue; and

WHEREAS, three (3) quotes were solicited and received as follows:

Williams Lift Company	\$ 9,700.00
AmRamp	\$13,470.00
DBA 101 Mobility	\$17,913.00

and

WHEREAS, the Department of Code Enforcement has recommended that said purchase and installation be purchased from Williams Lift Company, Fanwood, NJ; and

WHEREAS, funds are available for this purpose in Capital Account No. C-04-55-972-100 for a total amount not to exceed \$9,700.00, as reflected by the certification of funds available by the Chief Financial Officer, shown below:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Department of Code Enforcement is hereby authorized and directed to accept the quote for the purchase and installation of an ADA compliant ramp from Williams Lift Company, 24 South Avenue, Fanwood, NJ 07023, at a total amount not to exceed \$9,700.00; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the

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

No. 12-19-343

WHEREAS, on October 17, 2019 there were five consecutive water main breaks within a 48-hour period due to a broken pressure regulator valve; and

WHEREAS, emergency repairs were necessary to permit the continuance of water service by the Highland Park Water Department to avoid danger of life and/or property; and

WHEREAS, N.J.S.A. 40A:11-6 allows a contracting unit to award contracts without public advertising for bids for the immediate delivery of services under emergency conditions; and

WHEREAS, the Licensed Operator for the Water and Sewer Utility required that said repairs be performed as soon as possible; and

WHEREAS, J. Fletcher Creamer & Son Inc. was the contractor that was able to mobilize most quickly and has experience with water and sewer repairs in the Borough of Highland Park; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the services provided in the following Account No. 9-05-55-500-423 in a total amount not to exceed \$48,324.02.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that an award for emergency water main repairs in an amount not to exceed \$48,324.02 be made to J. Fletcher Creamer & Son Inc., 101 East Broadway, Hackensack, NJ 07601 as indicated on the attached.

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

No. 12-19-344

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

WHEREAS, under State Contract No. 17-FLEET-00805, 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 amount not to exceed \$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. 12-19-345

WHEREAS, the following have posted Planning Board Escrow Fees in the amounts indicated for various projects as indicated below:

<u>ACCOUNT NO.</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>PROJECT</u>
<u>DESCRIPTION</u> T-12-56-825-201	Maria & John Crocco 1215 Central Avenue Highland Park, NJ 08904	\$100.06	1215 Central Avenue

WHEREAS, the Director of the Department of Code Enforcement has determined that Planning Board Escrow Fees can be released.

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 remit to the above the amounts indicated, the same being the amount of refund due for return of Planning Board Escrow Fees referenced.

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

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

No. 12-19-346

WHEREAS, Arshad Hameed Khan, James R. Thomas 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 2020; 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 Finance Committee, was duly adopted as above:

No. 12-19-347

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2019 budget appropriation balances shall be made as follows:

Budget Transfer #2		
Description	From	To
Unemployment		10,000.00
Sanitary Landfill		35,000.00
Arts Commission		1,500.00
Legal OE	14,500.00	
Community & Dev OE	12,000.00	
Apartment Solid Waste	15,000.00	
Telephones	5,000.00	
	46,500.00	46,500.00

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

No. 12-19-348

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 12/3/2019 can be found in the Bills List Journal Book No. 39.

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

Abby Stern Cardinale, Harper Street, commented about the ordinance that was just introduced regarding the water and sewer bill increase. She recognizes that for a number of years there was an error with the water bills and the amount needs to go up. She first heard about this increase at the last working session. She wondered how the amount of the increase was finally determined as it didn't seem to be determined at the last meeting. She also asked what public meetings this discussion occurred at in terms of specifics of what the amount would be. The reason she brings it up is this is something that is going to affect the whole town and she believes as a member of the public that this is something that should be very transparent and very open in terms of how this number is determined, what the math was that went behind it and what was done in that area. Councilwoman Kim-Chohan noted that it was discussed at a Finance Committee Meeting and also at a presentation by Greg Fehrenbach where the numbers were discussed in detail. There were also members of the public in attendance. Borough Administrator Jover noted that there was a work session advertised. This was something that has been identified as a minimum of a 10%

