#### BOROUGH OF HIGHLAND PARK REGULAR MAYOR & COUNCIL MEETING AUGUST 8, 2017 - 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. **MOTION** to approve minutes of the Regular and Conference Meetings held May 2, 2017, as distributed.
- 5. Council Reports.
- -6. Borough Administrator's Report.
- 7. Borough Attorney's Report.
- 8. Mayor's Report.
- 9. Public Discussion. (15 minutes)
- 10. Clerk reports advertising Safe Walking and Cycling Committee Ordinance Amendment, for consideration of passage on final reading by title.
  - a. **MOTION** to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 8-17-245 Resolution to adopt/reject and advertise ordinance on final reading by title.

**MOTION** adopt/reject

**ROLL CALL VOTE** 

- 11. Clerk reports advertising Acquisition of Property Ordinance Raritan Avenue, for consideration of passage on final reading by title.
  - a. MOTION to take up ordinance on final reading by title.
  - b. Public Hearing.
  - c. 8-17-246 Resolution to adopt/reject and advertise ordinance on final reading by title.

**MOTION** adopt/reject

**ROLL CALL VOTE** 

- 12. Clerk reports introduction of Capital Ordinance Amendment, for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title. (Resolution No. 8-17-247) **ROLL CALL VOTE**
- 13. Clerk reports introduction of Land Use Ordinance Amendment, for consideration of passage on first reading by title.
  - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title. (Resolution No. 8-17-248) **ROLL CALL VOTE**

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

**ROLL CALL VOTE** 

14.	*8-17-249	Resolution to Approve Taxi Operators – 2017.
15.	*8-17-250	Resolution to Authorize Execution of Agreement with Middlesex Water Company.
16.	*8-17-251	Resolution to Amend Annual Salary Resolution.
17.	*8-17-252	Resolution to Reject Bid for Senior Center Roof Replacement.
18.	*8-17-253	Resolution to Authorize Lease of Postage Machine.
19:	*8-17-254	Resolution to Refund Municipal Court Fee.
20.	*8-17-255	Resolution Urging State Legislature to Extend 2% Cap on Police and Fire Arbitration Contract Awards.
21.	*8-17-256	Resolution Authorizing Execution of Memorandum of Understanding Between the New Jersey Board of Public Utilities and the Borough of Highland Park in Connection with the Town Center Distributed Energy Resource Microgrid Feasibility Study Incentive Program.
22.	*8-17-257	Resolution to Establish Sustainability Officers.
23.	*8-17-258	Resolution to Release Performance Bond – Parker III Assisted Living, Block 189, Lot 3.

#### MAYOR AND COUNCIL REGULAR MEETING <u>AGENDA</u> – AUGUST 8, 2017 PAGE 3

24.	*8-17-259	Resolution to Approve Change Order No. 1 – Z Brothers, Inc. Improvements to Grant Avenue, Felton Avenue and Graham Street.				
25.	*8-17-260	Resolution Designating Septemb	per as Safe Walking/Cycling Month.			
26.	*8-17-261	Resolution Authorizing Executive	e Session.			
27.	*8-17-262	Resolution Approving Bills List.				
	MOTION TO	ADOPT	ROLL CALL VOTE			
28.	Mayor Brill Mit	ttler appoints the following:				
	Kira Herzog. S	Student Member	Sustainable Highland Park			
	MOTION TO	CONFIRM	ROLL CALL VOTE			
29.	Open items.					
	a.					
	b.					
	C.					
	d.					
30.	Public Discuss	sion.				
31.	MOTION to ac	djourn to Conference Meeting.				

