

BOROUGH OF HIGHLAND PARK
REGULAR MEETING
MARCH 14, 2023 – 7:00 PM

MISSION STATEMENT OF THE BOROUGH OF HIGHLAND PARK:

The Mission of the Highland Park Borough Council is to establish a government based upon the principles of good government: ethics, efficiency and the effective provision of services.

The Borough Council is committed to creating a thriving community, which is sustainable economically, environmentally and socially.

The Borough Council is further committed to creating a community which values its unique and diverse populations and encourages direct public participation in the governing process.

AGENDA

* Denotes Consent Agenda Posted Items. Ordinarily, consent agenda items, pursuant to Ordinance No. 920, are not read nor debated unless there is a request by a member of Council or the public. Furthermore, unless requested by a member of Council for a separate vote, all consent agenda items, as per Council's Rules of Order, Article IV, shall be considered in the form of one **MOTION**.

1. Call to Order and Open Public Meetings Statement.
2. Pledge of Allegiance.
3. Roll Call.
4. Agenda Questions by Council Members.
5. Honors and Awards.
 - Proclamation in Recognition of the Retirement of Lt. Thomas Hammill
 - Proclamation in Recognition of the Stop & Shop Employees
6. Approval of Minutes.
7. Council Reports.
8. Borough Administrator's Report.
9. Borough Attorney's Report.
10. Mayor's Report.
11. Public Participation.
(21 minutes total; 3 minutes each speaker limited to items on this Agenda, including Work Session).

12. Ordinances Requiring a Second Reading.

12.a **Ordinance No. 23-2067** An Ordinance Amending and Supplementing the Code of the Borough of Highland Park, Chapter 380 Taxicabs, "Fares"

a. Public Hearing.

b. MOTION to adopt/reject Ordinance No. 23-2067

MOTION adopt/reject

ROLL CALL VOTE

13. Ordinances Requiring a First Reading.

13.a **Ordinance No. 23-2068** Calendar Year Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

MOTION to approve/reject Ordinance No. 23-2068, authorize publication as required by law, and set up public hearing for April 4, 2023 **ROLL CALL VOTE**

13.b **Ordinance No. 23-2069** An Ordinance Amending and Supplementing the Code of the Borough of Highland Park, Chapter 7 Traffic, "Schedule X, Stop Intersections"

MOTION to approve/reject Ordinance No. 23-2069, authorize publication as required by law, and set up public hearing for April 4, 2023 **ROLL CALL VOTE**

14. Resolutions requiring a Separate Reading.

14.a 3-23-82 Resolution to Amend 2023 Municipal Temporary Budget

MOTION adopt/reject

ROLL CALL VOTE

14.b 3-23-83 Resolution Amending Resolution No. 2-23-53 – 2023 Standing Committees

MOTION adopt/reject

ROLL CALL VOTE

15. Consent Agenda Items - Resolutions.

MOTION adopt/reject

ROLL CALL VOTE

15.a *3-23-84 Resolution Awarding Agreement for Police Off-Duty Detail Management Services to Visual Computer Services, Inc. (Known as "Jobs4Blue")

15.b *3-23-85 Resolution to Apply for Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant from FEMA

15.c *3-23-86 Resolution Approving Professional Services Agreement with CME Associates for Roadway Improvements to Riverview Avenue, Washington Avenue & Exeter Street - NJDOT FY 2023 Municipal Aid Program

15.d *3-23-87 Resolution to Approve Professional Services Agreement - Bond Counsel - Wilentz, Goldman & Spitzer

15.e *3-23-88 Resolution to Approve Shared Services Agreement Designating the Middlesex

County Fire Marshal's Office as the Local Enforcing Agency for the Borough of Highland Park

- 15.f *3-23-89 Resolution to Purchase Firefighter Turnout Gear Under State Contract with Emergency Equipment Sales LLC
- 15.g *3-23-90 Resolution Supporting the 2023 Distracted Driving Crackdown, *U Drive. U Text. U Pay.*, April 1 - 30, 2023
- 15.h *3-23-91 Resolution to Request Approval for 2023 - 2024 CDBG Fund Allocation
- 15.i *3-22-92 Resolution to Authorize Execution of Agreement for Independence Day Celebration Fireworks Display with Garden State Fireworks
- 15.j *3-23-93 Resolution to Appoint Housing Authority Member - David Greenblatt
- 15.k *3-23-94 Resolution to Amend Annual Salary Resolution
- 15.l *3-23-95 Resolution Awarding Contract for 2023 Tree Planting Project to SCJ Lawncare Inc.
- 15.m *3-23-96 Resolution to Approve Bills List

16. Resolutions requiring a Separate Reading.

- 16.a 3-23-97 Resolution to Approve Budget Transfers
MOTION adopt/reject

ROLL CALL VOTE

17. Appointments.

Board of Health

Tracy Cangiano

Community Food Pantry

William Winfrey

Commission for Universal Access

Chris Woodward, BOE Representative

Community Emergency Response Team

Jason Culver, HP Police Dept. Representative

Guy Palumbo, HP Police Dept. Representative

Council on Aging

Ramona Rosas

Leila Guzman

Ah Lok

Dee Donnelly

Historical Commission

Jeremy Gross
Donald Beetham
Grazina Strolia
Tom Gylnnn
Michele Pacioppi
Andrea "Drea" Han
Neil Fein

Human Relations Commission

Sarah Ferreira

Rent Leveling Board

Lucinda Holt
Diane Reh

Safe Walking and Cycling Committee

Eli Levine Goldberg

Highland Park Volunteer Fire Department

MOTION TO CONFIRM

Edward Mejia Jr.

ROLL CALL VOTE

18. Mayor Appoints the Following:

Environmental Commission

Laurel Kornfeld
Steve Barnes
Michael Rosenberg

Planning Board

Stephen Eisdorfer

NO CONFIRMATION NEEDED

19. Second Public Participation.

(3 minutes per speaker on any items; subject to 9PM conclusion prior to Work Session)

20. Recess (5 minutes).

21. Work Session Items: No formal action to be taken.

22. Executive Session (if necessary).

23. MOTION to adjourn.

24. **Next Scheduled Meeting:** April 4, 2023 @ 7 PM

ORDINANCE NO. 23-2067

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE OF THE BOROUGH OF HIGHLAND PARK,
CHAPTER 380 TAXICABS, "FARES"**

WHEREAS, the Borough of Highland Park regulates the fares which can be charged by the owners or drivers of taxicabs licensed by said Borough; and

WHEREAS, the current fares authorized to be charged were established by Ordinance in 1991 and last amended in 2014; and

WHEREAS, since 2014 the cost of operating taxicabs, including gas, tolls, taxes, healthcare, utilities and other costs have increased dramatically; and

WHEREAS, the Borough wishes to authorize an adjustment to the fares charged by taxicabs to a level commensurate with those authorized in surrounding municipalities.

BE IT ORDAINED, THEREFOR, BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY, THAT:

Section 1. **§ 380-5** of the "Code of the Borough of Highland Park" which establishes fares which may be charged by the owner or driver of taxicabs licensed within the Borough for transportation of passengers is amended to read as follows ([bracketed] fare is being deleted and the new fare is underlined):

§ 380-5. Fares.

The prices which may be charged by the owner or driver of taxicabs licensed hereunder for transportation of passengers for hire within the Borough shall not exceed the following rates:

A. Regular fare.

- (1) For the carriage of any two passengers from the same point of origin to the same point of discharge, the points of origin and discharge being within the limits of the Borough and one of the points being north of the Pennsylvania Railroad tracks, the regular fare shall be \$7.00 [~~\$3.65 during 2014; \$4.10 during 2015 and \$4.50 during 2016 or until further adjusted by the Borough~~]. The fare for each additional passenger to the same points described above shall be \$1.00.
- (2) For the carriage of any two passengers from the same point of origin and discharge, the points of origin and discharge both being within the limits of the Borough and not covered by Subsection **A(1)** as above, the regular fare shall be \$6.00 [~~\$3.35 during 2014; \$3.65 during 2015 and \$4.00 during 2016 or until further adjusted by the Borough~~]. The fare for each additional passenger to the same points described above shall be \$1.00 [~~\$0.65 during 2014; \$0.85 during 2015 and \$1.00 during 2016 or until further adjusted by the Borough~~].

B. The regular fare cited in Subsection **A** shall not apply to senior citizens during the following times:

- (1) Monday through Friday, except between the hours of 8:00 a.m. and 10:00 a.m. and between 4:00 p.m. and 7:00 p.m.
- (2) All day Saturday.

- C. The fare for senior citizens during the time cited in Subsection **B** of this section shall be as follows:
- (1) For the carriage of any one senior citizen from the point of origin to the point of discharge, the points of origin and discharge being within the limits of the Borough, the senior citizen fare shall be \$6.00 [~~\$2.50 during 2014; \$2.75 during 2015 and \$3.00 during 2016 or until further adjusted by the Borough~~].
 - (2) The fare for each additional senior citizen passenger to the same points described above shall be \$1.00 [~~\$0.65 during 2014; \$0.85 during 2015; and \$1.00 during 2016 or until further adjusted by the Borough~~].
- D. In the event that the point of origin and/or point of discharge is different for any of the passengers, then each passenger shall pay the regular fare of \$6.00 [~~\$3.50 during 2014; \$3.75 during 2015 and \$4.00 during 2016 or until further adjusted by the Borough~~] or senior citizens fare of \$5.00 [~~\$2.40 during 2014; \$2.60 during 2015 and \$2.75 during 2016 or until further adjusted by the Borough~~] as provided in Subsections **A**, **B** and **C**.
- E. For the carriage of three or four packages, the fare shall be an additional \$1.00 [~~\$0.25~~]. For the carriage of five to eight packages, the fare shall be an additional \$2.00 [~~\$0.50~~].
- F. The rates for packages described in Subsection **E** above shall also apply to suitcases.

Section 2. This Ordinance shall take effect upon its passage and publication as required by law.

