

REGULAR MEETING – APRIL 16, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, April 16, 2019 and was called to order by Mayor Brill Mittler at 7:06 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine (left meeting at 7:57 PM), Foster-Dublin (left meeting at 9:00 PM), George, Hale (arrived to meeting at 9:00 PM), Kim-Chohan, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: None.

Mayor Brill Mittler read proclamations for Sexual Assault Awareness Month/Denim Day and National Fair Housing Month.

Mayor Brill Mittler read proclamation honoring the First Responders for their response to the recent fire at Forest Glen. She invited all of the first responders named to the front of the room to be recognized. Councilwoman Foster-Dublin presented each of the first responders with a duly certified copy of the proclamation.

Mayor Brill Mittler explained that the two members of the Police Department that are being promoted tonight went through a grueling promotion process. It included oral tests, essays, some of which were 60 pages long and 85 pages long, because they are so committed to their jobs and to Highland Park. After the essays, they spent several hours in interviews with the Public Safety Committee, chaired by Councilwoman Elsie Foster-Dublin, and herself. Tonight, she is very proud to announce that they will be, once voted on by the Council, administering the oath of office to Lt. Richard Abrams who will become the Acting Chief and Sgt. Joe Curbelo who will become the Acting Captain.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilperson Hale.

No. 4-19-131

WHEREAS, the position of Acting Police Chief became available due to retirements/promotions; and

WHEREAS, Lt. Richard Abrams has applied for and is qualified to fill the position; and

WHEREAS, the Public Safety Committee recommends that Lt. Richard Abrams be promoted to Acting Police Chief, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that Richard Abrams be appointed to the position of Acting Police Chief in the Highland Park Police Department, effective April 17, 2019.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilperson Hale.

No. 4-19-132

WHEREAS, the position of Acting Police Captain became available due to retirements/promotions; and

WHEREAS, Sgt. Jose Curbelo has applied for and is qualified to fill the position; and

WHEREAS, the Public Safety Committee recommends that Sgt. Jose Curbelo be promoted to Acting Police Captain, Highland Park Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Highland Park, that Jose Curbelo be appointed to the position of Acting Police Captain in the Highland Park Police Department, effective April 17, 2019.

Mayor Brill Mittler administered the Oath of Office and Allegiance to Rick Abrams as the new Acting Police Chief. Councilwoman Foster-Dublin presented the new Acting Chief with his badge.

Newly appointed Acting Chief Abrams commented that as he looks around the room, he is awed by the turnout here tonight. The amount of support that he and Capt. Curbelo have received from the community and the neighboring law enforcement agencies in the County has been astounding. For that, they are grateful. He is honored to be named Chief of the Highland Park Police Department. It is a position that every new officer dreams of holding one day and it is a sobering thing to realize that his "one day" starts now. He began by taking a moment to say a few quick thank yous. First, to his parents and brother for teaching him to be a good person. For showing him right from wrong and making sure that he knew to always do the right thing even when no one is looking. Also, for instilling in him a sense of duty and a desire to help others. Second, he cannot thank his wife and son enough. Without their love and support these last few months, he never would have made it this far. Throughout his career the two of them made sure that it was easy to focus on the tasks ahead of me with a clear mind and a full heart, all while supporting me at home. You are the best things in my life and he thanks the heavens every day for both of them. He would not be here before you today if not for the trust placed in me by my fellow officers. No matter the rank or position I held, the men and women I work with counted on me to do what is right and trusted me to guide them to success. Every officer I work with teaches me something new every day, making me a better officer and a better leader. For that, I thank each and every one of you. I

could not ask for better people to lead. Finally, he thanked the Mayor and Council for believing in him and for recognizing his desire to be the head of this Department. He is encouraged that they placed their faith in his leadership to guide the Highland Park Police Department on its path to becoming a shining example of what small town community based policing looks like. Being selected to hold this position is the culmination of almost 16 years as a Highland Park Police Office. He knows that there are challenges to come and he plans on facing each of them head on. He does not know everything the future will bring, but he does know that he cannot do it alone. Fortunately, he is blessed with a progressive and support town government, an outstanding Police Administration, and top-notch officers and detectives that are well trained and eager to serve the public. He is also fortunate to have a Borough full of intelligent and civic minded residents. He cannot do this job without the support of the people of the Borough of Highland Park. He will need their trust and support in the months and years to come as he brings to life his vision for the Highland Park Police Department. As we progress in a new direction for the Department with a prominent focus on community policing, you will all notice an increase in communication between the Department and the public it serves. He invited all to participate in this process. With the full support of the people, as well as the Mayor and Town Council, and the amazing men and women of the Highland Park Police Department, he knows we will succeed in continuing to build Highland Park's reputation as a welcoming community while we provide the safety and quality of life that all of its residents deserve with compassion, justice and equity.

Mayor Brill Mittler administered the Oath of Office and Allegiance to Joe Curbelo as the new Acting Police Captain. Councilwoman Foster-Dublin presented the new Acting Captain with his badge.

Newly appointed Acting Captain Joe Curbelo thanked everyone for coming out and gave special thanks to his wife and kids. It was a grueling process and he thanked the Mayor and Council for their support. He also thanked all the Officers he has had the pleasure of working with.

Mayor Brill Mittler noted that she is looking forward to the new Chief and Captain and the rest of the team taking our Police Department into the 21<sup>st</sup> century with community involvement, computer usage, data analysis, and hands on neighborly contact with the residents of Highland Park. She is thrilled about this. They are new to the positions and she introduced the person who will be working with them, Chief Spruill, who comes to Highland Park after her retirement as the Chief of the Essex County Detectives. They are thrilled to have her and she lives nearby in Piscataway. She has vast experience in managing and administering a department and she will be there to tell them what they don't know. There is a new day of policing dawning here in Highland Park. There is a community forum night at the Community Center at 7:00 PM to meet the new Chief and Captain and talk to them, hear what their vision is and ask any questions.

