

SPECIAL MEETING – APRIL 24, 2018

A Special Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, April 24, 2018 and was called to order by Mayor Brill Mittler at 7:57 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor; Councilpersons Fine, Foster-Dublin, George, Hersh, Kim-Chohan, Welkovits; Borough Administrator Jover; Borough Clerk Hullings.  
Absent: Borough Attorney Schmierer.

On motion made by Councilman Fine, seconded by Councilman George, the following resolution, read by the Clerk, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

No. 4-18-122

WHEREAS, the local municipal budget for the year 2018 was approved on the 20th day of March, 2018, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, that the following amendments to the approved budget of 2018 be made

	CURRENT FUND	
	From	To
Current Fund - Appropriations		
8. General Appropriations		
(A) Operations within "CAPS"		
General Government		
Borough Administration S&W	192,610.00	154,710.00
Financial Administration OE	143,400.00	133,400.00
Annual Audit OE	26,950.00	28,450.00
Assessment of Taxes S&W	59,059.00	49,059.00
Information Technology OE	115,500.00	113,000.00
Insurance(s)		
Employee Group Insurance	1,318,232.16	1,303,062.16
Public Safety Function(s)		
Police S&W	3,465,435.00	3,410,893.00
First Aid Squad Contribution	31,000.00	5,000.00
Public Works Function(s)		
Street & Road Maintenance OE	111,700.00	121,700.00
Uniform Construction Code		
Uniform Construction Code OE	17,810.96	15,290.96
Other Common Operating Functions		
Communications S&W	91,098.00	98,898.00
Communications OE	32,600.00	31,100.00
Total Operations (Item 8A) within "CAPS"	11,190,797.56	11,049,965.56
(B) Contingent	0.00	16,785.00
Total Operations Including Contingent within "CAPS"	11,190,797.56	11,066,750.56
Detail:		
Salaries and Wages	6,762,160.24	6,667,518.24
Other Expenses	4,428,637.32	4,399,232.32
(E) Deferred Charges and Statutory Expenditures		
Municipal within "CAPS"		
Statutory Expenditures		
Social Security System	290,100.00	328,080.00
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	1,553,956.13	1,591,936.13
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	12,744,753.69	12,658,686.69
(E) Deferred Charges and Statutory Expenditures		
Municipal excluded from "CAPS"		
Prior year deficit in water & sewer operating fund	0.00	86,067.00
Total Deferred Charges excluded from "CAPS"	0.00	86,067.00
(H-2) Total General Appropriations for Municipal Purposes excluded from "CAPS"	2,683,726.01	2,769,793.01
(O) Total General Appropriations - Excluded from "CAPS"	2,683,726.01	2,769,793.01
	WATER & SEWER UTILITY BUDGET	
	From	To
10. Dedicated Revenues		
Special Items of General Revenue Anticipated with Prior Written Consent of Direct of Local Government Services		
Additional Water and Sewer Rents	1,928,291.88	1,944,784.88
Deficit (General Budget)	0.00	86,067.00
Total Water & Sewer Utility Revenues	\$5,458,087.90	\$5,560,647.90
11. Appropriations for Water & Sewer Utility		
Operating		
Other Expenses	\$2,530,993.00	\$2,403,553.00
Capital Improvements		
Capital Improvement Fund	50,000.00	100,000.00
Total Water & Sewer Utility Appropriations	\$5,458,087.90	\$5,560,647.90

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2018 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment in accordance with the provisions of N.J.S.A. 40A:4-9, be published in The Home News & Tribune, Asbury Park, NJ in the issue of April 27, 2018 and that said publication contain notice of public hearing on said amendment to be held at the Borough Hall on May 15, 2018 at 7:00 o'clock p.m.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the governing body on the 24th day of April, 2018.

The Clerk reported that an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER", had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

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

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

Opposed: None.

Abstained: None.

Absent: None.

Prior to voting, Councilman George commented that this is an increase in the water and sewer rates that will result in an increase of approximately \$48 in both water and sewer rates effective this quarter. The problems they encountered began last year where there was a significant drop in revenue in water and sewer. At the same time, the Borough has experienced four rate increases since 2011 from Middlesex Water and the MCUA that were not reflected in rates being increased to charge the users. As a result, the Borough is in a situation where they have to balance the budget and they have to balance the water and sewer bills to make them pay their way in the future. There are state requirements that have resulted in the increase, including the water quality assessment act, which requires significant studies and maintenance to be done. Additionally, they discovered last year that they have significant water losses and significant revenue losses. They are losing revenue for unaccounted water and losing water through possible infiltration which also has a likelihood of increasing the sewer rates because water is flowing through the system without being billed or used. The Borough found it necessary to increase the rates to reflect the use. This caused a shortfall and they made adjustments through the imposition of a surcharge of \$13 per month on water and sewer, which will end on December 31<sup>st</sup>. As a result, the Administration went back and did some fairly significant budget analysis which resulted in more significant budget reductions so that the taxpayer does not bear the weight. The water and sewer rates are a user based tax and you pay based on your usage. They have managed to keep the increase to a \$48 per quarter increase with the \$13 surcharge.

Prior to voting, Councilman Hersh thanked the Mayor, the Borough Administrator, and the Council for working tirelessly on getting these numbers to be more palatable.

Mayor Brill Mittler noted that Councilman George has been working with the Borough Administrator on some plans to ensure that we fix this problem going forward and in future meetings they will be reporting on some steps that they will be taking to ensure that water usage is reported properly and that they start addressing some of our infrastructure issues regarding water and sewage.

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

No. 4-18-123

WHEREAS, an Ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER" 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 15, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

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

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

The Clerk reported that an ordinance entitled, AN ORDINANCE PROVIDING FOR A SURCHARGE FOR METERED WATER USAGE CALENDAR YEAR 2017, had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

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

Ayes: Councilpersons Fine, Foster-Dublin, George, Hersh, Welkovits.

Opposed: Councilperson Kim-Chohan.

Abstained: None.

Absent: None.

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

No. 4-18-124

WHEREAS, an Ordinance entitled, AN ORDINANCE PROVIDING FOR A SURCHARGE FOR METERED WATER USAGE CALENDAR YEAR 2017 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 15, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

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Councilman Fine commented that today we commemorate the memory of the victims of the Armenian Genocide. The Armenian Genocide began 103 years ago tonight, on the night of April 24, 1915. The Armenian Genocide was the centrally planned and systematically executed deportation and murder of one and a half (1.5) million Christian Armenians, Greeks, and Assyrians by the Ottoman Turkish Government from 1915-1923. On April 24, 1915, the Ottoman Turkish Government arrested more than 200 Armenian community leaders in Constantinople. Then, the Armenian people were systematically subject to deportation, expropriation, abduction, torture, massacre and starvation. Hundreds of thousands of Armenians were forcibly removed from their homes and deported to the Syrian desert, where the majority of the deportees died of dehydration and starvation. By 1918, an estimated one and a half million Armenians had perished, while hundreds of thousands had become homeless and stateless refugees. By 1923, Asia Minor and historic West Armenia had been expunged of its Armenian population. Despite overwhelming documentation by historians, an unrepentant Turkey seeks to both enforce an international gag-rule against truthful affirmation of the Armenian Genocide and to obstruct a just international resolution of this still unpunished crime. As Congressman Pallone state today, April 24<sup>th</sup> should be a day that the United States and nations around the world commemorate the Armenian Genocide. We must honor those who suffered by acknowledging the truth. In regard to the municipal portion of Highland Park residents' property taxes, in 2018, the average Highland Park resident's tax bill will be increased by 2.44%, or a \$91.22 increase to the average tax bill, which means that the municipal portion of the average tax bill will be increasing from \$2,971.48 to \$3,062.70.

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

Tina Weishaus, 143 North 5<sup>th</sup> Avenue, thanked Councilman Fine for his commemoration statement. She asked about the water and sewer ordinances and noted that it seems like a lot of money for the average homeowner. Councilman George noted that the surcharge is only for 3 quarters. Borough Administrator Jover noted that the surcharge is \$156 for the typical family, plus the rate increase. Ms. Weishaus asked of the possibility of exempting some households that cannot afford the increase. Borough Administrator Jover noted that there is a flat charge for minimum usage of 0-799 cubic feet per quarter, which equates to approximately \$15. The Borough is looking into the NJ Shares Program but she is not overly optimistic about. It is a program to help connect lower income families in New Jersey to resources to offset their utility bills. Ms. Weishaus asked for an explanation of why the increases.

Mayor Brill Mittler explained that the Borough identified an issue with the Water/Sewer utility billing. The anticipated revenues for 2017 were not met. Highland Park water rates were not increased in 7 years, despite the fact that costs have gone up. The cost of buying water, the rates we pay Middlesex Water, have increased 4 times since the last rate increase. None of those increases were passed on to residents or businesses in town. Additionally, New Jersey mandates that Highland Park purchase a minimum quantity of water, even if that water does not get used. These minimum requirements have increased, so we are forced to buy more water than we are going to use. On top of all of this, the Middlesex County Utility Authority has increased the rates for processing our sewage. Finally, due to infrastructure deficiencies, we anticipate possible inflow and infiltration problems. She is dismayed to say that these items did not come to our attention until they were uncovered by the Borough Administrator. She does not want to ever see the Borough in the position of discovering any unanticipated shortfalls again. She has asked for swift action to prevent this from ever happening again. As one quick fix, she has called for a quarterly review of our progress against our budget beginning this year, on all line items. She has also asked Council President George to work with the Borough Administrator in fixing the infrastructure issues associated with the water and sewer systems.

Councilman George noted that they are working with the NJ Infrastructure Bank. He spoke with one of their contacts at Middlesex Water regarding the next phase of their planning. The initial planning has been with Middlesex Water. They have reviewed the GIS mapping of the town and their records to when the water and sewer were installed in the early 1900's and then worked with them to develop plans for what the Borough needs to do to make the water quality assessment act. The Borough put in an application to the NJ Infrastructure Bank in order to fund some of the infrastructure problems that the Borough needs to take care of. In the meantime, they are also meeting bi-monthly with Middlesex Water, to find out what is going on and if any new leaks were detected, discussing metering programs, with more up-to-date technology, etc. Going forward, one of the programs they will implement is capital improvement to create a reserve. This will all be looked at again next year and the surcharge will sunset on December 31<sup>st</sup> and was calculated on 2017 actual readings. Will review rates annually so that the rates accurately reflect usage and will be building in reserves for capital improvements.

Ms. Weishaus commented that if we are moving towards water conservation and fixing leaks, we would be using less water, but would still have to pay a minimum. Councilman George noted that the minimum amount adjusts at least annually. The biggest adjustment problem is from the loss. We think that approximately 30% of water is lost revenue and not being billed. Have a lot of old meters and really old fashioned large water mains servicing larger installations.

Borough Administrator Jover noted that the State establishes a minimum daily consumption. If the Borough can get rid of the leaks and substantiate their actual consumption they can go back to the department, but they are looking at what the Borough is buying from Middlesex Water. The Borough owns the small water meters, not the large ones. By establishing an asset management plan, which is required by the State, the Borough will have a 5-year program and a course of action to address water leaks and water loss. There are smarter meters that can actually detect a leak that is in the house versus in the line leading to the house. Need to start with the residential meters to make sure they are accurate and hope that it encourages homeowners and larger consumers to look at their fixtures.

Ms. Weishaus commented that maybe Sustainable Highland Park can do some education on this topic. Councilman George suggested that this topic can be an agenda item for Sustainable Highland Park.

Abby Stern Cardinale, Harper Street, asked whether the budget for 2018 has been finalized. Borough Administrator Jover noted that there will be a public hearing on May 15<sup>th</sup>. Ms. Cardinale asked if the website redesign is still in the budget. Borough Administrator Jover noted that it is still in the budget. Ms. Cardinale asked why the budget gets passed so late in the year. CFO Gardner explained that the borough follows the statutory guidelines for calendar year budgets. The budget is put together and worked on during the fiscal year and has been delayed due to the water and sewer problems. This budget will need to be reviewed by the Division of Local Government Services before it can be finally adopted. Ms. Cardinale asked if projects would have to be delayed until the budget is adopted. Councilman George noted that the Council has passed emergency temporary appropriations that are based on last year's budget to use as projected operations during quarters when budget has not been approved by the Council or DCA. CFO Gardner noted that the temporary budget is put in place from January 1<sup>st</sup> until budget is adopted. Programs that hinge on the new budget being adopted will have to wait until final adoption. Ms. Cardinale commented that she has watched the previous meetings and asked whether bias training was put in the budget. Mayor Brill Mittler clarified that training is part of the Police Department's budget. Councilwoman Foster-Dublin noted that the Police Department training budget is well thought out as it pertains to community policing, and types of training dealing with various areas of the community.

Tina Weishaus, 143 North 5<sup>th</sup> Avenue, commented that there was talk about implicit bias training which has not been done and it is a specialized training and she thinks it would cost additional money. Mayor Brill Mittler commented that there is already money in the budget for training. The Police Chief and the Public Safety Chair would make that decision. Councilwoman Foster-Dublin noted that the Attorney General mandates the Clear Training. They will be looking at the different types of training and will advise of additional training. The new Attorney General has been holding town hall meetings to talk about bias and profiling. He will be at Middlesex County College on June 14<sup>th</sup> along with the Prosecutor's Office. Ms. Weishaus asked about audits being done and a clarification about a municipal audit. People in the community were calling for an audit to look at the statistics for racial bias in the Police Department. Councilwoman Foster-Dublin commented that they are looking at companies to review the standard operating procedures of the Police Department. They will also meet with community members to get their input as well. Mayor Brill Mittler clarified that one organization specializes in bias training and bias analysis and there is another organization that analyzes police procedures. They are looking at two different things by two different organizations.

Councilwoman Foster-Dublin asked for a moment of silence for Civil Rights Activist, Winnie Mandela, who passed away April 2<sup>nd</sup>.

Councilman George noted that April 25<sup>th</sup> is wear Denim Day.

Mayor Brill Mittler noted that she was in Trenton today when Governor Murphy signed into law the Diane Allen Equal Pay for Women Legislation.

Councilwoman Kim-Chohan noted that meeting with the Attorney General's Office and the Prosecutor's Office has been moved to a bigger venue due to increased interest at Middlesex County College, West Hall, at 6:00 PM.

Councilman Hersh thanked Tina and Abby for raising concerns about the water and sewer rates. The Council did not take this lightly and had serious concerns about this matter and it was a very difficult process.

There being no further business, on motion made Councilman George, seconded by Councilwoman Foster-Dublin, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:53 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk