

BOROUGH OF HIGHLAND PARK  
REGULAR MAYOR & COUNCIL MEETING  
AUGUST 14, 2018 - 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. 918, 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. **MOTION** to approve minutes, of the Regular and Conference Meetings held March 20, 2018, and April 3, 2018; the Budget Workshop Meetings held March 13, 2018 and March 27, 2018; and the Special Meetings held April 20, 2018, April 24, 2018 and July 17, 2018, as distributed.
4. Roll Call.
5. Council Reports.
6. Borough Administrator's Report.
7. Borough Attorney's Report.
8. Mayor's Report.
9. Public Discussion. (15 minutes)
10. Clerk reports advertising Downtown Redevelopment Ordinance Amendment for 130 & 134 Raritan Avenue, for consideration of passage on final reading by title.
  - a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 8-18-202 Resolution to adopt/reject and advertise ordinance on final reading by title.  
**MOTION** adopt/reject **ROLL CALL VOTE**
11. Clerk reports advertising Downtown Redevelopment Ordinance Amendment for 31 River Road, for consideration of passage on final reading by title.
  - a. **MOTION** to amend ordinance.
  - b. **MOTION** to take up amended ordinance on final reading by title.
  - c. Public Hearing on amendment.
  - d. 8-18-203 Resolution to adopt/reject and advertise ordinance, as amended, on final reading by title.  
**MOTION** adopt/reject **ROLL CALL VOTE**

12. Clerk reports introduction of Amending Bond Ordinance (Amending 15-1881, 15-1894, 15-1897 and 17-1928), for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 8-18-204A) **ROLL CALL VOTE**
13. Clerk reports introduction of Bond Ordinance Providing for the Purchase and Installation of Large Diameter Water Meters for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 8-18-205) **ROLL CALL VOTE**
14. Clerk reports introduction of Bond Ordinance Providing for the Replacement of Existing Water Main Valves and Hydrants and the Implementation of an Asset Management Plan for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 8-18-206) **ROLL CALL VOTE**
15. Clerk reports introduction of Bond Ordinance for Various 2018 Roadway Improvements for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 8-18-207) **ROLL CALL VOTE**
16. Clerk reports introduction of Bond Ordinance for Acquisition of Police, Fire and Public Works Equipment for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 8-18-208) **ROLL CALL VOTE**

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

**ROLL CALL VOTE**

17. \*8-18-209 Resolution to Amend Annual Salary Resolution.
18. \*8-18-211 Resolution to Execute Memorandum of Understanding with Teamsters Local 97.
19. \*8-18-213 Resolution to Approve Purchase of Residential Water Meters.
20. \*8-18-214 Resolution to Execute Contract for Water Leak Detection Services with Northeast Water Technology.
21. \*8-18-215 Resolution to Accept 2017 Audit.
22. \*8-18-216 Resolution to Adopt Corrective Action Plan.
23. \*8-18-217 Resolution to Apply for NJDOT Safe Routes to School Grant.
24. \*8-18-218 Resolution to Authorize and Execute Interlocal Agreement with MCIA for Yard Waste.
25. \*8-18-219 Resolution to Approve Purchase of Leaf Bags.
26. \*8-18-220 Resolution to Authorize and Execute Contract with Trion Aid Associates, Inc. for Background Check Services.
27. \*8-18-221 Resolution to Approve Emergency Repairs to HVAC System at Borough Hall.
28. \*8-18-222 Resolution to Approve Overpayment of Taxes for Various Properties.

- 29. \*8-18-223 Resolution to Approve Pay Estimate #4 – Tri-Form Construction, Inc. – Construction of Teen Center.
- 30. \*8-18-224 Resolution to Release Performance Bond – The Crossings at Highland Park, Block 172 Lot 2 and Block 101, Lots 25-30.
- 31. \*8-18-225 Resolution to Approve Off-Premise Raffle – Transfiguration of the Lord Church.
- 32. \*8-18-226 Resolution to Approve Release of Found Property.
- 33. \*8-18-227 Resolution Authorizing Creation of Duplicate Tax Sale Certificates.
- 34. \*8-18-228 Resolution to Authorize/Schedule 2018 Online Auction of Surplus Property.
- 35. \*8-18-229 Resolution to Credit Water & Sewer Accounts for Various Properties.
- 36. \*8-18-230 Resolution to Appoint Housing Authority Members.
- 37. \*8-18-231 Resolution to Approve RFP for Solar Field Cleanup.
- 38. \*8-18-232 Resolution to Appoint Municipal Housing Liaison.
- 39. \*8-18-233 Resolution to Approve Taxi Operator License.

**\*MOTION adopt/reject**

**ROLL CALL VOTE**

- 40. 8-18-234 Chapter 159 – Information and Assistance Grant.  
**MOTION adopt/reject.** **ROLL CALL VOTE**

41. Mayor Brill Mittler appoints the following:

Judy Richman  
Robert Rothberg  
Robert Holzapfel, Alt. #2

Board of Adjustment

Abby Stern Cardinale  
Ana Pairet  
Mason Resnick  
Laurel Kornfeld

Public Information Commission

Sonya Headlam

Human Relations Commission

**MOTION TO CONFIRM**

**ROLL CALL VOTE**

42. Open items.

a.

b.

c.