Mayor Brill Mittler administered the Oath of Office and Allegiance to new Police Officers Adalberto Pacheco and Caitlyn Dean.

A brief recess was taken at this time. The meeting reconvened at 7:48 p.m. with all members previously in attendance still present.

Mayor Brill Mittler asked the Council members to present their reports.

Councilwoman Foster Dublin reported that she is excited about the new Acting Chief and Acting Captain and she is excited about the new mentor Chief Spruill and they are on the path to moving forward into the 21<sup>st</sup> century. She loves the fact that tomorrow night is the community forum with the new Acting Chief and Captain and they will be able to lay out the plans for the future about how they plan to communicate more effectively and they will answer any question that the community may have.

Councilman Fine – No report.

Councilman Fine left the meeting at 7:57 PM.

Councilwoman Kim-Chohan reported that there is a free eye screening program available to the community for ages 3 and up on May 30<sup>th</sup> beginning at 9:30 a.m. in the community center. You must call or stop by the office to register as limited space is available. There is a AARP Driver Safety Program that is open to the public and is a two-part course that will take place May 29<sup>th</sup> and June 5<sup>th</sup> from 9:00 a.m. to 12:00 p.m. You must attend both sessions to receive the certificate of completion that you can submit to your insurance company to receive a discount. If you are an AARP member, the cost is \$15, if not, the cost is \$20. You receive 2 points off your driver's license and a 5% discount. Registration is required and spots are filling up quickly. Registration is ongoing for the various summer camps and you can register for 1 week or for all 6 weeks. Summer camp begins July 8<sup>th</sup>. Early care this year begins at 7:00 a.m. April 30<sup>th</sup> is the deadline to apply for the HP Gives a Hoot scholarship program. These scholarships help children in need by allowing them to attend the summer camp program for free. The information is on the Borough website and on the Facebook page. Any questions, contact her directly and she will assist with application process. There is a free art class for 3<sup>rd</sup> – 5<sup>th</sup> graders starting on Friday, May 3<sup>rd</sup> from 2:45 p.m. – 4:15 p.m. There will be 6 sessions and they are limited to 10 participants. She noted that last month the Mayor gave proclamations to the first responders for their response to the fire at Forest Glen. She lives at Forest Glen/Treetops apartments. She has a pet at home that is crated. She did some research and found that the ASPCA gives out free pet safety packs that includes decals that you can display. Lastly, she wished the community a Happy Passover and a Happy Easter.

Councilwoman Welkovits reported that the County's non-profit transportation agency, Keep Middlesex Moving, started a new radio show on WCTC, 1450AM. The name of the program is mobility matters and airs Wednesday mornings at 10:00 a.m. She will be a guest on Wednesday, May 1<sup>st</sup>. She will be discussing mobility issues in Highland Park and around Highland Park and connecting ourselves to the neighboring municipalities. Beginning this year, there is a special early grand opening of the Farmer's Market on Friday, May 3<sup>rd</sup> from 11:00 a.m. to 5:30 p.m. and it will be open until mid-December. They

continue to add new vendors and new events. Sunday, May 5<sup>th</sup> is the 11<sup>th</sup> annual 5K and Street Fair. You can walk, run or roll in the 5K race through downtown and through our beautiful neighborhoods. The race begins at 9:00 a.m. You can pre-register at [runinthepark.org](http://runinthepark.org) and pick up your t-shirt and swag bag before the event. Race proceeds benefit the Highland Park Police Department, Fire Department, First Aid Squad, Recreation Department, Public Library and Main Street. While it is a serious, competitive race and a certified course, there's also lots of family fun too. There are also kid races. Our popular Street Fair runs from 11:00 a.m. to 4:30 p.m.

Councilman George reported that they have been keeping everyone informed about the new one-armed trash removal process with the new truck. The new trash totes have been ordered and should be in shortly. The Department of Public Works will assemble and distribute them with a rollout for the new route in early June. The routes have been outlined and they will do a trial run before the end of May. The contract with the consultant that was retained to install software for potholes and instruct them on how to use it to rate and manage the roads will be done so shortly. Some of their members teach a course on the actual evaluation process. The Department of Public Works and the Shade Tree Advisory Committee have been working extremely well over the last year to coordinate and cooperate with each other. The Department of Public Works is working on planting the 37 street trees for this year's project in May. The Environmental Commission is reviewing the electric vehicle ordinance. It is the 49<sup>th</sup> anniversary of Earth Day in the United States. The Earth Day event will take place on April 28<sup>th</sup> at the Environmental Center from 11:00 a.m. to 3:00 p.m. The event grows every year and will be family friendly. The plastic bag ordinance first phase is almost over, which is the orientation. The second phase, which is the fee for plastic bags, goes into effect May 1<sup>st</sup>. A lot of the merchants are advertising the ordinance with posters and doing a countdown clock. He has spoken to a lot of the merchants over the last couple of weeks about the ordinance and how their experience is going. Some of the merchants that have branded companies have said that their companies are going to provide branded paper products.

Borough Administrator Jover reported that since Friday is a holiday, south side garbage pickup is tomorrow. There will be Chometz disposal available on Friday at the Department of Public Works building from 6:30 a.m. to 1:00 p.m. The bids were received for the road improvements to North 3<sup>rd</sup>, Hilton, Merilind and South 7<sup>th</sup> and some of the Borough parking lots. They will be commencing with those improvements as soon as they can get the contracts signed with the company. The pothole crews are out there to try and patch up the holes that have started to disintegrate. They are working toward an agreement with Middlesex County to do improvements to Woodbridge Avenue from 11<sup>th</sup> Avenue to the border with Edison. It will improve Woodbridge Avenue and the Borough will be working on where their roads connect.

