

BOROUGH OF HIGHLAND PARK  
REGULAR MAYOR & COUNCIL MEETING  
SEPTEMBER 4, 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. Ceremonial Swearing-In of Newest Council Member Matthew Hale.
5. Presentation by Nicole Huff, Senior Outreach Coordinator
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 advertising Amending Bond Ordinance (Amending 15-1881, 15-1894, 15-1897 and 17-1928), for consideration of passage on final reading by title.
  - a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 9-18-235 Resolution to adopt/reject and advertise ordinance on final reading by title.  
**MOTION** adopt/reject

**ROLL CALL VOTE**

12. Clerk reports advertising Bond Ordinance Providing for the Purchase and Installation of Large Diameter Water Meters, for consideration of passage on final reading by title.
- a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 9-18-236 Resolution to adopt/reject and advertise ordinance on final reading by title.
- MOTION** adopt/reject **ROLL CALL VOTE**

13. Clerk reports advertising 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 final reading by title.
- a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 9-18-237 Resolution to adopt/reject and advertise ordinance on final reading by title.
- MOTION** adopt/reject **ROLL CALL VOTE**

14. Clerk reports advertising Bond Ordinance for Various 2018 Roadway Improvements, for consideration of passage on final reading by title.
- a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 9-18-238 Resolution to adopt/reject and advertise ordinance on final reading by title.
- MOTION** adopt/reject **ROLL CALL VOTE**

15. Clerk reports advertising Bond Ordinance for Acquisition of Police, Fire and Public Works Equipment, for consideration of passage on final reading by title.
- a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 9-18-239 Resolution to adopt/reject and advertise ordinance on final reading by title.
- MOTION** adopt/reject **ROLL CALL VOTE**

16. Clerk reports introduction of Ordinance to Require Inspections and the Issuance of Certificates of Continued Occupancy for Multi-Dwelling and Apartment Buildings at the Time of Sale for consideration of passage on first reading by title.
- a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.  
(Resolution No. 9-18-240)
- ROLL CALL VOTE**

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

- ROLL CALL VOTE**
17. \*9-18-241 Resolution to Issue Duplicate Tax Sale Certificates for 336 Becker Street, Block 80, Lot 5, and 307 Grant Avenue, Block 168, Lot 52.
18. \*9-18-242 Resolution Authorizing Agreement with De Lacy Davis Consultants LLC to Conduct an Archival Study to Examine Police Department Traffic Stop and/or Street Stop Data.

19. \*9-18-243 Resolution Authorizing Arts Commission to Apply for a Middlesex County Cultural Heritage History Grant.
20. \*9-18-244 Resolution Authorizing Shade Tree Advisory Committee to Apply for a Sustainable New Jersey Grant.
21. \*9-18-245 Resolution Authorizing Use of Competitive Contracting under the Local Public Contracts Law for Purposes of Basic Life Support Ambulance Services.
22. \*9-18-246 Resolution to Authorize Release of Performance Bond – 1177 Raritan Plaza, LLC, Block 123, Lot 25.
23. \*9-18-247 Resolution to Amend Professional Service Agreement – CME Associates – Senior/Youth Center Emergency Generator.
24. \*9-18-248 Resolution Authorizing Repair of Fire Engine Generator with Fire & Safety Services.
25. \*9-18-249 Resolution in Support of Electric Vehicles.
26. \*9-18-250 Resolution Referring Area in Need of Study for 31 River Road to the Planning Board.
27. \*9-18-251 Resolution to Amend Annual Salary Resolution.
28. \*9-18-252 Resolution Authorizing Refund of Vacant & Abandoned Properties Registration Fees
29. \*9-18-253 Resolution to Approve On-Premise Raffle – Transfiguration of the Lord Church
30. \*9-18-254 Resolution to Approve Bills List.

**\*MOTION** adopt/reject

**ROLL CALL VOTE**

31. \*9-18-255 Executive Session: Litigation – Buckwoods Update  
**MOTION** adopt/reject. **ROLL CALL VOTE**

32. Mayor Brill Mittler appoints the following:

William Winfrey  
**MOTION TO CONFIRM**

Safe Walking and Cycling Committee  
**ROLL CALL VOTE**

33. Open items.

34. Public Discussion.

35. **MOTION** to adjourn to Conference Meeting.

BOROUGH OF HIGHLAND PARK  
No. 9-18-235

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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, passed on final reading at this meeting be delivered to the Mayor for her 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
BOND ORDINANCE NUMBER 18-1965

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

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

ADOPTED ON SECOND READING

DATED: September 4, 2018

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

APPROVAL BY THE MAYOR ON THIS 4<sup>th</sup> DAY OF September, 2018

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

BOROUGH OF HIGHLAND PARK  
No. 9-18-236

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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, passed on final reading at this meeting be delivered to the Mayor for her 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Driblin				
George				
Hale				
Kim-Chohan				
Welkowitz				



**BOROUGH OF HIGHLAND PARK  
BOND ORDINANCE NUMBER 18-1966**

**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

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

ADOPTED ON SECOND READING

DATED: September 4, 2018

BOROUGH OF HIGHLAND PARK  
No. 9-18-237

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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, passed on final reading at this meeting be delivered to the Mayor for her 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Finc				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Weikowils				

BOROUGH OF HIGHLAND PARK  
BOND ORDINANCE NUMBER 18-1967

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



BOROUGH OF HIGHLAND PARK  
No. 9-18-238

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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, passed on final reading at this meeting be delivered to the Mayor for her 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Noes	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kim-Choltan				
Welkowitz				

**BOROUGH OF HIGHLAND PARK  
ORDINANCE NUMBER 1968**

**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.

**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

APPROVED BY THE MAYOR THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018.

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GAYLE BRILL MITTLER,  
Mayor

DRAFT

BOROUGH OF HIGHLAND PARK  
No. 9-18-239

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 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, passed on final reading at this meeting be delivered to the Mayor for her 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES				
Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dubin				
George				
Hale				
Kim-Chohan				
Welkoffs				

BOROUGH OF HIGHLAND PARK  
MIDDLESEX COUNTY, NEW JERSEY

ORDINANCE NUMBER 18-1969

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 \$15,000 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
<b>TOTALS</b>	<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**

\_\_\_\_\_  
**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**

BOROUGH OF HIGHLAND PARK  
NO. 9-18-240

RESOLUTION: Economic Development and Planning

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY REQUIRING INSPECTIONS AND THE ISSUANCE OF CERTIFICATES OF CONTINUED OCCUPANCY FOR MULTI-DWELLING AND APARTMENT BUILDINGS AT THE TIME OF SALE 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, October 2, 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

**Borough of Highland Park  
Ordinance No.**

**AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX  
COUNTY REQUIRING INSPECTIONS AND THE ISSUANCE OF CERTIFICATES OF  
CONTINUED OCCUPANCY FOR MULTI-DWELLING AND APARTMENT  
BUILDINGS AT THE TIME OF SALE**

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

1. Chapter 135, Building Construction, of the "Code of the Borough of Highland Park, 2010" is amended by adding thereto a new Section 135-28 requiring Certificate of Continued Occupancy Inspections at the time of the sale for multiple dwelling and apartment buildings within said Borough and shall read as follows:

Section 135-28. Multi-Dwelling and Apartment Building Inspections at the Time of Sale. The Department of Code Enforcement shall inspect and issue Certificates of Continued Occupancy on the sale of residential multiple dwelling units and apartment buildings in order to ensure compliance with the various codes set forth in Section 135-22 hereinabove. For purposes of this section, a residential multiple dwelling or apartment shall include dwellings of four or more residential units. The purpose of enforcing at the time of sale the codes referenced in Section 135-22 hereinabove is to ensure that the care and maintenance of these structures comply with said codes in order to protect the health, safety and welfare of the citizens of the Borough of Highland Park.

In performing said inspections, the following fees shall be charged to the seller of the residential multiple dwelling unit or apartment buildings:

A. Less than 9 units:	\$ 75.00 per unit
B. 10-50 units:	\$1,500.00 flat fee
C. 51-100 units:	\$2,500.00 flat fee
D. 101 or more units:	\$3,000.00 flat fee
E. Commercial space:	\$ 300.00 plus per dwelling unit fee above

2. This Ordinance shall take effect upon its passage and publication as provided for by law.



Introduced and Passed on First Reading:

Adopted: \_\_\_\_\_, 2018

Approved: \_\_\_\_\_, 2018

Attest: \_\_\_\_\_  
Joan Hallings, Borough Clerk

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

RECORD OF COUNCIL VOTES

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

DRAFT

BOROUGH OF HIGHLAND PARK  
NO. 9-18-241

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 #11-00057; Tax Sale Certificate for #13-00051 and #12-00093 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-242

RESOLUTION TO EXECUTE AGREEMENT WITH  
DELACY DAVIS CONSULTANTS LLC

RESOLUTION: Council As A Whole

WHEREAS, the Borough of Highland Park is interested in conducting an archival study to examine police department traffic stop and/or street stop data; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, that it does hereby authorize the Mayor to execute an Agreement with De Lacy Davis Consultants LLC to conduct an archival study to examine police department traffic stop and/or street stop data.

BE IT FURTHER RESOLVED that the Borough Clerk shall send a certified copy of this Resolution to De Lacy Davis Consultants LLC; and

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this award of contract.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-243

RESOLUTION: Community Services

WHEREAS, the Borough of Highland Park Arts Commission desires to apply for and obtain a Grant from the Middlesex County Cultural & Heritage Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Arts Commission is hereby authorized and directed to execute the application for the Middlesex County Cultural & Heritage History Grant on behalf of the Borough to the Middlesex County Cultural & Heritage Commission;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Liaison to the Arts Commission.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Pino				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Wetkovich				

BOROUGH OF HIGHLAND PARK  
NO. 9-18-244

RESOLUTION: Community Services

WHEREAS, Sustainable New Jersey has grants of volunteer time available through the TCNJ Center for Community Engaged Learning and Research Opportunity for Volunteer Services; and,

WHEREAS, the grant could provide Volunteer Services Opportunities in Highland Park for possible projects including establishing and/or maintaining a community garden/raingarden, removing invasive species from a park as part of a larger community improvement plan, tree and shrub planting for reforestation and erosion control; and

WHEREAS, the grant could provide significant assistance to the volunteer members of STAC, the Environmental Commission and Sustainable Highland Park in accomplishing their respective missions, and also contributing to the maintenance of Highland Park's Sustainable New Jersey Silver Certification and/or achieve Gold Certification:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Shade Tree Advisory Committee is hereby authorized and directed to apply and execute the application for the Sustainable New Jersey has grants of volunteer time available through the TCNJ Center for Community Engaged Learning and Research Opportunity for Volunteer Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Liaison to the Shade Tree Advisory Committee.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-245

RESOLUTION AUTHORIZING USE OF COMPETITIVE CONTRACTING  
UNDER THE LOCAL PUBLIC CONTRACTS LAW FOR PURPOSES  
OF BASIC LIFE SUPPORT AMBULANCE SERVICES

RESOLUTION: Council as a Whole

WHEREAS, the Borough of Highland Park ("Borough") desires to contract with a private vendor for purposes providing emergency medical services, and more specifically basic life support ambulance services, to members of the community; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Borough may use competitive contracting in lieu of public bidding for procurement of specialized goods and services, including but not limited to under subsection f. thereof, which allows contracting for emergency medical services; and

WHEREAS, under the competitive contracting process, a contract for emergency medical services, if awarded, would be awarded to that entity submitting a proposal that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price; and

WHEREAS, the Borough desires to conduct the solicitation process for the aforesaid goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey, that the Administrator is hereby authorized and directed to utilize and administer the competitive contracting process as set forth in N.J.S.A. 40A:11-4.1 et seq., to procure a contract for emergency medical services, and more specifically for basic life support ambulance services, pursuant to the rules governing the competitive contracting process.

ADOPTED: September 4, 2018  
ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 1<sup>st</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-246

RESOLUTION TO AUTHORIZE REDUCTION OF PERFORMANCE BOND  
1177 RARITAN PLAZA, LLC – BLOCK 123, LOT 25

RESOLUTION: Economic Development and Planning Committee

WHEREAS, on April 26, 2012, 1177 Raritan Plaza, LLC, heretofore posted with the Borough of Highland Park a surety performance bond, No. FP0017360, issued by First Indemnity of America Insurance Company in the amount of \$143,762.58 and a cash surety bond (check #1089) in the amount of \$15,973.62, for a total amount of \$159,736.20, in connection with a site plan application on the property known as Block 123, Lot 25, in the Borough of Highland Park; and

WHEREAS, on April 23, 2103, the Borough Council authorized a reduction in performance bond, No. FP0017360, issued by First Indemnity of America Insurance Company by \$111,815.32 to \$47,920.86, subject to payment of all current inspection fees and/or any other outstanding Borough fees; and

WHEREAS, 1177 Raritan Plaza, LLC has requested that the performance bond be released; and

WHEREAS, CME Associates, Borough Engineer, has inspected the site in the field and found that all of the required work has been satisfactorily completed and recommends that the bond be released;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the performance bond heretofore posted by 1177 Raritan Avenue in the amount of \$47,920.86 and cash bond in the amount of \$15,973.62 on deposit for Block 123, Lot 25 in Highland Park, shall be and is hereby released, subject to the following:

1. Posting of a 2-year Maintenance Bond in the amount of \$23,960.43.
2. Payment of any outstanding engineering inspection fees.
3. Payment of any outstanding Borough fees.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Engineer, the Construction Official and 1177 Raritan Avenue.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kin-Chohan				
Welkowitz				

BOROUGH OF HIGHLAND PARK  
NO. 9-18-247

RESOLUTION TO AMEND PROFESSIONAL SERVICE AGREEMENT – CME ASSOCIATES  
SENIOR/YOUTH CENTER EMERGENCY GENERATOR

RESOLUTION: Public Works & Public Utilities Committee

WHEREAS, pursuant to Resolution No. 6-17-216 adopted by the Borough Council of the Borough of Highland Park on the 13<sup>th</sup> day of June, 2017, a professional services agreement for services of an engineer to provide construction administration services in connection with the installation of an emergency generator at the senior/youth center, in accordance with letter proposal from Bruce M. Koch, CME Associates, dated May 11, 2017, attached to the original of this resolution, in the amount of \$9,915.00; and

WHEREAS, additional services are needed in connection with the project as described in the proposal attached to the original of this resolution; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-827-205 in amount of \$8,208.50 and Account No. C8-01-20-185-2EN in the amount of \$791.50, for a total amount not to exceed \$9,000.00, upon adoption of the 2008 budget, as reflected by the Certification of Funds Available by Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the amendment to the Professional Services Agreement approved on June 13, 2017 by Resolution No. 6-17-216, shall be and is hereby amended to reflect the additional fees; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to David J. Samuel, CME Associates, and Chief Financial Officer.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Hine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				
Welkoffts				

VERIFIED AND ENCUMBERED  
AVAILABILITY OF FUNDS \$ \_\_\_\_\_  
ACCOUNT NO. \_\_\_\_\_  
P.O. NO. \_\_\_\_\_  
BY: \_\_\_\_\_  
FINANCIAL DIRECTOR



BOROUGH OF HIGHLAND PARK  
NO. 9-18-248

RESOLUTION TO APPROVE EMERGENCY GENERATOR REPAIRS TO ENGINE FOUR

RESOLUTION: Public Safety Committee

WHEREAS, Engine Four of the Highland Park Fire Department is in need of emergency generator repairs, as more fully described on the attached; and

WHEREAS, the repair is proprietary and will have to go back to the manufacturer for repairs; and

WHEREAS, the Fire Chief has recommended that said repairs be performed by Fire and Safety Services, Ltd., South Plainfield, NJ; and

WHEREAS, funds shall be made available for this purpose in Account No. 8-01-26-315-2FF in the amount of \$7,200.00, as reflected by the certification of funds by Chief Financial Officer shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Fire Chief is hereby authorized and directed to accept the quote for the repairs to Engine Four from Fire and Safety Services, Ltd., South Plainfield, NJ, at a total cost of \$7,200.00.

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

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk


I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fire				
Foster-Dublin				
George				
Hale				
Kim-Cohan				
Welkowitz				

VERIFIED AND ENCUMBERED AS TO:  
AVAILABILITY OF FUNDS \$ \_\_\_\_\_  
ACCOUNT NO. \_\_\_\_\_  
P.O. NO. \_\_\_\_\_  
BY:

  
FINANCE DIRECTOR

**BOROUGH OF HIGHLAND PARK**

**NO. 9-18-249**

**Municipal Resolution in support of Electric Vehicles**

**WHEREAS**, the municipality of the Borough of Highland Park is committed to fostering increased adoption of electric vehicles and needed infrastructure in order to reduce global warming pollution and improve air quality in the municipality, the state, and nationally;

**WHEREAS**, Electrify New Jersey, in partnership with Jersey Renewables, a state coalition promoting the transition to clean, renewable energy in New Jersey, and ChargeEVC, an diverse electric vehicle coalition, have developed a comprehensive framework to serve as a roadmap for creating a sustainable and growing EV market in New Jersey; and

**WHEREAS**, the Electrify New Jersey roadmap includes recommended goals and policy actions designed to:

- Expand public charging infrastructure;
- Foster greater affordability of EVs to increase adoption;
- Ensure sufficient private charging infrastructure;
- Ensure electrification solutions to reach all communities equitably;
- Ensure long term funding for the transportation trust fund;
- Build consumer awareness; and
- Support market development efforts; and

**WHEREAS**, electrifying the state's transportation system is one of the top priorities stated in the Jan. 1, 2018 recommendations of New Jersey Governor Phil Murphy's Environment and Energy Transition Advisory Committee; and

**WHEREAS**, the widespread adoption of Electric Vehicles (EVs) will bring significant economic benefit, including lower electricity rates by recreating a more resilient and responsive electric grid and reduced vehicle operating costs, and substantial emission reductions that result in cleaner air for everyone; and

**NOW THEREFORE BE IT RESOLVED** that the Council of the municipality of the Borough of Highland Park, County of Middlesex, State of New Jersey, supports the implementation of New Jersey's Clean Car standards, the ability of states that adopt Clean Car standards to have stronger safeguards to protect the health of New Jerseyans above and beyond federal standards, and in opposition to efforts at the federal level by the current administration or Congress to weaken these standards or usurp local control to protect the state's residents from air pollution from the transportation sector.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded Environment New Jersey, 137 W. Hanover Street, Trenton, NJ 08618

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4th day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

**RECORD OF COUNCIL VOTES**

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

**BOROUGH OF HIGHLAND PARK  
RESOLUTION NO. 9-18-250**

**RESOLUTION OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS 31 RIVER ROAD AND IDENTIFIED AS BLOCK 183, LOT 24 ON THE TAX MAP OF THE BOROUGH SHOULD BE DESIGNATED AS AN 'AREA IN NEED OF REDEVELOPMENT' PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes a municipality to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the Municipal Council (the "**Council**") of the Borough of Highland Park (the "**Borough**") must authorize the Planning Board of the Borough (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough that an investigation occur with respect to certain property within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 183, Lot 24 on the tax map of the Borough (the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-3* or *5*, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Borough and Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain (hereinafter referred to as a "**Non-condemnation Redevelopment Area**").

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and 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 Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-3* or *5* to be designated as an area in need of redevelopment under the Redevelopment Law.

**Section 3.** As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

**Section 4.** The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Borough or Borough Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-condemnation Redevelopment Area.

**Section 5.** At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

**Section 6.** After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or some of the Study Area as an area in need of redevelopment.

**Section 7.** This Resolution shall take effect immediately.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Pine				
Foster-Dublin				
George				
Hale				
Kim-Choban				
Walkovits				

BOROUGH OF HIGHLAND PARK  
No. 9-18-251

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:

JAMES CURRAN, Public Safety Telecommunicator, at an annual salary of \$41,784.00 effective September 1, 2018.

DEBORAH KIDDICK SMITH, Crossing Guard, at an annual salary of \$8,677.00, effective September 1, 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:

XIAOCHEN CHEN, Library Page, at an hourly rate of \$8.60, effective September 5, 2018.

FINEGAN GIRVAN, Library Page, at an hourly rate of \$8.60, effective September 5, 2018.

DVIR RAVEH, Recreation Assistant, at an hourly rate of \$16.21, effective August 20, 2018.

ISABELLA GODISH, Seasonal Recreation, at an hourly rate of \$8.60, effective August 20, 2018.

OLIVIA WEAVER, Seasonal Recreation, at an hourly rate of \$8.60, effective August 20, 2018.

MAKENZIE VOLPERT, Seasonal Recreation, at an hourly rate of \$8.60, effective August 20, 2018.

KATIE VOLPERT, Seasonal Recreation, at an hourly rate of \$8.60, effective August 20, 2018.

FREDERICK DIAZ, Seasonal Recreation, at an hourly rate of \$8.60, effective August 20, 2018.

ELI SCHWARTZ, Seasonal Recreation, at an hourly rate of \$8.60, effective August 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:

PATRICIA MCDANIEL, removed as Library Page, effective August 14, 2018.

SUMMER CAMP: All resignations effective August 24, 2018.

**BE IT FURTHER RESOLVED** that the Finance Director be 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4th day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

DRAFT

BOROUGH OF HIGHLAND PARK  
NO. 9-18-252

RESOLUTION TO REFUND VACANT AND ABANDONED PROPERTIES REGISTRATIONS

RESOLUTION: Finance Committee

**WHEREAS**, under the provisions of the adopted ordinance number 17-1940 of the Borough of Highland Park, County of Middlesex, State of New Jersey requiring the registration of vacant and abandoned properties; and

**WHEREAS**, the Tax Collector of the Borough of Highland Park had collected payments in error with regards to the above referenced provisions, as such amount were collected from third party representatives ie: (lien holders); and

**WHEREAS**, the Tax Collector of the Borough of Highland Park has certified refund amounts are due on the below amounts, whereas found to be required.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized and directed to remit the following described property the amount of the Vacant and Abandoned Properties Registration fees:

<u>REFUND TO</u>	<u>PROPERTY</u>	<u>AMOUNT OF REFUND</u>
Trystone Capital Assets PO Box 1030 Brick NJ 08723 PM-00001	805 Eden Avenue	\$1,509.23
Trystone Capital Assets PO Box 1030 Brick, NJ 08723 PM-00018	147 Barnard Street	\$ 500.56
BV002 Trust & Creditors c/o Blue Virgo Capital Management 164 Mason Street, 2 <sup>nd</sup> Floor South Greenwich, CT 06830 PM-00025	109 North 6 <sup>th</sup> Ave	\$ 500.56

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Finance Director, Tax Collector and Code Enforcement Officer.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-253

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 On-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on October 12, 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: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hale				
Kijj-Chohan				
Velkovits				



BOROUGH OF HIGHLAND PARK  
NO. 9-18-254

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 9/4/2018 can be found in the Bills List Journal Book No. 37.

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK  
NO. 9-18-255

RESOLUTION AUTHORIZING EXECUTIVE SESSION

RESOLUTION: Council as a Whole

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

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

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

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

ADOPTED: September 4, 2018

ATTEST:

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

I, Jennifer Santiago, Deputy 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 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Jennifer Santiago, Deputy Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hersh				
Klin-Chohan				
Welkowitz				