### BOROUGH OF HIGHLAND PARK REGULAR MAYOR & COUNCIL MEETING FEBRUARY 20, 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. Roll Call.
- 4. Proclamation Youth Art Month.
- MOTION to approve minutes of the Regular and Conference Meetings held December 5, 2017 and December 19, 2017, as distributed.
- 6. Council Reports.
- 7. Borough Administrator's Report.
- 8. Borough Attorney's Report.
- 9. Mayor's Report.
- 10. Public Discussion. (15 minutes)
- 11. Clerk reports introduction of Ordinance for Dissolution of Highland Park Redevelopment Agency for consideration of passage on first reading by title.
  - a. MOTION to adopt/reject and advertise ordinance on first reading by title.
     (Resolution No. 2-18-65)

    ROLL CALL VOTE
- \*2-18-66 Resolution to Approve Budget Transfers.
   MOTION adopt/reject. ROLL CALL VOTE

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

		POLL CALL VOTE
13.	*2-18-67	ROLL CALL VOTE Resolution Authorizing Submission of Local Finance Board Application for Dissolution of Highland Park Redevelopment Agency.
14.	*2-18-68	Resolution to Approve 2018 Taxi Owner.
15.	*2-18-69	Resolution to Amend Annual Salary Resolution.

### MAYOR AND COUNCIL REGULAR MEETING <u>AGENDA</u> – FEBRUARY 20, 2018 PAGE 2

16.	*2-18-70	Resolution to Approve Professional Service Agreement – Borough Auditor – Samuel Klein and Company.			
17.	*2-18-71	Resolution Requesting Approval of 2018-2019 CDBG Allocation.			
18.	*2-18-72 * <b>MOTIC</b>	Resolution to Approve Bills List.  N adopt/reject	ROLL CALL VOTE		
19.	Mayor Brill M	littler appoints the following:			
	Sylvia F Eva Lov Evelyn James I Marilyn Monica	ve Sedehi Polos	HP Gives a Hoot		
	Haim C Valeri V	ohen Veidmann	Public Information Committee		
	Helen F Ronald	Rovner Wong, Mayors Alt.	Library Board of Trustees		
	Angela	Perone	Council on Aging		
	MOTION TO	CONFIRM	ROLL CALL VOTE		
20.	Clerk reports MOTION TO	election of Volunteer Firefighter. CONFIRM	ROLL CALL VOTE		
21.	Open items.				
	a.				
	b.				
	C.				
	d,				
22.	Public Discu	ssion.			
23.	MOTION to a	adjourn to Conference Meeting.			

RESOLUTION: Economic Development and Planning Committee

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, DISSOLVING THE BOROUGH OF HIGHLAND PARK REDEVELOPMENT AGENCY PURSUANT TO N.J.S.A. 40A:12A-24 AND J.S.S.A. 40A:5A-20 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, March 6, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

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

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

ADOPTED:	February 20, 2018	
ATTEST:		
Joan Hulling	s, 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 20<sup>th</sup> day of February, 2018.

Joan Hullings, Borough Clerk

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

#### BOROUGH OF HIGHLAND PARK ORDINANCE NO. 18-

AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, DISSOLVING THE BOROUGH OF HIGHLAND PARK REDEVELOPMENT AGENCY PURSUANT TO N.J.S.A. 40A:12A-24 AND N.J.S.A. 40A:5A-20

WHEREAS, the governing body of the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough"), by Ordinance No. 1634 duly adopted in May, 2004, created the Borough of Highland Park Redevelopment Agency (the "HPRA") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Act"); and

WHEREAS, the Borough appointed the HPRA as the "redevelopment entity" for certain areas of the Borough Central Business District along and in the vicinity of Raritan Avenue known as the Highland Park Downtown Redevelopment Area (the "Redevelopment Area"), with full authority to exercise the powers contained in the Act to facilitate and implement the development of the Redevelopment Area; and