Borough Attorney Schmierer reported that the Council will consider reintroducing the multi-family overlay ordinance. Since the ordinance was introduced, it has been shared with the community at a public meeting this past week. The Planning Board has reviewed it and made some suggested changes to the ordinance and they have recommended that the ordinance with those changes be reintroduced. The public hearing on the ordinance will be scheduled for May 21<sup>st</sup>.

Mayor Brill Mittler – No report.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Jon Valeri, 106 South 6<sup>th</sup> Avenue, commented about potholes and the fact that his street between Benner and Magnolia was not mentioned. His street is very dangerous and he suggested they look at it as it is potentially life threatening. Borough Administrator Jover noted that they have had all of their roads assessed recently by a consulting team. They are bringing that software into the Department of Public Works and they will be trained on it. It will give them a hierarchy of the order in which repairs need to be done. They have flagged that road as one that needs work and she will see where it ranks against all the roads. The way contracting works, they have to put a bid together that specifies specific roads to be repaired. Cannot add additional roads to a bid spec once it goes out to bid as the Engineer has to do the design, etc. Once the tool is up and running, they are going to do the next wave of projects, which may or may not include his street. Mr. Valeri asked who he should follow up with. Borough Administrator Jover noted that Public Works manages the roads, but they contract out for paving. Public Works handles pothole repairs.

Gabrielle Wilders, 24 Walter Avenue, asked about item #12 on the agenda involving the financial agreement for 31 River Road. She doesn't understand what it is. Mayor Brill Mittler noted that the Redevelopment Attorney and his team will explain what it is prior to the Council voting on the matter. Ms. Wilders asked about demolition and the schedule for that demolition. Borough Administrator Jover noted that Mr. Baumann will speak to both of those issues during his presentation.

Herb Gross, Adelaide Gardens, commented that after the last meeting, they lost two veterans at the Roosevelt Care Center. They were local men, Ed Hardy and Mike Cafaro. He asked for a moment of silence for these veterans. He mentioned the poppy day sales that will be upcoming. He praised and thanked the Council for taking care of housing development and making units available for veterans. He wished everyone a Happy Easter and a Happy Passover.

Jeff Vardaro, Wayne Street, congratulated the new Acting Chief and Captain. He has had some concerns about the hiring process and still has some concerns. He wants to make sure the public has accurate information about one aspect of the hiring process. Mayor Brill Mittler made statements last week, once at her campaign launch and on Facebook on Sunday indicating that the Highland Park Equity Commission had recommended these two candidates to you and you were approving that recommendation. There was no such recommendation. Mayor Brill Mittler noted that the process that they went through with the Police Chief and the Captain allowed for the community to give the Equity Commission some questions that were then put through the Equity Commission and then given to

Councilman Hale and Councilwoman Foster-Dublin so that they could be asked at the interviews. Those questions were asked and answers were sent back to the Equity Commission for them to take a look at. He is right about something that was put on her Facebook page and she clarified that the two officers that got the highest ranking from the Equity Commission turned out to be the two officers that were promoted. The process where the Equity Commission was directly involved was in the selection of the mentor. Mr. Vardaro clarified that there was no recommendation from the Equity Commission on the candidates. Mayor Brill Mittler noted that from the questions and answers received, they provided rankings and those two officers were the ones promoted. Mr. Vardaro noted that the Equity Commission added the statement that the Equity Commission advises once again that the Public Safety Committee consider the real possibility that the candidates applying for this position are unprepared to take on the work of creating a more equitable and transparent police department. Mayor Brill Mittler noted that they did recommend that they go back to the beginning of the process and start over with a Police Director.

No one else appearing to be heard, the Mayor closed the public discussion.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 31 RIVER ROAD URBAN RENEWAL, LLC WITH RESPECT TO THE 31 RIVER ROAD REDEVELOPMENT AREA, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Presentation about this ordinance was made by Special Counsel Baumann. There are two pieces of legislation to be voted on. One is the financial agreement ordinance and the second is the resolution approving the redevelopment agreement. In advising the Mayor and Council on this process, he was assisted by his associate Aisha Cooper. He also had help from the Borough Planner Jim Constantine and had a financial consultant. This process began over 18 months ago with an effort by the Governing Body to get input from the community in terms of what could happen at 31 River Road. That process began by trying to determine what would be the right use for that area. When they started the process there were a number of goals they wanted to achieve. The Council was adamant that when they get to the end of the process that the ratables for this property be more than what they are today. As they walk through the process, you will see that the ratables more than double. They also had as a goal and as a critical component is an obligation for affordable housing. The Borough is in the process of trying to address that need. This project is a critical component to satisfying that obligation. There will be six affordable units in a forty-unit residential project. Those six affordable units are critical to addressing the Borough's affordable housing needs together with the overlay ordinance being considered today will satisfy the Borough's requirements under the current law and give the Borough the immunity that they are looking for. Another critical component of the project was to have a project that the neighborhood and the community could be proud of. The redevelopment plan involved months of input from the professionals, the community and the Planning Board. They wanted more people living in the downtown area that will visit the various shops and restaurants and spend money. They thought it was important for Highland Park to turn the corner on being development friendly. The downtown area has not had significant development since they adopted the original redevelopment plan many years ago. They thought through this process that they could prove to the development community that Highland Park has put it together through the redevelopment plan and the engagement of qualified professionals to get through the agreements that they could show the development community that they could put together a project that everyone could be proud of. They will talk about joining 31 River Road to the walkway across the street and the street volume. The redevelopment plan outlines the zoning and governs how this project will be built. The redevelopment agreement is a critical component of the process because it is the contract between the municipality and the developer. Going through the redevelopment process allows them to have this contract. The project will include 40 units and 6 affordable units. They required them to have a road diet with a two-way cycle track on Walter Avenue and an electric vehicle charging station. The Borough is in the process of developing an ordinance to address that. They are required to have sidewalks and to streetscape the entire frontage. They have encouraged them to develop a shuttle service for this project and to work with some of the other multi-family projects. The goal is to keep vehicles off the roads and make this project more pedestrian friendly. The schedule for the project to be built is 90 days after execution of the agreement they have to file for their site plan approval. This will be yet another opportunity for the public to have a chance to comment on the project at the Planning Board. Once government approval is obtained, and they have obtained their building permits, they have 90 days to commence construction and they are on a two-year timeline to complete construction from beginning to end. Because this was an extensive process to go through, it was important for the Borough to make sure that the taxpayers didn't pick up the tab, so they negotiated and the developers are responsible for paying the professional team. They funded an escrow for this project, and to date, once this agreement is signed, they will have contributed about \$56,000. There are ongoing maintenance obligations that have to be paid for the infrastructure that they are putting in. There are progress reports/meetings that need to occur along with Borough access to the project. Under the redevelopment plan they are limited to who they may transfer the property to. They cannot get all their approvals and then flip the property. The financial agreement is a tool that they can use under a redevelopment plan that would not otherwise be feasible. The redevelopers submit financials and pro-formas and give information about prospective construction costs, how it will be funded, rents, etc. and it is used by the professional team to determine whether or not this project could be built without the financial agreement. The financial agreement is an annual service charge in lieu of the normal taxes. They are talking about an annual service charge in lieu of normal taxes. The consultant has shown us that this project would not be built paying normal taxes. The cost of building a project is higher than the value once it is built. The expected expense to build this project is \$9.5 million dollars. The value of this project after completion is expected to be about \$2 million dollars less than that if they had to pay real estate taxes. The financial adviser concluded that unless they did the annual service charge that this project would not be built. The statute says that the annual service charge would be a percentage of the post revenues. The least amount they would pay is 10% of the gross revenue. Through this process and for our analysis, he concluded that they could afford more

