

BOROUGH OF HIGHLAND PARK  
REGULAR MAYOR & COUNCIL MEETING  
MAY 7, 2019 - 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. 919, 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. Council Reports.
5. Borough Administrator's Report.
6. Borough Attorney's Report.
7. Mayor's Report.
8. Public Discussion. (15 minutes)
9. Clerk reports advertising Overlay Zoning Ordinance, for consideration of passage on final reading by title.
  - a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 5-19-150 Resolution to adopt/reject and advertise ordinance on final reading by title.  
**MOTION** adopt/reject

**ROLL CALL VOTE**

10. Clerk reports advertising CAP Rate Exception Ordinance, for consideration of passage on final reading by title.
  - a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 5-19-151 Resolution to adopt/reject and advertise ordinance on final reading by title.  
**MOTION** adopt/reject **ROLL CALL VOTE**
  
11. Clerk reports advertising Public Hearing on the 2019 Budget.
  - a. **MOTION** to open public hearing.
  - b. Public Hearing.
  - c. **MOTION** to close public hearing.
  
12. 5-19-152 Resolution to Approve Emergency Temporary Appropriations.  
**MOTION** adopt/reject. **ROLL CALL VOTE**

**CONSENT AGENDA** - **MOTION** to adopt the following starred (\*) items:

**ROLL CALL VOTE**

13. \*5-19-153 Resolution to Refund Tax Overpayment for 2018 Tax Appeal – Block 154, Lot 11.
14. \*5-19-154 Resolution for Redeemed Liens
15. \*5-19-155 Resolution Authorizing Creation of Duplicate Tax Sale Certificates
16. \*5-19-156 Resolution Approving Taxi Owner Application
17. \*5-19-157 Resolution Authorizing Execution of Agreement for Flashing Beacon Agreement with New Jersey Department of Transportation.
18. \*5-19-158 Resolution to Award Bid for Improvements to North Third Avenue and Hilton Street, Improvements to Merilind Avenue and South Seventh Avenue, and Improvements to Various Municipal Parking Lots.
19. \*5-19-159 Resolution Authorizing Professional Services Agreement with E&LP for Geotechnical Engineering Support Services
20. \*5-19-160 Resolution to Amend Annual Salary Resolution.
21. \*5-19-161 Resolution to Approve Taxi Operator Application
22. \*5-19-162 Resolution Authorizing Appointment of New Tax Collector
23. \*5-19-163 Resolution to Approve Bills List.  
**MOTION** adopt/reject **ROLL CALL VOTE**

24. Mayor appoints the following:

Board of Adjustment

Robert Fechter

**MOTION TO CONFIRM**

**ROLL CALL VOTE**

25. Clerk reports election of Volunteer Firefighters.

**MOTION TO CONFIRM**

**ROLL CALL VOTE**

26. Open items.

a.

27. Public Discussion.

28. 5-19-164 Executive Session: Litigation – JSM v. Highland Park

**MOTION adopt/reject.**

**ROLL**

**CALL VOTE**

29. **MOTION** to adjourn to Conference Meeting.

BOROUGH OF HIGHLAND PARK  
No. 5-19-150

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY CREATING A MULTI-FAMILY RESIDENTIAL-OVERLAY ZONE.", passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

**Borough of Highland Park  
Ordinance No. 19-\_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX  
COUNTY CREATING A MULTI-FAMILY RESIDENTIAL-OVERLAY ZONE.**

BE IT ORDAINED, by the Highland Park Borough Council, Middlesex County as follows:

The "Code of the Borough of Highland Park, 2010" is amended by adding thereto a new section of Chapter 230 Land Use creating a new multi-family residential-overlay zone, as new §230-134.1 and shall read as follows:

Section 1. Chapter 230 is hereby amended by adding the following:

Section 230-134.1. MFAH Multi-Family Residential-Overlay Zone.

- A. Purpose of MFAH Multi-Family Residential Overlay Zone. This residential overlay district is established in order to potentially address the Borough's future Fair Share Obligation, and for the following general purposes and is located in Block 47 Lots 27-75:
- B. Permitted principal uses.
- (1) Multifamily dwelling units.
- C. Permitted accessory uses.
- (1) Fences, walls and hedges.
  - (2) Storm-water structures and facilities.
  - (3) Temporary sales and construction trailers.
  - (4) Temporary marketing signs as per §230-115 of this chapter.
- D. Prohibited uses.
- (1) All nonresidential uses, such as but not limited to professional offices, institutional, commercial, industrial and educational uses, including signs.
  - (2) All residential uses not specifically permitted in this zone.
- E. Bulk regulations.
- |   |   |
|---|---|
| (1) Minimum Lot Area  | 4 acres   |
| (2) Minimum Lot Width   | 200 feet  |
| (3) Minimum Lot Depth   | 500 feet  |
| (4) Minimum Setback (from the southern tract boundary)                      | 280 feet  |
| (5) Minimum Setback (from the northern tract boundary)                      | 10 feet   |
| (6) Minimum Setback (from all other tract boundaries)                       | 30 feet   |
| (7) Minimum Setback (from face of curb of access road and/or public street) | 18 feet   |
| (8) Maximum Lot Coverage  | 25%   |
| (9) Maximum Impervious Coverage   | 55%   |
| (10) Minimum GFA/DU   | 700 square feet   |
| (11) Minimum Distance between Buildings (within tract)                      | 68 feet   |
| (12) Minimum Distance between Buildings (off tract)                         | 40 feet   |
| (13) Maximum Gross Dwelling Units/Acre                                      | 19 units / acre, not to exceed 75 dwelling units on the tract |
- F. Number of buildings and dwelling units. There shall be two (2) multifamily buildings, with each multifamily building containing no more than 40 dwelling units, not to exceed a total of 75 dwelling units for the tract. The dwelling units shall be provided as a mix of studio, one-bedroom and two-bedroom units, except for affordable housing required to be three-bedroom units.
- G. Affordable Housing: A specific affordable housing set-aside of 15% (for rental units) or 20% (for for-sale units) of all residential units created within this zone shall be made available for very low-, low- and moderate-income families in a methodology consistent with the rules of the New Jersey Council on Affordable Housing (COAH) or any duly authorized successor entity of the State of New Jersey.
- (1) At least fifteen percent (15%) of all residential units shall be affordable to low and moderate-income households.