WHEREAS, as redevelopment entity of the Redevelopment Area, the HPRA has previously entered into various redevelopment agreements and professional service agreements, all in connection with the redevelopment of the Redevelopment Area (collectively, the "Agreements"); and

WHEREAS, following the direction of the Local Finance Board (as defined herein) and after a careful examination and analysis, the Borough has determined that it is in the best interests of the residents of the Borough to dissolve the HPRA; and

WHEREAS, section 24 of the Act (N.J.S.A. 40A:12A-24) grants to a municipality the power to dissolve its redevelopment agency by ordinance, and transfer all of the redevelopment agency's assets, liabilities and responsibilities to itself in accordance with section 20 of the Local Authorities Fiscal Control Law (N.J.S.A. 40A:5A-20) (the "Fiscal Control Law"); and

WHEREAS, section 20 of the Fiscal Control Law grants to a municipality the power to dissolve an authority, including a redevelopment agency, by ordinance, provided that the ordinance makes adequate provision for the payment of all creditors or obligees of the authority and further makes adequate provision for the assumption of services provided by the authority which are necessary for the health, safety and welfare of the recipients of such services; and

WHEREAS, the Borough desires to act as "redevelopment entity" for the Redevelopment Area; and

WHEREAS, the Borough further desires to assume all of the rights, duties, and obligations of the HPRA and to assume the provision of those services provided by the HPRA that are necessary for the health, safety and welfare of the recipients of such services; and

WHEREAS, the Borough desires to dissolve the HPRA in accordance with, and in fulfillment of, the provisions of N.J.S.A. 40A:12A-24 and N.J.S.A. 40A:5A-20.

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

Section 1. <u>Dissolution</u>. The Borough hereby dissolves the Borough of Highland Park Redevelopment Agency, subject to the terms and conditions hereof.

Section 2. <u>Designated Redevelopment Entity</u>. The Borough hereby designates itself as the "redevelopment entity" for the Redevelopment Area and assumes the responsibility of implementing the redevelopment plan and carrying out the redevelopment projects set forth in the Agreements.

Section 3. Transfer of Title to all HPRA Property. Upon the effective date of the dissolution as set forth in Section 6 of this ordinance, real property and personal property, including but not limited to contracts and agreements, including but not limited to the Agreements, of the HPRA and all monies and funds held by or for the HPRA shall be deemed transferred to and become the property of the Borough. The existing officers of the HPRA are hereby authorized and directed to execute any documents or instruments necessary to transfer legal title to all real property and personal property, including but not limited to contracts and agreements, including but not limited to the Agreements, of the HPRA and all monies and funds held by or for the HPRA to the Borough upon the effective date of the dissolution herein, notwithstanding the dissolution of the HPRA. All documents and records of the HPRA shall be delivered to the Borough Clerk prior to the effective date of the dissolution.

- Section 4. Payment of All Creditors and Obligees. Upon the effective date of the dissolution as set forth in Section 6 of this ordinance, the Borough shall initially assume all legal obligations to all existing and outstanding creditors and obligees of the Authority, subject to the specific terms and conditions of such obligations.
- Section 5. <u>Assumption of Services Provided by the Authority</u>. Upon the effective date of the dissolution as set forth in Section 6 of this ordinance, the Borough shall become successor to the HPRA on all contracts and agreements, including but not limited to the Agreements, and other documents to which the Authority is a party with all of the rights and obligations of the Authority thereunder; <u>provided</u>, <u>that</u> the Borough shall not be required to, nor shall it assume the obligation to employ any of the HPRA's employees or administrators nor shall it assume any professional service contracts, all of whom and all of which, respectively, shall be terminated as of the effective date of the dissolution.
- **Section 6.** <u>Effective Date of Dissolution</u>. The dissolution of the HPRA shall take effect simultaneously with the final adoption of this ordinance.
- Section 7. Nature of Obligations Assumed; Limitation on Liability. The Borough assumes the real and personal property, including but not limited to contracts and agreements, including but not limited to the Agreements, of the HPRA, subject to the same terms, conditions, rights, responsibilities, obligations and limitations applicable to the HPRA, and such assumption by the Borough shall not create, express or implied, any additional, extended, enhanced or modified obligation, liability, right or remedy of any party to any such contracts and agreements, including but not limited to the Agreements.
- Section 8. <u>Authorization of Borough and Authority to Take all Necessary Action.</u> The Mayor, Borough Business Administrator, Chief Financial Officer, Borough Clerk and other employees, as directed by the Mayor and/or Borough Business Administrator, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance. The members of the Authority, its officers, employees, engineers, accountants, counsels and consultants are hereby authorized and directed to take all steps necessary to effectuate the purposes of this ordinance.
- Section 9. Approval of Local Finance Board; Filing. This ordinance shall be submitted to, and approved by, the Local Finance Board in the Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Local Finance Board") prior to final adoption in accordance with the requirements of N.J.S.A. 40A:5A-20 and the final adoption of this ordinance by the Borough shall represent conclusive proof of the fact that this ordinance has received the approval of the Local Finance Board. Immediately upon adoption of this ordinance, this ordinance shall be filed with the Local Finance Board and with the Secretary of State of the State of New Jersey, in accordance with N.J.S.A. 40A:5A-20.
- Section 10. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.
- Section 11. Repeal of All Inconsistent Ordinances. All ordinances of the Borough which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- Section 12. <u>Effective Date</u>. This ordinance shall take effect immediately upon adoption and shall not be subject to referendum, provided, however, that the Local Finance Board in the Division of Local Government Services, Department of Community Affairs of the State of New Jersey has approved this ordinance in accordance with N.J.S.A. 40A:5A-20.

Introduced on first reading by title: February 20, 2018	
ADOPTED:	
ATTEST:	APPROVED:
Joan Hullings, Borough Clerk	Gayle Brill Mittler, Mayor

**RESOLUTION: Finance Committee** 

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2017 budget appropriation balances shall be made as follows:

Description	From	То
Budget Transfer #5		
Description	From	То
Legal		6,500.00
Administration OE		3,310.00
Motorpool OE		6,000.00
PERS - Pension - DCRP		910.00
Engineering & Planning OE		2,270.00
Group Insurance		2,230.00
Finance OE	2,500.00	
Information Technology OE	3,390.00	
Tax Collector OE	230.00	
Public Works OE	12,000.00	
Arts Commission	3,100.00	
	21,220.00	21,220.00

ADOPTED: January 2, 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 2<sup>nd</sup> day of January 2018.

Joan Hullings, Borough Clerk

	RECORL	J OF COU	NOIL VOIE	>
Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George	1			
Hersh				
Kim-Chohan				
Welkovits				

# RESOLUTION OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-20

RESOLUTION: Economic Development and Planning Committee

WHEREAS, the Borough of Highland Park, in the County of Middlesex, New Jersey (the "Borough") has previously created the Borough of Highland Park Redevelopment Agency (the "HPRA") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Act"); and; and

WHEREAS, the Borough has determined to dissolve the HPRA in accordance with the provisions of the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20 and section 24 of the Act; and

WHEREAS, the Borough Council (the "Borough Council") of the Borough desires to make application to the Local Finance Board for its review and approval of a proposed ordinance authorizing the dissolution of the Highland Park Redevelopment Agency (the "Dissolution Ordinance); and

### WHEREAS, the Borough Council believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

# NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY as follows:

- **Section 1.** The application of the Borough to the Local Finance Board is hereby approved, and the Borough Administrator, HPRA Counsel and other representatives of the Borough, are hereby authorized to prepare and submit such Local Finance Board application pursuant to N.J.S.A. 40A:5A-20 and to represent the Borough in matters pertaining thereto.
- **Section 2.** The Clerk of the Borough is hereby directed to prepare and to file a copy of this resolution, as adopted, and the Dissolution Ordinance, as introduced on first reading, with the Local Finance Board as part of such Local Finance Board application.
- **Section 3.** The Local Finance Board is hereby respectfully requested to consider such Local Finance Board application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.
  - **Section 4.** This resolution shall take effect immediately.

ADOPTED: February 20, 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 20<sup>th</sup> day of February, 2018.

Joan Hullings, Borough Clerk

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

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

RESOLUTION: Public Safety Committee

WHEREAS, Randy Shutz has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such licenses for the year 2018; and

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

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

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

ATTEST:	Y
Joan Hullings, BOROUGH CLERK	

ADOPTED: February 20, 2018

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 20<sup>th</sup> day of February, 2018.

Joan Hullings, Borough Clerk

Ayes	Nays	Abstain	Absent
	1		
	Ayes	Ayes Nays	Ayes Nays Abstain

### 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:

AMY MIKOSZ, Violations Clerk, at an annual salary of \$33,424.00 effective February 16, 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.

Cotablelled by tille recolding.
ADOPTED: February 20, 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 20 <sup>th</sup> day of February, 2018.
Joan Hullings, Borough Clerk

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

## RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICE AGREEMENT FOR BOROUGH AUDITOR

**RESOLUTION: Finance Committee** 

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Auditor for the calendar year of 2018; and

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

WHEREAS, Gerard Stankiewicz of Samuel Klein and Company, is a certified Public Accountant and Registered Municipal Accountant of the State of New Jersey with extensive experience in municipal auditing and has heretofore been appointed Borough Auditor for 2018; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Auditor; and

WHEREAS, funds for this purpose are not to exceed the amount of \$43,500.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$29,000.00 in Account No. 8-01-20-135-235, and \$14,500.00 in Account No. 8-05-55-500-4AE, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, an Agreement for professional services with Gerard Stankiewicz of Samuel Klein and Company, a copy of which is attached hereto, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the Office of the Borough Clerk.

ADOPTED: ATTEST:	February 20	0, 2018	
Joan Hulling	s, BOROUG	H 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 20<sup>th</sup> day of February 20, 2018.

Joan Hullings, Borough Clerk

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

### RESOLUTION TO REQUEST APPROVAL FOR 2018-2019 CDBG FUND ALLOCATION

RESOLUTION: Economic Development & Planning Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following schedule of proposed use of CDBG funds allocated to the Borough of Highland Park for the funding period 2017-2018 be and the same is hereby approved and a certified copy hereof be submitted to the Middlesex County Housing and Community Development Committee for their approval. If there is a reduction in the CDBG allocation, the reduction should be divided evenly to each project.

Main Street Highland Park –	Façade Improvement Program	\$ 5,000.00	)
Dept. of Recreation & Arts:	Senior Transportation	\$ 7,636.00	)
Dept. of Recreation & Arts:	Senior Outreach Program	\$10,765.00	
Dept. of Recreation & Arts:	Senior Medical Transportation	\$ 7,636.00	)
Dept. of Recreation & Arts:	Summer Camp Program	\$10,150.00	)
Dept. of Recreation & Arts:	Teen Youth Programming/Outreach	\$12,250.00	)
Community Recycling Progra	am	\$ 2,130.00	)
Food Pantry	$\wedge$	\$ 3,000.00	)
TOTAL		\$58,567.00	<u>)</u>
ADOPTED: February 20, 2	018		
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 20<sup>th</sup> day of February, 2018.

Joan Hullings, Borough Clerk

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

### RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

**RESOLUTION: Finance Committee** 

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

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

The bills approved for payment at this meeting, Bills List 2/20/2018 can be found in the Bills List Journal Book No. 37.

Bills List Journal Book No. 37.	•
ADOPTED: February 20, 2018	

Joan Hullings, BOROUGH CLERK

ATTEST:

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 20<sup>th</sup> day of February, 2018.

Joan Hullings, Borough Clerk

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