than the minimum and negotiated a financial agreement that requires them to pay an annual service charge that is in excess. He also determined that they could afford more annual service charge over time, so they negotiated an agreement that has increases over time. The second annual service charge will be approximately \$100,000. That is 11% and will increase to 15% in the later years. They also tacked on an administrative fee to help the Borough make sure that they are paying the proper amount. The amount paid will rise in time from over \$100,000 to approximately \$370,000. The benefit to the municipality and the school district is approximately \$3 million dollars over the 30-year term of the project. They can never pay less than the annual service charge. Of the \$100,000 received, 95% is kept by the Borough and the Borough intends to share with the Board of Education. It is not required by law or by statute. This Governing Body has made the decision that they are going to share the annual surcharge so that the Board of Education will benefit the same way as the municipality. The annual service charge is the same as taxes and if the developer doesn't pay, the same rules apply that they would go to tax sale and a lien put on the property. There is a provision in the law that the developer cannot make excess profits and it is designed to prevent the developer from earning too much profits as a result of the annual surcharge. The agreement has annual audit requirements and ownership certificate requirements. This project will be monitored to make sure that they are getting the required annual service charge. There is a penalty for the not getting this project moving. There is also a provision for the demolition of the property being done within one year and if it does not happen, the financial agreement is terminated. The agreement provides that they are responsible for their own water and sewer upgrades and they will have to provide for collection of their own solid waste, as that will not be done by the municipality. You cannot give out a financial agreement to anyone that asks. There is an analysis that is done for the financial agreement.

Councilwoman Foster-Dublin left the meeting at 9:00 PM. Councilman Hale arrived at the meeting at 9:00 PM.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

Gabrielle Wilders, Walter Avenue, asked about the service charge vs. them paying taxes and the burden being put on the taxpayers. Special Counsel Baumann explained that the annual service charge would be less than what taxes would be on the project as built, but twice as much as what taxes are today. The financial analysis shows that they would not build the project if not for the service charge. Ms. Wilders commented that the taxpayers are supporting building this project. Special Counsel Baumann stated no. There would be no project without the annual service charge. Mayor Brill Mittler noted that if there was no project the annual taxes that the Borough would be getting off of that piece of property would be \$49,000. Now, the Borough would be getting \$100,000 worth of revenue coming into the municipality. Special Counsel Baumann explained that the problem with taxes and a project paying an annual service charge is that there is not a comparison in the real world. There would continue to be a commercial building that is there today and they would not be able to address their affordable housing obligation and they would not be able to do other things. Mayor Brill Mittler added that the Borough has spent over \$560,000 in attorney fees for affordable housing over the years. They are hoping that the settlement they are reaching with Fair Share Housing will stop the bleeding from the COAH litigation that started many years ago and has been a drain on the taxpayers. Ms. Wilders commented that she does not believe this is going to help taxes. Mayor Brill Mittler noted that right now, if the project doesn't happen, the Borough is getting \$49,000 in taxes which is then split with the County and the schools. Now, instead of the \$49,000, the Borough will be getting \$100,000 and they don't have to give the County as much and like other municipalities, they could keep all of the 95% remaining and not share with the schools. Because they are concerned about our schools, they have decided that the same 60% of taxes that is paid to the schools will still come out of this. The town is doing much better and there is \$3 million dollars more that is anticipated. Special Counsel Baumann noted that the Borough and the schools will share \$98,000. Without this project, they would share \$49,000 along with the County. It is additional revenue into the coffers that would otherwise be made up by the taxpayers. Ms. Wilders commented that they have been told that this development would house millennials and empty nesters with 1.5 cars. She asked if they would be paying money to the schools. Special Counsel Baumann explained that the annual service charge will be treated exactly like taxes.

Dan Stern Cardinale, Harper Street, commented that the expenses to the town regardless of what is on that site is flat or does the cost go up when you increase the footprint. Special Counsel Baumann commented that the expected fiscal impact of this project on the municipality is negligible and they will not have to hire another Police Officer or anything like that. The Board of Education will have children and there will be a fiscal impact. Mr. Cardinale asked how many cars does the site plan to hold. Mayor Brill Mittler noted that the Planner is not present this evening and this public hearing is on the financial agreement ordinance. Mr. Cardinale commented that the Borough should change the way they think about affordable housing and not think about it as a burden. They need to think about it as an affirmative good for the town.