- (2) Affordable units shall be interspersed uniformly throughout the development.
  - (3) Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. The split between very low, low and moderate-income housing shall provide the following:
    - a. At least 13% of the affordable units shall be affordable to very low income (VLI) households at 30% of the median income;
    - b. At least 50% of the affordable units shall be made affordable to low income units (the 50% requirement is inclusive of the 13% VLI requirement); and
    - c. The balance of units permitted at moderate income up shall not exceed maximum of 50% of all affordable units.
  - (4) Bedroom Distribution. A minimum of 20% of the affordable apartment dwellings shall be three-bedroom units. The remaining bedroom distribution shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
  - (5) The range of affordability, pricing and rent of units, affirmative marketing, 30-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
  - (6) Affordable housing units shall be affordable family rentals and shall not be age-restricted or supportive housing units.
  - (7) The Borough designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.
- H. Floor area. The maximum floor area ratio (FAR) shall be 0.70. For the purposes of this subsection, floor area shall include the total area of all of the stories of all structures on the tract, as measured from the outside faces of the exterior walls or from the exterior roof edges where the structure has no walls and including the following: interior balconies, mezzanines, and roofed and/or enclosed areas, with the exception of the floor area of a podium parking structure. If an attic space has a ceiling height of six (6) feet or greater, as measured from the floor to the roof rafter or truss, that portion of the floor area having a ceiling height of six (6) feet or greater shall be counted as floor area. If an interior space has a ceiling height of 12 feet or greater, that portion of the floor area having a ceiling height of 12 feet or greater shall be counted as floor area twice.
- I. Height. The maximum building height shall be 3 ½ stories and 48 feet, exclusive of podium parking structures.
- J. Podium parking structures. Podium parking structures shall be designed to be a less obvious feature as viewed from the access road and/or public street, as follows:
- (1) Vehicular access to the podium parking structure shall be from the south side of the building.
  - (2) The podium parking structure shall be at grade at the south side of the building.
  - (3) The podium parking structure shall not be greater than two (2) feet in height above pre-disturbance or finished grade, whichever is lower in elevation at the north side of the building.
  - (4) The podium parking structure may be exposed on the side of the building adjacent to the tract boundary in order to take advantage of natural ventilation.
  - (5) Any portion of the podium parking structure that is exposed shall be designed to utilize materials to match the remainder of the building above, shall be provided with foundation plantings in accordance with subsection O. and may utilize stoops and entrance platforms leading to any first-floor dwelling unit that front upon the access road and/or public street.

K. Permitted projections. Cornices, eaves, gutters, balconies, box bay windows, bay windows and chimneys may project a maximum of two (2) feet from an exterior building wall into any setback and building separation requirement. Stoops and entrance platforms leading to a first-floor dwelling unit may project a maximum of six (6) feet into any building separation requirement. Steps may project into any building separation requirement toward the access road and/or public street without limitation, provided that the steps do not encroach onto the public sidewalk along such access road and/or public street.

L. Parking.

(1) Parking shall be required in accordance with Residential Site Improvement Standards and shall be permitted on the access road and/or public street, in the form of parallel on-street parking spaces, in accordance with the dimensional standards thereof.

(2) Head-in or angled parking shall not be permitted along the access road and/or public street. Surface parking lots shall not be permitted in between buildings and shall be no closer than 200 feet to the southern tract boundary and 20 feet to all other tract boundaries. Indoor bicycle storage rooms and/or exterior covered bicycle racks shall be provided to accommodate a minimum of one (1) bicycle for each dwelling unit.

M. Open space.

(1) A minimum of 30% of the tract shall be devoted to open space. To qualify as open space, the minimum horizontal dimension shall be 50 feet.

(2) A walkway, bikeway or trail at least six (6) feet and not greater than 12 feet in width and designed to provide public access to the southern tract boundary (i.e., the Graham Street public right-of-way) shall be required and may be permitted to be considered as part of the open space requirement.

(3) The developer may dedicate, and the Borough of Highland Park and/or County of Middlesex may accept, the open space for public use.

(4) If the open space is not dedicated to the Borough of Highland Park and/or County of Middlesex, the developer shall grant a public access easement to permit the public to access and utilize the required walkway, bikeway or trail such that the public is able to gain access to the southern tract boundary (i.e., the Graham Street public right-of-way) from the northern tract boundary (i.e., the South Sixth Avenue public right-of-way), generally through the center of the tract. Additionally, the developer shall create a homeowners' association for the ownership and maintenance of the open space for the benefit of the owners and residents of the development. Such association shall not be dissolved and shall not dispose of any open space, by sale or otherwise, except to an organization conceived and established to own and maintain the open space for the benefit of such development, and thereafter such organization shall not be dissolved or dispose of any of its open space without first offering to dedicate the same to the Borough of Highland Park and/or County of Middlesex.

N. Foundation plantings. The base of the building shall be provided with intensive and extensive foundation plantings consisting of evergreen and deciduous shrubs. Such plantings shall be a minimum of 30 inches tall at time of planting and spaced an average of three (3) feet on center. A planting bed containing extensive flower and ground cover shall extend a minimum of two (2) feet in front of the foundation plantings along the entire facade facing the street. A variety of plant species are encouraged to avoid monocultures, to encourage long-lived species and to promote wildlife habitat. Of the required plantings, no more than 33% shall be of one species.

- O. Buffering and landscaping.
- (1) An existing and/or planted buffer shall be provided along the exterior tract line. The buffer shall be a minimum width of 20 feet. Planting material shall be at least six (6) feet in height at the time of planting and may contain replacement trees.
  - (2) All areas not devoted to structures, parking areas, and other required uses shall be landscaped in accordance with an approved landscape plan. Wherever possible, natural features shall be preserved.
- P. Tree replacement. Development within this zone shall comply with the Highland Park Tree Removal and Protection Ordinance (Chapter 388 of the Code). At least 80% of the required number of replacement trees, and not less than the number of trees that were removed, shall be provided on the tract. At least 80% of the replacement trees to be provided on the tract shall be located within the required open space area, with the remainder to supplement the required buffer and landscaping along the exterior tract line. Additionally, the Planning Board, in consultation with the Shade Tree Advisory Committee (STAC), may require that at least 50% of the replacement trees to be provided on the tract within the required open space generally at the southern portion of the tract be at least eight (8) inches in caliper. These replacement trees shall be located within the area disturbed for environmental testing and near or within the steep slopes for stabilization. In no case, however, shall the value of the replacement trees exceed that required under Chapter 388 of the Code
- Q. Retaining walls. Development within this zone shall comply with §230-100 of this chapter. Retaining walls shall be no closer than 20 feet to any tract boundary. Additionally, the base and the top of retaining walls shall be provided with intensive and extension foundation plantings consisting of evergreen and deciduous shrubs. Such plantings shall be a minimum of 30 inches tall at time of planting and spaced an average of three (3) feet on center. A planting bed containing extensive flower and ground cover shall extend a minimum of two (2) feet in front of the foundation plantings along the entire facade facing the street. A variety of plant species are encouraged to avoid monocultures, to encourage long-lived species and to promote wildlife habitat. Of the required plantings, no more than 33% shall be of one species.
- R. Permitted signs.
- (1) One nonilluminated, residential development sign situated within the property line and not exceeding twenty-four (24) square foot on any surface.
  - (2) One non-flashing, nonilluminated temporary sign pertaining to the lease or sale of the same lot or building upon which it is placed, situated within the property lines and the premises to which it relates and not exceeding six square feet in area on any one side. The sign must be removed from the premises within two days after the property has been leased or sold.
  - (3) One non-flashing, nonilluminated temporary sign pertaining to a particular event, purpose or occasion, including electoral. Said sign must be removed within one day after the occurrence of the event and within 60 days of the posting of the sign, whichever comes first.
  - (4) No freestanding sign shall be located closer than 10 feet to any tract boundary and greater than 40 feet from the South Sixth Street public right-of-way at the northern portion of the tract.

Section 2. If there are any conflicts between this zoning section of the Code and the standards for the MFAH Zone, the standards for the MFAH Zone shall apply. If there are conflicts between the Highland Park Land Development Ordinance and the New Jersey Residential Site Improvement Standards (RSIS), the RSIS shall apply.

Section 3. If any section, paragraph, subparagraph, clause or provision of Section 230-134.1 shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.



Section 4. This ordinance shall take effect after final passage and publication and with the filing of a copy of the ordinance with the Middlesex County Planning Board, all of which as required by law.

INTRODUCED AND PASSED  
ON FIRST READING: April 2, 2019

ADOPTED:

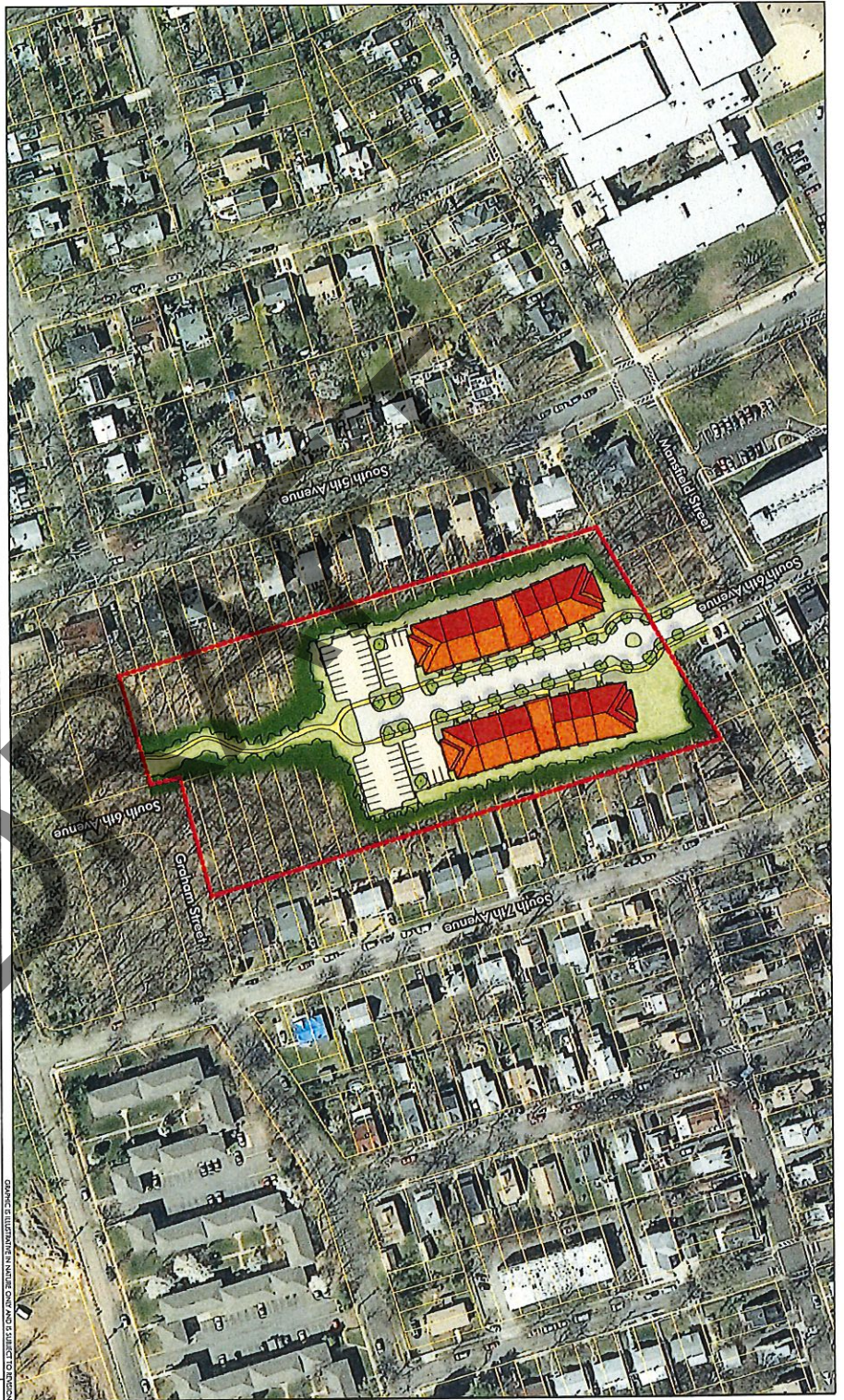
ATTEST:

APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
Joan Hullings  
BOROUGH CLERK

\_\_\_\_\_  
Gayle Brill Mittler,  
MAYOR

DRAFT



**LRK**

**BUCK WOODS**

borough of Highland Park, New Jersey

**PROPOSED OVERLAY ZONING DISTRICT**

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BOROUGH OF HIGHLAND PARK  
No. 5-19-151

RESOLUTION: Council as a Whole

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

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
**ORDINANCE NO. 19-**  
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 2019 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 **\$446,066.38** 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 2019 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 **\$466,066.38** and that the CY 2019 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 and passed on first reading by title April 2, 2019

ATTEST:

\_\_\_\_\_  
BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 2<sup>nd</sup> day of April, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
Hale				
George				
Kim-Chohan				
Welkovits				

ADOPTED:

APPROVED:

ATTEST:

\_\_\_\_\_  
Joan Hullings  
Borough Clerk

\_\_\_\_\_  
Gayle Brill Mittler  
Mayor

BOROUGH OF HIGHLAND PARK  
NO. 5-19-152

**RESOLUTION: Finance Committee**

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2019 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$9,555,054.05; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Highland Park (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20;

1. An emergency temporary appropriation be and the same is hereby made for the budgetary appropriations herein:

**2019 TEMPORARY OPERATING BUDGET**

DESCRIPTION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET #9
<b>BOROUGH ADMINISTRATION</b>		
Salaries & Wages	20-100-1	74,768.00
Other Expenses	20-100-2	6,234.00
<b>MAYOR &amp; COUNCIL</b>		
Salaries & Wages	20-110-1	13,766.00
Other Expenses	20-110-2	3,294.00
<b>MUNICIPAL CLERK</b>		
Salaries & Wages	20-120-1	77,809.00
Other Expenses	20-120-2	6,923.00
<b>FINANCIAL ADMINISTRATION</b>		
Salaries & Wages	20-130-1	16,150.00
Other Expenses	20-130-2	38,311.00
<b>ANNUAL AUDIT</b>		
Other Expenses	20-135-2	-
<b>TAX COLLECTION</b>		
Salaries & Wages	20-145-1	25,306.00
Other Expenses	20-145-2	5,285.00
<b>TAX ASSESSMENT</b>		
Salaries & Wages	20-150-1	23,268.00
Other Expenses	20-150-2	3,078.00
<b>LEGAL SERVICES</b>		
Other Expenses	20-155-2	116,875.00
<b>ENGINEERING &amp; PLANNING</b>		
Other Expenses	20-165-2	5,775.00
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>		
Salaries & Wages	20-170-1	2,975.00
Other Expenses	20-170-2	28,088.00
<b>INFORMATION TECHNOLOGY</b>		
Other Expenses	20-140-2	28,744.00
<b>CENTRAL SERVICES</b>		
Other Expenses	20-316-2	28,656.00
<b>PLANNING BOARD</b>		
Salaries & Wages		2,975.00

Other Expenses	21-180-2	16,301.00
<b>ZONING BOARD OF ADJUSTMENT</b>		
Salaries & Wages	21-185-1	8,631.00
Other Expenses	21-185-2	3,977.00
<b>HUMAN RIGHTS COMMISSION</b>		
Other Expenses	21-195-2	1,000.00
<b>GENERAL LIABILITY/WORKERS COMPENSATION</b>		
Other Expenses	23-211-2	202,240.00
<b>EMPLOYEE GROUP HEALTH</b>		
Other Expenses	23-220-2	433,500.00
<b>POLICE</b>		
Salaries & Wages	25-240-1	1,362,237.00
Other Expenses	25-240-2	53,213.00
<b>POLICE DISPATCH/911</b>		
Salaries & Wages	25-250-1	85,286.00
Other Expenses	25-250-2	656.00
<b>OFFICE OF EMERGENCY MANAGEMENT</b>		
Other Expenses	25-252-2	3,000.00
<b>FIRST AID CONTRIBUTION</b>		
Other Expenses	25-260-2	
<b>FIRE</b>		
Salaries & Wages	25-265-1	74,843.00
Other Expenses	25-265-2	18,769.00
<b>LOSAP</b>		
Other Expenses	25-265-2	4,331.00
<b>MUNICIPAL PROSECUTOR</b>		
Other Expenses	25-275-2	11,188.00
<b>STREETS &amp; ROADS</b>		
Salaries & Wages	26-290-1	448,394.00
Other Expenses	26-290-2	48,946.00
<b>APARTMENT COLLECTION</b>		
Other Expenses	26-305-2	56,175.00
<b>PUBLIC BUILDINGS &amp; GROUNDS</b>		
Salaries & Wages	26-310-1	18,379.00
Other Expenses	26-310-2	46,988.00
<b>MOTOR POOL</b>		
Salaries & Wages	26-315-1	31,339.00
Other Expenses	26-315-2	39,113.00
<b>BOARD OF HEALTH</b>		
Other Expenses	27-330-2	450.00
<b>ENVIRONMENTAL COMMISSION</b>		
Other Expenses	27-335-2	250.00
<b>COMMISSION ON IMMIGRANT &amp; REFUGEE AFFAIRS</b>		
Other Expenses	27-336-2	250.00
<b>SAFE WALKING &amp; CYCLING COMMITTEE</b>		
Other Expenses	27-337-2	250.00
<b>SUSTAINABLE HIGHLAND PARK</b>		
Other Expenses	27-338-2	800.00
<b>HISTORICAL COMMISSION</b>		

Other Expenses	27-339-2	250.00
<b>COMMUNITY SERVICES - RECREATION</b>		
Salaries & Wages	28-370-1	25,523.00
Other Expenses	28-370-2	5,938.00
<b>COMMUNITY SERVICES - AGING</b>		
Salaries & Wages	28-371-1	94,842.00
Other Expenses	28-371-2	7,586.00
<b>ARTS COMMISSION</b>		
Other Expenses	28-374-2	250.00
<b>SHADE TREE ADVISORY COMMITTEE</b>		
Other Expenses	28-375-2	250.00
<b>TEEN CENTER</b>		
Salaries & Wages	28-373-1	23,170.00
Other Expenses	28-373-2	
<b>ELECTRICITY</b>		
Other Expenses	31-430-2	45,000.00
<b>STREET LIGHTING</b>		
Other Expenses	31-435-2	62,000.00
<b>TELEPHONE</b>		
Other Expenses	31-440-2	16,984.00
<b>FUEL OIL/GASOLINE/NATURAL GAS</b>		
Other Expenses	31-460-2	39,271.00
<b>SANITARY LANFILL</b>		
Other Expenses	32-465-2	94,563.00
<b>UNIFORM CONSTRUCTION CODE</b>		
Salaries & Wages	22-195-1	142,571.00
Other Expenses	22-195-2	4,014.00
<b>CABLE TELEVISION</b>		
Other Expenses	30-411-2	4,000.00
<b>ACCUMULATED SICK LEAVE</b>		
Salaries & Wages	30-415-1	51,500.00
<b>COMMUNICATIONS</b>		
Salaries & Wages	20-105-1	41,794.00
Other Expenses	20-105-2	9,883.00
<b>MUNICIPAL COURT</b>		
Salaries & Wages	43-490-1	70,550.00
Other Expenses	43-490-2	3,084.00
<b>PUBLIC DEFENDER</b>		
Other Expenses	43-495-2	1,575.00
<b>LIBRARY</b>		
Salaries & Wages	29-390-1	277,713.00
Other Expenses	29-390-2	90,643.00
<b>COUNTY HEALTH SERVICES</b>		
Other Expenses	42-401-2	11,665.00
<b>M.C.I.A. RECYCLING</b>		
Other Expenses	42-402-2	2,363.00
<b>ANIMAL CONTROL SERVICES</b>		
Other Expenses	27-340-2	5,438.00
<b>PUBLIC AND PRIVATE PROGRAMS</b>		
NJDEP Radon Awareness	41-707-2	2,000.00
Fire Victims Donations	41-735-2	10,015.00



Community Development Block Grant	41-708-G	58,567.00
Microgrid Phase Study		130,000.00
Recycling Tonnage		11,404.05
<b>STATUTORY EXPENDITURES</b>		
<b>SOCIAL SECURITY SYSTEM</b>		
Other Expenses	36-472-2	116,121.00
<b>UNEMPLOYMENT COMPENSATION INSURANCE</b>		
Other Expenses	23-225	7,000.00
<b>PUBLIC EMPLOYEES RETIREMENT SYSTEM</b>		
Other Expenses	36-471-2	535,169.00
<b>POLICE AND FIREMAN'S RETIREMENT SYSTEM</b>		
Other Expenses	36-475-2	824,898.00
	<b>SUBTOTAL</b>	<b>6,306,380.05</b>
<b>DEBT SERVICE</b>		
<b>BOND PRINCIPAL</b>		
Other Expenses	45-920-2	625,000.00
<b>INTEREST ON BONDS</b>		
Other Expenses	45-930-2	242,369.00
<b>M.C.I.A. LEASE/LOAN</b>		
Other Expenses	45-950-2	79,500.00
<b>DBIZ LOAN</b>		
Other Expenses	45-925-2	-
	<b>SUBTOTAL</b>	<b>946,869.00</b>

**GRAND TOTAL 7,253,249.05**

**2019 TEMPORARY WATER AND SEWER BUDGET**

DESCRIPTION	2019 TEMP
<b>OPERATING</b>	
Salaries & Wages	90,772.00
Other Expenses	748,933.00
Middlesex County Utilities Authority	913,650.00
<b>STATUTORY EXPENDITURES</b>	
Public Employee Retirement System	16,000.00
Social Security System	5,000.00
<b>DEFERRED CHARGES</b>	
Overexpenditure Budget Appropriation	-
	<b>SUBTOTAL 1,774,355.00</b>
<b>DEBT SERVICE</b>	
Payment of Bond Principal	460,000.00
Interest on Bonds	67,450.00

**SUBTOTAL 527,450.00**

**GRAND TOTAL 2,301,805.00**

2. Said emergency temporary appropriations will be provided for in the 2019 budget under the various captions listed herein.

3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

ADOPTED: March 5, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 5<sup>th</sup> day of March 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

DRAFT

BOROUGH OF HIGHLAND PARK  
NO. 5-19-153

RESOLUTION TO REFUND TAX OVERPAYMENT – TAX APPEAL

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount as indicated, the same being the amount of overpayment of taxes, for the year 2018 based on successful tax appeal to the Middlesex County Board of Taxation in 2018; and

<u>BLOCK</u>	<u>LOTS</u>	<u>CHECKS MADE PAYABLE TO</u>	<u>REFUND</u>
154	11	The Davidson Legal Group LLC 433 Cleveland Avenue, LLC	\$12,262.50

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

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-154

RESOLUTION TO PAY LIEN HOLDERS

RESOLUTION: Finance Committee

WHEREAS, several real property tax payers have redeemed liens held against their property taxes and;

WHEREAS, the Tax Collector has received proof of such payments after correspondence with said property owners;

NOW, THEREFORE BE IT RESOLVED that the Borough Council, of the Borough of Highland Park, County of Middlesex, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lienholders listed below.

<u>Block</u>	<u>Lot</u>	<u>Lienholder</u>	<u>Amount</u>	<u>Premium</u>	<u>Total Due</u>
140	24	US BANK CUST BV002 TRST & CRDT Cert No. 17-00069 50 South 16 <sup>th</sup> St., Suite 5050 Philadelphia, PA 19102-2513	\$23,200.00	\$30,342.15	\$53,542.15
166	57	US BANK CUST TOWER BDVIII Cert No. 18-00081 50 South 16 <sup>th</sup> St., Suite 2050 Philadelphia, PA 19102	\$2,300.00	\$457.14	\$2,757.14
144	27	US BANK CUST TOWER BDVIII Cert No. 18-00070 50 South 16 <sup>th</sup> St., Suite 2050 Philadelphia, PA 19102	\$15,000.00	\$13,351.21	\$28,351.21
75	10.03	ATCF II NEW JERSEY TAXSERVCUST Cert No. 18-00044 P.O. Box 54972 New Orleans, LA 70154	\$14,000.00	\$3,883.56	\$17,883.56
158	30	ATCF II NJ TAXSERV CUST Cert No. 18-00073 PO BOX 54972 New Orleans, LA 70154	\$8177.57	\$8500.00	\$16,677.57
159	9	ATCF II NJ TAXSERV CUST Cert No. 18-00074 PO BOX 54972 New Orleans, LA 70154	\$6268.22	\$7700.00	\$13,968.22
181	43	ATCF II NEW JERSEY TAXSERVCUST Cert No. 18-00089 Q-C0702 P.O. Box 54972 New Orleans, LA 70154	\$12,400.00	\$13,939.86	\$26,339.86
181	43	ATCF II NEW JERSEY TAXSERVCUST Cert No. 18-00088 Q-C0701 P.O. Box 54972 New Orleans, LA 70154	\$13,200.00	\$14,768.64	\$27,968.64
82	36	ASPIRE PROPERTIES LLC Cert No. 18-00046 P.O. Box 605 Iselin, NJ 08830	\$200.00	\$834.69	\$1,034.69
98	7	ASPIRE PROPERTIES LLC Cert No. 18-00052 P.O. Box 605 Iselin, NJ 08830	\$200.00	\$1,316.20	\$1,516.20
89	13	SBMuni Cust LB-Honey Badger Cert No. 18-00049 PO BOX 31191 Tampa, FL 33631	\$6985.03	\$6100.00	\$13,085.03