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: August 8, 2017

ATTEST:

Joan Hullings, Borough Clerk roug ark, New Jersey, do I, Joan H llings, pro of Highland olutid ted by e Borough Council of hereby certify the above t be e 8<sup>th</sup> da said Borough on of ugus Joan Hullings, Borough Clerk

RECORD OF COCHOIC FOTES						
Council Member	Ayes	Nays	Abstain	Absent		
Fine						
Foster-Dublin						
George						
Hersh						
Kim						
Welkovits						

#### BOROUGH OF HIGHLAND PARK ORDINANCE NO. 17-1945

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 2-43, SAFE WALKING AND CYCLING COMMITTEE

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

SECTION I. Chapter 2-43 of the "Revised General Ordinances of the Borough of Highland Park, 1987" is amended to read as follows ([bracketed] words are to be deleted; underlined words are to be added):

#### 2.43. SAFE WALKING AND CYCLING COMMITTEE.

#### Section 2-43.1 Created.

There is hereby created in and for the Borough of Highland Park a Safe Walking and Cycling Committee. The purpose of the Committee will be to <u>undertake efforts in order to</u> advise, review and monitor implementation of policies <u>and programs</u> affecting travel on foot and by bicycle within Highland Park and between Highland Park and neighboring communities. The Committee shall consist of the personal park and programs affecting travel or the shall consist of the personal park and neighboring communities.

#### Section 2 13.2 Ap bin nent

All members of the Committee shall be appointed by the Mayor with the advice and consent of Council. All appointments shall be for terms of three (3) years. All members shall serve until their successors have been appointed and qualified.

In addition to the regular members, a sworn officer of the Police Department will serve on the Committee in an ex-officio capacity, as well as representatives from the Planning Board, Board of Adjustment and Code Enforcement on an as needed basis. [The Council's liaison for Public Safety shall also serve on the Committee ex officio.]

[A member of the Committee will serve on the Planning Board in an ex officio capacity.]

#### Section 2-43.3 Meetings.

The Committee shall meet for the purpose of organizing and electing a [chairman, secretary] chair and vice chair and such other officers as it deems appropriate within thirty (30) days of the effective date of this section. The Committee shall meet at such times and places as it deems appropriate provided that an organization meeting shall be held in January of each consecutive year.

#### Section 2-43.4 Powers and Duties.

#### The Committee shall:

- a. review all Borough proposals relating to the use of sidewalks and roads, including, but not limited to, paving, traffic, signage, parking, buses, public transportation, snow removal, and <u>sanitation/recycling collection</u>.
- b. review construction proposals, particularly those before the Planning Board, <u>Board of Adjustment</u>, <u>and Redevelopment Agency</u> which may affect pedestrian, cyclist, or vehicular traffic on roads or sidewalks, either during or after construction.
- c. provide to the Borough Council, Planning Board, <u>Board of Adjustment</u>, <u>and Redevelopment Agency</u> and/or any other relevant body the Committee's written assessment of its findings, either approving or rejecting the plans for same. In the case of a rejection, the Committee will provide specific reasons for its position and suggest modifications to same.
- d. Work with the Borough Council to <u>update and</u> implement relevant plans such as the Highland Park Master Plan and [the 2007 report of the Task Force on Pedestrian and Bicycle Safety] other relevant reports.
- e. Draft new paper als to pomote salt walking and cycling for submission to be Borou h Council.
- f. Present annual report the Bornig Council on the Committee's activities in the prior year and submitting recommendations on future actions.
- g. Represent the Mayor/Council as appropriate in discussions with neighboring towns and Rutgers University to pedestrian and bike safety initiatives.

#### Section 2-43.5 Funding.

The Committee will receive its operating budget from the Borough Council, and shall also have the authority to apply for external grants to support the Committee's purpose, powers and duties.

SECTION II. That this Ordinance shall take effect immediately upon passage, adoption and publication according to law.