Jon Valeri, South 6<sup>th</sup> Avenue, commented that they spoke about a shuttle service and he wanted to know how that would affect the current public transportation going in and out of town. Special Counsel Baumann noted that they told the redeveloper that it would be important to have them provide for their residents and to talk to the other multi-family developments in town.

Ross Baker, 35 Walter Avenue, commented that they mentioned something in the presentation about bike lanes on Walter Avenue. Borough Administrator Jover noted that it is called a two-way cycle track but it is like the little mockup they did last year for earth day so that bikes can go both ways. It really did slow the traffic down.

Jeff Vardaro, Wayne Street, asked about the property taxes if someone was willing to do the project and pay the full freight of taxes. Special Counsel Baumann stated that they provide all the numbers the financial consultant examines those projections. The value of the project is approximately \$9 million dollars. He gave an explanation of how to figure out the value of a rental property.

Herb Gross, Adelaide Gardens, asked for clarification of the percentage the developer would pay. Special Counsel Baumann noted that they would pay 11% of their annual gross revenues. Mayor Brill Mittler explained that the 20% number was the affordable housing number.

No one else appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilwoman Welkovits, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 19-1983, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Kim- Chohan, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by unanimous affirmative voice vote:

**No. 4-19-133**

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 31 RIVER ROAD URBAN RENEWAL, LLC WITH RESPECT TO THE 31 RIVER ROAD REDEVELOPMENT AREA, passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY CREATING A MULTI-FAMILY RESIDENTIAL-OVERLAY ZONE, had been introduced in writing by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Welkovits, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

Abstained: Councilperson Kim-Chohan.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by unanimous affirmative voice vote:

**No. 4-19-134**

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY CREATING A MULTI-FAMILY RESIDENTIAL-OVERLAY ZONE, 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, May 21, 2019 at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman George, seconded by Councilwoman Kim-Chohan, and carried by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

**No. 4-19-135**

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

WHEREAS, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$9,153,542.05; and

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

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

**2019 TEMPORARY OPERATING BUDGET**

DESCRIPTION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET #8
<b>BOROUGH ADMINISTRATION</b>		
Salaries & Wages	20-100-1	74,768.00
Other Expenses	20-100-2	6,234.00
<b>MAYOR &amp; COUNCIL</b>		

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Salaries & Wages	20-110-1	13,766.00
Other Expenses	20-110-2	3,294.00
<b>MUNICIPAL CLERK</b>		
Salaries & Wages	20-120-1	77,809.00
Other Expenses	20-120-2	6,923.00
<b>FINANCIAL ADMINISTRATION</b>		
Salaries & Wages	20-130-1	16,150.00
Other Expenses	20-130-2	38,311.00
<b>ANNUAL AUDIT</b>		
Other Expenses	20-135-2	-
<b>TAX COLLECTION</b>		
Salaries & Wages	20-145-1	25,306.00
Other Expenses	20-145-2	3,885.00
<b>TAX ASSESSMENT</b>		
Salaries & Wages	20-150-1	23,268.00
Other Expenses	20-150-2	3,078.00
<b>LEGAL SERVICES</b>		
Other Expenses	20-155-2	91,875.00
<b>ENGINEERING &amp; PLANNING</b>		
Other Expenses	20-165-2	5,775.00
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>		
Salaries & Wages	20-170-1	2,975.00
Other Expenses	20-170-2	28,088.00
<b>INFORMATION TECHNOLOGY</b>		
Other Expenses	20-140-2	28,744.00
<b>CENTRAL SERVICES</b>		
Other Expenses	20-316-2	28,656.00
<b>PLANNING BOARD</b>		
Salaries & Wages		2,975.00
Other Expenses	21-180-2	12,301.00
<b>ZONING BOARD OF ADJUSTMENT</b>		
Salaries & Wages	21-185-1	8,631.00
Other Expenses	21-185-2	3,977.00
<b>HUMAN RIGHTS COMMISSION</b>		
Other Expenses	21-195-2	1,000.00
<b>GENERAL LIABILITY/WORKERS COMPENSATION</b>		
Other Expenses	23-211-2	202,240.00
<b>EMPLOYEE GROUP HEALTH</b>		
Other Expenses	23-220-2	433,500.00
<b>POLICE</b>		
Salaries & Wages	25-240-1	1,362,237.00
Other Expenses	25-240-2	53,213.00
<b>POLICE DISPATCH/911</b>		
Salaries & Wages	25-250-1	85,286.00
Other Expenses	25-250-2	656.00
<b>OFFICE OF EMERGENCY MANAGEMENT</b>		
Other Expenses	25-252-2	3,000.00
<b>FIRST AID CONTRIBUTION</b>		
Other Expenses	25-260-2	-
<b>FIRE</b>		
Salaries & Wages	25-265-1	74,843.00
Other Expenses	25-265-2	18,769.00
<b>LOSAP</b>		
Other Expenses	25-265-2	4,331.00
<b>MUNICIPAL PROSECUTOR</b>		
Other Expenses	25-275-2	11,188.00
<b>STREETS &amp; ROADS</b>		
Salaries & Wages	26-290-1	448,394.00
Other Expenses	26-290-2	48,946.00
<b>APARTMENT COLLECTION</b>		
Other Expenses	26-305-2	56,175.00
<b>PUBLIC BUILDINGS &amp; GROUNDS</b>		
Salaries & Wages	26-310-1	18,379.00