Introduced on first reading by title: February 21, 2023

ADOPTED:

ATTEST:

APPROVED:

Jennifer Santiago
Borough Clerk

Elsie Foster
Mayor

ORDINANCE NO. 23-2068

**BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Borough Council of the Borough of Highland Park in the County of Middlesex finds it advisable and necessary to increase its **CY 2023** budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5% increase in the budget for said year amounting to **\$145,742.06** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Borough Council of the Borough of Highland Park hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Highland Park, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the **CY 2023** budget year, the final appropriations of the Borough of Highland Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to **\$510,097.21** and that the **CY 2023** municipal budget for the Borough of Highland Park be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced on first reading by title: March 14, 2023

ADOPTED:

ATTEST:

APPROVED:

Jennifer Santiago
Borough Clerk

Elsie Foster
Mayor

ORDINANCE NO. 23-2069

**BOROUGH OF HIGHLAND PARK
MIDDLESEX COUNTY, NEW JERSEY**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
CODE OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 7 TRAFFIC,
“SCHEDULE X, STOP INTERSECTIONS”**

BE IT ORDAINED that the Borough Council of the Borough of Highland Park, County of Middlesex that Chapter 7 of the “Code of the Borough of Highland Park” is amended to read as follows, [] material deleted; underlined material added:

1. Chapter 7, Section 6.2, Schedule X, Stop Intersections is amended as follows:
 1. North side: North Sixth Avenue (north) at intersection with South Park Avenue
 2. South side: Eden Avenue (east) at intersection with South Eleventh Avenue
 3. Triangle: Avon Road (west) at intersection with Columbia Street
2. Regulatory and warning signs shall be erected and maintained to effect the above-designated stop intersection regulations as authorized by the New Jersey Department of Transportation.
3. This ordinance shall take effect upon its passage and publication as provided for by law.

Introduced on first reading by title: March 14, 2023

ADOPTED:

ATTEST:

APPROVED:

Jennifer Santiago
Borough Clerk

Elsie Foster
Mayor

**RESOLUTION NO. 3-23-82
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION TO AMEND 2023 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 allows for a municipality to adopt a temporary budget within the first 30 days of its budget year when contracts, commitments or payments need to be made prior to the adoption of the regular budget, and

WHEREAS, THE Borough of Highland Park requires additional appropriations to maintain operations until such time that the Borough Budget is adopted,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, that the following additional temporary emergency budget appropriations be authorized:

DEPARTMENT	TYPE	AMOUNT
Environmental Commission	O/E	\$275.00
Office of Emergency Management	O/E	\$1,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Chief Financial Officer of the Borough.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-83
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION TO ESTABLISH 2023 COUNCIL STANDING COMMITTEES

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Standing Committees of said Council for the year 2023 shall be and are hereby established as follows:

RECREATION AND ARTS	Councilpersons	POSTELNIK, Canavera, Kim-Chohan
ECONOMIC DEVELOPMENT & PLANNING	Councilpersons	HALE, Kim-Chohan, Hersh
FINANCE	Councilpersons	KIM-CHOHAN, Postelnik, Hale
HEALTH & HUMAN SERVICES	Councilpersons	CANAVERA, Hersh, George
PUBLIC SAFETY	Councilpersons	GEORGE, Hale, Canavera
PUBLIC WORKS & PUBLIC UTILITIES	Councilpersons	HERSH, George, Postelnik

BE IT FURTHER RESOLVED that the first Councilpersons listed above for each Committee shall serve as Chair of that Committee.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. -3-23-84
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**AWARDING AGREEMENT FOR POLICE OFF-DUTY DETAIL
MANAGEMENT SERVICES TO VISUAL COMPUTER SERVICES, INC.
(KNOWN AS “JOBS4BLUE”)**

WHEREAS, pursuant to Resolution 5-22-126, the Council of the Borough of Highland Park authorized the solicitation of proposals through the competitive contracting provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-4.1 et seq.*, for purposes of selecting a qualified firm to provide Police Off-Duty Detail Management Services for the Borough of Highland Park; and

WHEREAS, on January 26, 2023, and consistent with the Request for Proposals Documentation issued by the Borough, the Borough received two proposals to render the services from: Visual Computer Solutions, Inc. (commonly known as “Jobs4Blue”) and Off Duty Management, Inc.; and

WHEREAS, the Attorney’s Office reviewed the proposals and has determined that both comply with the minimum requirements for submission of a proposal under the RFP Documentation; and

WHEREAS, the Police Department and Administrator have reviewed the proposals and based on their review, have submitted a written report to Council recommending that the contract be awarded to Visual Computer Solutions, Inc. because its proposal is most advantageous to the Borough, price and other factors considered; and

WHEREAS, all fees paid to Visual Computer Solutions, Inc. for the Police Off-Duty Detail Management Services shall be paid directly by vendors using police officer services, with no cost to the Borough.

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

1. The above preamble is incorporated herein as if set forth at length.
2. The Council hereby awards an agreement for Police Off-Duty Detail Management Services to Visual Computer Solutions, Inc. for an initial term of 2 years with the option to renew for up to 3 successive 1-year terms (for a total term of up to 5 years). Vendors using the services shall pay to Visual Computer Solutions, Inc. an 8% service fee and 4% credit card fee. No fees shall be paid by the Borough.
3. The Mayor and Clerk shall be authorized and directed to execute an Agreement with Visual Computer Solutions, Inc. consistent therewith.
4. A copy of this Resolution, and the executed Agreement, shall be placed on file in the office of the Municipal Clerk.

- 5. The Clerk shall publish a notice in the official newspaper of the Borough summarizing the award of the Agreement and a statement that the Resolution and Agreement are on file and available for public inspection of the Office of the Borough Clerk.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-85
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPLY FOR STAFFING FOR ADEQUATE FIRE AND
EMERGENCY RESPONSE (SAFER) GRANT FROM FEMA**

WHEREAS, the Highland Park Fire Department has seen an uptick in emergency calls and desires to increase the amount of frontline firefighters available to respond to these calls; and

WHEREAS, the Federal Emergency Management Association (FEMA) has funds available for this purpose through their Staffing for Adequate Fire and Emergency (SAFER) grant program; and

WHEREAS, the Highland Park Fire Department desires to apply for this grant funding which does not require a cash match; and

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute and submit, on behalf of the Highland Park Fire Department, the grant application to FEMA.

2. The Mayor and the Borough Clerk are hereby authorized to sign the grant agreement upon acceptance on behalf of the Borough of Highland Park and that their signature constitutes acceptance of the terms and conditions and approves the execution of the grant agreement.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-86
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**PROFESSIONAL SERVICES RESOLUTION – CME ASSOCIATES
ROADWAY IMPROVEMENTS TO RIVERVIEW AVENUE, WASHINGTON AVENUE,
& EXETER STREET**

WHEREAS, the Borough of Highland Park has need of the services of an engineer to provide engineering services in connection with the Roadway Improvements to Riverview Avenue, Washington Avenue, & Exeter Street, in accordance with letter proposal from Bruce Koch, CME Associates, dated February 16, 2023, attached to the original of this resolution; and

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

WHEREAS, CME Associates, Parlin, N.J., is a firm of licensed engineers 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 are available in the 2023 Temporary Budget, Capital Fund Account No. C-04-55-832-001 in an amount not to exceed \$137,639.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-26.

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859, a copy of which is attached to the original of this original,
2. 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.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

2023

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, entered into this 14th day of March 2023, by and between the **BOROUGH OF HIGHLAND PARK**, a municipal corporation of the State of New Jersey, having its principal offices located at 221 South 5th Avenue, Highland Park, New Jersey 08904 (hereinafter referred to as "**BOROUGH**") and Bruce Koch, CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 (hereinafter referred to as "**COMPANY**").

WITNESSETH:

WHEREAS, the **BOROUGH** requires professional services in connection with Engineering Services for the improvements to Riverview Avenue, Washington Avenue & Exeter Street (NJDOT FY 2023 Municipal Aid Program); and

WHEREAS, the **BOROUGH** has adopted a Resolution authorizing the award of a Contract for said professional services to the **COMPANY** without competitive bidding as permitted by *N.J.S.A. 40A:11-1, et seq.*

NOW, THEREFORE, IT IS AGREED between the **BOROUGH** and the **COMPANY**, as follows:

1. Effective March 14, 2023, the **COMPANY** shall render professional services for the **BOROUGH** as required by the **BOROUGH**.
2. The **BOROUGH** agrees to compensate the **COMPANY** as set forth on the proposal dated February 16, 2023, the amount of said compensation shall not exceed **\$137,639.00** unless amended by further action of the **BOROUGH** for the above mentioned services.
3. The **BOROUGH** agrees to pay the **COMPANY** for any actual disbursements and out of pocket expenses incurred in carrying out its duties.

4. The **COMPANY** shall submit monthly billing to the **BOROUGH** for said services, if any, on vouchers as required by the **BOROUGH**. The **BOROUGH** agrees to process and pay said vouchers in the same manner as other municipal vouchers. The **BOROUGH** requires billing for professional services to be done to the nearest 1/4 hour.

5. The parties hereto hereby incorporate by reference herein the Affirmative Action Addendum attached hereto and made a part hereof as *Exhibit A*.

6. The **COMPANY** agrees to file its New Jersey Business Registration Certificate with the **BOROUGH's** Chief Financial Officer.

7. The **COMPANY** agrees to adhere to and comply with the provisions of the New Jersey Local Unit Pay-to-Play Act, *N.J.S.A. 19:44A-20.1*, and the **BOROUGH's** Pay-to-Play Ordinance No. 1705.

IN WITNESS WHEREOF, the parties hereunto set their hands and seals the date first above written.