Introduced on first reading By title: July 11, 2017

ADOPTED: August 8, 2017

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APPROVED: August 8, 2017

Joan Hullings Borough Clerk GAYLE BRILL MITTLER Mayor

## DRAFT

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, , AN ORDINANCE PURSUANT TO N.J.S.A. 40A:12-3 ET SEQ. BY THE BOROUGH OF HIGHLAND PARK AUTHORIZING THE ACQUISITIONOF 212 RARITAN AVENUE (BLOCK 22, LOT 4, BOROUGH OF HIGHLAND PARK TAX MAP) FOR A SUM NOT TO EXCEED \$420,000. SAID ACQUISITION BEING MADE AS A PART OF THE BOROUGH SQUARE REDEVELOPMENT PROJECT, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: August 8, 2017

ATTEST:



Joan Hullings, Borough Clerk

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

#### Borough of Highland Park Ordinance No. 17-1946

AN ORDINANCE PURSUANT TO *N.J.S.A.* 40A:12-3 *ET SEQ.* BY THE BOROUGH OF HIGHLAND PARK AUTHORIZING THE ACQUISITION OF 212 RARITAN AVENUE (BLOCK 22, LOT 4 BOROUGH OF HIGHLAND PARK TAX MAP) FOR A SUM NOT TO EXCEED \$420,000. SAID ACQUISITION BEING MADE AS A PART OF THE BOROUGH SQUARE REDEVELOPMENT PROJECT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HIGHLAND PARK; COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

- 1. The Borough of Highland Park is hereby authorized to acquire certain real property commonly known as 212 Raritan Avenue and designated on the Highland Park Tax Map as Block 22, Lot 4 as a part of the Borough Square Redevelopment Project for a sum not to exceed \$420,000.00.
- 2. Funding for this purpose has been heretofore appropriated by the Borough of Highland Park by virtue of the Borough's adoption of Capital Bond Ordinance No. 15-1881 on February 17, 2015.

3. directed to ex acquire title to	kecu <u>te a Čo</u> ntract <u>of Sale</u>	the Borough of Highland Park are hereby authorized and all other necessary real estate documents in order to	
4. law.	The Ordina ce	effect (pon passa e and publica on as provided for b	y
Introduced or By Title: July	n First Reading v 11, 2017		
Adopted: Au	gust 8, 2017	Approved: August 8, 2017	
Attest:	Hullinas, Borouah Clerk	Gavle Brill Mittler, Mayor	

**RESOLUTION: Finance Committee** 

WHEREAS, an Ordinance entitled, CAPITAL ORDINANCE AMENDING AND RESTATING CAPITAL ORDINANCE NUMBER 15-1896, HERETOFORE FINALLY ADOPTED BY THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH") ON DECEMBER 1, 2015 PROVIDING FOR ACQUISITION OF A GENERATOR FOR THE SENIOR/YOUTH RECREATION CENTER, IN AND BY THE BOROUGH OF HIGHLAND PARK, APPROPRIATING \$132,800.00 TO PAY THE COST THEREOF, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on September 5, 2017, 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 conside al pas foresaid aye as

cop II be posted on the URTHE ance st BE IT RE that of sa land Park, Nev Jersey, forthwith and th Fift Hig bulletin board Borough Hall members of the general public of that the Borough Clerk ave ers of the gereral public who may Highland Park copies of said Ordinand → for those in request the same.

ADOPTED: August 8, 2017	
ATTEST:	
Joan Hullings, Borough Clerk	
	Clerk of the Borough of Highland Park, New Jersey, do herebopy of a resolution adopted by the Borough Council of sa

Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

### BOROUGH OF HIGHLAND PARK ORDINANCE NUMBER 17-

CAPITAL ORDINANCE AMENDING AND RESTATING CAPITAL ORDINANCE NUMBER 15-1896 HERETOFORE FINALLY ADOPTED BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH") ON DECEMBER 1, 2015 PROVIDING FOR ACQUSITION OF A GENERATOR FOR THE SENIOR/YOUTH RECREATION CENTER, IN AND BY THE BOROUGH, APPROPRIATING \$132,800.00 TO PAY THE COST THEREOF