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Other Expenses	26-310-2	46,988.00
<b>MOTOR POOL</b>		
Salaries & Wages	26-315-1	31,339.00
Other Expenses	26-315-2	39,113.00
<b>BOARD OF HEALTH</b>		
Other Expenses	27-330-2	250.00
<b>ENVIRONMENTAL COMMISSION</b>		
Other Expenses	27-335-2	250.00
<b>COMMISSION ON IMMIGRANT &amp; REFUGEE AFFAIRS</b>		
Other Expenses	27-336-2	250.00
<b>SAFE WALKING &amp; CYCLING COMMITTEE</b>		
Other Expenses	27-337-2	250.00
<b>SUSTAINABLE HIGHLAND PARK</b>		
Other Expenses	27-338-2	800.00
<b>HISTORICAL COMMISSION</b>		
Other Expenses	27-339-2	250.00
<b>COMMUNITY SERVICES - RECREATION</b>		
Salaries & Wages	28-370-1	25,523.00
Other Expenses	28-370-2	5,938.00
<b>COMMUNITY SERVICES - AGING</b>		
Salaries & Wages	28-371-1	94,842.00
Other Expenses	28-371-2	7,586.00
<b>ARTS COMMISSION</b>		
Other Expenses	28-374-2	250.00
<b>SHADE TREE ADVISORY COMMITTEE</b>		
Other Expenses	28-375-2	250.00
<b>TEEN CENTER</b>		
Salaries & Wages	28-373-1	23,170.00
Other Expenses	28-373-2	
<b>ELECTRICITY</b>		
Other Expenses	31-430-2	45,000.00
<b>STREET LIGHTING</b>		
Other Expenses	31-435-2	62,000.00
<b>TELEPHONE</b>		
Other Expenses	31-440-2	16,984.00
<b>FUEL OIL/GASOLINE/NATURAL GAS</b>		
Other Expenses	31-460-2	39,271.00
<b>SANITARY LANFILL</b>		
Other Expenses	32-465-2	94,563.00
<b>UNIFORM CONSTRUCTION CODE</b>		
Salaries & Wages	22-195-1	142,571.00
Other Expenses	22-195-2	4,014.00
<b>CABLE TELEVISION</b>		
Other Expenses	30-411-2	4,000.00
<b>ACCUMULATED SICK LEAVE</b>		
Salaries & Wages	30-415-1	16,275.00
<b>COMMUNICATIONS</b>		
Salaries & Wages	20-105-1	41,794.00
Other Expenses	20-105-2	9,883.00
<b>MUNICIPAL COURT</b>		
Salaries & Wages	43-490-1	70,550.00
Other Expenses	43-490-2	3,084.00
<b>PUBLIC DEFENDER</b>		
Other Expenses	43-495-2	1,575.00
<b>LIBRARY</b>		
Salaries & Wages	29-390-1	277,713.00
Other Expenses	29-390-2	90,643.00
<b>COUNTY HEALTH SERVICES</b>		
Other Expenses	42-401-2	11,665.00
<b>M.C.I.A. RECYCLING</b>		
Other Expenses	42-402-2	2,363.00
<b>ANIMAL CONTROL SERVICES</b>		
Other Expenses	27-340-2	5,438.00



<b>PUBLIC AND PRIVATE PROGRAMS</b>		
NJDEP Radon Awareness	41-707-2	2,000.00
Fire Victims Donations	41-735-2	10,015.00
Community Development Block Grant	41-708-G	58,567.00
Microgrid Phase Study		130,000.00
Recycling Tonnage		11,404.05
<b>STATUTORY EXPENDITURES</b>		
<b>SOCIAL SECURITY SYSTEM</b>		
Other Expenses	36-472-2	86,121.00
<b>UNEMPLOYMENT COMPENSATION INSURANCE</b>		
Other Expenses	23-225	1,313.00
<b>PUBLIC EMPLOYEES RETIREMENT SYSTEM</b>		
Other Expenses	36-471-2	535,169.00
<b>POLICE AND FIREMAN'S RETIREMENT SYSTEM</b>		
Other Expenses	36-475-2	824,898.00
	<b>SUBTOTAL</b>	<b>6,204,868.05</b>
<b>DEBT SERVICE</b>		
<b>BOND PRINCIPAL</b>		
Other Expenses	45-920-2	625,000.00
<b>INTEREST ON BONDS</b>		
Other Expenses	45-930-2	242,369.00
<b>M.C.I.A. LEASE/LOAN</b>		
Other Expenses	45-950-2	79,500.00
<b>DBIZ LOAN</b>		
Other Expenses	45-925-2	=-
	<b>SUBTOTAL</b>	<b>946,869.00</b>

<b>GRAND TOTAL</b>	<b>7,151,737.05</b>
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**2019 TEMPORARY WATER AND SEWER BUDGET**

DESCRIPTION		2019 TEMP
<b>OPERATING</b>		
Salaries & Wages		90,772.00
Other Expenses		748,933.00
Middlesex County Utilities Authority		613,650.00
<b>STATUTORY EXPENDITURES</b>		
Public Employee Retirement System		16,000.00
Social Security System		5,000.00
<b>DEFERRED CHARGES</b>		
Overexpenditure Budget Appropriation		-
	<b>SUBTOTAL</b>	<b>1,475,355.00</b>
<b>DEBT SERVICE</b>		
Payment of Bond Principal		460,000.00
Interest on Bonds		67,450.00

<b>SUBTOTAL</b>	<b>527,450.00</b>
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<b>GRAND TOTAL</b>	<b>2,001,805.00</b>
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2. Said emergency temporary appropriations will be provided for in the 2019 budget under the various captions listed herein.
3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services

Resolution Nos. 4-19-136 through 4-19-148, were duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

The following resolution, introduced by the Economic Development and Planning Committee, was duly adopted as above:

No. 4-19-136

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

WHEREAS, on December 20, 2016 the Borough Council of the Borough (the "Borough Council"), pursuant to and in accordance with the Redevelopment Law, designated the entirety of the area within the municipal boundaries of the Borough as "an area in need of rehabilitation" including certain property known as 31 River Road and identified as Block 183, Lot 24 on the official tax map of the Borough (the "Property"); and