ATTEST:

BOROUGH OF HIGHLAND PARK

Jennifer Santiago, Borough Clerk

By: _____
Elsie Foster, Mayor

WITNESS:

CME ASSOCIATES

By: _____

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME
KEITH CHIARAVALLA, PE, CME

February 16, 2023

Mrs. Teri Jover, Borough Administrator
Borough of Highland Park
221 South Fifth Avenue
Highland Park, NJ 08904

**Re: Improvements to Riverview Avenue, Washington Avenue & Exeter Street
NJDOT FY 2023 Municipal Aid Program
Highland Park, New Jersey
Our File No.: PHP00645.01**

Dear Mrs. Jover:

As you are aware, the NJDOT has awarded the Borough with a 2023 NJDOT Municipal Aid Grant of \$557,505.00 for the above referenced project. The application submitted to the NJDOT was for the Improvements to Riverview Avenue from Valentine Street to its Easterly terminus, Washington Avenue from Raritan Avenue to the Edison border, and Exeter Street from Parker Road to Cherry Street. Our preliminary construction cost estimate for same is approximately \$480,000.00, which does not include state non-participating items such as Uniformed Police Traffic Directors and any repairs to the sanitary sewer or water mains. The estimate consisted of a mill and overlay, ADA accessible ramp improvements, improvements to storm sewer structures, slope protection on a portion of Riverview Avenue, striping and signage.

We estimate the police, sanitary sewer items, and water service test pits total amount to be approximately \$89,000 and would have to be funded by the Borough. We have reviewed the sanitary sewer system repairs report from Middlesex Water Company and have included the cost of all defect Level 4 and Level 5 areas within the project limits. The water service test pits and replacement shall be if and where required, should the Borough decide to not test pit or replace all services.

In addition to the above roads, it is our understanding the Borough would like to have portions of the following roads milled and resurfaced: Donaldson Street from Braun Avenue to South Fifth Avenue (half width), Braun Avenue from Valentine Street to Graham Street (full width), Braun Avenue from Graham Avenue to Mansfield Street (half width), Braun Avenue from Mansfield Avenue to Harper Place (full width), and Benner Street from South Fourth Avenue to South Sixth Avenue (half width). The additional improvements also include two ADA compliant curb ramps at the intersection of North Eighth Avenue and South Park Avenue and six ADA compliant curb ramps along Braun Avenue from Becker Street to Harper Place. The estimated cost for these improvements is approximately \$160,000.00, including sanitary sewer repairs.

Since the Borough has received more funding than the total of state participating items, the Borough would also be eligible for reimbursement of Field Observation costs for any remaining balance in unused grant funds up to 15% of the final eligible construction cost and Design Services up to 5% of the grant amount.



Ms. Teri Jover, Borough Administrator
February 16, 2023
Page 2

We respectfully submit the following Professional Engineering Service cost estimates for the various tasks of the above referenced project.

• Survey Phase Services	\$ 9,015.00
• Structural Engineering Services	\$ 4,198.00
• Design Phase Services	\$ 56,560.00
• Bid Phase Services	\$ 4,516.00
• Construction Phase Services	<u>\$ 63,350.00</u>
	\$137,639.00

Depending upon the variation in construction materials and oil prices, the project construction costs may increase or decrease. Our Bid Phase proposal cost is for one (1) bidding process. If the Borough must bid the project again, we can provide those services based on our hourly rate schedule on file with the Borough for the actual hours required to perform same.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

CME Associates

Bruce M. Koch, PE, PP, CME
Borough Engineer's Office

BMK/blr/dy

cc: Mayor Elsie Foster
All Council Members
Borough Clerk
Borough Attorney
Chief Financial Officer
Borough Construction Official
Public Works Superintendent

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127)

N.J.A.C. 17:27 et seq.

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

EXHIBIT A (Cont)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: http://www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

Signature

Date

Print Name and Company



Pay-To-Play Non-Fair and Open Contract Contribution Prohibition Language

Political Contribution Disclosure. This contract has been awarded to _____ based on the merits and abilities of _____ to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that _____, it’s subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the *municipality/county* if a member of that political party is serving in an elective public office of that *municipality/county* when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that *municipality/county* when the contract is awarded.

Sign

Date

Print Name and Company Name

BOROUGH OF HIGHLAND PARK
ORDINANCE NO. 1706

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF HIGHLAND PARK
TO ADOPT A PUBLIC CONTRACTING REFORM ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF HIGHLAND PARK, AS FOLLOWS:

WHEREAS, the Mayor and the Borough Council of the Borough of Highland Park are concerned about the large political contributions from those seeking or performing contracts with a municipality which raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare; and

WHEREAS, pursuant to P.L.2005, c.271 (codified at N.J.S.A. 40:11A-51) a municipality is authorized to adopt by ordinance measures limiting the awarding of public contracts to business entities that have made political contributions and limiting the contributions that the recipient of such a contract can make during the term of a contract; and

WHEREAS, it shall be the policy of the Mayor and the Borough Council of the Borough of Highland Park to create a such a regulation which states that a business entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Borough of Highland Park;

NOW, THEREFORE, be it ordained by the Mayor and the Borough Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey, that the Revised General Ordinances shall be amended to include Section 2-41 to read as follows:

SECTION 1. PROHIBITION ON AWARDING PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS

- (a) To the extent that it is not inconsistent with state or federal law, the Borough of Highland Park and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure "professional services" as such term is used at N.J.S.A. 40:11A-5(1)(a)(i) and/or banking, insurance or other consulting service (hereinafter "professional services") from any professional business entity, if such professional business entity has solicited or made any contribution (as such term is defined at N.J.A.C. 19:26-1.7, which definition includes loans, pledges and in-kind contributions) (hereinafter "contribution"), to (i) a candidate or joint candidate(s) committee of any candidate for elective municipal office in Borough of Highland Park or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Highland Park or Middlesex County Political Party Committee, or (iii) to any political action committee that regularly engages in the support of Borough of Highland Park municipal or Middlesex County elections and/or Borough of Highland Park municipal or Middlesex County political parties or Borough of Highland Park municipal or Middlesex County political party committees, (hereinafter "PAC"), in excess of the thresholds specified in subsection (d) within one calendar year immediately preceding the date of the contract or agreement.
- (b) No professional business entity who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement with the Borough of Highland Park or any of its departments or instrumentalities, for the rendition of professional services shall knowingly solicit or make any contribution, to: (i) a candidate or joint candidate(s) committee of any candidate for elective municipal office in Borough of Highland Park or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Highland Park or Middlesex County political party committee, or (iii) to any political action committee ("PAC") that regularly engages in the support of Borough of Highland Park municipal or Middlesex County elections and/or Borough of Highland Park municipal or Middlesex County political parties or Borough of Highland Park municipal or Middlesex County political party committees, between the time of first communication between that professional business entity and the municipality regarding a specific agreement for professional services and the later of the termination of negotiations or rejection of any proposal, or the completion of the performance of that contract or agreement.
- (c) For purposes of this Ordinance, a "professional business entity" whose contributions are regulated by sections (a) and (b) hereof means: (i) an individual including the individual's spouse, and any child/children living at home; (ii) a firm; corporation; professional

corporation; partnership; limited liability company; organization; association; and any other manner and kind of business entity; (c) any person who owns 10% or more of the equity or ownership or income interests in a person or entity as defined in sections (i) and (ii) above and their spouses and child/children living at home; (d) all partners or officers of such an entity, in the aggregate, and their spouses and child/children living at home; and (e) all persons who are an "affiliate" of a person as defined in sections (i) and (ii) above (as such term is used in 11 U.S.C. § 101(2)).

- (d) The monetary thresholds of this Ordinance are: (i) a maximum of \$300 for any purpose to any candidate for mayor or governing body, or \$300 to a political party committee of the Borough of Highland Park; (ii) \$500 to a Middlesex County political party committee or to any PAC. However, any group of persons meeting the definition provided in section (c) above of "professional business entity" may not annually contribute for any purpose in excess of \$2,600 to all Borough of Highland Park candidates and officeholders with ultimate responsibility for the award of the contract and all Borough of Highland Park or Middlesex County political party committees and PACs combined, without violating subsection (a) of this section.
- (e) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:
- (1) The Borough of Highland Park or Governing body, if the contract requires approval or appropriation from the Mayor or Governing body.
 - (2) The Mayor of the Borough of Highland Park, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

SECTION 2. EFFECTIVE DATE

This ordinance shall become effective on January 2, 2007.

SECTION 3. CONTRIBUTION STATEMENT BY PROFESSIONAL BUSINESS ENTITY

- (a) Prior to awarding any contract or agreement to procure professional services from any professional business entity the Borough of Highland Park or its purchasing agents and departments, as the case may be, shall receive a sworn statement from the intended recipient of said contract that he/she/it has not made a contribution in violation of Section 1 of this Ordinance.
- (b) The recipient of said contract shall have a continuing duty to report any violations of this Ordinance that may occur during the negotiation, proposal process or duration of a contract's performance. The certification required under this subsection shall be made prior to entry into the contract or agreement with the Borough of Highland Park or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

SECTION 4. RETURN OF EXCESS CONTRIBUTIONS

A recipient of a contract for professional services may cure a violation of Section 1 of this Ordinance, if, within 30 days after the cited violation, the Professional Business Entity notifies the Municipal Council in writing and seeks and receives reimbursement of a contribution from the municipal candidate or municipal or county political party or PAC referenced in this ordinance.

SECTION 5. EXEMPTIONS

The contribution limitations prior to entering into a contract in Section 1(a) do not apply to contracts which (i) are awarded to the lowest responsible bidder after public advertising for bids and bidding therefore within the meaning of N.J.S.A. 40A:11-4, or (ii) are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a "Fair and Open Process" under N.J.S.A. 19:44A-20 *et seq.*

SECTION 6. PENALTY

- (a) It shall be a material breach of the terms of a Borough of Highland Park agreement or contract for professional services when a recipient of such agreement or contract has: (i) made or solicited a contribution in violation of this Ordinance; (ii) knowingly concealed or misrepresented a contribution given or received; (iii) made or solicited contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) made or solicited any contribution on the condition or with the agreement that it will be re-contributed to a candidate or joint candidates committee of any candidate for elective municipal office in Borough of Highland Park or any Borough of Highland Park or

Middlesex County political party committee, or any PAC; (v) engaged or employed a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the professional business entity itself, would subject that entity to the restrictions of this Ordinance; (vi) funded contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engaged in any exchange of contributions to circumvent the intent of this Ordinance; or (viii) directly or indirectly, through or by any other person or means, done any act which if done directly would subject that entity to the restrictions of this Ordinance.