WHEREAS, the Borough Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough") heretofore finally adopted Capital Ordinance Number 15-1896 on December 1, 2015, entitled "Capital Ordinance Providing for the Acquisition of a Generator for the Senior/Youth Recreation Center, in and by the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough"); Appropriating \$132,800.00 Therefor to Pay the Cost Thereof" (the "Original Ordinance"); and

WHEREAS, the Borough needs to increase the ordinance to fund additional expenditures as relates to the acquision are established in the Original Ordinance Number 5-195; and Whereas, the Borough coancil of the Borough desires to amend and restate the Original Ordinance in its entirety in order to increase the appropriation therein by \$11,000.00, from \$132,800.00 to \$143,800.00.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

Section 1. Capital Ordinance Number 15-1896 heretofore finally adopted by the Borough Council of the Borough on December 1, 2015, entitled "Capital Ordinance Providing for the Acquisition of a Generator for the Senior/Youth Recreation Center, in and by the Borough of Highland Park, in the County of Middlesex, State of New Jersey (the "Borough"); Appropriating \$132,800.00 Therefor to Pay the Cost Thereof" (the "Original Ordinance") is hereby amended and restated in its entirety, as follows:

follows:

'CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION/INSTALLATION OF A GENERATOR FOR THE SENIOR/YOUTH RECREATION CENTER, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$143,800.00 THEREFOR TO PAY THE COST THEREOF'.

## DRAFT

**SECTION 2.** The capital purpose described in Section 3 of this capital

ordinance is hereby authorized as a general capital purpose to be undertaken by the Borough of

Highland Park, in the County of Middlesex, State of New Jersey (the "Borough"). For the said

improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of

\$143,800.00, said sum consisting of a New Jersey Hazardous Mitigation Grant in the amount of

\$132,800.00.

SECTION 3. The capital purpose hereby authorized is the acquisition and

installation of a generator for the Senior/Youth Recreation Center located at 220 South Sixth

Avenue within the Borough.

SECTION 4. The expenditure of the \$143,800.00 appropriation, consisting of

a Grant in the amount of \$132,800.00 and \$11,000.00 from the Capital Improvement Fund, for the

purpose set forth in Section 3 hereof is hereby authorized and approved.

SECTION 5. The capital budget of the Borough is hereby amended to

conform with the provisions of this can tall organize and to the extension any inconsistency

herewith, a resolution in the proportion of the ocal mance Board howing full detail of the

amended capital bauger and capital programs as approach by the Director of the Division of Local

Government Services, New Jersey Department of Community Affairs is on file in the office of the

Clerk and is available for public inspection.

SECTION 6. This ordinance shall take effect immediately after final adoption

as described in N.J.S.A. 40:49-2."

Section 2. This ordinance shall take effect immediately after final adoption as

described in N.J.S.A. 40:49-2.

ADOPTED ON FIRST READING

DATED: August 8, 2017

JOAN HULLINGS,

**Borough Clerk** 

ADOPTED ON SECOND READING

DATED:

JOAN HULLINGS Borough Clerk

# DRAFT

RESOLUTION: Economic Development & Planning Committee

WHEREAS, an Ordinance entitled, AN ORDINANCE AMENDING CHAPTER XVII (LAND DEVELOPMENT) OF THE BOROUGH OF HIGHLAND PARK CODE, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, September 5, 2017, 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: Augu

ATTEST:

ugust 8, 201

KAH

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES						
	Council Member	Ayes	Nays	Abstain	Absent	
	Fine					
	Foster-Dublin					
	George					
	Hersh					
	Kim					
	Welkovits					

#### BOROUGH OF HIGHLAND PARK ORDINANCE NO. 17-

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK,
CHAPTER 230, "LAND DEVELOPMENT"

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

**SECTION I.** Chapter 230-5 of the Code of the Borough of Highland Park is amended to read as follows (additions to text are <u>underlined</u>; deletions are [bracketed]):

B. Upon receipt of an application for development, the Control Officer shall forward the submitted material to the municipal agency, or its authorized committee or designee, for review and to certify the application is complete. All completed applications shall be reviewed by the following agencies (Fire Official, Police Department, Environmental Commission and <u>Safe Walking and Cycling Committee</u>). Request for reviews from the Borough Engineer and/or Planner shall be optional and are to be determined by the reviewing Board.