WHEREAS, on August 14, 2018, the Borough Council adopted an ordinance adopting a redevelopment plan entitled the "*31 River Road Redevelopment Plan*" dated July 16, 2018 and prepared by LRK Inc. for the Property; and

WHEREAS, on October 9, 2018, the Municipal Council adopted a resolution conditionally designating an affiliate of Redeveloper as redeveloper of the Property, subject to the successful negotiation of a redevelopment agreement; and

WHEREAS, pursuant to and in accordance with the requirements of the Redevelopment Law, on December 4, 2018, the Municipal Council adopted a resolution designating the Property as a non-condemnation area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, on December 18, 2018, the Borough Council adopted an ordinance adopting a redevelopment plan entitled the "*31 River Road Redevelopment Plan*" (the "Redevelopment Plan") dated December 4, 2018 and prepared by LRK Inc., for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Borough has determined to act as the "redevelopment entity" (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area, to exercise the powers contained in the Redevelopment Law to facilitate the redevelopment of the Borough's downtown core; and

WHEREAS, 31 River Road Urban Renewal, LLC (the "Redeveloper") is the owner of the Redevelopment Area and seeks to be designated as the "redeveloper" (as defined in the Redevelopment Law) of same, so as to redevelop the Redevelopment Area in accordance with the terms of the Redevelopment Plan and the Redevelopment Law; and

WHEREAS, the Redeveloper proposes to redevelop the Redevelopment Area by constructing thereon a project consisting of 40 residential units including thirty-four (34) market rate units (seventeen (17) one-bedroom units and seventeen (17) two-bedroom), six (6) affordable units, as well as certain on-site and off-site infrastructure improvements (the "Project"); and

WHEREAS, the Redeveloper submitted information outlining its financial capabilities, experience, expertise and project concept descriptions for the Project and requested designation by the Borough as the redeveloper for the Project; and

WHEREAS, the Borough has determined that the Redeveloper possesses the proper qualifications, financial resources and capacity to implement and complete the Project in accordance with the Redevelopment Plan, and all other applicable laws, ordinances and regulations; and

WHEREAS, in order to set forth, in a more comprehensive agreement, the terms and conditions under which the Parties shall carry out their respective undertakings, rights and obligations with respect to the construction of the Project, the Parties have determined to execute a redevelopment agreement,

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. 31 River Road Urban Renewal, LLC is hereby designated as the Redeveloper of the Redevelopment Area.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement attached hereto as *Exhibit A*, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough's counsel and professionals.

Section 4. This Resolution shall take effect immediately.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 4-19-137

WHEREAS, pursuant to Resolution No. 7-18-185 adopted by the Borough Council of the Borough of Highland Park on the 10<sup>th</sup> day of July, 2018, a professional services agreement for engineering services in connection with the Implementation of the 2017 and 2018 Roadway Improvements Project, was awarded to CME Associates in the amount of \$111,077.00; 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, in said proposal dated February 14, 2019, CME Associates proposed to perform additional engineering services as outline in said proposal for an additional fee of \$10,690.00, for a total not to exceed \$121,767.00, without further authorization of Council; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-822-210 in an amount not to exceed \$121,767.00, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below; and

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Borough Engineer David J. Samuel shall be and is hereby authorized and directed to perform the design phase and construction administration services associated with said project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Bruce M. Koch, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859, a copy of which is attached to the original of this original, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 4-19-138

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

NORA AHMED, Part-Time Crossing Guard, at an hourly rate of \$18.98, effective April 16, 2019.

NATALIE WOLLERTON, Part-Time Crossing Guard, at an hourly rate of \$18.98, effective April 16, 2019.

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 4-19-139

WHEREAS, STEPHEN RIZCO, CHIEF, has retired from the Highland Park Police Department effective April 30, 2019; and

WHEREAS, per the requirements of the Agreement between Borough of Highland Park and the former Police Chief, Stephen Rizco is entitled to unused accrued time payments in the amount as calculated below.

	Calculation	Amount Due
Sick Hours (1396.8 @ 3:1)	465.60 hours x \$90.29	\$42,038.70
Vacation Hours	104.00 hours x \$90.29	\$9,390.09
Total Payment		\$51,428.79

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the unused accrued time payment in an amount not to exceed \$51,428.79 be approved and distributed in the next available pay cycle.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 4-19-140

WHEREAS, advertisement was made for receipt of bids on March 28, 2019, for the 2019 Landfill Concrete Debris Removal; and

WHEREAS, six (6) bids were received as follows:

1. Nature’s Choice Corporation, Middlesex NJ: \$172,500.00
2. AWT Environmental Services, Inc., Sayreville, NJ: \$61,750.00
3. Earthworks, Inc. Farmingdale, NJ: \$127,500.00
4. Messercola Excavating, Inc., Plainfield, NJ: \$167,000.00
5. Brennan Brothers Contracting, LLC, Old Bridge, NJ: \$128,250.00
6. Mount Construction Co., Inc., Berlin, NJ: \$215,000.00

WHEREAS, following the receipt of the above-referenced bids, said bids were reviewed by the Borough Attorney’s office to ensure compliance with the terms and conditions of the Notice to Bidders and other bid documents; and

WHEREAS, as a result of the review, it has been recommended by the Borough staff that the bid be awarded to the lowest responsible bidder, AWT Environmental Services, Inc. in the amount of \$61,750.00; and

WHEREAS, funds for said contract shall be made available in Account No. C-04-55-826-220, in an amount not to exceed \$61,750.00, pending the adoption of the 2019 Municipal Budget, as reflected by the certification of funds of by the Finance Department, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with AWT Environmental Services, Inc. P.O. Box 128, Sayreville, NJ 08872, in an amount not to exceed \$61,750.00 without further resolution of Council for landfill concrete debris removal as described above. Said contract shall be in accordance with the specifications and bid documents and in a form approved by the Borough Attorney.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 4-19-141

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

WHEREAS, the following quotes were solicited for same:

New Tech Water Technology	\$7,600.00
Water Loss Systems, Inc.	no quote provided
American Leak Detection	no quote provided

and

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

WHEREAS, funds are available for this purpose in Account No. 9-05-55-500-4LS upon adoption of the 2019 municipal budget, as reflected by the certification of funds available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of the Water and Sewer Department is hereby authorized and directed to accept the quote for water leak detection services from New Tech Water Technology, 19 Nee Avenue, New Windsor, NY 12553, at a total cost of \$7,600.00; and

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

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 4-19-142

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

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

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

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 4-19-143

WHEREAS, the Highland Park Educational Foundation, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Casino Night Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on May 11, 2019; 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 Highland Park Educational Foundation, Inc., 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.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 4-19-144

WHEREAS, the Highland Park Educational Foundation, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct An On-Premise 50/50 Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on May 11, 2019; 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 Highland Park Educational Foundation, Inc., 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.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 4-19-145

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

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

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

<b>Block</b>	<b>Lot</b>	<b>Lienholder</b>	<b>Amount</b>	<b>Premium</b>	<b>Total Due</b>
54	36	Trystone Capital Assets LLC	\$1368.10	\$0.00	\$1368.10
Cert No. 18-00030		575 Route 70, 2 <sup>nd</sup> Floor P.O. Box 1030 Brick, NJ 08723			
190	4.02	Trystone Capital Assets LLC	\$160.96	\$0.00	\$160.96
Cert No. 18-00093 Q-C1703		575 Route 70 2 <sup>nd</sup> Floor P.O. Box 1030 Brick, NJ 08723			
58	14	DSHC Enterprises LLC	\$363.85	\$200.00	\$563.85
Cert No. 18-00031		P.O. Box 524 Plainsboro, NJ 08536			
68	18	FNA DZ, LLC FBO WSFS	\$26017.31	\$19900.00	\$45917.31
Cert No. 17-00042		120 N Lasalle St., Ste. 1220 Chicago, IL 60602			
169	60	ATCF II New Jersey TaxServCust	\$5979.05	\$14100.00	\$20079.05
Cert No. 18-00082		P.O. Box 54972			

New Orleans, LA 70154

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 4-19-146

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 #18-00001, #18-00009 and #18-00062 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.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 4-19-147

WHEREAS, the Borough of Highland Park will experience a vacancy in the position of Chief Financial Officer on or about May 1, 2019, and currently has a vacancy in the position of Qualified Purchasing Agent; and

WHEREAS, the Borough has received a proposal from Government Management Advisors, LLC dated April 4, 2019 to provide Gregory C. Fehrenbach, C.M.F.O. Certificate #N-0261 and QPA Certificate #Q-453 as an independent contractor for this appointment; and

WHEREAS, Gregory C. Fehrenbach and Government Management Advisors, LLC have complied with the State of New Jersey Political Contributions Disclosure requirements; and

WHEREAS, Gregory C. Fehrenbach meets all statutory requirements for appointment to these positions; and

NOW, THEREFORE BE RESOLVED by the Borough Council of the Borough of Highland Park in the County of Middlesex that

1. Gregory C. Fehrenbach is hereby appointed to the position of Chief Financial Officer for a four (4) year term under NJSA 40A:9-140.10 ending December 31, 2022.
2. Gregory C. Fehrenbach is hereby appointed as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2.30.
3. The Mayor is hereby authorized to execute a contract with Government Management Advisors, LLC consistent with the aforementioned proposal for Gregory C. Fehrenbach to serve in the capacity of Chief Financial Officer and Qualified Purchasing Agent for the Borough commencing May 1, 2019 at the rate of \$115.00 per hour for approximately 15-20 hours per week for an amount not to exceed \$9,700 per month.
4. That the Borough clerk shall cause a copy of this resolution to be published in the Home News Tribune within ten (10) calendar days from the date hereof pursuant to law.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 4-19-148

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 4/16/19 can be found in the Bills List Journal Book No. 39.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Marsha Goldberg, 451 South 5<sup>th</sup> Avenue, commented about Buck Woods and the fact that trees were removed on March 18<sup>th</sup> and 19<sup>th</sup>. The Developer's lawyer the Friday before insisted that they couldn't wait two more weeks to take down the trees to do environmental testing and remediation. Four weeks later and not testing or remediation has been done. She has had discussions with the Mayor and the Attorney about having a Geo Technical Engineer come to resident's properties adjacent to the site to do an analysis of their properties to make sure that this tree destruction has not damaged their properties. Borough Administrator Jover noted that she has spoken to someone that was highly recommended and she needs to put them in touch with the Borough Attorney. They are willing to come out to evaluate conditions accompanied by our Code Officials. There is no contract yet and they need to see what they think is appropriate to do.

John Valeri, South 6<sup>th</sup> Avenue, commented that something has been brought to his attention that now is that time of year where you will see more daytime robberies and burglaries because it is summertime. He asked if there will be more Officers patrolling the streets. Mayor Brill Mittler noted that they swore in two new Officers tonight and appointed the new Acting Chief and Captain. They have a recommendation that they will be sharing with the Borough Administrator and the Council about staffing in the future.

No one else appearing to be heard, the Mayor closed the public discussion.

The Clerk reported receipt of notification of the election of Volunteer Firefighters Fernando Garcia-Ramirez and Patrick Louis to the rolls of the Highland Park Volunteer Fire Department.

On motion made by Councilman George, seconded by Councilwoman Welkovits, the above confirmation was confirmed by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

Ayes: Councilpersons George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: Councilpersons Fine, Foster-Dublin.

Abstained: None.

No. 4-19-149

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

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

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

1. The public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:  
(Litigation: JSM at Highland Park v. Borough of Highland Park update)  
(Negotiations: 433 Cleveland Avenue)
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.

There being no further business, on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:34 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk