

REGULAR MEETING – FEBRUARY 5, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, February 5, 2019 and was called to order by Mayor Brill Mittler at 7:02 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine, George, Hale, Kim-Chohan, Welkovits; Borough Attorney Schrager; Borough Administrator Jover; Borough Clerk Hullings.

Absent: Councilperson Foster Dublin; Borough Attorney Schmierer.

Councilman Hale joined Mayor Brill Mittler to present proclamation to Eagle Scout Eric Yang.

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

Councilwoman Kim-Chohan reported that she is proud to announce the Highland Park Arts Commission has been awarded a grant in the amount of \$4,500.00 from Middlesex County Office of Arts & History. The grant will fund a project called Access Granted. It's a two-part photo essay/creative response project where the commission will pair up photographers and individuals with disabilities in the community to respond to accessibility. The photographers will be taking pictures of the individuals as they navigate their day-to-day. The participants will have an opportunity to write/tell their story in a creative way. The project will close with a gallery exhibition. This is all in effort to provide a space for people with and without disabilities to learn together and foster stronger relationships. Allison Baldwin wrote the grant and will be spearheading the project all year. The Arts Commission kicked off their windows of understanding last month on Martin Luther King Jr. Day. The art work will be on display until the end of Black History Month, February 28th. Visit <https://www.windowsofunderstanding.org/> for all the details. The next tables of understanding will take place at Sushiana February 24th 3p.m. to 5p.m. I know the Mayor will mention a little more about this. If you haven't noticed yet, our new signage is up at the Community Center, formally known as the Highland Park Senior/Youth Recreation Center. The next monthly senior luncheon will be on February 26th at 11:00 a.m., followed by a discussion with the Mayor. On January 16th, I completed a police ride along. It gave me a great overview of what is involved in patrol. It is amazing the number and types of situations the police department gets involved in. They truly have to be ready for anything. Last month, I also attended the intro to sewing class at the Highland Park Public Library. I promised, I would mention the awesome experience and show off my finished project. So, thank you to the staff at the library for providing this free event. Speaking of the Library, the Highland Park Historical Commission's next meeting is scheduled for the February 17th at 1:15 p.m. at the Library. This past weekend, I attended the FCD Chinese School Chinese New Year celebration, which is always a joy. Many Highland Park students attend this Saturday school year round. Happy Lunar New Year to our community that celebrates! Wishing you much fortune in the year of the pig.

Councilman Hale reported that he wanted to remind everyone that tomorrow night they will be holding an open public forum regarding the hiring of our new Police Chief. The event will take place at the Community Center at 7:30 p.m. At the forum, we will hear from the Borough's Labor Attorney who will explain how the process of hiring a new Chief and new Captain works in New Jersey and is working in Highland Park. We will hear an update on the process to this point. A bid part of the process is an oral interview of the candidates. The primary goal of the meeting tomorrow night is for the community to help develop questions that will be asked during this interview. We have designed the forum in a new and innovative way. Instead of having one large group discussion, we plan on dividing up into smaller focus groups so that we can hone in on specific topics and develop specific questions for the candidates. For example, we will have a small focus group to develop questions on the candidate's philosophy and ideas about handling internal disciplinary issues, external communication requirements, police training and staffing needs for effective and equitable policing and how the candidates propose to use benchmarks to measure progress and success. Each of the focus groups will be led by a member of the Highland Park Equity Commission. All of the questions and ideas developed by the focus groups will then be briefly presented in a read out session to the entire group. I am really excited about this meeting and hope that everyone will attend. Finally, I wanted to add my congratulations to Eric Yang, Highland Park's newest Eagle Scout. I am the cub master for Highland Park and my son Zach took over as Patrol Leader from Eric. I know how hard it is to become an Eagle Scout and how much of an accomplishment it is. I also know how much time it takes for the family of the Eagle Scout. I just wanted to offer my congratulations to Eric and his entire family on the great accomplishment. You make Highland Park proud.

Councilwoman Welkovits reported that the Zoning Board of Adjustment held their reorganization meeting on January 28th. To no one's surprise, all officers and professionals were reappointed. Special congratulations to our Volunteers Judy Richman, Chairperson, Rob Roesener, Vice Chairperson and Dana Korbman, Secretary. Earlier today, I was joined by Trish Sanchez and Sean Meehan, Chairperson and Vice Chairperson of the Safe Walking and Cycling Committee; Rebecca Hersh and Javier Zavaletta of Main Street Highland Park, as they attended a graduate class at the Bloustein School of Planning and Public Policy. She thanked representatives from the Project for Public Spaces for working on a Placemaking Project which will be presented on March 26th. The purpose of the studio project is to teach economic development strategies that focus on creating great places for people to live and work. We'll be doing some outreach. This studio will explore how actively engaging community stakeholders in the placemaking process can transform business as usual and lead to economic vitality and inclusive healthy places. Middlesex County has been active with the creation of a new website, ads, etc. The Mayor, Borough Administrator and I will be meeting with Middlesex County to discuss how Highland Park can be featured in their new marketing piece. Happy New Year and wishing much happiness and prosperity to all.

Councilman Fine – No report.

Councilman George wished everyone greetings for Chinese New Year and reminded everyone about Black History Month. The meeting with Fish and Wildlife for controlling deer yielded great suggestions. The best way to handle it is modern technology, a drone survey. They are moving forward on that project. On the consent agenda tonight are a number of important items such as purchasing totes for the new garbage truck. They are going out for a grant for NJDEP for electric charging stations. They pay 100% if installed on municipal property. The Meadows Trail and Native Plant Reserve are putting together a program for a strategic plan and for 1, 3 and 5 year plans. They are trying to get comments from the public. Starting to salvage large stack of old wooden benches and place them around. The Shade Tree Advisory Committee is working daily on the emerald ash borer program, which appears to be ahead of schedule.

Borough Administrator Jover reported that the drone survey will provide an accurate head count on the number of deer in town. It will provide a baseline for appropriate action. Last Thursday, there was a meeting held about the private school on Cleveland Avenue. This is the first of many discussions. She was pleased with the turnout and discussion and more information about next steps will follow.

Borough Attorney Schrager - No report.

Mayor Brill Mittler asked for a moment of silence for Babs Siperstein, trailblazer for LGBTQ rights, namesake of NJ New Babs Siperstein Law, active member of Pride Center New Jersey of Highland Park. Highland Park's First Responder heroes on February 1st at 3:00 a.m. started receiving 911 phone calls about smoke in an apartment building at 100 Montgomery Street. The Highland Park Fire Department was dispatched, along with officers from the Police Department. Firefighter Norman Shamy arrived at 100 Montgomery Street, along with Officers Alain Giles and Joseph Olarra. The officer's observed a smoke condition in the lobby of the building and began evacuating residents while Firefighter Shamy noticed flames coming out a window on the north side of the building. Officers Giles and Olarra were able to gain entry to a first floor apartment. Inside, they discovered an unresponsive male, lying on the floor. The Officers were able to pull the victim to safety, while Firefighter Shamy was fighting the fire from the outside kitchen window. The victim was triaged outside the apartment and taken to Robert Wood Johnson Hospital. He was then transferred to the St. Barnabas Hospital's Burn Center in northern New Jersey for further treatment, where he remains in critical, but stable condition. Both officers were taken to St. Peter's Hospital for treatment of smoke inhalation and were released later that morning. Numerous surrounding agencies responded to help with this fire, including fire companies from New Brunswick, Piscataway and East Brunswick, the Middlesex County Fire Marshall's Office, the Highland Park First Aid Squad, Robert Wood Johnson University Hospital, and the Milltown First Aid Squad. Highland Park OEM Coordinator H. James Polos was also on scene organizing and managing all the incoming resources from around the area. All but three apartments were cleaned and residents have returned to their original homes. The three families displaced have been resettled into three different apartments in the same complex. Lastly, she noted that the Plastic Bag Ordinance will be adopted this evening after a public hearing. Also, she noted that the next Tables of Understanding discussion will take place on February 24th from 3:00 p.m. to 5:00 p.m. at Sushiana.