SECTION II. Chapte 230.2 of the Orde catho Borough of Highland Park is amended to read as follows (additions to text and additions to text and additions are [bracketed]):

Whenever the Environmental Commission has prepared and submitted to the Planning Board an index of the natural resources of the municipality, the Planning Board shall make available to the Environmental Commission and Safe Walking and Cycling Committee an informational copy of every application for development to the Planning Board for review and comment. Failure of the Planning Board to make such an information copy available to the Environmental Commission and the Safe Walking and Cycling Committee shall not invalidate any hearing or proceeding.

2. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced and passed on first Reading August 8, 2017

ADOPTED:		
ATTEST:	APPROVED:	
BOROUGH CLERK	MAYOR	

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

RESOLUTION: Public Safety Committee

WHEREAS, Chimaeze Oliver Nwaro, Steven Richard Kracke, and Larry W. Sale have filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2017; and

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

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

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

ADOPTED: Aug 17
ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

RESOLUTION: Public Works & Public Utilities Committee

WHEREAS, the Agreement between the Borough of Highland Park and Middlesex Water Company for supplying water to the Borough is expired; and

WHEREAS, a proposed renewal Agreement has been prepared and reviewed by the Borough Administrator, Borough Attorney and Borough Water & Sewer Superintendent who have recommended approval of the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk be and hereby are authorized and directed to execute the original of the attached Agreement for the supply of water with Middlesex Water Company for the period January 1, 2017 to December 31, 2037.

ADOPTED: August 8, 2017

ATTEST:

I, Joan Hullings, Brough Clerk of the force gh of dighland Park New Jersey, do hereby certify the above to be a sue convert a potential of a potential potential by the brough Council of said Borough on see 8th day of Jugust, 2017

Joan Hullings, Borough Clerk

Ayes	Nays	Abstain	Absent				
	Ayes	Ayes Nays	Ayes Nays Abstain				

#### RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

**RESOLUTION: Finance Committee** 

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 3, 2017 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:

YASMINE LEKHAL, Junior Counselor, at an hourly rate of \$8.50, effective July 1, 2017.

AMELIA KOBAYASHI, Junior Counselor, at an hourly rate of \$8.50, effective July 1, 2017.

DYLAN DARKWAH, Seasonal Recreation, at an hourly rate of \$8.44, effective July 1, 2017.

	LVED that the Finance D		
make the necess the necess with the changes stablished t	this resolution	) <del>(</del>	nt in accordance
ADOPTED: Aug st 8, 20;	$\prec_{A}$		
ATTEST:		•	

Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

#### RESOLUTION TO REJECT BIDS FOR SENIOR CENTER ROOF REPLACEMENT CONTRACT

RESOLUTION: Council as a Whole

WHEREAS, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., ten (10) bids were received for the Senior Center Roof Replacement Contract ("Contract") on July 12, 2017; and

WHEREAS, the three (3) lowest apparent bids were submitted as follows:

- JDS General Contracting, Inc. \$111,400.00;
- Journey Contracting Co., Inc. \$125,000.00; and
- VMG Group \$138,250.00; and

WHEREAS, the bid submitted by JDS General Contracting, Inc. did not include a Consent of Surety as required by the Borough's Bidding Documents which, pursuant to N.J.S.A. 40A:11-23.2b., is a fatal defect that renders said bid unresponsive; and

WHEREAS, the bid submitted by Journey Contracting Co., Inc. included a Bid Bond and Consent of Surety from a Surety Company that is not named in the current list of "Surety Companies Acceptable on Federal Bonds" as required by the Borough's Bidding Documents, which renders the Bid Bond and Consent of Surety materially defective and therefore said bid unresponsive; and