- (b) Any professional business entity that violates Section 6 (a) ii-viii shall be disqualified from eligibility for future Borough of Highland Park contracts for a period of four calendar years from the date of the violation.

SECTION 7. SEVERABILITY

If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 8. REPEALER

All ordinances or parts of ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

SECTION 9. EFFECTIVE DATE

This ordinance shall be in full force and effect from after its adoption and any publication as may be required by law.

Introduced and passed on
first reading October 3, 2006

ATTEST:

Joan Hullings

JOAN HULLINGS
BOROUGH CLERK

APPROVED: October 17, 2006

Meryl Frank

MERYL FRANK
MAYOR

**RESOLUTION 3-23-87
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT - BOND
COUNSEL - WILENTZ, GOLDMAN & SPITZER**

WHEREAS, the Borough of Highland Park has need of the services of Bond Counsel for bonding and related matters the calendar year of 2023; and

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

WHEREAS, Wilentz, Goldman & Spitzer, Esqs., is a firm of attorneys at law of the State of New Jersey with extensive experience in bonding and related matters and has heretofore been appointed as Borough Bond Counsel for 2023; and

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

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

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, in Finance and various General Capital Accounts, in an amount not to exceed \$40,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-27.

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, an Agreement for professional services with Wilentz, Goldman & Spitzer, Esqs., a proposed copy of which is attached hereto.
2. 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.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

2023

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, entered into this 14th day of March 2023., by and between the **BOROUGH OF HIGHLAND PARK**, a municipal corporation of the State of New Jersey, having its principal offices located at 221 South 5th Avenue, Highland Park, New Jersey 08904 (hereinafter referred to as "**BOROUGH**") and Charles A. Solimine, Esq., Wilentz, Goldman & Spitzer PA, 90 Woodbridge Avenue, Suite 900, Woodbridge NJ 07095 (hereinafter referred to as "**COMPANY**").

WITNESSETH:

WHEREAS, the **BOROUGH** requires professional services in connection with labor related issues during the calendar year 2023; and

WHEREAS, the **BOROUGH** has adopted a Resolution authorizing the award of a Contract for said professional services to the **COMPANY** without competitive bidding as permitted by *N.J.S.A. 40A:11-1, et seq.*

NOW, THEREFORE, IT IS AGREED between the **BOROUGH** and the **COMPANY**, as follows:

1. Effective January 1, 2023., the **COMPANY** shall render professional services for the **BOROUGH** as required by the **BOROUGH**.

2. The **BOROUGH** agrees to compensate the **COMPANY** as set forth on the proposal dated December 13, 2022; the amount of said compensation shall not exceed **\$40,000.00** unless amended by further action of the **BOROUGH** for the above mentioned services.

3. The **BOROUGH** agrees to pay the **COMPANY** for any actual disbursements and

out of pocket expenses incurred in carrying out its duties, as set forth in *Schedule A*.

4. The **COMPANY** shall submit monthly billing to the **BOROUGH** for said services, if any, on vouchers as required by the **BOROUGH**. The **BOROUGH** agrees to process and pay said vouchers in the same manner as other municipal vouchers. The **BOROUGH** requires billing for professional services to be done to the nearest 1/4 hour.

5. The parties hereto hereby incorporate by reference herein the Affirmative Action Addendum attached hereto and made a part hereof as *Exhibit A*.

6. The **COMPANY** agrees to file its New Jersey Business Registration Certificate with the **BOROUGH's** Chief Financial Officer.

7. The **COMPANY** agrees to adhere to and comply with the provisions of the New Jersey Local Unit Pay-to-Play Act, *N.J.S.A. 19:44A-20.1*, and the **BOROUGH's** Pay-to-Play Ordinance No. 1705.

IN WITNESS WHEREOF, the parties hereunto set their hands and seals the date first above written.

ATTEST:

BOROUGH OF HIGHLAND PARK

Jennifer Santiago, Borough Clerk

By: _____
Elsie Foster, Mayor

WITNESS:

WILENTZ, GOLDMAN & SPITZER PA

By: _____

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127)

N.J.A.C. 17:27 et seq.

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

EXHIBIT A (Cont)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: http://www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

Signature

Date

Print Name and Company

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 282
TRENTON, NJ 08646-0282

TAXPAYER NAME:
WILENTZ, GOLDMAN & SPITZER, P.A.

TRADE NAME:

TAXPAYER IDENTIFICATION#:
222-292-919/000

SEQUENCE NUMBER:
0069078

ADDRESS:
90 WOODBRIDGE CENTER DR
WOODBRIDGE NJ 07095

ISSUANCE DATE:
08/31/04

EFFECTIVE DATE:
03/27/80

FORM-BRC(08-01)

John S. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

Certification 5743

CERTIFICATE OF EMPLOYEE INFORMATION REPORT RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-SEP-2018** to **15-SEP-2021**

WILENTZ, GOLDMAN & SPITZER, A PROF. CORP.
90 WOODBRIDGE CTR DRIVE #900 BOX 10
WOODBIDGE NJ 07095-0958



A handwritten signature in cursive script, appearing to read "Elizabeth M. Muoio".

ELIZABETH MAHER MUOIO
State Treasurer



Pay-To-Play Non-Fair and Open Contract Contribution Prohibition Language

Political Contribution Disclosure. This contract has been awarded to WG&S based on the merits and abilities of WG&S to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Wilentz, Goldman & Spitzer, P.A. it's subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the *municipality/county* if a member of that political party is serving in an elective public office of that *municipality/county* when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that *municipality/county* when the contract is awarded.

 12-12-20

Sign _____ Date _____

Charles A. Solimine, Esq., Wilentz, Goldman & Spitzer, P.A.

Print Name and Company Name

**RESOLUTION NO. 3-23-88
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPROVE SHARED SERVICES AGREEMENT DESIGNATING
THE MIDDLESEX COUNTY FIRE MARSHAL’S OFFICE AS THE LOCAL
ENFORCING AGENCY FOR THE BOROUGH OF HIGHLAND PARK**

WHEREAS, N.J.S.A. 40:8-1 et seq. authorizes municipal local units to enter into contracts with one another for the purpose of providing shared services; and

WHEREAS, the Borough of Highland Park has a need for a local enforcing agency pursuant to the provisions of the Uniform Fire Safety Act and Regulations for Fire Code Enforcement; and

WHEREAS, a shared services agreement would be beneficial to the taxpayers in both the municipality and the county; and

WHEREAS, an agreement entitled “Shared Services Agreement between Middlesex County Fire Marshal’s Office and Borough of Highland Park as the Local Enforcing Agency for the Borough of Highland Park pursuant to the provisions of the Uniform Fire Safety Act and Regulations for Fire Code Enforcement, for the purpose of enforcing the New Jersey Uniform Fire Code and the regulations has been proposed and found acceptable and is attached to this Resolution.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the aforementioned Agreement.
2. Pursuant to NJSA 40A:65-1, a certified copy of the within Resolution shall be forwarded to New Jersey Department of Community Affairs, Division of Local Government Services.
3. A certified copy of the Resolution and a fully executed copy of the Agreement be forwarded to the Highland Park Borough Administrator and Highland Park Chief Financial Officer as well as the Middlesex County Fire Marshal’s Office.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

Shared Services Agreement Designating The Middlesex County Fire Marshal's Office as the Local Enforcing Agency for Borough of Highland Park Pursuant to the Provisions of the Uniform Fire Safety Act and Regulations for Fire Code Enforcement, for the Purpose of Enforcing The New Jersey Uniform Fire Code and the Regulations Contained Therein.

This agreement made and entered into this by and between the COUNTY OF MIDDLESEX ("Lead Agency") and the Borough of Highland Park (known as the "participating local unit):

Witnessed

WHEREAS, the Uniform Fire safety Act (P.L. 1983, c. 383; N.J.S.A. 52:27D-192 et. Seq.) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the Uniform Fire safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose; and

WHEREAS, it is in the best interest of the Borough of Highland Park to have the Uniform Fire

Safety Act enforced locally; and

WHEREAS, pursuant to N.J.S.A. 52:27D-202, the Borough of Highland Park is empowered to

Designate the Middlesex County Fire Marshal's Office as the Local Enforcing Agency.

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

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

Uniform Safety Code

1. LOCAL ENFORCEMENT. Pursuant to section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383) the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Highland Park
2. AGENCY DESIGNATION. The Local Enforcing Agency shall be the Middlesex County Fire Marshal's Office under the supervision of the Middlesex County Fire Marshal.
3. DUTIES. The Middlesex County Fire Marshal's Office shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Borough of Highland Park other than owner-occupied one- and two-family dwellings and shall comply with the requirements of the

Uniform Fire safety Act and the Uniform Fire Code.
4. LIFE HAZARD USES. The Middlesex County Fire Marshal's Office shall carry out the periodic inspections of life hazard use required by the Uniform Fire Code.
5. ORGANIZATION. The Office of the Middlesex County Fire Marshal shall serve as the Fire Official. The Middlesex County Fire Marshal's Office shall consist of said Fire Marshal and such other inspectors and employees as may be necessary to enforce said Code, being appointed by the Middlesex County Board of Commissioners pursuant

to the procedures set forth herein.

6. APPOINTMENTS.

a) Fire Marshal. The Middlesex County Fire Marshal, Michael Gallagher was appointed by the Middlesex County Board of Commissioners.

b) Inspectors and Employees. Such inspectors and other employees as may be Necessary for the Middlesex County Fire Marshal's Office to properly carry out Its responsibilities shall be appointed by the Middlesex County Board of County Commissioners.

7. BOARD OF APPEALS. Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the local construction board of appeals. (If no such body exists, appeals shall be made to the county construction board of appeals.)