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

DRAFT

BOROUGH OF HIGHLAND PARK  
NO. 5-19-155

RESOLUTION AUTHORIZING CREATION OF DUPLICATE TAX SALE CERTIFICATES

RESOLUTION: Finance Committee

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that the Tax Collector is authorized to issue an appropriate Duplicate Tax Sale Certificate for #14-00042 in accordance with the provisions of N.J.S.A. 54:5-52.1.

BE IT FURTHER RESOLVED that the Borough Clerk provide a certified copy of this Resolution to the Finance Department and the Tax Collector.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-156

RESOLUTION AUTHORIZING ISSUANCE OF TAXI OWNER LICENSE FOR THE PURPOSE  
OF OWNING A TAXI CAB IN THE BOROUGH OF HIGHLAND PARK

RESOLUTION: Public Safety Committee

WHEREAS, RH NO. 1 LLC (Robert G. Hala) has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such license for the year 2019; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicant and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determined that said applicant is qualified and that public necessity and convenience would be served by the issuance of such License.

BE IT FURTHER RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue an Owner License to the aforesaid applicant.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May\ 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-157

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR FLASHING BEACON  
AGREEMENT WITH NJ DEPT OF TRANSPORTATION

RESOLUTION: Public Safety Committee

WHEREAS, a traffic condition exists at the intersection of Route NJ 27 (M.P. 17.84) and Washington Avenue – Marlboro Road, in the Borough of Highland, in the County of Middlesex, which requires the installation of Flashing Beacon System; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a Flashing Beacon System at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to operation and maintenance of said Flashing Beacon System; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk of the said Borough of Highland Park, be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof.

BE IT FURTHER RESOLVED the Mayor and Clerk of the Borough of Highland Park, be and hereby are authorized to execute said Agreement.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				



**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
BUREAU OF TRAFFIC ENGINEERING  
FLASHING BEACON AGREEMENT**

**Route NJ 27 (M.P. 17.84) and Washington Avenue - Marlborough Road  
Highland Park Borough, Middlesex County**

THIS AGREEMENT, made the \_\_\_\_\_ day of \_\_\_\_\_ two thousand nineteen (2019), between the Borough of Highland Park, located at 221 South Fifth Avenue, Highland Park, NJ 08904, hereinafter referred to as **BOROUGH**, and the State of New Jersey, acting through its Commissioner of Transportation, New Jersey Department of Transportation, located at 1035 Parkway Avenue, P.O. Box 600, Trenton, New Jersey 08625, hereinafter referred to as **STATE**, witnesses that:

WHEREAS, a traffic condition exists at the intersection of Route NJ 27 (M.P. 17.84) and Washington Avenue - Marlborough Road, in the Borough of Highland Park, in the County of Middlesex, which requires the installation and operation of a flashing beacon system; and

WHEREAS, the **BOROUGH** has expressed a willingness to cooperate with the **STATE** in achieving the overall objective of safe and efficient movement of traffic on the said highway; and

WHEREAS, it is the purpose of this Agreement to provide for the participation of the **BOROUGH** and the **STATE** in the cost of maintenance and operation of the said flashing beacon system; and

WHEREAS, the Commissioner, under the powers vested in him by law and as more particularly set forth in N.J.S.A. 27:1A-5 and 27:7-21, has determined that it is in the **STATE's** best interest to enter into this Agreement;

NOW, THEREFORE, in consideration of the covenants contained herein, and pursuant to all applicable federal, state, and local laws and ordinances, the **BOROUGH** and the **STATE** agree as follows:

1. The **STATE** will determine the character, type, location, and operation of the flashing beacon system in accordance with N.J.S.A. 39:4-120.
2. The **STATE** will provide all material and equipment and will perform all labor, by its own or by contract forces, necessary to the installation of the flashing beacon system.

**Flashing Beacon Agreement**  
**Route NJ 27 (M.P. 17.84) and Washington Avenue - Marlborough Road**  
**Highland Park Borough, Middlesex County**

3. The **STATE** will paint such lane and pavement markings and erect such signs as it deems to be required to properly direct the flow of traffic. The **BOROUGH** shall maintain or replace the lane and pavement markings and signs within its jurisdiction in accordance with the latest edition of the Manual on Uniform Traffic Control Devices. The **STATE** will maintain and replace the lane and pavement markings and signs within the **STATE**'s jurisdiction.
4. The **BOROUGH** shall allow the placement of any facility associated with the flashing beacon system within areas of its jurisdiction, where necessary, and further agree to allow the **STATE**, with its own or contract forces, to perform maintenance on these facilities or to open roadways or other areas under its jurisdiction, without the need for permits.
5. The **BOROUGH** shall pay all cost for the future relocation or removal and reinstallation of any portion of the flashing beacon system, if the relocation or removal and reinstallation of this equipment is made necessary by changes, such as excavations, resurfacings, widenings and corner radius changes, authorized or effectuated by the **BOROUGH**.
6. The **STATE** will pay all costs for the future relocation or removal and reinstallation of any portion of the flashing beacon system, if the relocation or removal and reinstallation of this equipment is made necessary by changes, such as excavations, resurfacings, widenings and corner radius changes, authorized or effectuated by the **STATE**.
7. The **STATE** reserves the right to terminate this Agreement, for cause or for convenience, upon six months' written notice of its intention to terminate, which notice shall be served upon the Clerk of the **BOROUGH**. However, upon a determination by the **STATE** that emergency conditions exist, the **STATE** may terminate this Agreement with less than the six months' notice specified above.
8. The **STATE** will, at its own expense, periodically inspect and maintain the complete installation, including the relamping thereof.
9. The **BOROUGH** shall, at its own expense, provide through the utility company for electric current necessary to the operation of the flashing beacon system.
10. Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., the **BOROUGH** shall be responsible for personal injuries and property damage caused by the actions of the **BOROUGH** and its employees, which arises out of this Agreement. Any claim for such personal injury or property damage must be filed in accordance with N.J.S.A. 59:8-1 et seq.
11. Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., the **STATE** shall be responsible for personal injuries and property damage caused by the actions of the **STATE** and its employees, which arises out of this Agreement. Any claim for such personal injury or property damage must be filed in accordance with N.J.S.A. 59:8-1 et seq.
12. The **BOROUGH** shall cause to be provided, upon 72 hours written notice to the Clerk of the **BOROUGH** by the **STATE**, police to direct traffic during installation of, inspection of, or repairs related to the flashing beacon system. Further, the **BOROUGH** shall cause police to be provided to direct traffic during emergency repairs, on telephonic notice to the **BOROUGH** by the **STATE**.
13. In the event that any party fails to make any payments required hereunder to the **STATE**, the said party authorizes the **STATE**, without the need for prior notice, to deduct the amount of such payment due from any funds payable or to be payable by the Department of Transportation to said party.
14. Written notice shall be sent, when required, by certified mail, return receipt, to the addresses set forth above, or to such other address or addresses as is set forth, in writing, in any notice of change of address, which has been sent to all parties of this Agreement.