WHEREAS, the Borough Engineer, in consultation with the Borough Attorney's office, recommends that the remaining eight (8) bids be rejected because the lowest bid (after the unresponsive bids) substantially exceeds the Engineer's cost estimate, and further, the Borough Engineer seeks to make clarifications to the Borough's Bidding Documents for same; and

Puk specif aliy <u>N.J.S.A.</u> 40 3.71-13.2. authorizes the WHEREAS c Contra inclu ng but not limite to whenever the lowest Borough to reject a bids for enumer ed rea rta jood e contracting unit wants bid substantially expeds the bst for the or se d when to substantially reviet the spe ons fo fica vice he ga

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

- 1. The ten (10) bids received on July 12, 2017 for the Senior Center Roof Replacement Contract are hereby rejected on the basis that the two lowest bids are unresponsive and the remaining eight (8) bids substantially exceed the Engineer's cost estimate, and further to allow the Engineer's office to make necessary clarifications to the Bidding Documents for same.
- 2. Borough staff, the Borough Engineer and the Borough Attorney are hereby authorized and directed to take all necessary action to make the necessary revisions to the specifications for the Contract and to readvertise same.

ADOPTED: August 8, 2017

ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, County of Middlesex, New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough at its meeting on the 8<sup>th</sup> day of August 8, 2017.

Joan Hullings, Borough Clerk

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

#### RESOLUTION TO AUTHORIZE LEASE OF POSTAGE MACHINE

RESOLUTION: Finance Committee

WHEREAS, the Borough of Highland Park is in need of replacing the postage machine in the Municipal Building, as more fully described on the attached proposal; and

WHEREAS, Pitney Bowes, Shelton, CT, quoted a per monthly charge of \$328.77 per month for the next 60 months for the lease of said equipment, including maintenance; and

WHEREAS, funds for this purpose are available in Account No. 7-01-20-316-202 in the amount of \$1,315.08, for the remainder of 2017 as reflected by the certification of funds by the Finance Officer, shown below; and

WHEREAS, funds for this purpose shall be appropriated in each applicable budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk is hereby authorized and directed to execute the agreement for the council postage machine Program es, 27 Waterview Dr., Shelton, CT 3484-4321 at the aforement and money charge; an

BE IT FULTHER FESC LVED hat common pier of this resolution be forwarded to the Finance Office for hwith

ADOPTED:	August 8, 2017	
ATTEST:		
Joan Hulling	s, BOROUGH CLERK	<u> </u>

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 11<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

	RECORI	OF COU	NCIL VOTES	3
Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hersh				
Kim				
Welkovits				

#### RESOLUTION TO REFUND MUNICIPAL COURT FEE

RESOLUTION: Finance Committee

WHEREAS, the Borough of Highland Park has mistakenly deposited a Municipal Court fee in the amount of \$51.00; and

WHEREAS, the Borough of Highland Park Finance Department has recorded the deposit as miscellaneous revenue within its Financial Accounting and Reporting System; and

WHEREAS, the Finance Department finds it necessary to refund the amount of \$51.00 to the Municipal Court to satisfy a claim made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of the Borough Council that a refund of \$51.00 be made to the Highland Park Municipal Court as detailed above.

ADOPTED: August 0, 2017
ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

### RESOLUTION URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATIUON CONTRACT AWARDS

RESOLUTION: Public Safety Committee

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010, the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire contract awards; and

WHEREAS, salary costs to a great extent, drive property tax increases; and

WHEREAS, in December, 2010, the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and costs under control; and

WHERE, S, the secenber, 2 10 legislation i cluded an A il 1, 2014 sunset on the 2% arbitra on cap will 2% property in any remarked permanent for municipalities and school boards; and

WHEREAS, in June, 2014, the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December, 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these costs saving measures as many police and fire contracts will come due for negotiation after the sunset date; and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Highland Park urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent;

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Senator Patrick Diegnan, Assemblyman Robert Karabinchak, Assemblywoman Nancy Pinkin, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of the State of New Jersey, the New Jersey Conference of Mayors and the League of Municipalities.