8. PERMITS. The permit fees shall be established pursuant to the Uniform Fire code. They shall be as follows, unless modified by resolution of the Middlesex County Board of Commissioners and ordinance of the Borough of Highland Park

LIFE HAZARD USES

The Bureau of Fire Prevention established by Section 2 of this ordinance shall carry out the periodic inspections of life hazard use required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

NON-LIFE HAZARD USES

(A) In addition to the registrations required by the Uniform Fire Code, the following nonlife hazard uses shall register with the County Fire Marshals Office. These uses shall be inspected once per year *and pay an annual fee. (The following is a recommended fee schedule for nonlife hazard use in the local enforcing agency's jurisdiction and shall be included in Sub-Chapter 2 of the Uniform Fire Code, amended by local ordinance.* The fee schedule amount for each nonlife hazard use may be amended to fit the needs of the local enforcing agency. The fee is not to be used for Life Hazard Uses as defined in the Uniform Fire Code.)

B. Business, Commercial, Multiple Dwelling Permit and Inspection Fees

1. Temporary Kiosks and Displays in Covered Malls: Each individual or temporary (90 days or less) kiosk, display or concession shall be required to obtain a Permit (Fee \$42.00)
2. A permit shall be required for all occupancies and/or tenants and/or uses within the common area of a building, such as a mall, market, or other mercantile of less than 300 square feet. Permit and Inspection fee \$75.00) Examples: Kiosks in malls, over 90 days, vendors within a market, etc.
3. A permit shall be required for all occupancies and/or tenants and/or uses at any fair or special event booth 200 square feet or less that is used for 14 days or less. (Permit and inspection fee \$25.00)
4. A permit shall be required for any non-residential use of less than 400 square feet of gross floor area, with the exception of those businesses registered with the State of New Jersey as Life Hazard Uses pursuant to N.J.S.A. 52:27D-192 et seq or permitted and inspected. Permit and Inspection fee \$75.00
5. A permit shall be required for any Use Group B office only, 200 square feet or less, that is located within another building that is registered and inspected for other uses and purposes and is owned and/or operated by a separate entity from the building owner. This would include sub-lease type uses or independent offices within an office mall. Fee for permit and inspection shall be \$25.00.
6. A permit shall be required for any non-residential occupancy or use of less than 1,000 square feet, but more than 400 square feet, of gross floor area, with the exception of those buildings registered with the State of New Jersey as Life Hazard Uses, pursuant to N.J.S.A. 52:27D-192 et seq. Permit and Inspection Fee \$75.00)
7. A permit shall be required for any non-residential occupancy or use of less than 2,500 square feet, but more than 1000 square feet, of gross floor area, with the exception of those buildings registered with the State of New Jersey as Life Hazard Uses, pursuant to N.J.S.A. 52:27D-192 et seq. Permit and Inspection Fee \$100.00)

Permits are required on a yearly basis. Inspection fees are due and payable within thirty calendar days.

8. A permit shall be required for any non-residential occupancy or use of more than 2,500 square feet but less than 5,000 square feet of gross floor area unless such use or occupancy is registered as a Life Hazard use under N.J.S.A. 52:27D-192 et seq. (Permit and Inspection Fee \$150.00)
9. A permit shall be required for any non-residential occupancy or use of more than 5,000 square feet but less than 12,000 square feet of gross floor area. (Permit and Inspection Fee \$200.00)
10. A permit shall be required for all uses and/or occupancies not defined as Life Hazard uses pursuant to N.J.S.A. 52:27D-192 et seq., with a gross floor area of over 12,000 square feet. (Permit and Inspection Fee \$275.00)

Permits and Inspection fee required on a yearly basis.

11. A permit shall be required for any use and/or occupancy which are an eating and/or drinking establishment that has a capacity of less than 50 occupants and in which no alcoholic beverages are served, regardless of floor area. Exception: Life Hazard registered premises pursuant to N.J.S.A. 52:27D-192 et seq. (Permit and Inspection Fee \$100.00)

Permits are required on a yearly basis. Inspection fees are due and payable within thirty calendar days.

12. A permit shall be required for all structures or uses where 100 or fewer persons may assemble for the purpose of amusement, entertainment and/or recreation, including health spas. (Permit and Inspection Fee \$175.00)

Permits are required on a yearly basis. Inspection fees are due and payable within thirty calendar days.

Exception: Life Hazard uses registered pursuant to N.J.S.A. 52:27D-192 et seq.

13. A permit shall be required for all structures used as hotels, motels, and multiple dwellings as follows:
 - a. Hotels and motels with common areas accessible to the tenants and/or the public with 100 rooms or less: a permit and inspection fee of \$175.00.
 - b. Multiple dwellings (such as apartment buildings) common areas accessible to the tenants and/or public, a permit fee of \$25.00 and an inspection fee of \$50.00. Permit fee shall be assessed only once regardless of the number of buildings.

- c. Cyclical inspections of multiple dwelling residential units shall be done in accordance with the provisions of the New Jersey Uniform Fire Code for compliance with 5:70-2.5, and this Ordinance. Each multiple dwelling unit complex shall register annually with the appropriate Local Enforcing Agency on the forms provided by that agency. Inspection fees for cyclical inspections shall be \$25.00 per unit. These fees shall be assessed to, and the responsibility of each complex owner if single ownership or Association for all multiple owner complex units within the complex. Associations may use Association rules and/or regulations to assess these fees to individual unit owners. Complex owners, associations and/or property management companies shall be responsible for coordination with owners of residential units for access or providing owner information and/or have representative with keys available to Local Enforcing Agency for contact or entry purposes.
14. Inspections and certificates regarding smoke detectors and carbon monoxide detectors required for sale, lease, or other occupancy of one- and two-family dwellings required by 5:70-2.3 shall have a fee of \$50.00 per dwelling unit inspected if requested more than 10 business days before change of occupant.
- a. A fee of \$20.00 shall be paid for any re-inspection required as a result of a failed inspection under this requirement
 - b. Inspections requested to be scheduled 4 business days to 10 business days of change of occupant shall have a fee of \$75.00.
 - c. Inspections requested to be scheduled less than 4 business days from date of change of occupant shall have a fee of \$125.00.
 - d. A fee of \$75.00 shall be paid for any inspection required as a result of the failure of the party not being present for the first scheduled time and having to reschedule.
15. Inspections and certificates regarding smoke detectors and carbon monoxide detectors are required for sale, shall have a fee of \$50.00 per dwelling unit inspected if requested more than 10 business days before change of occupant.
- a. A fee of \$20.00 shall be paid for any re-inspection required as a result of a failed inspection under this requirement
 - b. Inspections requested to be scheduled 4 business days to 10 business days of change of occupant shall have a fee of \$75.00.

- c. Inspections requested to be scheduled less than 4 business days from date of change of occupant shall have a fee of \$125.00.
- d. A fee of \$75.00 shall be paid for any inspection required as a result of the failure of the party not being present for the first scheduled time and having to reschedule.

*** It shall be noted that the inspection of smoke detectors can be done by a signed Affidavit, A form will be located at the municipal building of the named town. If the Inspection is done by an affidavit, the local municipality would collect the fee. If it is to be inspected by the Fire Marshal's Office, the fee would be collected by said Office.**

EXCEPTION: Use Group R-1, hotels and motels, residential units with transient occupants.

- C. Mall Promotions: A permit shall be required for a display or group of displays and/or concessions occupying the mall common area if under the direct control of single promoter who shall also be required to be present for the inspection of such displays or promotions and will be responsible for all required corrections, penalties, etc. (Fee \$166.00)

EXCEPTION: If the displays and/or concessions are under individual control each individual shall be responsible for their own permit as set forth in N.J.A.C. 5:70-2.7(a).

PERMITS AND INSPECTION FEES

FEE SCHEDULE

For:	Fee:
Asphalt Tar Kettle Use	\$60.00
Training and Education Providers	\$100.00
Storage and/or use of LPG or LNG exceeding 10 gal. & under 2000 gal.	
a. > 10 to < 50 gallons	\$50.00
b. 50 to < 200 gallons	\$100.00
c. 200 to < 1000 gallons	\$200.00
d. 1000 to < 2000 gallons	\$300.00
Modification of any tank or dispensing device for flammable, combustibile, or hazardous materials	\$100.00
Hazardous materials storage	
a. <5 gallons or <10 pounds	\$50.00
b. 5 gallons or 10 pounds to <25 gallons or <100 pounds	\$100.00
c. 25 gallons or 100 pounds to 100 gallons or 250 pounds	\$200.00
d. >100 gallons or >250 pounds	\$300.00
Flammable & Combustible Liquids	
a. Stationary tank >5 to <25 gallons	\$50.00
b. Stationary tank 25 gallons to 150 gallons	\$100.00
c. Stationary tank 151 to 300 gallons	\$200.00
d. Stationary tank 301 to 660 gallons	\$300.00
e. Portable tank >5 gallons to <25 gallons	\$50.00
f. Portable tank 25 gallons to 150 gallons	\$100.00
g. Portable tank 151 gallons to 300 gallons	\$200.00
h. Portable tank 301 gallons to 660 gallons	\$300.00
i. Containers 5 gallons to <25 gallons	\$50.00
j. Containers 25 gallons to 150 gallons	\$100.00
k. Containers 151 gallons to 300 gallons	\$200.00
l. Containers 301 gallons to 660 gallons	\$300.00
Process equipment installation or modification	\$200.00

Temporary kiosks and displays in covered malls 90 days or less	\$42.00
Non-Residential Occupancy < 300 Sq. Ft. in Common Area of Mall, etc.	\$75.00
Fair or Special Event booth <200 Sq. Ft. occupied 14 days or less.	\$25.00
Non-Residential Occupancy < 400 Sq. Ft.	\$100.00
Use Group B office only located within other use or office mall 200 square feet or less	\$25.00
Non-residential occupancy >400 square feet but < 1,000 square feet	\$75.00
Non-residential occupancy 1,000 square feet but < 2,500 square feet	\$100.00
Non-Residential Occupancy 2,500 Sq. Ft. but < 5,000 Sq. Ft.	\$150.00
Non-Residential Occupancy 5,000 Sq. Ft. but [\geq] < 12,000 Sq. Ft.	\$200.00
All Uses/Occupancies > 12,000 Sq. Ft. Of Floor Area.	\$275.00
Eating and/or Drinking Establishment With Capacity of Under 50 Persons, No Alcohol Served.	\$100.00
Places of Assembly, 100 or Fewer Occupants	\$175.00
Hotels and Motels with 100 Rooms or Less	\$175.00
Multiple Dwellings common areas	\$75.00
Additional Buildings with common areas.	\$50.00 each
Multiple dwelling residential units in complex cyclical inspections	\$25.00/unit

Smoke Detector and Carbon Monoxide Detector Inspections for 1 & 2 family Dwelling Units	\$50.00
Inspection scheduled 5 days to <48 hours before closing	\$75.00
Inspection Scheduled 48 or less before closing	\$125.00
Failure to show for first appointment	\$75.00
Re-inspection fee	\$20.00
Dwelling Unit Smoke Detector and Carbon Monoxide Detector Insp.	
Other residential units	\$50.00
Inspection scheduled 5 days to <48 hours before closing	\$75.00
Inspection Scheduled 48 or less before closing	\$125.00
Failure to show for first appointment	\$75.00
Re-inspection fee	\$20.00
Mall promotions for group of displays	\$166.00
Under one promoter's control	
Violation Search Fee	\$50.00
Under one promoter's control	
Violation Search Fee	\$50.00

TECHNICAL AMENDMENTS

"Reserved"

BOARD OF APPEALS

Pursuant to N.J.A.C. 5:70-2.19 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Middlesex County Construction Board of Appeals.

ENFORCEMENT, VIOLATIONS, AND PENALTIES

Enforcement, violations, and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code, and all other laws of the State of New Jersey.

REPEALS

The following ordinances or portions thereof are hereby repealed:

Reporting.

It shall be a violation of this code for any person or persons having knowledge of same to fail to report to the fire department and/or the appropriate Fire Official the activation of any fire protection system or device; or to fail to report the occurrence of any fire or attempted arson; or to fail to report the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.

Water Supplies.

- A. Private fire hydrants, connections, and appliances shall be installed and maintained in accordance with this section, NFPA #24 and the regulations of the County of Middlesex.
- B. Blocking Fire Hydrants or Connections: No person shall obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants or fire department connections that are located on public or private streets and access lanes, or on private property. Minimum clearance to any fire hydrant or connection shall be ten (10) feet in all directions.
- C. Use of Appliances: A person shall not obstruct, remove, tamper with, or otherwise disturb any fire hydrant except under permit from the County of Middlesex, or fire appliance required to be installed or maintained under the provisions of this code except for the purpose of extinguishing fire, training or testing purposes, recharging, making necessary repairs, or when permitted by the appropriate Fire Official. In all situations other than fire extinguishment, notification and approval of the appropriate Fire Official shall be required prior to such activity. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire

Official. Use of hydrants for training by fire departments is exempt from this section.

- D. **Public Water Supply:** The appropriate Fire Official shall inform the County of Middlesex as to the location of any apparent inadequacies of the water distribution system deemed detrimental to fire protection in the provision of adequate fire flows and distribution of hydrants. A fire hydrant shall not be removed from service until notification to the appropriate Fire Official has been made. The appropriate Fire Official will cooperate with the appropriate Fire Chief in this matter to see that reasonable protection is maintained.

- E. **Private Yard Systems:** All new and existing oil storage plants, lumber yards, amusement, or exhibition parks, educational or institutional complexes, residential, commercial, or industrial occupancies, or occupancies and uses involving high fire or life hazards, or which have lot depths greater than 150 feet from a public street or which require flow delivery points beyond the public water distribution system shall be provided with properly spaced fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the appropriate Fire Official and shall be connected to a water system in accordance with fire protection and other applicable standards. The appropriate Fire Official shall designate and approve the number and placement of fire hydrants with the cooperation of the Fire Departments. The appropriate Fire Official shall require the installation of sufficient fire hose and specialized firefighting equipment such as nozzles, deluge sets, foams, etc. as he shall determine is necessary and shall require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the appropriate Fire Official.

- F. **Fire Hydrants - Local Standards:** Sections 14.F.1 and 14.F.4 shall be considered minimum standards for the installation and placement of public or private fire hydrants in newly constructed areas and shall be used as a guide in upgrading existing areas already protected by fire hydrants and water mains.
 - 1. **Public Hydrants:** Hydrants in detached single family residential zones shall be spaced with a hydrant installed at each intersection and one every 400 feet along the roadway(s) measured along the roadway edge, or as approved by the appropriate Fire Official. Fire hydrant placement shall be in accordance with Residential Site Improvement Standards N.J.A.C. 5:21-5.4.

Hydrants in residential townhouse, condominium, cluster, and multi-family zones shall be spaced with a hydrant at each intersection and one every 400 feet along the roadway(s) edge, or as approved by the appropriate Fire Official. Fire hydrant placement shall be in accordance with Residential Site Improvement Standards N.J.A.C. 5:21-5.4.

Hydrants in business, commercial, and industrial zones shall be spaced with a hydrant at each intersection and one every 300 feet along the roadway(s) edge, or as approved by the appropriate Fire Official.

2. Private Hydrants: Hydrants installed on private property shall be located and spaced according to the occupancy and site design requirements based on firefighting needs with & 14.F.1 utilized as the MINIMUM standard requirement. The top bonnet of all private hydrants shall be painted yellow to conform to the County of Middlesex standards.
 3. Additional Requirements: All hydrants shall be equipped with outlets of National Standard threads; be located within 24" of a curb, roadway, fire lane or parking area; be provided with an individual control valve; and shall be installed in accordance with the standards of the American Water Works Association and NFPA #24, the more stringent of the two to govern in any conflicting areas. All hydrants shall meet the requirements of and be approved for installation by the County of Middlesex.
 4. Approval: The appropriate Fire Official shall approve the placement of all fire hydrants prior to the commencement of the installation.
- G. Fire Department Connections: All new fire department connections shall be placed within 100 feet of a public fire hydrant on the front side of the building being protected. Existing fire department connections shall be brought into conformity with this section whenever there is a change of use in the building or major work is done on the fire protection systems.
- H. Fire Department Connection Signage: All fire department connections shall be provided with a two (2) foot by two (2) foot red sign with three (3) inch white reflective letters. The sign shall state "FIRE DEPARTMENT CONNECTION" and the type of system covered, for example: AUTOMATIC SPRINKLERS, STANDPIPES, etc.

Fire Lanes.

- A. Requirement, designation: Fire lanes shall be designated as follows for the efficient and effective use of fire apparatus, access for firefighting, and/or the egress of occupants.
 1. Where needed: The Fire Official(s) of the local enforcing agencies may establish fire areas on property devoted to public and private use, in accordance with N.J.A.C. 5:70, 503:1.1, including, but not by way of limitation, shopping centers, strip malls, bowling alleys, drive-in theaters, houses of worship, swimming pools, offices, warehouses, factories, restaurants, night clubs, etc., and similar uses.

The number, location, width, length, and markings shall be at the discretion of the appropriate Fire Official, when the markings detailed in 102.20.B. cannot be strictly complied with.

Consideration is to be given to the size, type and location of the building or buildings, the number of persons using and occupying the premises, existing means of egress and ingress, the total area of the property including the size of parking lot or lots, and all other relevant factors.

2. Existing Fire Lanes: Any and all fire lanes created by prior ordinance are hereby continued in effect and when repairs or modifications are made to such fire lanes, they shall be brought into conformity with this code, as much as shall be practical in the appropriate Fire Official's judgment. The standard for exercise of said judgment shall conform to those contained in section 1 above.
- B. Markings: The owner shall, within thirty (30) days of being given a notice to do so by the Fire Official, mark the lane(s) as follows:
1. Signs, with minimum dimensions of 12" x 18", constructed of metal and with raised red letters a minimum of two (2) inches in size on a white background shall be posted at a level of at least seven (7) feet above grade, indicating "NO PARKING ANY TIME", "PARKING IN DESIGNATED STALLS ONLY", "NO STOPPING OR STANDING", or "NO PARKING THIS SIDE" at the Fire Official's discretion after giving due consideration to the needs of the fire service and the public. Immediately under these signs shall be another sign, with minimum dimensions of 12" x 6", saying "FIRE LANE" or "FIRE LANE NO ON-STREET PARKING". Spacing of signs shall be even with a minimum of one (1) sign for everyone hundred (100) feet of fire lane or part thereof, or as ordered by the appropriate Fire Official. All signs and markings must be unobstructed and visible for a distance of at least one hundred (100) feet when viewed from a position approximately five (5) feet above the ground while in the fire lane.
 2. The area of a fire lane on improved areas shall be delineated along its entire length with yellow lines eighteen (18) inches in width. Between the yellow lines shall be marked "NO PARKING ANY TIME" in yellow letters eighteen (18) inches in height. The number of times this wording is to be repeated shall be at the discretion of the appropriate Fire Official, with the recommended spacing to be at one hundred (100) foot intervals and spaced so as to be between and alternate with the metal signs required above. If the designated fire

lane abuts a curb, the curbing shall be yellow in color where it abuts the fire lane.

3. Definitions: For the purposes of fire lane enforcement, the following terms are defined

FIRE AREA shall mean the same as **FIRE LANE**

FIRE LANE shall mean an area necessary to provide safety for the public or to provide proper access for fire department operations in the event of an emergency.

NO ON-STREET PARKING shall mean that a vehicle may not be parked along the street unless loading or unloading passengers or materials with a time limit of three (3) minutes.

NO PARKING ANY TIME shall mean that a vehicle may not be parked within the designated area unless loading or unloading passengers, or materials with a time limit of three (3) minutes.

NO STOPPING OR STANDING shall mean that no vehicle may be stopped or standing within the designated zone whether or not attended or unattended, with or without the motor running, or brakes set.

PARKING IN DESIGNATED STALLS ONLY shall mean that a vehicle may only be parked within an area so designated for parking.

- C. Size: Fire lanes for vehicle access shall be a minimum of eighteen (18) feet in width or as approved by the appropriate Fire Official. Fire lanes for egress of occupants shall be a minimum of at least the width of the exit way served.
- D. Notification: Once a fire lane has been designated by the appropriate Fire Official, approved as provided above and properly marked by the owner of the premises, the appropriate Fire Official shall notify the Police Department, Construction Code Agency, and Municipal Court Clerk in writing of the existence and location of the designated Fire Lane(s).
- E. Unpaved Areas: Unpaved fire lanes installed on public or private property shall comply with the "Fire Lane Typical Details" installation methods blueprint available from the County of Middlesex Engineering Department and be approved by the appropriate Fire Official. Selection of a method to be used as per the typical details shall be subject to the approval of the appropriate Fire Official. Signs and markings shall be provided as required by the appropriate Fire Official and this code.

- F. Restricted Areas: Gates, chains or other approved methods utilized to prevent unauthorized access to fire lanes shall be approved by the appropriate Fire Official prior to installation, provided such restrictions will not impede access by firefighting apparatus. The appropriate Fire Official shall determine whether any changes or deviations from the appropriate methods may be utilized.
- G. Installation, Maintenance: Fire lanes shall be installed and maintained by the owner of the premises or a designee in conformity with the provisions of this ordinance. Fire lanes in existence prior to the enactment of this ordinance shall be required to conform to the provisions herein at the discretion of the appropriate Fire Official. Fire Lanes must be accessible for fire apparatus use at all times.
- H. Parking, standing, and obstruction prohibited:
1. Designated fire lanes shall be maintained free of snow and obstructions, including vehicles, at all times.
 2. The appropriate Fire Official and/or his designee shall have the authority to remove or have removed such obstructions or vehicles as may violate Section 15.H.1 above, at the expense of the owner of the premises in the case of obstructions or at the expense of the owner of the vehicle. The presumption of ownership may be overcome by proof furnished to the satisfaction of the Municipal Court or Superior Court, Law Division, that some other person was the actual offender.
 3. It shall be a separate violation of this code for any driver or operator of any motor vehicle to fail to present a drivers license and/or vehicle registration upon demand of any person authorized to enforce this ordinance when requested as part of the enforcement procedure.
- I. Notice of Violation: The appropriate Fire Official(s) or Fire Inspectors may complete a Municipal Summons, or a Notice of Violations, and said summons or Notice of Violations shall be issued to all offenders by personally serving same upon any offender, or, if the offender is not attendant to the vehicles, shall leave the notice under the windshield wiper or otherwise attached to the vehicle in a manner reasonably calculated to ensure that the offender received said notice upon his or her return to the vehicle.

- J. This Ordinance shall supersede any and all provisions of any other ordinance promulgated for the enforcement of parking in fire lanes. Enforcement shall only be done by personnel from either the Department of Public Safety or the appropriate Local Enforcement Agencies. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.

Blocking of Hydrants and Fire Dept. Connections.

- A. It shall be unlawful to obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections that are located on public or private streets and access lanes, or on private property. Minimum clearance to any fire hydrant or connection shall be ten (10) feet in all directions.

Open Burning.

Open Burning for any reason is hereby prohibited except where permits have been obtained from the New Jersey Department of Environmental Protection, New Jersey Forest Fire Service, and the appropriate Local Enforcing Agency Fire Official. Open burning is defined as the burning of any material, in anything other than an approved device, or in an uncontained manner. Upon the recommendation of the appropriate Fire Official and the approval of the Middlesex County Board of Commissioners, the local fire departments may use open burning for training purposes only.

Fire Watch and Fire Department Fire Safety Stand-by.

- A. Whenever the appropriate Fire Marshal shall determine that on-site fire inspector(s) or firefighting personnel shall be required for fire watch as a result of fire protection system failure or deficiencies, or fire safety at any occupancy or event to ensure the safety of the public or emergency responders, the owner or occupant responsible shall obtain a permit for the use or event.
1. The Fire Marshal shall determine the number of inspectors and/or firefighting personnel required.
 2. The Fire Marshal shall determine the hours that the fire inspector(s) and/or firefighting personnel will be on duty.
 3. The permit fee shall cover the expenses incurred by the Local Enforcing Agency.

4. The fee for the permit shall include:
 - a. Compensation for fire inspector(s) at \$35.00 per hour Monday through Friday 8:00 AM to 4:00 PM, \$55.00 per hour for Holidays, Saturdays, Sundays, and from 4:00 PM to 8:00 AM weekdays.
 - b. The rate for use of vehicles shall be \$25.00 per hour.
 - c. Reimbursement rates for other related services, equipment, or expenses shall be provided to the owner by the Fire Marshal prior to the scheduled use or event.
5. Fire Marshal or designee(s) shall have right of access to the premises and area surrounding it without interference from the property owner.
6. Failure to secure a permit shall be punishable by a penalty equal to amount of the permit plus \$100.00 for the first offense, amount of the permit plus \$250.00 for the second offense, amount of the permit plus \$500.00 for the third and each subsequent offense.
7. Permit shall be required for each separate event or date of the activity requiring such a permit.
8. Any occupancy or event requiring fire apparatus and fire fighting personnel on site to ensure the safety of the public and/or other occupants, and/or to ensure the safety of any building and/or exposures shall reimburse the appropriate fire district. Fees shall be \$150.00 per required fire apparatus unit per occurrence and \$20.00 per hour per firefighter manning apparatus.

This ordinance shall be effective upon passage and publication as required by law.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE LEAD AGENCY

ATTEST:

COUNTY OF MIDDLESEX:

Amy R. Petrocelli, Clerk
Board of County Commissioners

Ronald G. Rios, Director
Board of County Commissioners

Approved as to form and Legality:

Niki Athanasopoulos, Esq.
First Deputy County Counsel

FOR THE LOCAL PARTICIPATING UNIT

ATTEST:

Borough Clerk, Highland Park

Mayor, Highland Park

**RESOLUTION NO. 3-23-89
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO PURCHASE FIREFIGHTER TURNOUT GEAR
UNDER STATE CONTRACT WITH EMERGENCY EQUIPMENT SALES LLC**

WHEREAS the Borough of Highland Park’s Fire Department is in need of ten sets of new turnout gear and personal protective equipment (PPE) for fire response; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the Borough desires to purchase said turnout gear under State Contract No. 17-FLEET-00808, from Emergency Equipment Sales, LLC, 119 Winterwood Avenue, Ewing, NJ 08638, at the State contract prices; and

WHEREAS, funds for this purpose are available in Grant Fund Account No. G-02-41-767-200, in an amount not to exceed \$28,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-28.

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 Borough Administrator is hereby authorized and directed to execute said agreement to purchase turnout gear under State Contract No. 17-FLEET-00808, from Emergency Equipment Sales, LLC, 119 Winterwood Avenue, Ewing, NJ 08638, for a total amount not to exceed \$28,000.00, in accordance with the attached quote.
2. Certified copies of this resolution be forwarded to the Borough Administrator, Superintendent of Public Works, and the Chief Financial Officer.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				



EMERGENCY EQUIPMENT SALES, LLC
119 Winterwood Ave
Ewing, New Jersey 08638
1-877-337-8885 - FAX: 609-587-8894
WWW.EESLLC.COM

ESTIMATE

DATE	ESTIMATE
1/18/2023	23-2099

CUSTOMER INFORMATION:
Highland Park Fire Dept. 220 S Fifth Ave. Highland Park NJ 08904

SHIP TO:
Highland Park Fire Dept.

THIS ESTIMATE IS VALID FOR 30 DAYS FROM THE ABOVE DATE

DESCRIPTION	QUANTITY	PRICE EA.	AMOUNT
Ricochet Structural Firefighting Response Pkg Coats	10	1,651.20	16,512.00
Ricochet Structural Firefighting Response Pkg Pants	10	1,079.40	10,794.00
NEW JERSEY STATE CONTRACT 40% OFF LIST PRICE BLANKET PO NUMBER 17-FLEET-00808 17DPP00100 STATE BID NUMBER			
Shipping and handling		150.00	150.00
Total			\$27,456.00

TERMS: NET 30 DAYS OR AS INDICATED ABOVE

Any invoice not paid within thirty (30) days of such billing is subject to a 1.5% monthly interest charge. Emergency Equipment Sales, LLC (EES) reserves the right to use any and all means of collection available under applicable law to collect any amount past due.

Orders of replacement parts not installed by EES are subject to a 25% restocking fee unless both the customer and EES agrees that the error in the item(s) received is on the sole part of EES. In all cases, shipping and handling charges are non-refundable.

**RESOLUTION NO. 3-23-90
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION SUPPORTING THE 2023 DISTRACTED DRIVING CRACKDOWN,
UDRIVE. UTEXT. UPAY, APRIL 1 – 30, 2023**

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable and can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2018 alone distracted driving-related crashes resulted in 2,841 deaths and 400,000 injuries on our nation’s roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in 50 percent of all motor vehicle crashes in 2018; and

WHEREAS, the State of New Jersey will participate in the nationwide UDrive. UText. UPay. Distracted Driving 2023 Crackdown from April 1 – 30, 2023 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the New Jersey Division of Highway Traffic Safety will reimburse the Borough up to \$7,000 for police enforcement of the distracted driving campaign.

NOW, THEREFORE BE IT RESOLVED that by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that the Mayor and Borough Council declares its support for the Distracted Driving 2023 Crackdown both locally and nationally from April 1 - 30, 2023 and pledges to increase awareness of the dangers of distracted driving.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-91
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO REQUEST APPROVAL FOR 2023 – 2024 CDBG FUND
ALLOCATION**

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following schedule of proposed use of CDBG funds allocated to the Borough of Highland Park for the funding period 2023 – 2024 be and the same is hereby approved and a certified copy hereof be submitted to the Middlesex County Housing and Community Development Committee for their approval. If there is a reduction in the CDBG allocation, the reduction should be divided evenly to each project.