43. Public Discussion.

44. **MOTION** to adjourn to Conference Meeting.

BOROUGH OF HIGHLAND PARK  
No. 8-18-202

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE HIGHLAND PARK DOWNTOWN REDEVELOPMENT PLAN RELATING TO PROPERTY COMMONLY KNOWN AS 130 AND 134 RARITAN AVE., PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq., passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 18-1963

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE HIGHLAND PARK DOWNTOWN REDEVELOPMENT PLAN RELATING TO PROPERTY COMMONLY KNOWN AS 130 AND 134 RARITAN AVE., PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Borough of Highland Park (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended from time to time (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, by resolution dated June 21, 2005, the Municipal Council of the Borough (the "Borough Council"), designated certain property along the central downtown corridor of Raritan Avenue, including without limitation, real property within the Borough commonly known as 130 and 134 Raritan Avenue and identified as Block 13, Lots 9 and 6 on the Official Tax Map of the Borough (the "Property"), as an "area need in need of redevelopment" (the "Redevelopment Area") in accordance with the requirements of the Redevelopment Law; and

WHEREAS, on September 13, 2005, in order to facilitate the development of the Redevelopment Area, including the Property, and effectuate the redevelopment thereof, the Borough Council, by Ordinance No. 1667, adopted the "Highland Park Downtown Redevelopment Plan" (as subsequently amended, the "Redevelopment Plan") pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, by Resolution No. 2018-03 adopted on June 19, 2018, the Borough referred certain amendments to the Redevelopment Plan relating to the Property (the "Proposed Amendment") to the Planning Board for its review and recommendation; and

WHEREAS, the Planning Board, on June 21, 2018 at a duly noticed and constituted public meeting, reviewed the Proposed Amendments, and by Resolution P2018-02 approved on June 21, 2018 (the "Planning Board Resolution"), the Planning Board recommended the approval of the Proposed Amendments; and

WHEREAS, the Borough hereby finds that the adoption of the Proposed Amendments, as on file with the Borough Clerk (the "Redevelopment Plan Amendment"), is in the best interests of the Borough, being, among other things, substantially consistent with the Master Plan for the Borough; and

WHEREAS, the Borough Council now desires to adopt the Redevelopment Plan Amendment and to direct that the applicable provisions of the Borough's Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan Amendment, as and to the extent set forth therein.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The recommendations of the Planning Board are hereby accepted, and the Redevelopment Plan Amendment, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of the Redevelopment Law.

3. The zoning district map included in the zoning ordinance of the Borough is hereby amended to reference and delineate the Property governed by the Redevelopment Plan and Redevelopment Plan Amendment. All of the provisions of the Redevelopment Plan, as amended by the Redevelopment Plan Amendment, shall supersede the applicable development regulations of the Borough's municipal code, as and where indicated.

4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

DRAFT

5. A copy of this Ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Borough Clerk during regular business hours.

6. This Ordinance shall take effect in accordance with all applicable laws.

Introduced and passed on first  
reading by title: July 10, 2018

ADOPTED:

ATTEST:

APPROVED:

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BOROUGH CLERK

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MAYOR

DRAFT

BOROUGH OF HIGHLAND PARK  
No. 8-18-203

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS 31 RIVER ROAD PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 18-1964

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE  
BOROUGH OF HIGHLAND PARK, COUNTY OF  
MIDDLESEX, NEW JERSEY, AUTHORIZING THE  
ADOPTION OF A REDEVELOPMENT PLAN FOR THE  
PROPERTY COMMONLY KNOWN AS 31 RIVER ROAD  
PURSUANT TO THE LOCAL REDEVELOPMENT AND  
HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the "Borough") is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment, and provides that the finding for an area in need or rehabilitation may extend to the entire area of a municipality; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council of the Borough (the "Borough Council") determined to investigate whether the entirety of the area within the municipal boundaries of the Borough (the "Rehabilitation Area") satisfied the criteria to be designated as an 'area in need of rehabilitation'; and

WHEREAS, the Borough Engineer, prepared a Memorandum (the "Engineer's Memorandum"), which confirmed that the Rehabilitation Area met the criteria set forth in Sections 14(a)(6) of the Redevelopment Law, as the majority of the water and sanitary sewer lines within the Borough were at least fifty (50) years old and in need of repair or substantial maintenance; and

WHEREAS, the Redevelopment Law, provides that prior to the adoption of a resolution designating the Borough as 'an area in need of rehabilitation', the Borough Council must first submit a copy of the proposed designating resolution to the Borough Planning Board (the "Planning Board") for review and recommendation; and

WHEREAS, on September 6, 2016, the Borough Council, acting by resolution, referred a copy of the Engineer's Memorandum and the resolution designating the Rehabilitation Area as an "area in need of rehabilitation" to the Planning Board for review and comment; and