ADOPTED: August 8-2017
ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE NEW JERSEY BOARD OF PUBLIC UTILITIES AND THE BOROUGH OF HIGHLAND PARK IN CONNECTIOBN WITH THE TOWN CENTER DISTRIBUTED ENERGY RESOURCE MICROGRID FEASIBILITY STUDY INCENTIVE PROGRAM

Resolution: Public Works and Public Utilities Committee

BE IT RESOLVED by the Mayor and Borough Council that the Mayor and Borough Clerk are hereby authorized and directed to execute and attest the Memorandum of Understanding between the Borough of Highland Park and the New Jersey Board of Public Utilities attached to the original of this resolution.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Board of Public Utilities forthwith.

ADOPTED: August 8, 2017

Joan Hullings DOP JGH LERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the  $8^{\rm th}$  day of August, 2017.

Joan Hullings, Borough Clerk

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

#### RESOLUTION TO ESTABLISH SUSTAINABILITY OFFICERS

Resolution: Public Works and Public Utilities Committee

WHEREAS, the Borough Council of the Borough of Highland Park adopted Resolution No. 6-17-201 in support of certain international agreements regarding cooperation to reduce greenhouse gases and other environmental initiatives known as the Paris Agreement; and

WHEREAS, Sustainable Highland Park wishes to support Resolution No. 6-17-201; and

WHEREAS, Sustainable Highland Park recommends to the Borough Council of the Borough of Highland Park that all municipal departments, agencies, authorities and offices should participate in and support the development and implementation of sustainable practices by designating a Sustainability Officer from each department, agency, authority and office to exchange information with Sustainable Highland Park on a regular basis to increase communication and knowledge base, activities and best practices in accordance with Resolution No. 6-17-201;

NOW, THERE ORE, DE TRESOLVED by the Land of the Borough of Highland Park that Sustainability Origins by so named from all municipal departments, agencies, Lither and offices of the Land of Highland Park.

ADOPTED: August 2017

ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

### RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND FOR BLOCK 189, LOT 3 – PARKER III ASSISTED LIVING SITE PLAN AND VARIANCE

**RESOLUTION: Finance Committee** 

WHEREAS, on June 18, 2014, Francis E. Parker Memorial Home, Inc., heretofore posted with the Borough of Highland Park a Cash Surety Bond in the amount of \$16,111.32, along with Bond No. 1145722 issued by Selective Insurance Company in the amount of \$145,002.00, in connection with a site plan and variance application on the property known as Block 189, Lot 3, in the Borough of Highland Park; and

WHEREAS, Francis E. Parker Memorial Home, Inc. has requested that said performance bond be released; and

WHEREAS, CME Associates, Borough Engineer, has reviewed the site in the field and found all of the required work has been completed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the cash surety bond and performance bond heretofore posted by Francis E. Parker Memorial Home, Inc., in the amount of \$16,111.32 (cash surety bond) and \$145,002.00 (performance bond) for the site plan and variance application, shall be and is hereby released subject to the following:

- 1. Posing of a year Maintenance For I in the amount of \$24 166.98.
- 2. Payment of any obstanding engineering inspection fees.
- 3. Payment of any oristanting Boundaries.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance Department, Borough Engineer, Construction Official, and Francis E. Parker Memorial Home, Inc.

ADOPTED: August 8, 2017

Joan	Hullings,	BOROUGH	CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

## RESOLUTION TO APPROVE CHANGE ORDER NO. 1 FOR IMPROVEMENTS TO GRANT AVENUE, FELTON AVENUE AND GRAHAM STREET – Z BROTHERS CONCRETE CONTRACTORS, INC.