Dept. of Aging: Senior Outreach	\$13,000
Dept. of Aging: Senior Transportation	\$15,000
Dept. of Community Services: Teen Center Keyless Entry	\$5,000
Dept. of Recreation: Molimock-Graff Park Improvements	\$7,000
Dept. of Recreation: Summer Camp Program/HP Gives A Hoot	\$20,000
Dept. of Recreation: Community Youth Outreach Programs	\$13,445
Highland Park Community Food Pantry	\$3,000
<hr/>	
TOTAL	\$76,445

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-92
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO AUTHORIZE EXECUTION OF AGREEMENT FOR
INDEPENDENCE DAY CELEBRATION FIREWORKS DISPLAY WITH
GARDEN STATE FIREWORKS**

WHEREAS, the Borough of Highland Park desires to participate in a joint fireworks display with the City of New Brunswick on Sunday, July 2, 2023 with a rain date of Monday, July 3, 2023; and

WHEREAS, proposals from fireworks companies were solicited by the Department of Community Services and the results were as follows:

D&M Fireworks LLC, \$17,000, available on all dates
Garden State Fireworks, \$15,000, available on all dates
Celebration Fireworks, \$25,000, available on all dates

WHEREAS, the Borough of Highland Park and the City of New Brunswick will equally share in the costs of this event and the City of New Brunswick will reimburse the Borough for its portion of the costs; and

WHEREAS, funds for this purpose are available in Account No. R-19-56-850-001 in an amount not to exceed \$15,000.00, with a reimbursement amount from the City of New Brunswick in the amount of \$7,500.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-29.

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

1. The Mayor is hereby authorized and directed to sign the contract agreement with Garden State Fireworks, PO Box 403, Millington, NJ 07946-0403, for the Independence Day Celebration Fireworks Display to be held on Sunday, July 2, 2023 with a rain date of Monday, July 3, 2023.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

THIS AGREEMENT is made on this **14 day of March 2023**, between GARDEN STATE FIREWORKS, , and the Borough of Highland Park, 221 South 5th Avenue, Highland Park NJ 08904.

WITNESSETH: For and in consideration of all mutual covenants and agreements hereinafter entered into, the Party and Parties hereinafter agree as follow:

1. Garden State Fireworks agrees to furnish to the Borough of Highland Park on the **Donaldson Park Grounds July 2nd, 2023 in** a location to be designated by the Borough of Highland Park and approved by Garden State Fireworks, an exhibition of fireworks.
2. Garden State Fireworks agrees to pay all expenses for the freight and cartage for the said display, all Necessary labor and equipment, and experienced Pyrotechnic Operators to discharge the said display.
3. Garden State Fireworks and The Borough of Highland Park agree to a postponement of the said display in the event of inclement weather, on **July 3rd, 2023 at** an additional cost of FIFTEEN PERCENT of the total contract amount. Postponements may be scheduled only within the period terminating **JANUARY, 2024** after the original scheduled date of the display; thereafter the display will be considered to be canceled. In the event of cancellation, the Borough of Highland Park agrees to additional payment of FIFTY PERCENT, to bring the total of payments to ONE HUNDRED PERCENT of the total contract amount.
4. Garden State Fireworks agrees to supply to the Borough of Highland Park, insurance coverage in the amount of **FIVE MILLION DOLLARS** for public liability and/or property damage. Garden State Fireworks agrees to hold harmless the Borough of Highland Park. The Borough of Highland Park agrees to hold harmless Garden State Fireworks of all and any claims, legal fees incurred outside the operations or the control of Garden State Fireworks.
5. The Borough of Highland Park agrees to furnish ample security or police protection and barricades to prevent any persons from coming into the safety zone area designated for discharging said fireworks display. With the exception of conditions stated in paragraph 4 above, the Borough of Highland Park also agrees to assume sole responsibility for spectator safety, including seating, lighting, and ground surfaces, and agrees to conduct an inspection of the site approximately 24 hours in advance of the display to ensure a safe spectator environment.
6. The Borough of Highland Park agrees to produce any and all permits which may be required by municipal authorities for the discharging of the said fireworks display at their own expense.
7. The Borough of Highland Park agrees that any and all publicity, media coverage, announcements, and advertising shall name GARDEN STATE FIREWORKS, INC. as the primary contractor for the said display.

8. Upon delivery of the said display, the full balance for the contract amount shall be paid to the Pyrotechnic Operator in a sealed envelope before of immediately following the discharging of the display.

9. Total contract \$15,000.00 *United* State dollars excluding permit fees.

WITNESS:

GARDEN STATE FIREWORKS, INC.

BY _____
August N. Santore

WITNESS

BOROUGH OF HIGHLAND PARK

Jennifer Santiago
Municipal Clerk

Elsie Foster
Mayor

PROGRAM

Highland Park Borough

July 2, 2023 \$15,000.00



Rainbow of Peonies for the 2021 Biden/Harris Inauguration

Submitted By:
Garden State Fireworks, Inc.
The Santore Brothers

Arrayal

Highland Park Borough

July 2, 2023 \$15,000.00

Opening:

6	3"	Announcement Salutes with Silver Tails
50	2.5"	Assorted Multi-Break Special Effect Shells (Pre-Boxed)
30	3"	Assorted Star Shell Mines (1500 assorted effects)
20	3"	Titanium Thunder
8	4"	Bumper Harvest Shell
2	5"	Spangle Chrysanthemum
2	5"	Shell of Shells Chrysanthemum

Body:

240	3"	Assorted Chrysanthemum Peony & Reports
36	4"	Santore Bros. Special (Multi-break & Custom designer Chrysanthemum
54	4"	Assorted Chrysanthemum, Rings and Palm Trees
24	5"	Assorted Chrysanthemum
12	5"	Special Effects Pastel Color Shells
12	5"	Large Spreading & Special Breaking Multi-Effect Shells

Brocade Tableau:

100	1"-2"	Slow duration Twinkling Brocade
30	3"	Slow duration Twinkling Brocade
12	4"	Slow duration Twinkling Brocade
4	5"	Slow duration Twinkling Brocade

Crossetti Tableau:

72	1"-2"	Assorted Fancy Crossetti
20	3"	Assorted Fancy Crossetti
12	4"	Assorted Fancy Crossetti
4	5"	Assorted Fancy Crossetti

Strobe Tableau:

100	1"-2"	Assorted Fancy Strobe Shells
30	3"-5"	Extra Large Strobe Pot (4,750 Assorted Color Flash Effects.)

Grand Finale:

200	1"-2"	Assorted Color Star Shells
70	2.5"	Assorted Colors and Report Shells
30	3"	Assorted Colors and Report Shells
60	3"	Assorted Color and lightning Flashes 3,500 crackling effects
60	3"	Assorted Color Strobing Stars 3,500 bright flashes
30	3"	Fancy Gold Spider
60	3"	Titanium Report
12	4"	Assorted Chrysanthemum and Peony
4	5"	Glittering Silver Color Changing Red, White and Blue
4	5"	Color Changing Chrysanthemum
4	5"	Silver Rain Chrysanthemum

Total Shells Pieces, Shots & Effects

14,664

Total Program Value \$15,000.00

**RESOLUTION NO. 3-23-93
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION TO APPOINT HOUSING AUTHORITY MEMBER

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and are hereby appointed to serve as a member of the Highland Park Housing Authority for a term to expire as indicated:

David Greenblatt unexpired term of September 1, 2026

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION 3-23-94
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the annual Salary Resolution No. 01-23-20, which was adopted on January 21, 2023, showing the names, titles and salaries of the officers and employees of the Borough of Highland Park, is amended as follows:

Nathaniel Smith, Laborer, \$41,620.80 annually, effective 3/01/2023

Debra Federico, Violations Clerk \$43,832 annually, Effective 3/16/2023

Cyrus Shahidi, Part-Time Recreation Seasonal Staff, \$14.13 hourly, Effective 03/19/2023

BE IT FURTHER RESOLVED that the Chief Financial Officer 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.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-95
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AWARDING CONTRACT FOR 2023 SPRING PLANTING PROJECT
TO SJC LAWNCARE, INC.**

WHEREAS, pursuant to duly advertised Notice to Bidders solicited pursuant to the provisions of the Local Public Contracts Law, on February 23, 2023, nine (9) bids were received for the 2023 Spring Planting Project as follows:

- | | |
|---|---|
| 1. SJC Lawncare, Inc.; | 6. On Site Landscape Management; |
| 2. NJ Tree Foundation; | 7. TC Landscape Construction Group, Inc.; |
| 3. Sunset Creations, Inc.; | 8. Aspen Landscaping Contracting, Inc.; |
| 4. Harmony Tree Cove LLC; | 9. Scenic View Landscaping; and |
| 5. Frank Galbraith & Son, Excavation
& Demolition; | |

WHEREAS, bids were solicited based on the unit prices of the sought-after trees/plants, for a base contract (for the trees/plants) with an optional item (for on-going watering services); and

WHEREAS, at this time, the Borough seeks to award the contract for the base contract alone, and not the optional item; and

WHEREAS, the Borough intends to revise the portion of the specifications for the optional item (on-going watering services) and to re-advertise the solicitation of said optional item; and

WHEREAS, the lowest bid for the base contract amount was submitted by SJC Lawncare, Inc., with a unit price bid of \$11,836.00; and

WHEREAS, the Borough Attorney's office has reviewed the bid documents submitted by SJC Lawncare, Inc. and advises that its submission is in compliance with the minimum bidding requirements; and

WHEREAS, based on the anticipated quantities, the not to exceed contract amount shall be \$42,000.00; and

WHEREAS, funds for this purpose are available in Grant Fund Account No. G-02-41-766-200, in an amount not to exceed \$42,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-30.

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

1. The Council hereby awards a contract to SJC Lawncare, Inc., 305 Elizabeth Avenue, Cranford, NJ 07016, for the 2023 Spring Planting Project for the base contract/unit price of \$11,836.00 and total not to exceed contract amount of \$42,000.00 (based on anticipated quantities).

2. The Mayor and Clerk are hereby authorized and directed to execute an Agreement consistent herewith.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-96
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

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

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

The bills approved for payment at this meeting, Bills List 3/14/2023 can be found in the Bills List Journal Book No. 43.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 3-23-97
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION TO APPROVE BUDGET TRANSFERS

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2022 budget appropriation balances shall be made as follows:

Budget Transfer #6

Description	From	To
Clerk S&W	40,000.00	
Tax Collector S&W	7,000.00	
Group Insurance OE	47,000.00	
Fire S&W	26,000.00	
Other Insurance OE		20,000.00
Capital Improvement Fund		
		100,000.00
	120,000.00	120,000.00

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on March 14, 2023.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				