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

Linda Wang, 302 Leia Lane, commented that she is 16 years and she wished everyone a Happy Lunar New Year. She described how her house was burglarized on January 25, 2019 when she was home alone. She called 911 and ran to the master bedroom and locked the door and then locked herself in the walk-in closet. The Police Department remained on the phone with her while they dispatched Officers to come to her aid. Officers Garrity and DeCosta responded to the call and broke the doors to her home and the bedroom to get to her. She thanked them for coming to her aid. Detectives Lancry and McGraw gave her great advice about home security. She urged everyone to be more vigilant and increase security. She thanked the Highland Park Police Department for their quick response. Mayor Brill Mittler thanked her for sharing her story. Great thinking on her feet and she did the right thing.

Herb Gross, Adelaide Gardens, informed everyone that fighting in Iraq and Afghanistan will be increasing. He asked everyone to say a special prayer each day for the fighting men and women fighting for our freedom. Freedom is not free; you have to fight for it.

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

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

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

Opposed: None.

Abstain: None.

Absent: Councilperson Foster-Dublin.

No. 2-19-48

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 \$6,045,266.00; 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:

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DESCRIPTION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET #2
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	49,609.00
Other Expenses	20-100-2	6,234.00
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	8,672.00
Other Expenses	20-110-2	2,494.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	41,330.00
Other Expenses	20-120-2	6,923.00
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	15,300.00
Other Expenses	20-130-2	33,311.00
ANNUAL AUDIT		
Other Expenses	20-135-2	-
TAX COLLECTION		
Salaries & Wages	20-145-1	21,535.00
Other Expenses	20-145-2	3,885.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	15,853.00
Other Expenses	20-150-2	3,078.00
LEGAL SERVICES		
Other Expenses	20-155-2	91,875.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	5,775.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Salaries & Wages		1,838.00
Other Expenses	20-170-2	28,088.00
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	28,744.00
CENTRAL SERVICES		
Other Expenses	20-316-2	21,656.00
PLANNING BOARD		
Salaries & Wages		1,838.00
Other Expenses	21-180-2	8,701.00
ZONING BOARD OF ADJUSTMENT		
Salaries & Wages	21-185-1	5,330.00
Other Expenses	21-185-2	3,977.00
HUMAN RIGHTS COMMISSION		
Other Expenses	21-195-2	1,000.00
GENERAL LIABILITY/WORKERS COMPENSATION		
Other Expenses	23-211-2	202,240.00
EMPLOYEE GROUP HEALTH		
Other Expenses	23-220-2	433,500.00

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POLICE		
Salaries & Wages	25-240-1	900,478.00
Other Expenses	25-240-2	46,213.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	62,704.00
Other Expenses	25-250-2	656.00
OFFICE OF EMERGENCY MANAGEMENT		
Other Expenses	25-252-2	919.00
FIRST AID CONTRIBUTION		
Other Expenses	25-260-2	-
FIRE		
Salaries & Wages	25-265-1	57,166.00
Other Expenses	25-265-2	18,769.00
LOSAP		
Other Expenses	25-265-2	4,331.00
MUNICIPAL PROSECUTOR		
Other Expenses	25-275-2	9,188.00
STREETS & ROADS		
Salaries & Wages	26-290-1	289,413.00
Other Expenses	26-290-2	31,946.00
APARTMENT COLLECTION		
Other Expenses	26-305-2	56,175.00
PUBLIC BUILDINGS & GROUNDS		
Salaries & Wages	26-310-1	11,581.00
Other Expenses	26-310-2	46,988.00
MOTOR POOL		
Salaries & Wages	26-315-1	19,743.00
Other Expenses	26-315-2	39,113.00
BOARD OF HEALTH		
Other Expenses	27-330-2	250.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	250.00
COMMISSION ON IMMIGRANT & REFUGEE AFFAIRS		
Other Expenses	27-336-2	250.00
SAFE WALKING & CYCLING COMMITTEE		
Other Expenses	27-337-2	250.00
SUSTAINABLE HIGHLAND PARK		
Other Expenses	27-338-2	250.00
HISTORICAL COMMISSION		
Other Expenses	27-339-2	250.00
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	15,127.00
Other Expenses	28-370-2	3,938.00
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	55,587.00
Other Expenses	28-371-2	6,786.00

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ARTS COMMISSION		
Other Expenses	28-374-2	250.00
SHADE TREE ADVISORY COMMITTEE		
Other Expenses	28-375-2	250.00
TEEN CENTER		
Salaries & Wages	28-373-1	17,750.00
Other Expenses	28-373-2	
ELECTRICITY		
Other Expenses	31-430-2	40,000.00
STREET LIGHTING		
Other Expenses	31-435-2	62,000.00
TELEPHONE		
Other Expenses	31-440-2	16,984.00
FUEL OIL/GASOLINE/NATURAL GAS		
Other Expenses	31-460-2	29,271.00
SANITARY LANDFILL		
Other Expenses	32-465-2	69,563.00
Salaries & Wages	22-195-1	84,853.00
Other Expenses	22-195-2	4,014.00
CABLE TELEVISION		
Other Expenses	30-411-2	1,706.00
ACCUMULATED SICK LEAVE		
Salaries & Wages	30-415-1	16,275.00
COMMUNICATIONS		
Salaries & Wages	20-105-1	25,076.00
Other Expenses	20-105-2	9,883.00
MUNICIPAL COURT		
Salaries & Wages	43-490-1	55,259.00
Other Expenses	43-490-2	3,084.00
PUBLIC DEFENDER		
Other Expenses	43-495-2	1,575.00
Salaries & Wages	29-390-1	174,166.00
Other Expenses	29-390-2	90,643.00
COUNTY HEALTH SERVICES		
Other Expenses	42-401-2	11,665.00
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	2,363.00
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	3,938.00
PUBLIC AND PRIVATE PROGRAMS		
NJDEP Radon Awareness	41-707-2	2,000.00
Fire Victims Donations	41-735-2	10,015.00
STATUTORY EXPENDITURES		
SOCIAL SECURITY SYSTEM		
Other Expenses	36-472-2	86,121.00
UNEMPLOYMENT COMPENSATION INSURANCE		
Other Expenses	23-225	1,313.00

PUBLIC EMPLOYEES RETIREMENT SYSTEM		
Other Expenses	36-471-2	-
POLICE AND FIREMAN'S RETIREMENT SYSTEM		
Other Expenses	36-475-2	-
	SUBTOTAL	3,541,124.00
DEBT SERVICE		
BOND PRINCIPAL		
Other Expenses	45-920-2	625,000.00
INTEREST ON BONDS		
Other Expenses	45-930-2	242,369.00
M.C.I.A. LEASE/LOAN		
Other Expenses	45-950-2	79,500.00
DBIZ LOAN		
Other Expenses	45-925-2	-
	SUBTOTAL	946,869.00
	GRAND TOTAL	4,487,993.00

2019 TEMPORARY WATER AND SEWER BUDGET

DESCRIPTION		2019 TEMP
OPERATING		
Salaries & Wages		63,140.00
Other Expenses		630,933.00
Middlesex County Utilities Authority		330,750.00
STATUTORY EXPENDITURES		
Public Employee Retirement System		-
Social Security System		5,000.00
DEFERRED CHARGES		
Over expenditure Budget Appropriation		-
	SUBTOTAL	1,029,823.00
DEBT SERVICE		
Payment of Bond Principal		460,000.00
Interest on Bonds		67,450.00
	SUBTOTAL	527,450.00
	GRAND TOTAL	1,557,273.00

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.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY, "BRING YOUR OWN BAG ORDINANCE", 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 Kim-Chohan, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

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.