increase as part of the recommendation. A utilities consultant was brought in, who is also the CFO. We need to fund the improvements that we need to make in the infrastructure to help stabilize rates over time. We identified a need to raise 15% more revenue and that was based on a calculation of the capital as well as operating expenses that we will need in the coming year to adopt our budget for the water and sewer department. This was discussed at a dedicated water and sewer meeting and at the Finance Committee meeting last meeting. This has been something we have been talking about as we authorized debt for these capital improvements and this is the raise they need to pay down that debt. They have a progressive rate structure. For an average minimum user, the increase would be \$38.31. The middle group would typically pay about \$10 per month based on their consumption. Ms. Stern Cardinale encouraged them to make this very transparent and open in terms of what these numbers would be. The working session she attended ended after 10:00 PM and there weren't very many people left. Not many people are attending the work session meetings and are aware of them. This needs to be made more public, not just in the definition, but in the action of it as well. Borough Administrator Jover note that this was reported on in the Take 5 after the last council meeting, which outlines the major happenings at the Council meetings.

Ruth Bickhardt, 307 Magnolia Street, commented that she has to go out in the evenings to walk her dogs and it gets dark early. The sidewalks have always been an issue for her and they have not been repaired. Most of the streets between 3rd and 4th are in terrible condition, not level, kids are tripping and falling, and someone is going to get hurt worse than she is. Street lighting is dim and people don't use their porch lights anymore. Mayor Brill Mittler noted that there will be a 2020 sidewalk program different than previous programs. The lighting is maintained by PSE&G and they have been discussing an LED program. Borough Administrator Jover noted that PSE&G is pitching an idea to the FCC about an LED program for lights which are energy efficient and brighter. PSE&G controls the lights and the poles and residents can report a light that is out to the Police Department or on the website.

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

Work Session:

Emergency Services Director Update – Councilwoman Foster-Dublin noted that they interviewed four people and out of the four people, one of them was called to back to work after his retirement. The other person we made the offer to works in Woodbridge, teaches at the fire academy and has worked with some of the issues and concerns we have with our emergency services department. He is retired and has years of experience and think he would be the best qualified candidate to help us. In the town he works for now, they have similar problems like Highland Park. He has given them some sample ordinances that the Borough should put in place. He has experience with First Aid squads. They would like to put him on the agenda and have him start the beginning of next year. Councilman Hale asked if there was a job description and Mayor Brill Mittler would like to meet with him. Borough Administrator Jover noted that there is a job description, but we are going to need an ordinance for this individual. The candidate came in with a sample and they will work with the Borough Attorney and the Council President on that.

American Conference on Diversity – Mayor Brill Mittler noted that they held the first meeting at which 15 people attended. They broke up into groups and the feedback she received was very good. There were representatives from Human Relations, Equity Commission, the LGBTQ community, etc. and she is supposed to get back to us with a series of community meetings, including costs. The Human Relations budget for 2020 is \$4,000. Councilwoman Foster-Dublin asked what is Elizabeth going to be reporting on. Mayor Brill Mittler noted that she will be getting back to her about the types of programs to present to the community such as agism, anti-Semitism, racism, LGBTQ community and many others.

OPRA Data Update – Mayor Brill Mittler noted that the League has been asking Clerk's Offices on the cost in human hours and dollars for OPRA request during the year. Deputy Clerk Santiago noted that it is impossible to put into hours the amount of time spent processing requests, but it is a lot. Borough Attorney Schmierer noted that the Clerk's Office contacted him and asked them to pull the invoices they did for all of 2018 and 11 months of 2019 and identify in those invoices when they were called to help out with OPRA requests multiplied by their billing rate. He will have that information this week. The Clerk's Office is great in taking care of the OPRA requests and only involves their office when necessary. The Clerk's Office has been inundated over the last year with repetitive OPRA requests. The League is involved in this because each year Senator Weinberg reintroduces legislation adding more things to OPRA.

Full Time CFO Position – Borough Administrator Jover noted that this came up in our corrective action plan that the Borough needs a full-time person based on the workload and we are a busy town. They posted the position and have not been inundated with applications. It was very challenging trying to find someone part-time. If we can't find someone with a lot of experience, we can keep Greg and Lori on to mentor them and ease the transition. She has done a lot of cleaning up and organizing. The contract for Greg is fine, but Lori is committed to another community. They will not bail on the Borough and leave us in the lurch. Municipal Finance is not her background and just having their assistance has been tremendous. There are a limited number of candidates out there.

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

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

Opposed: None.

Absent: Councilpersons George, Welkovits.

Abstained: None.

No. 12-19-349

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: JSM at Highland Park v. Borough of Highland Park update)
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 Foster-Dublin, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:39 p.m.

Respectfully submitted,

Jennifer Santiago
Deputy Clerk