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, pursuant to Resolution No. 3-17-118, adopted March 21, 2017, the Borough Council authorized execution of a contract with Z Brothers Concrete Contractors, Inc. for Improvements to Grant Avenue, Felton Avenue and Graham Street, in an amount not to exceed \$538,982.97, without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for supplemental work for the above referenced project; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for additional work on Graham Street between South Second Avenue and South Third Avenue and the Firehouse Apron, work that was not anticipated at the time that plans and specifications were prepared for an additional cost of \$42,390.22; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-822-210 in the amount of \$42,390.22, as reflected by the Certification of Funds by the Finance Department, shown below; and

WHEREAS Council has reviewed the proposed Change Order No. 1 for this contract and has approved the same subject. satisfaction to N.J.A. 7 30-11.9 relating to change orders;

he Borough of Highland NOW, THEREFORE BE Bor uncil of Park that Mayor Guyle Brill little orize and directed execute Change Order be a is ha ete Contractor Inc. upon satisfaction of No. 1, dated June to th contrac Brothers on N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator. Borough Treasurer and Z Brothers Concrete Contractors, Inc. forthwith.

ADOPTED: August 8, 2017	
ATTEST:	
Joan Hullings, BOROUGH CLERK	

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

MEGGINE OF GGGINGIE TETE				
Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hersh				
Kim				
Welkovits				

#### RESOLUTION DESIGNATING SEPTEMBER AS SAFE WALKING/CYCLING MONTH

RESOLUTION: Council as a Whole

WHEREAS, Americans in general, and Highland Parkers in particular, are increasingly bicycling and walking to commute, for exercise, or just for fun; and

WHEREAS, Highland Park encourages bicycling and walking as healthy modes of transportation and exercise; and

WHEREAS, walking and bicycling can increase expose of pedestrians and cyclists to motor vehicles and other risks; and

WHEREAS, pedestrian injuries and fatalities result from a number of contributing influences including the inappropriate use of sidewalks, distracted walking and high-risk environments; and

WHEREAS, cyclist injuries and fatalities result from a number of contributing influences including violations of traffic lawns, poorly designed roads and other infrastructure, distracted drivers and other factors; and

WHEREAS, many injuries and fatalities resulting from crashes and collisions may have been prevented at a single state of the property and the engineering and an architecture of the property and the engineering and the engineer

WHEREAS, the Force h of Highla to had been recognized and continues to receive grants for educational rogrant are to increase safety, by improving lighting, signage and roadways;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that September is designated as:

#### SAFE WALKING AND CYCLING MONTH

ADOPTED: August 8, 2017

ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

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

#### 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) Sharoni v. Borough of Highland Park; (b) Schwartz v. Borough of Highland Park; (c) Redevelopment: 212 Raritan Avenue and Other Properties)

- 3. It anticipated at this true that the above stated subject matter will be made public where the example a greatest ed or as soon there fiter as it is deemed to be in the public steres to do s
- 4. This resolution shall take effect immediately

ADOPTED: August 8, 2017

ATTEST:

Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

	RECORD OF COUNCIE VOILE			
Council Member	Ayes	Nays	Abstain	Absent
Fine				
Foster-Dublin				
George				
Hersh				
Kim				
Welkovits				

#### RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

**RESOLUTION: Finance Committee** 

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

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

The bills approved for payment at this meeting, Bills List 8/8/17 can be found in the Bills List Journal Book No. 36.

ADOPTED: August 8, 2017

ATTEST:

Joan Hullings, Bo lighland Park New Jersey, do hereby Boroud of I. Joan Helings. certify the above to be a true copy of a resolution adopted by the Borough Council of said

Borough on the 8<sup>th</sup> day of August, 2017.

Joan Hullings, Borough Clerk

Council Member	Ayes	Nays	Abstain	Absent	
Fine					
Foster-Dublin				1	
George					
Hersh					
Kim					
Welkovits					