Ruth Bickhardt, 307 Magnolia Street, commented that she is opposed to anything plastic and she doesn't use them. The Borough should charge a large sum of money for using them. Councilman George noted that after a 2-month educational period, followed by a 6-month trial period, they will charge \$.10 a bag. After that, they will be banned and recycled paper and cloth bags will be available for a fee. The ordinance is to recommend less usage of plastic bags. There will be more public education about this matter.

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 Councilman George, seconded by Councilwoman Kim-Chohan, the ordinance entitled as above, being Ordinance No. 19-1980, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster-Dublin.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted on motion made by Councilman George, seconded by Councilman Fine, and carried by unanimous affirmative voice vote:

No. 2-19-49

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 IN MIDDLESEX COUNTY, "BRING YOUR OWN BAG ORDINANCE", 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, CHAPTER 9 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" BOARDS, COMMITTEES AND COMMISSIONS, had been introduced in writing by the Council as a Whole for consideration of passage on first reading by title.

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

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

Opposed: None.

Absent: Councilperson Foster-Dublin.

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

No. 2-19-50

WHEREAS, an Ordinance entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY, CHAPTER 9 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" BOARDS, COMMITTEES AND COMMISSIONS, 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, February 19, 2019 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.

Resolution Nos. 2-19-51 through 2-19-68, were duly adopted on motion made by Councilman George, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster-Dublin.

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

No. 2-19-51

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 annual basis, there have been the following changes, to wit:

ELSA DIAZ, Deputy Tax Collector, at an annual salary of \$41,311.00 effective February 1, 2019.

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:

CURTIS MORRIS III, Seasonal Recreation, at an hourly rate of \$8.85, effective February 1, 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 Council as a Whole, was duly adopted as above:

No. 2-19-52

WHEREAS, the Library Board of Trustees has reached a settlement with the Library Director with regard to longevity payments; and

WHEREAS, the Library Director, Jane Stanley is entitled to the sum of \$6,000.00, effective January 1, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Council hereby approve the Settlement Agreement between the Library Board of Trustees and the Library Director;

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

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted as above:

No. 2-19-53

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute, on behalf of the Borough, the Middlesex County Local Arts Program Grant Agreement in the amount of \$4,500.00, a copy of which is attached to the original of this resolution.

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

No. 2-19-54

WHEREAS, Tripoli Towing and Transport, LLC has filed with the Clerk of this Borough for a Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

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

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

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue Heavy Duty Wrecker/Towing License to the aforesaid applicant.

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

No. 2-19-55

WHEREAS, an emergency occurred with regard to a manhole frame and cover near 1307 Drier Place; causing an emergency effecting the welfare of the public; and

WHEREAS, upon investigation it was determined that the line had to be repaired/replaced; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, J. Fletcher Creamer and Son, Inc., P.O. Box 101 East Broadway, Hackensack, NJ 07601 submitted a quote in the amount of \$5,109.98; and

WHEREAS, funds in the amount of \$5,109.98 have been certified to be available in the Capital Account No. 9-05-55-500-423 as reflected by the Certification of Funds by the Chief Financial Officer, shown below; and

NOW, THEREFORE, IT IS RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Engineer is hereby authorized and directed to arrange for said repairs from J. Fletcher Creamer and Son, Inc., 101 East Broadway, Hackensack, NJ 07601, at a total price not to exceed \$5,109.98, this contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

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

No. 2-19-56

WHEREAS, under the terms and conditions of the Public Contracts Law of the State of New Jersey, a municipality may purchase items without competitive bidding from a firm or corporation currently under contract with the State of New Jersey; and

WHEREAS the Department of Public Works needs to purchase garbage toters, as more fully described on the attached Purchase Requisition; and

WHEREAS, under State Contract No. 112014-LEG, the Borough may purchase said equipment from Sanitation Equipment Corporation, 80 Furler Street, Totowa, NJ 07512, at the State contract prices; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-968-203 in the amount of \$103,655.25 as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works and Public Utilities is hereby authorized and directed to purchase said garbage toters from Sanitation Equipment Corporation, 80 Furler Street, Totowa, NJ 07512 at a total cost of \$103,655.25 and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Superintendent of Public Works and Public Utilities and Chief Financial Officer, forthwith.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:

No. 2-19-57

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Resolution No. 1-19-03 adopted by the Borough Council on January 2, 2019, shall be and is hereby amended to read as follows:

“BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Standing Committees of said Council for the year 2019 shall be and are hereby established as follows:

- | | |
|---------------------------------|--|
| RECREATION & ARTS | Councilpersons KIM-CHOHAN, Foster-Dublin, Fine. |
| ECONOMIC DEVELOPMENT & PLANNING | Councilpersons WELKOVITS, George, Hale. |
| FINANCE | Councilpersons FINE, Kim-Chohan, Foster-Dublin. |
| HEALTH AND HUMAN SERVICES | Councilpersons HALE, Fine, Kim-Chohan. |
| PUBLIC SAFETY | Councilpersons FOSTER-DUBLIN, Welkovits, George. |
| PUBLIC WORKS & PUBLIC UTILITIES | Councilpersons GEORGE, Hale, Welkovits. |

BE IT FURTHER RESOLVED that the first Councilpersons listed above for each Committee shall serve as Chair of that Committee.”

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

No. 2-19-58

WHEREAS, 49 Woodbridge Avenue, LLC (“Taxpayer”), the owner of 49 Woodbridge Avenue, Block 87, Lot 10 on the Borough of Highland Park Tax Assessment Maps (the “Property”), filed an appeal of its 2017 and 2018 tax assessments in the Tax Court of New Jersey, Docket Nos. 010267-2017 and 010672-2018; and

WHEREAS, the Property was assessed in said years at a total tax assessment of \$371,100 which, based upon the common level ratio for said years, equalized to a value of \$837,887 (44.29% ratio) for Tax Year 2017 and \$889,928 (41.70% ratio) for Tax Year 2018; and

WHEREAS, the Mayor and Council of the Borough of Highland Park met and discussed the aforesaid tax appeal and the recommendations of its Borough Tax Assessor and Special Tax Attorney; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated which withdraws the 2017 tax appeal, which reduces the 2018 tax assessment to a total tax assessment of \$250,200 (\$600,000 equalized value); and which provides that the tax assessor shall set the 2019 total tax assessment at \$240,200 (\$589,014 equalized value). The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to any Judgment entered for Tax Year 2019, as more specifically set forth in the Stipulation of Settlement annexed to this Resolution, which has been reviewed by the Mayor and Council; and

WHEREAS, the Taxpayer has agreed to waive interest provided that any refunds are paid within 60 days of entry of the Tax Court Judgment, made payable to “49 Woodbridge Avenue, LLC; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Borough as a result of the aforesaid specific fact situation; and

WHEREAS, the Mayor and Council make this settlement with Taxpayer without prejudice to its dealings with any other Borough taxpayer’s request for tax assessment reduction.

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 Special Tax Attorney is hereby authorized to execute the Stipulation of Settlement, a copy of which is annexed hereto, relative to the tax appeal captioned 49 Woodbridge Avenue, LLC vs. Borough of Highland Park, Tax Court of New Jersey, Docket Nos. 010267-2017 and 010672-2018, which settlement results in the 2017 tax appeal being withdrawn, the 2018 total tax assessment being reduced to \$250,200 for the Property, at the allocation between the land and improvements, as more fully set forth in the annexed Stipulation of Settlement; and which provides that the tax assessor shall set the 2019 total tax assessment at \$240,200; and which further provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to any Judgment entered for Tax year 2019; and which provides that the Taxpayer waives the payment of interest provided that any refunds are paid within 60 days of the entry of the Tax Court Judgment and made payable to “49 Woodbridge Avenue, LLC.
2. The settlement outlined above shall be without prejudice to the Borough’s dealings with any Borough’s taxpayers’ request for tax assessment reductions.

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

No. 2-19-59

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 Block 17, Lot 9.01, a.k.a. 412 South 2nd Avenue, #11-00017, 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. 2-19-60

WHEREAS, the Borough of Highland Park (hereinafter referred to as the “Employer”) by resolution previously adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”);

WHEREAS, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

WHEREAS, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

WHEREAS, such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts a revised Plan 92-PD-Lincoln-121316.

BE IT FURTHER RESOLVED that Lincoln Retirement Services, LLC (hereinafter referred to as “Lincoln”) has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that Lincoln will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to execute an Administrative Services Agreement with Lincoln (94-SA-Lincoln-110217) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to serve as the “Administrator” of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Borough Administrator; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

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

No. 2-19-61

WHEREAS, Sustainable Highland Park would like to apply for a grant from Sustainable Jersey to support a recycling and waste reduction program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute and submit, on behalf of Sustainable Highland, the grant application to Sustainable Jersey, a copy of which is attached to the original of this resolution.

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

No. 2-19-62

WHEREAS, the Borough of Highland Park desires to apply for and obtain a grant from the It Pay\$ to Plug In: NJ’s Electric Vehicle Charging Grant Program from the State of New Jersey Department of Environmental Protection; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized to sign and submit the grant application to the State of New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Administrator forthwith.

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

No. 2-19-63

WHEREAS, the Highland Park Educational Foundation (HPEF) has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct an Armchair Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on April 13, 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 (HPEF) for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefore, 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. 2-19-64

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2018 budget appropriation balances shall be made as follows:

Description	From	To
Finance OE		5,000.00
Telephones	5,000.00	
Total	\$ 5,000.00	\$ 5,000.00

The following resolution, introduced by the Council as a Whole, was duly adopted as above:

No. 2-19-65

WHEREAS, the Borough of Highland Park Tax Collector recently resigned from her position; and

WHEREAS, the Borough Administrator has initiated discussions with the Township of Piscataway to enter into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-3(c) to share the services of a Tax Collector for the Borough of Highland Park; and

WHEREAS, said Agreement shall identify the compensation to be paid for said services, work hours, etc. as required by N.J.S.A. 40A:9-141.

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

1. The Borough of Highland Park Administrator is hereby authorized and directed to negotiate with the Township of Piscataway a Shared Services Agreement to provide municipal Tax Collector services for the Borough of Highland Park.
2. The Shared Services Agreement so negotiated shall be reviewed and approved by said Mayor and Council when said Mayor and Council authorize by ordinance, said agreement and the appointment of Kathleen W. Silber as the Tax Collector for the Borough of Highland Park.

3. A certified true copy of this resolution shall be filed by the Borough Clerk with the Director of Local Government Services, New Jersey Department of Community Affairs, 101 South Broad Street, Trenton, New Jersey 08625 upon its adoption.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 2-19-66

WHEREAS, the Highland Park Conservative Temple – Congregation Anshe Emeth has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a 50/50 Off-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on March 17, 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 Conservative Temple – Congregation Anshe Emeth 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. 2-19-67

WHEREAS, CONSTANCE LUDDEN, TAX COLLECTOR, has resigned from the Borough of Highland Park effective January 18, 2019; and

WHEREAS, per the requirements of the Borough’s Personnel Manual, Constance Ludden is entitled to unused accrued time payments in the amount as calculated below.

	Calculation	Amount Due
Vacation	3 x 39.6495	\$118.95
Total Payment		\$118.95

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 \$118.95 be approved and distributed in the next available pay cycle.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 2-19-68

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 1/15/2019 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.

Ruth Bickhardt, 307 Magnolia Street, commented about the trash on the streets and sidewalks blowing all over. Trash cans after being dumped are thrown on the curb and off the curb. Borough Administrator Jover to discuss that matter with the Department of Public Works. Ms. Bickhardt further commented that she does not feel safe walking on the streets and sidewalks due to the condition of the area. She further mentioned leaf cleanup by homeowners so that they don’t blow all over the place.

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

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

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

Opposed: None.

Absent: Councilperson Foster-Dublin.

Abstained: None.

No. 2-19-69

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) Acquisitions; (b) Litigation)
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 Councilwoman Kim-Chohan, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:54 PM.

Respectfully submitted,

Joan Hullings