**Flashing Beacon Agreement**  
Route NJ 27 (M.P. 17.84) and Washington Avenue - Marlborough Road  
Highland Park Borough, Middlesex County

- 15. The **BOROUGH** shall provide the necessary resolution authorizing it to enter into this Agreement.
- 16. This Agreement shall not become binding on any party until it is fully executed by the Commissioner of Transportation or designee.
- 17. This Agreement is subject to appropriations and the availability of funds to the **STATE**.

**END OF TEXT**

**IN WITNESS WHEREOF**, all parties have caused this instrument to be Signed, Attested, and Seal Affixed.

**ATTEST/WITNESSED/AFFIX SEAL**

**BOROUGH OF HIGHLAND PARK**

\_\_\_\_\_  
Joan Hullings  
Borough Clerk

By: \_\_\_\_\_  
Gayle Brill Mittler  
Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST/WITNESSED/AFFIX SEAL**

**STATE OF NEW JERSEY**

\_\_\_\_\_  
Anika James  
Department Secretary  
New Jersey  
Department of Transportation

Approved:  
By: \_\_\_\_\_  
Snehal Patel, P.E., PMP  
Assistant Commissioner  
Capital Program Management

Date: \_\_\_\_\_

Date: \_\_\_\_\_

This Agreement has been reviewed  
and approved as to form.

Gurbir S. Grewal  
Attorney General of New Jersey

By: \_\_\_\_\_  
Nonee Lee Wagner  
Deputy Attorney General

Date: \_\_\_\_\_



**BOROUGH OF HIGHLAND PARK**  
**5-19-159**

RESOLUTION: Council as a Whole

**WHEREAS**, there is a need to retain a geotechnical engineer in order to assist with the monitoring of the steep slopes adjacent to the Buck Woods property; and

**WHEREAS**, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that a resolution authorizing the award of a contract for "Professional Services" without competitive bidding and the contract itself must be available for public inspection.

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

1. The Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to execute a Professional Services Agreement E&LP, Inc., 140 West Main Street, High Bridge, New Jersey 08829 to serve as a geotechnical engineer to the Borough for a sum not to exceed \$3,250.00.
2. This contract is being awarded without competitive bidding as a "Professional Service" contract in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contracts Law, for services to be performed by a person authorized by law to practice a recognized profession that is by law regulated.
3. A notice of this action shall be published in a newspaper of general circulation in the Borough of Highland Park within 10 days of its passage.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK


I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

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\_\_\_\_\_  
Joan Hullings, Borough Clerk

VERIFIED AND ENCUMBERED AS TO: AVAILABILITY OF FUNDS \$ <u>3250.00</u> ACCOUNT NO. <u>9-01-20-165-233</u> P.O. NO. _____ BY:  FINANCE DIRECTOR
--

## **AGREEMENT FOR PROFESSIONAL SERVICES**

This Agreement entered into this 7<sup>th</sup> day of May 2019 by and between the Borough of Highland Park, a municipal corporation of the State of New Jersey, 221 South Fifth Avenue, Highland Park, New Jersey 08904 (hereinafter referred to as the "Borough") and E&LP, Inc., 140 West Main Street, High Bridge, New Jersey 08829 (hereinafter referred to as the "Consultant").

### **WITNESS:**

**WHEREAS**, the Borough requires professional geotechnical engineering services in connection with the monitoring of the steep slopes adjacent to Buck Woods (Block 47, Lots 27-75 Borough of Highland Park Tax Map); and

**WHEREAS**, the Borough has adopted a resolution authorizing the award of a Contract for Professional Services to the Consultant without competitive bidding as authorized by N.J.S.A. 40A:11-1 et seq.

**NOW, THEREFORE**, it is agreed by and between the Borough and the Consultant as follows:

1. The Consultant is hereby retained to serve as a geotechnical engineering consultant to the Borough with regard to issues related to the steep slopes of property immediately adjacent to Buck Woods (Block 47, Lots 27-75 Borough of Highland Park Tax Map). The nature and scope of services to be provided are in the Consultant's proposal dated April 25, 2019 attached hereto and made a part hereof. The Consultant shall be utilized by the Borough on an as-needed basis and the Borough shall be billed by the Consultant for said authorized services in accordance with the Consultant's 2019 rate schedule attached to Exhibit A.

2. The Borough and the Consultant hereby incorporate into this contract the mandatory language of Subsection 3.4(a) and the mandatory language of Section 5.3 of the regulations promulgated by the treasurer of the State of New Jersey pursuant to P.L. 1975, c127, as amended and supplemented from time to time and the Consultant agrees to comply with the mandatory affirmative action regulation set forth on Exhibit B attached hereto.
3. The Consultant shall submit to the Borough a copy of its New Jersey Business Registration Certificate in accordance with the requirements of Exhibit C attached.
4. The Consultant agrees that the primary personnel to provide the above-referenced services by the Consultant shall be Wayne Ingram, PE, PLS, PP, CME.
5. The Consultant shall comply with "Pay-to-Play" requirements per N.J.S.A. 19:44A-20.7 set forth on Exhibit D.