WHEREAS, on duly noticed and constituted meetings held October 13, 2016 & November 10, 2016, the Planning Board reviewed the designating resolution and the findings of the Engineer's Memorandum, and adopted a resolution which recommended to the Borough Council, pursuant to N.J.S.A. 40A:12A-14, that the Rehabilitation Area be designated as an 'area in need of rehabilitation'; and

WHEREAS, on December 20, 2016, the Borough Council accepted the recommendation of the Planning Board, and that of the Borough Engineer and designated

the Rehabilitation Area as an "area in need of rehabilitation," in accordance with the Redevelopment Law; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4(a)(3)* and *N.J.S.A. 40A:12A-7* the Borough Council is empowered to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken or carried out within an 'area in need of rehabilitation'; and

WHEREAS, pursuant to that authority the Borough Council caused a redevelopment plan, to be prepared for the portion of the Rehabilitation Area commonly known as 31 River Road and identified as Block 183, Lot 24 on the official tax map of the Borough, entitled the "31 River Road Redevelopment Plan" (the "Redevelopment Plan"), attached hereto as *Exhibit A*; and

WHEREAS, the Borough Council, referred the Redevelopment Plan to the Planning Board for its review and recommendation pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Planning Board, on July 12, 2018, at a duly noticed and constituted public meeting, has reviewed the Redevelopment Plan;

WHEREAS, following such review the Planning Board has rendered its report and recommendations to the Borough Council and by Resolution P2018-03 adopted on July 12, 2018, recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Borough Council hereby finds it appropriate for the Redevelopment Plan to be adopted for the Rehabilitation Area, being, among other things, substantially consistent with the Master Plan for the Borough; and

WHEREAS, the Borough Council now desires to adopt the Redevelopment Plan and to direct that the applicable provisions of the Borough's Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations of the Planning Board are hereby accepted, and the Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of the Redevelopment Law.

Section 3. The zoning district map and the zoning ordinance of the Borough are hereby amended to incorporate and reflect the Redevelopment Plan, and, to the extent provided in the Redevelopment Plan, are superseded thereby.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

Introduced and passed on  
first reading: July 17, 2018

ADOPTED:

ATTEST:

APPROVED:

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

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

DRAFT

BOROUGH OF HIGHLAND PARK  
NO. 8-18-204A

RESOLUTION: Finance Committee

WHEREAS, an Ordinance entitled, BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 15-1881 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON FEBRUARY 17, 2015 AND ENTITLED "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN APPROXIMATE 4.176 ACRE TRACT OF LAND DESIGNATED AS BLOCK 47, LOTS 27-75 ON THE OFFICIAL HIGHLAND PARK TAX MAP, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,860,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,767,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF", AS PREVIOUSLY AMENDED BY BOND ORDINANCE NUMBER 15-1894 FINALLY ADOPTED ON OCTOBER 1, 2015, AS AMENDED BY BOND ORDINANCE NUMBER 15-1897 FINALLY ADOPTED ON DECEMBER 1, 2015 AND AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NUMBER 17-1928 FINALLY ADOPTED ON FEBRUARY 21, 2017, TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE THE ENVIRONMENTAL REMEDIATION OF VARIOUS PROPERTIES LOCATED IN THE BOROUGH, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 4, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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  
BOND ORDINANCE NUMBER \_\_\_\_\_**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 15-1881 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON FEBRUARY 17, 2015 AND ENTITLED "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN APPROXIMATE 4.176 ACRE TRACT OF LAND DESIGNATED AS BLOCK 47, LOTS 27-75 ON THE OFFICIAL HIGHLAND PARK TAX MAP, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,860,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,767,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF", AS PREVIOUSLY AMENDED BY BOND ORDINANCE NUMBER 15-1894 FINALLY ADOPTED ON OCTOBER 1, 2015, AS AMENDED BY BOND ORDINANCE NUMBER 15-1897 FINALLY ADOPTED ON DECEMBER 1, 2015 AND AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NUMBER 17-1928 FINALLY ADOPTED ON FEBRUARY 21, 2017, TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE THE ENVIRONMENTAL REMEDIATION OF VARIOUS PROPERTIES LOCATED IN THE BOROUGH**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:**

**SECTION 1.** Bond Ordinance Number 15-1881 of the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council of the Borough on February 17, 2015 and entitled, "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN APPROXIMATE 4.175 ACRE TRACT OF LAND DESIGNATED AS BLOCK 47, LOTS 27-75 ON THE

OFFICIAL HIGHLAND PARK TAX MAP, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,860,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,767,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF", as previously amended by Bond Ordinance Number 15-1894 finally adopted on October 1, 2015, as amended by Bond Ordinance Number 15-1897 finally adopted on December 1, 2015 and as amended and supplemented by Bond Ordinance Number 17-1928 finally adopted on February 21, 2017 (collectively, the "Original Ordinance"), is hereby further amended to the extent and with the effect as set forth below:

(a) Section 3(a) of the Original Ordinance is amended to read as follows:

"(a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued is for (i) the acquisition of fee title by the Borough of a currently privately owned, approximate .1148 acre tract of land designated as Block 46, Lot 1 on the Official Highland Park Tax Map, (ii) the demolition of pre-existing structures on such land, and the general preparation and remediation thereof, and site work, planned for new construction thereon, (iii) the construction of a new Teen Center on such land, (iv) the acquisition of fee title by the Borough of various parcels of real property throughout the Borough, all such parcels located on the Official Highland Park Tax Map and the details concerning such parcels to be determined by the Mayor and Borough Council, and (v) the environmental remediation of various properties located in the Borough, including, but not limited to, properties currently owned by the Borough."

**SECTION 2.** The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**SECTION 3.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

**SECTION 4.** Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

**SECTION 5.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: August 14, 2018

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Joan Hullings, Borough Clerk

ADOPTED ON SECOND READING

DATED: September 4, 2018

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

APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

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

DRAFT



BOROUGH OF HIGHLAND PARK  
NO. 8-18-205

RESOLUTION: Finance Committee

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF LARGE DIAMETER WATER METERS BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$2,400,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$2,400,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 4, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

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

RECORD OF COUNCIL VOTES

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

**BOND ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF LARGE DIAMETER WATER METERS BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$2,400,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$2,400,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water/Sewer Utility of the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the amount of \$2,400,000 from the Water/Sewer Utility of the Borough. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance authorizes obligations for infrastructure projects which are funded by a clean water loan from the New Jersey Infrastructure Bank.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Water/Sewer Utility of the Borough are hereby authorized to be issued in the principal amount of \$2,400,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Water/Sewer Utility of the Borough in a principal amount not exceeding \$2,400,000 are

hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are for the purchase and installation of large diameter water meters for the Water/Sewer Utility of the Borough, and also including all engineering and design work, surveying, excavating, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, site remediation and all work, materials, labor, appurtenances and equipment necessary therefor or incidental thereto.

a. The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,400,000.

b. The estimated cost of said improvements and purposes is \$2,400,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the Borough for the improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however,

with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes

authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said improvements within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 30 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of bonds or notes provided for in this bond ordinance by \$2,400,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An amount not exceeding \$400,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to

the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse

the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,400,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: August 14, 2018

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Joan Hullings, Borough Clerk

ADOPTED ON SECOND READING

DATED: September 4, 2018

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

APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

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

DRAFT



BOROUGH OF HIGHLAND PARK  
NO. 8-18-206

RESOLUTION: Finance Committee

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF EXISTING WATER MAIN VALVES AND HYDRANTS AND THE IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$920,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$920,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 4, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

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

RECORD OF COUNCIL VOTES

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

**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF EXISTING WATER MAIN VALVES AND HYDRANTS AND THE IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$920,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$920,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water/Sewer Utility of the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the amount of \$920,000 from the Water/Sewer Utility of the Borough. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance authorizes obligations for infrastructure projects which are funded by a drinking water loan from the New Jersey Infrastructure Bank.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Water/Sewer Utility of the Borough are hereby authorized to be issued in the principal amount of \$920,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the

Water/Sewer Utility of the Borough in a principal amount not exceeding \$920,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are for the inspection, repair and replacement of the various water main valves and hydrants and the implementation of an asset management plan for all horizontal water assets in the Borough's water system for the Water/Sewer Utility of the Borough, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, site remediation and all work, materials, labor, appurtenances and equipment necessary therefor or incidental thereto.

a. The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$920,000.

b. The estimated cost of said improvements and purposes is \$920,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the Borough for the improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex

shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said improvements within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 30 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of bonds or notes provided for in this bond ordinance by \$920,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An amount not exceeding \$582,500 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative

pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$920,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING**

**DATED: August 14, 2018**

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Joan Hullings, Borough Clerk

**ADOPTED ON SECOND READING**

DATED: September 4, 2018

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

APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

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

DRAFT



BOROUGH OF HIGHLAND PARK  
NO. 8-18-207

RESOLUTION: Finance Committee

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$2,287,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,619,040 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 4, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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 NUMBER 18-\_\_\_\_\_**

**BOND ORDINANCE PROVIDING FOR VARIOUS  
ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH  
OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY (THE "BOROUGH");  
APPROPRIATING \$2,287,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$1,619,040 IN BONDS  
OR NOTES OF THE BOROUGH TO FINANCE PART OF THE  
COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE  
BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW  
JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS  
FOLLOWS:**

**SECTION 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough") as a general improvement. For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the amount of \$2,287,000, said amount being inclusive of New Jersey Department of Transportation FY 2017 and FY 2018 grants in the aggregate amount of \$587,000 (the "DOT Grants") and the down payment in the amount of \$80,960 now available for said improvement or purpose as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"). Said down payment is now available therefor by virtue of provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$2,287,000 appropriation not provided for by

application hereunder of said Grants or down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$1,619,040 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in an aggregate principal amount not exceeding \$1,619,040 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3.** (a) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is for the construction, reconstruction, milling, overlaying, surfacing and resurfacing, as required, of various roadways within the Borough. Such improvement or purpose shall include, but is not limited to, as required, repairs to and/or removal and replacement of, as applicable, curbing, curb ramps and driveway aprons, and landscaping, excavation and pavement striping, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, labor, appurtenances and equipment necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,619,040.

(c) The estimated cost of said improvement or purpose is \$2,287,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the Grants in the aggregate amount of \$587,000 and the down payment in the amount of \$80,960 available for such improvement or purpose.

**SECTION 4.** Except for the Grants, in the event the United States of America, the State of New Jersey and/or the County of Middlesex make a loan, contribution or grant in aid to the Borough for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Middlesex. Except for the Grants, in the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any loan, contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such loan, contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes

from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services will be on file in the Office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvement or purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,619,040 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$325,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid

prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,619,040. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. The Borough covenants to maintain the exclusion from gross income

under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

DRAFT



**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: August 14, 2018**

\_\_\_\_\_  
**JOAN HULLINGS,  
Borough Clerk**

**ADOPTED ON SECOND READING  
DATED: September 4, 2018**

\_\_\_\_\_  
**JOAN HULLINGS,  
Borough Clerk**

**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
**GAYLE BRILL MITTLER,  
Mayor**

**DRAFT**

BOROUGH OF HIGHLAND PARK  
NO. 8-18-208

RESOLUTION: Finance Committee

WHEREAS, an Ordinance entitled, BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF POLICE, FIRE AND PUBLIC WORKS EQUIPMENT, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$315,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$299,990 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221, South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 4, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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  
MIDDLESEX COUNTY, NEW JERSEY**

**ORDINANCE NUMBER 18-\_\_\_\_\_**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF POLICE, FIRE AND PUBLIC WORKS EQUIPMENT, BY AND IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$315,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$299,990 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the aggregate sum of \$315,000, said sum being inclusive of down payments in the aggregate amount of \$15,010 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"). Said down payments are now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$315,000 appropriation not provided for by

application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$299,990 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$299,990 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3.** The various improvements hereby authorized and various purposes for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Purchase of various equipment for the Police Department, including, but not limited to, replacement handguns, rifles, shotguns, tasers, and vehicle cameras with wireless download functions; and	\$ 60,000	\$ 57,140	\$ 2,860	5 years
(ii) Purchase of various equipment for the Fire Department, including, but not limited to, air bottles, air packs, and a fire hose; and	\$150,000	\$142,850	\$ 7,150	5 years
(iii) Purchase of various equipment for the Department of Public Works, including, but not limited to, garbage receptacles and toters.	\$105,000	\$100,000	\$ 5,000	10 years
TOTALS	<u>\$315,000</u>	<u>\$299,990</u>	<u>\$15,010</u>	6.67 years

(a) The estimated aggregate maximum amount of bonds or notes to be issued for said improvements or purposes is \$299,990.

(b) The estimated aggregate cost of said improvements or purposes is \$315,000, the excess thereof over the estimated aggregate maximum amount of bonds or notes to be issued therefor, is the aggregate down payments available for such improvements or purposes in the amount of \$15,010.

(c) All such improvements or purposes described above shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration and all work, materials, equipment, labor and appurtenances necessary therefor and incidental thereto.

**SECTION 4.** In the event the United States of America, the State of New Jersey and/or the County of Middlesex make a loan, contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any loan, contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such loan, contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services will be on file in the Office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The overall period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 6.67 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$299,990 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and

the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not



to exceed \$299,990. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: August 14, 2018**

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**JOAN HULLINGS,  
Borough Clerk**

**ADOPTED ON SECOND READING  
DATED: September 4, 2018**

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**JOAN HULLINGS,  
Borough Clerk**

BOROUGH OF HIGHLAND PARK  
No. 8-18-209

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, 2018 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:

MATTHEW HALE, Council Member, at an annual salary of \$4,239.00, effective August 1, 2018.

ASHTON BURRELL, Teen Center Coordinator, at an annual salary of \$40,000.00, effective July 20, 2018.

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, 2018 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

AMIR WRIGHT, Summer Camp Counselor, at an hourly rate of \$14.00, effective August 1, 2018.

SAM MURPHY, Summer Camp Counselor, at an hourly rate of \$12.00, effective August 1, 2018.

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: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-211

RESOLUTION TO EXECUTE MEMORANDUM OF  
UNDERSTANDING WITH TEAMSTERS LOCAL 97

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized and directed to execute the Memorandum of Understanding between the Borough of Highland Park and Teamsters Local 97 attached to the original of this resolution.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-213

RESOLUTION TO APPROVE PURCHASE OF WATER METERS

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, the Highland Park Water & Sewer Department has a need to purchase water meters for replacement of older/malfunctioning meters; and

WHEREAS, quotes for said purchase were solicited from National Meter & Automation, USA Blue Book and Pollard Water; and

WHEREAS, quotes for said purchase were received from the following, to wit:

<u>NAME</u>		<u>PRICE</u>
National Meter & Automation	\$	10,477.43

WHEREAS, the Superintendent of Public Works and Public Utilities has recommended the purchase of 48 water meters from National Meter & Automation for a total price of \$10,477.43; and

WHEREAS, funds are available for this purpose in Account No. 8-05-55-500-4MR, upon adoption of the 2018 municipal budget, as reflected by the certification of funds available by the Chief Financial Officer, shown below:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works and Public Utilities is hereby authorized and directed to purchase 48 water meters from National Meter and Automation, PO Box 17988, Denver, CO, 80217-7988 for a total price of \$10,477.43; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Superintendent of Public Works and Public Utilities and the Finance Department forthwith.

ADOPTED: August 14, 2018  
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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-214

RESOLUTION TO EXECUTE CONTRACT FOR WATER LEAK DETECTION  
SERVICES WITH NORTHEAST WATER TECHNOLOGY

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, the Water and Sewer Department has a need for Water Leak Detection Program services; and

WHEREAS, the following quotes were solicited for same:

Northeast Water Technology	\$7,500.00
Water Loss Systems, Inc.	no quote provided

and

WHEREAS, the Superintendent of the Water and Sewer Department has recommended that said services be purchased from Northeast Water Technology, New Windsor, NY. based on their quote for same and previous work done for Highland Park, their experience and equipment; and

WHEREAS, funds are available for this purpose in Account No. 8-05-55-500-4LS upon adoption of the 2018 municipal budget, as reflected by the certification of funds available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of the Water and Sewer Department is hereby authorized and directed to accept the quote for water leak detection services from Northeast Water Technology, 19 Nee Avenue, New Windsor, NY 12553, at a total cost of \$7,500.00; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Superintendent of the Water and Sewer Department and the Chief Financial Officer forthwith.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-215

RESOLUTION: Finance Committee

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

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

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

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

General Comments  
Recommendations

and

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

General Comments  
Recommendations

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

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

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

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

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018

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. 8-18-216

RESOLUTION TO ADOPT CORRECTIVE ACTION PLAN

RESOLUTION: Finance Committee

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, that the Corrective Action Plan in connection with the 2017 Audit, prepared by the Assistant Finance Officer and attached to the original of this resolution, shall be and is hereby approved; and

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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

CORRECTIVE ACTION PLAN

RECOMMENDATION #1:

Description: That the Borough comply with N.J.A.C.5:30 – “Accounting for Governmental Fixed Assets” issued by the Local Finance Board, State of New Jersey, in all respects.

Corrective Action: The Borough Administrator and the Finance Department will secure a proposal for Fixed Asset Inventory and will implement the action in 2018.

DRAFT



BOROUGH OF HIGHLAND PARK  
NO. 7-18-217

RESOLUTION: Public Works & Public Utilities Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Borough Administrator Teri Jover is hereby authorized and directed to prepare and submit a grant application to the New Jersey Department of Transportation (NJDOT), Safe Routes to School Grant for funding to do pedestrian enhancements and accessibility upgrades throughout the Borough.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute and attest said applications as prepared by the Borough Administrator.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-218

RESOLUTION TO EXECUTE INTERLOCAL AGREEMENT WITH  
MCIA FOR YARD WASTE RECYCLING

RESOLUTION: Public Works and Public Utilities Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk shall be and are hereby authorized to execute and attest Agreement for the Provision of Yard Waste Recycling and Marketing Services with the Middlesex County Improvement Authority, a copy of which is attached to the original of this ordinance.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Middlesex County Improvement Authority and the Recycling Coordinator forthwith.

ADOPTED: August 14, 2018

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 Council of said Borough on the 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-219

RESOLUTION TO AUTHORIZE PURCHASE OF LEAF BAGS

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, the Highland Park Department of Public Works has a need to purchase leaf bags; and

WHEREAS, the Borough desires to purchase 36,000 leaf bags; and

WHEREAS, quotes for said purchase were received from the following, to wit:

<u>NAME</u>		<u>PRICE</u>
Pabco Industries, LLC	\$	14,897.52

WHEREAS, the Recycling Coordinator has recommended the purchase of said leaf bags from Pabco Industries, LLC at an amount not to exceed \$14,897.52; and

WHEREAS, funds are available for this purpose in Account No. G-02-17-770-205 in the amount of \$1,800.00; Account No. G-02-18-770-205 in the amount of \$6,200.00; and Account No. G-02-17-RT7-205 in the amount of \$6,897.52, as reflected by the certification of funds available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works and Public Utilities is hereby authorized and directed to purchase of leaf bags from Pabco Industries, LLC, for a total price of \$14,897.52 and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Superintendent of Public Works and Public Utilities and the Finance Department forthwith.

ADOPTED: August 14, 2018  
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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-220

RESOLUTION TO AUTHORIZE AND EXECUTE CONTRACT WITH TRION AID  
ASSOCIATES, INC. FOR BACKGROUND CHECK SERVICES

RESOLUTION: Finance Committee

WHEREAS, the Borough of Highland Park desires to use Trion Associates, Inc. for background check services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Borough Administrator and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, the Agreement for background check services with Trion Aid Associates, Inc., a copy of which is attached hereto.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, and the Human Resources Coordinator, forthwith.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-221

RESOLUTION TO APPROVE EMERGENCY REPAIRS  
TO HVAC SYSTEM AT BOROUGH HALL

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, Borough Hall in the Borough of Highland Park is in need of emergency repairs to the HVAC unit, as more fully described on the attached Purchase Requisition; and

WHEREAS, the Superintendent of the Department of Public Works has recommended that said repairs be performed by All County Mechanical Contracting, Hackensack, NJ; and

WHEREAS, funds shall be made available for this purpose in Account No. 8-01-26-310-2AD the amount of \$6,570.61, as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works is hereby authorized and directed to accept the quote for the repairs to the HVAC unit from All County Mechanical Contracting, Hackensack, NJ, at a total cost of \$6,570.61.

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-222

RESOLUTION TO AUTHORIZE REFUND OF TAX OVERPAYMENTS

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director be and is hereby authorized and directed to remit to the following the amount set opposite, the same being the amount of overpayment of 3<sup>rd</sup> Quarter 2018 taxes for the property indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>REMITTEE</u>	<u>AMOUNT TO BE REMITTED</u>
46	32	Two Rivers Title Company, LLC 26 Ayers Lane Little Silver, NJ 07739 (254 South 7 <sup>th</sup> Avenue)	\$ 49.20
117	55	Key Settlements, Inc. 3599 Route 46 Parsippany, NJ 07054 (163 Exeter Street)	\$ 322.90
167	51	CoreTitle, LLC 1300 Route 73, Suite 112 Mt. Laurel, NJ 08054 (309 Lincoln Avenue)	\$ 56.76
190	4.02	Pickus & Landsberg 802 Ryders Lane East Brunswick, NJ 08816 (2103 Ethan Lane)	\$ 60.66

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-223

RESOLUTION TO APPROVE PAY ESTIMATE #4 – TRI-FORM CONSTRUCTION  
FOR TEEN CENTER BUILDING PROJECT

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, pursuant to Resolution No. 9-17-285, adopted by the Borough Council on September 19, 2017, a contract was awarded to Tri-Form Construction, Metuchen, NJ, for the construction of a Teen Center; and

WHEREAS, it appears from Pay Estimate No. 4, filed by Code Enforcement Director, Scott Brescher, that certain work under said contract has been completed and approved, and there is due to Tri-Form Construction, the sum of \$37,862.29 in accordance with said Pay Estimate for work performed from May 30, 2018 to July 27, 2018; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-826-210 in the amount of \$37,862.29, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay Tri-Form Construction the sum of \$37,862.29, as certified by the Code Enforcement Director in Pay Estimate No. 4, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary; and

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

ADOPTED: August 14, 2018

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 Council of said Borough on the 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-224

RESOLUTION TO RELEASE PERFORMANCE BOND – THE CROSSINGS AT  
HIGHLAND PARK, BLOCK 172, LOT 2 AND BLOCK 101, LOTS 25-30

RESOLUTION: Finance Committee

WHEREAS, on May 27, 2014, the Crossings at Highland Park, The Pulte Group, heretofore posted with the Borough of Highland Park a Surety Performance Bond No. 1014102 issued by the Hanover Insurance Company in the amount of \$3,225,296.88 and a Cash Surety Bond (Check No. 85272564) in the amount of \$358,366.32 for a total amount of \$3,583,663.20 in connection with a site plan application on property known as Block 172, Lot 2 and Block 101, Lots 25-30 in the Borough of Highland Park; and

WHEREAS, Resolution No. 6-18-162 dated June 12, 2018, the Borough of Highland Park authorized the release of the aforementioned Performance Bond subject to the posting of a two-year Maintenance Bond in the amount of \$537,500.00 and the payment of the remaining Tree Balance in the amount of \$139,100.00; and

WHEREAS, CME Associates, the Borough Engineer, has reviewed the site in the field and as a result has recommended a reduction in the above-referenced Maintenance Bond and a reduction in the amount of the remaining tree balance.

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

- Posting of a 2-year Maintenance Bond shall be reduced to \$447,957.90;
- Payment of the tree balance shall be in the amount of \$119,100.00;
- Payment of any outstanding engineering inspection fees;
- Payment of any outstanding Borough fees

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Finance Department, Borough Engineer, Construction Official and Pulte Homes' attorney, Scott Anderson, Esq., Giordano, Halleran & Ciesla, P.C., 125 Half Mile Road, Suite 300, Red Bank, New Jersey 07701 upon its adoption.

ADOPTED: August 14, 2018

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 Council of said Borough on the 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-225

RESOLUTION AUTHORIZING APPROVAL OF RAFFLE LICENSE FOR  
TRANSFIGURATION OF THE LORD CHURCH

RESOLUTION: Finance Committee

WHEREAS, the Transfiguration of the Lord Church has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a 50/50 Off-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on November 18, 2018; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the Transfiguration of the Lord Church for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefor, subject to the provisions of the Raffles Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-226

RESOLUTION TO APPROVE RELEASE OF FOUND PROPERTY

RESOLUTION: Public Safety Committee

WHEREAS, there is a need to turn over found cash to the Municipal Treasurer as per the Middlesex County Prosecutor's Office policy; and

WHEREAS, if property is unclaimed after 6 months, the finder can claim the cash; and

WHEREAS, the finder, Alan Cummings, \_\_\_\_\_ is due \$191.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Department is hereby authorized to process refund of \$191.00 to Alan Cummings.

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-227

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 #09-00068 and #10-00019 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: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-228

RESOLUTION TO AUTHORIZE/SCHEDULE 2018 ONLINE  
AUCTION OF SURPLUS PROPERTY

RESOLUTION: Public Works & Public Utilities Committee

WHEREAS, the Borough of Highland Park is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at [www.govdeals.com](http://www.govdeals.com) and also available from the Borough Clerk's Office in the Borough of Highland Park.
- (2) The sale will be conducted online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com).
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached to the original of this resolution.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Highland Park reserves the right to accept or reject any bid submitted.

ADOPTED: August 14, 2018

ATTEST:

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

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of the 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-229

RESOLUTION TO CREDIT A WATER & SEWER  
ACCOUNTS FOR VARIOUS PROPERTIES

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, it has been determined by the Highland Park Water & Sewer Department that corrections need to be made to the water and sewer accounts for various properties; and

WHEREAS, the Tax Collector recommends that the following accounts be credited as follows:

<u>ACCOUNT #</u>	<u>AMOUNT</u>	<u>ADDRESS</u>
30220121-0	\$528.11	19 Cedar Avenue
10040250-0	-2600 cubic feet	129 North 8 <sup>th</sup> Avenue

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to issue said credits.

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

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-230

RESOLUTION TO APPOINT HOUSING AUTHORITY MEMBERS

RESOLUTION: Council as a Whole

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 members of the Highland Park Housing Authority for a term to expire as indicated:

Donald Monk  
William Rainwater

September 1, 2023  
September 1, 2023

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-231

RESOLUTION TO APPROVE RFP FOR SOLAR FIELD CLEANUP

RESOLUTION: Public Works and Public Utilities Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk is hereby directed and authorized to advertise for receipt of Requests for Proposals for a Qualified Contractor to do cleanup at solar field, said proposals to be received on a date to be determined by the Borough Administrator and the Borough Clerk.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-232

RESOLUTION TO APPOINT MUNICIPAL HOUSING LIAISON

RESOLUTION: Council as a Whole

WHEREAS, on May 31, 2018 the Superior Court ("Court") held a fairness hearing and approved the Settlement Agreement between the Borough of Highland Park ("Borough") and Fair Share Housing Center ("FSHC"), which included the Borough's Third Round fair share obligation and preliminary compliance measures; and

WHEREAS, the Borough will be filing with the Court a Housing Element and Fair Share Plan in order to secure a Judgment of Compliance and Repose approving said Plan to protect the Borough from any Mount Laurel lawsuits; and

WHEREAS, pursuant to N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1, et seq., Highland Park is required to appoint a Municipal Housing Liaison for the administration of Highland Park's Affordable Housing Program to enforce the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1, et seq.; and

WHEREAS, Article II, entitled "Municipal Housing Liaison", of Chapter 57 of the Borough's Code, entitled "Officers and Employees", adopted on December 19, 2006 by Ordinance No. 1708, provides for the appointment of a Municipal Housing Liaison to administer Highland Park's Affordable Housing Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that Teri Jover, Borough Administrator is hereby appointed by the Mayor and Council as the Municipal Housing Liaison for the administration of the Affordable Housing Program, pursuant to and in accordance with Chapter 57, Article II of Highland Park's Municipal Code.

ADOPTED: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-233

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, Barbara Ann Dagraca 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 2018; 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: August 14, 2018

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 14<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
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. 8-18-234

RESOLUTION: Finance Committee

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2018 in the sum of \$9,000.00, which item is now available as revenue from State and Federal programs pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$9,000.00 be and the same is hereby appropriated under the caption of:

Title III B – Information & Assistance Grant	\$9,000.00
--	------------

BE IT FURTHER RESOLVED that the above is the result of a grant for Fiscal Year 2018; and

BE IT FURTHER RESOLVED that two (2) certified copies of the certification of adoption of this resolution shall be forwarded to the Director of the Division of Local Government Services for approval.

ADOPTED: August 14, 2018

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

ABSTAINED:

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 14<sup>th</sup> day of August, 2018.

---

Joan Hullings, Borough Clerk