**IN WITNESS WHEREOF**, the parties have hereunto signed and sealed this instrument the day and date first written above.

The Borough of Highland Park

By: \_\_\_\_\_  
Gayle Brill Mittler, Mayor

Witness:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

E&LP, Inc.

By: \_\_\_\_\_  
Wayne Ingram, Vice President

Witness:

---

DRAFT



April 25, 2019

Ms. Teri Jover  
Highland Park Borough  
221 South 5<sup>th</sup> Avenue  
Highland Park, NJ 08904

RE: Proposal for Professional Services  
Block 47, Lots 27-75  
Buck Woods Property  
Highland Park Borough, Middlesex County, NJ

**CIVIL ENGINEERING**  
**ENVIRONMENTAL**  
**SURVEYING**  
**LANDSCAPE ARCHITECTURE**  
**GEOTECHNICAL**

Dear Ms. Jover:

We are pleased to present this proposal for professional services for the above referenced property. Based upon our firm's resources and experience, we feel we can provide a quality service that will enhance the project's approval process.

Project Description:

The subject property has undergone a significant disturbance in preparation for an environmental investigation. Due to steep slopes, the loss of a significant number of trees, and the underlying soils containing a significant amount of debris and other non-native components the services of a civil and geotechnical engineer are requested to provide an inspection of the current conditions and provide general monitoring and engineering support to the Borough in this matter.

Scope of Services:

The proposed scope of work and costs are more clearly described as follows:

1.0 Engineering Support Services

E&LP will perform the following scope of services for the Borough:

- Perform an initial site inspection to determine if any hazardous conditions exist from a slope stability and/or soil erosion standpoint
- Preparation of a letter of findings which will additionally outline any deficiencies and suggested corrective or monitoring measures
- Perform additional civil and geotechnical engineering services as requested by the Borough on an hourly basis in accordance with our standard hourly rate schedule

This proposal accounts for an estimated 20 hours of assistance and therefore we have provided a not-to-exceed budget of \$3,250 inclusive of any reimbursable expenses. We have attached our hourly rate schedule with this proposal.



Headquarters  
140 West Main Street | High Bridge, NJ 08829  
T: 908.238.0544 F: 908.238.9572

Clinton | Asbury Park | Denville | Philadelphia

April 25, 2019  
RE: Proposal for Professional Services  
Block 47, Lots 27-75,  
Buck Woods Property  
Highland Park Borough, Middlesex County, NJ  
Page 2

**Supplemental Conditions**

1. The above scope and costs are a good faith estimate for the anticipated work to be performed on the project based on the understanding of the project scope at this time. The costs and scope are subject to change. Any outside scope requests would be covered under a separate proposal.
2. The fees are subject to all payment terms in the contract. Invoices will be sent monthly for the percentage of work completed to date and due within 60 days.
3. The client is responsible to coordinate with the property owner to allow for E&LP to access the property.
4. E&LP will invoice for project related reimbursable expenses which may include additional printing/reprographic charges other than outlined above, vehicle charges, mail or Fed Ex delivery fees, etc.

**Authorization**

We look forward to working with you on this project. If you agree to the terms and conditions of this proposal, please complete and return to us a signed copy of this letter or an approved purchase order in order to initiate the work. We appreciate the opportunity to provide this proposal. If you have any questions, please contact us.

Sincerely,



Wayne Ingram, PE, PLS, PP, CME  
Vice President

Agreed To and Accepted By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name/Title



*To create solutions that inspire through the  
innovation of the natural and built environment.*

# Engineering & Land Planning Associates, Inc.

## 2019 Rate Schedule

<u>TITLE</u>	<u>HOURLY RATE</u>
<u>ENGINEERING / PLANNING</u>	
Senior Project Manager (P.E., P.G., etc.)	\$140.00
Project Manager	\$120.00
Landscape Architect (L.L.A.)	\$120.00
Senior Project Engineer/ Geologist / Scientist	\$110.00
Project Engineer/ Geologist / Scientist	\$100.00
Senior Staff Engineer/Geologist/Scientist	\$95.00
Staff Engineer/ Geologist / Scientist	\$85.00
Drafting / CADD Specialist	\$75.00
Clerical	\$65.00
<u>SURVEY</u>	
Senior Surveyor (P.L.S.)	\$ 140.00
Project Surveyor	\$ 105.00
Survey Crew	\$ 150.00



BOROUGH OF HIGHLAND PARK  
No. 5-19-160

RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

RESOLUTION: Finance Committee

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

MARYANN AMIANO, Tax Collector, at annual salary of \$64,000.00 effective May 13, 2019.

JOSE CURBELO, Acting Captain, at an annual salary of \$146,523.00 effective April 17, 2019.

RICHARD ABRAMS, Acting Chief, at an annual salary of \$162,232.25 effective April 17, 2019.

BE IT FURTHER RESOLVED that the Finance Director be and is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-161

RESOLUTION AUTHORIZING ISSUANCE OF TAXI OPERATOR LICENSES FOR THE  
PURPOSE OF OPERATING TAXI CABS IN THE BOROUGH OF HIGHLAND PARK

RESOLUTION: Public Safety Committee

WHEREAS, Dominic DeFrank has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2019; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicants and has reported favorably upon said application;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that said applicants are qualified and that public necessity and convenience would be served by the issuance of said License.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue an Operator License to the aforesaid applicant.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
5-19-162

RESOLUTION TO APPOINT TAX COLLECTOR

RESOLUTION: Administration Committee

WHEREAS, the Borough of Highland Park's Tax Collector resigned; and

WHEREAS, N.J.S.A. 40A:9-142 states that vacancies in the Tax Collector position shall be filled by appointment for the unexpired term.

BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that Maryann Amiano (License No. 8461) is hereby appointed to the position of Tax Collector, effective May 13, 2019 and expiring January 1, 2021.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-163

RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

RESOLUTION: Finance Committee

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 5/07/19 can be found in the Bills List Journal Book No. 39.

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				

BOROUGH OF HIGHLAND PARK  
NO. 5-19-164

RESOLUTION AUTHORIZING EXECUTIVE SESSION

RESOLUTION: Council as a Whole

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

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

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

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

ADOPTED: May 7, 2019

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 7<sup>th</sup> day of May 2019.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkovits				