

## REGULAR MEETING – JANUARY 16, 2018

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, January 16, 2018 and was called to order by Council President George at 7:04 PM. Council President George read the Open Public Meetings Statement.

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

Absent: Mayor Brill Mittler; Councilwoman Foster-Dublin; Borough Attorney Schmierer.

Council President George asked the Council members to present their reports.

Councilwoman Kim reported that the Arts Commission is working on workshops for the next four months of 2018. They will offer the book arts workshop again. Last time it was filled to capacity and they had to turn residents away. They will offer an acting workshop, glass art workshop, comic book workshop for the little ones, and Japanese finger painting for the preschoolers. There may be a collaboration with the food pantry in the near future. She attended the windows of understanding exhibit reception in New Brunswick prior to tonight's meeting. There are six venues in Highland Park and twelve venues in New Brunswick that have art lining their windows with the theme "We See through Hate". This is similar to the window art crawl that they do in Highland Park in the summer. This is a collaboration with the Mason Gross School of Arts and the City of New Brunswick. There are ten artists involved in and around Highland Park, five non-profits and six stores in New Brunswick. Residents can check it out at home through a digital tour at [www.artwalkhp.com](http://www.artwalkhp.com). The seniors and members of the community enjoyed an afternoon of music today. The first senior luncheon for 2018 will be held on January 23<sup>rd</sup> and there will be a special Chinese culture presentation. Yesterday, in celebration of Martin Luther King day, prior to the Human Relations Commission event, she attended the Governor's Day of Action at the Veteran's Home in Edison, where she was able to share some laughs and conversation with the veterans. It was a very rewarding experience.

Councilwoman Welkovits thanked the community for providing many opportunities for her and her family to serve and participate on Martin Luther King Day. In these times, she can think of no more appropriate recipient of the MLK Humanitarian award than Harry Pangemanan. The Human Relations team, under Ashton Burrell, put together the most moving program last night. She thanked the Committee, Councilman Hersh, the incredible dancer, Jordan Jackson, poet and educator Alyea Pierce, Lucinda Holt of HPPOSOC and Pastor Seth Kaper-Dale and his introduction of Mr. Pangemanan. She thanked Mr. Pangemanan for his tremendous community work and his family for their support. She also thanked the team at Bartle School, Principal Benjamin, Ms. Crane, Ms. Kirk, Ms. McLean and the other teachers and staff on hand as they volunteered for a day of service to help clean-up, organize, prep and paint the Bartle School. Last fall, Highland Park's Safe Walking and Cycling Committee (SWACC) submitted an application for the New Jersey Department of Transportation's (NJDOT) Local Bicycle/Pedestrian Planning Assistance Program. Under this program, NJDOT has retained the services of several consultants with expertise in local bicycle and pedestrian planning. The services of these consultants are provided at no cost to municipalities that demonstrate a need and desire to undertake planning activities that will lead to capital improvements to benefit the non-motorized transportation modes. She is delighted to announce that Highland Park's application has been accepted into the program and WSP, one of the nation's leading engineering and professional services firms, has been named as Highland Park's consultant to create a comprehensive bicycle and pedestrian plan for the Borough. The goal of the plan is to promote walking and bicycling as a preferred mode of transportation for residents and visitors by enhancing the community. The plan will build upon the already extensive work being done by the Borough's Boards and Commissions to make Highland Park an even better place to work and live. The plan will be consistent with the Borough's Complete Streets Policy and may become the bicycling and pedestrian foundation of the master plan. When completed, the plan will provide a comprehensive approach to identify priority improvements for creating, enhancing and expanding walking and bicycling opportunities for people of all ages. She thanked Trish Sanchez and Sean Meehan for taking the lead on this important opportunity. She thanked Borough Administrator Teri Jover for helping to finalize and submit the application and for the future coordination of this project as they navigate through the many steps to come. She also announced that a bill, which she and the SWACC Committee have been actively advocating for, was signed into law by the Governor yesterday. The law requires driver education courses and the driver's license written exam to include pedestrian and bicycling safety information. No driver, cyclist or pedestrian wants to be in a collision. Yet, New Jersey is presently reaching an all-time high in cycling fatalities. Bicycle death rates greatly exceed total road fatalities nationally and statewide. Historically, bicycle fatalities steadily fell nearly 40 percent off the 1975 record by 2010, but rose nearly 32 percent by 2015. Up until yesterday, New Jersey had some of the weakest protections for pedestrians and bicyclists. Teaching new drivers these rules of the road will help everyone improve the safety of our roadways. As Chair of the Economic Development Committee, her interest also concerns the smart growth and development within the community. She encourages walking and cycling as valid alternatives to commuting for work and running local errands. Highland Park is the lead municipal partner to Rutgers KnightCycle bike share, scheduled to begin in the next year. More cyclists and pedestrians mean less cars and less road traffic, making roadways safer. She personally thanked State Senator Patrick Diegnan, for co-sponsoring the senate bill, getting it out of committee, unanimously, getting it to the senate floor, and bringing the bill the attention to deserved. She thanked the Senator for the long-term effects of safer streets and roadways for all, and for saving lives.

Councilman Hersh reported that Highland Park resident Harry Pangemanan received the 2018 Dr. Martin Luther King Jr. Award from the Highland Park Human Relations Commission last night at the High School. The annual event recognizes an individual who has shown exemplary leadership and service to the community. Pangemanan, an immigrant from Indonesia, who escaped from the violence aimed at Chinese Christians in the 1990's was honored for his extensive work on behalf of Indonesian Immigrants and others in need of assistance. He thanked Ashton Burrell and the Human Relations

Commission for sponsoring this program. The Borough needs to seize every opportunity to protect our residents. We do that through service to our community. We do that through advocacy and activism. We do that through a commitment to the belief that there is no door that shuts out our neighbors and we do that by making sure we operate always through a lens of equity. We have no choice. As Harry says, it's not about one life, but about the entire community.

Councilman Hersh officially presented Mr. Pangemanan with the MLK plaque.

Councilman Hersh continued his report by noting that the Commission on Immigrant and Refugee Affairs will host its first meeting of 2018 on Tuesday, February 13, 2018 in the lower level conference room in Borough Hall. The Food Pantry is busy this month and you'll be happy to know that they have exhausted all of the reusable bags from Sustainable Highland Park's reusable bags program. They are going to reach out to Sustainable Highland Park to get a fresh supply. The Food Pantry clients are bringing these bags to food distributions, which is great, great news. Kudos to Food Pantry Commissioner Bruce Bush for his extensive time and dedication to getting the 2018 sign in sheets and other client records set for the new year. The Middlesex County Food Organization and Outreach Distribution Services (MCFOODS) and the Community Bank of New Jersey will resume food distribution starting tomorrow so they will start again to get more of a variety of fresh food for our clients. The Highland Park Housing Authority reorganized at its January 10<sup>th</sup> meeting, selecting Commissioners Steve Chudnick and Raysa Martinez to serve as Chair and Vice Chair. Both are immensely qualified as they undertake financing for capital improvements as well as general stewardship of Highland Park's public housing stock. He congratulated both of them and thanked all of the members of the Housing Authority for taking on this awesome responsibility. He asked residents to mark their calendars for the next Highland Park Human Relations Commission Book Club where they'll discuss a very important book, *White Rage*, by historian Carol Anderson. This text examines the obstacles that stand in the way of black progress in America. The event will take place on Thursday, March 29<sup>th</sup> at 7:00 PM at the Highland Park Senior/Youth Center.

Councilman Fine – No report.

Borough Administrator Jover – No report.

Borough Attorney Tauriello - No report.

Council President George reported that the Department of Public Works is ready for the snow tonight, which could be nothing or a lot. The crews have been out brining since this morning. With the weather moderating to some extent, PSE&G has been attending to more gas lines, so be patient if the street is blocked. The bag reduction program continues. Over 1,000 bags have been given out, paid for in part by Stop & Shop and the original grant funding. The Earth Day program has been set for Sunday, April 22<sup>nd</sup> at the Eugene Young Environmental Center, and the sign up information for any groups wishing to participate will be available on the Sustainable Highland Park and Borough Website shortly. Sustainable Highland Park is also doing some planning for goals for 2018 and long term goals. The next meeting is Wednesday, January 24<sup>th</sup> at 8:00 at the environmental center. A resolution opposing the NJDEP regulations for beekeeping is on tonight's agenda. This resolution was requested by the Environmental Commission because the proposed regulations effectively ban beekeeping by residential, small scale and urban beekeepers, and impose requirements for those beekeepers who were operating prior to 2015 as well. Meadows trail work has stopped for the winter. It will start back up in March. As always, volunteers are needed and appreciated, and the material for the work is grant funded. You would not necessarily think that outdoor work in the woods and along the waterfront could occur in Highland Park, but having worked with these dedicated individuals, I can tell you the work is fun, a bit hard, and really gives a different slant on what we have going for us in town.

Council President George opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

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

Resolution Nos. 1-18-30 through 1-18-53 were duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman Hersh, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilwoman Foster-Dublin.

Councilman Hersh, when casting his vote noted that he wanted to abstain from voting on the resolutions dealing with the Highland Park Educational Foundation.

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

No. 1-18-30

WHEREAS, Frank Catalfamo, Lawrence Dick, Nicholas George Lagakos, Ely Kotin, Matthew Peter Halsey, Tanveer Ahmad Qureshi, James R. Thomas, Dominic DeFrank, and Leon Rozenblat have filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2018; and

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

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

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

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

No. 1-18-31

WHEREAS, Frank Catalfamo, LR No. 12 LLC (Leon Rozenblat) and EK No. 11 LLC (Ely Kotin) have filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such licenses for the year 2018; and

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

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

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

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

No. 1-18-32

WHEREAS, the Borough of Highland Park desires to use Balken Risk Management Consulting Services, LLC for risk management consulting services;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the agreement for aforesaid services, attached to the original of this resolution, is hereby approved.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, the Garden State Municipal Joint Insurance Fund and Balken Risk Management Services, LLC forthwith.

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

No. 1-18-33

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Attorney for the calendar year of 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Edwin Schmierer, Esq., is an Attorney at Law of the State of New Jersey with experience in municipal law and has heretofore been appointed as Borough Attorney for 2018;

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of the Borough Attorney; and

WHEREAS, funds for this purpose are not to exceed the amount of \$45,000.00 and an additional \$20,000.00 for litigation, without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$65,000.00 in Account No. 8-01-20-155-2AT, upon adoption of the 2018 municipal budget, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Edwin Schmierer, Esq., a copy of which is attached hereto, 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. 1-18-34

WHEREAS, the Borough of Highland Park has need of the services of a Tax Appeal Counsel for the calendar year 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Martin Allen of the Law firm of Di Francesco, Bateman, Kunzman, Davis, Lehrer & Flaum is an Attorney at Law of the State of New Jersey with extensive experience in tax appeal matters and has heretofore been appointed as Tax Appeal Counsel for 2018; and

WHEREAS, the Mayor and Council desire to provide compensation for the Tax Appeal Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$10,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose will be available in the amount of \$10,000.00 in Account No. 8-01-20-155-2TA, upon adoption of the 2018 municipal budget, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Martin Allen, a copy of which is attached hereto and made a part of hereof, 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. 1-18-35

WHEREAS, the Borough of Highland Park has need of the services of a Labor Consultant for the calendar year of 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Arthur Thibault, Esq., is an Attorney at Law of the State of New Jersey with extensive experience in labor relations matters and has heretofore been appointed as Labor Consultant for 2018; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Labor Consultant; and

WHEREAS, funds are available for this purpose are not to exceed the amount of \$40,000.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$40,000.00 in Account No. 8-01-20-155-2LA, upon adoption of the 2018 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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Arthur Thibault, Esq., Apruzzese, McDermott, Mastro & Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938, a proposed copy of which is attached hereto, 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. 1-18-36

WHEREAS, the Borough of Highland Park has need of the services of Bond Counsel for bonding and related matters the calendar year of 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Wilentz, Goldman & Spitzer, Esqs., is a firm of attorneys at law of the State of New Jersey with extensive experience in bonding and related matters and has heretofore been appointed as Borough Bond Counsel for 2018; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of Bond Counsel; and

WHEREAS, funds are or will be made available for this purpose in all capital ordinances as the same are adopted;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Wilentz, Goldman & Spitzer, Esqs., a proposed copy of which is attached hereto, 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. 1-18-37

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Engineer for the calendar year of 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, David J. Samuel, of CME Associates, is a licensed engineer of the State of New Jersey with extensive experience in municipal engineering and has heretofore been appointed Borough Engineer for 2018; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Engineer; and

WHEREAS, funds for this purpose are not to exceed \$9,500.00 or the amount specified in agreements for specific projects; and

WHEREAS, funds will be available for this purpose in the amount of \$9,500.00 in Account No.8-01-20-165-2EN, upon adoption of the 2018 municipal budget, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 David J. Samuel, CME Associates, a copy of which is attached hereto, 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. 1-18-38

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant for the calendar year of 2018 and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, James Constantine, PP of LRK, Inc. is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Borough Planner for 2018; and

WHEREAS, the Mayor and Council desire to provide compensation for the Planning Consultant; and

WHEREAS, funds for this purpose are available in Account No. 8-01-21-180-2PL in an amount not to exceed \$10,000.00, upon adoption of the 2018 municipal budget, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below, and in various escrow accounts now or hereafter established pursuant to Chapter 17-10.12 of the Revised General Ordinances of the Borough of Highland Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Jim Constantine, a copy of which is attached hereto, 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 Economic Development and Planning Committee, was duly adopted as above:

No. 1-18-39

WHEREAS, the Borough of Highland Park has need of the services of a Special Counsel for Affordable Housing for 2018; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A.: 40A:11-1 et seq.; and

WHEREAS, Jeffrey R. Surenian and Associates, LLC, is an Attorney at Law Firm of the State of New Jersey with experience in municipal law and has heretofore been appointed as Special Counsel for the above mentioned period; and

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of the Special Counsel; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Special Counsel as per the attached Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Jeffrey R. Surenian and Associates, LLC, a copy of which is attached hereto, 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. 1-18-40

WHEREAS, the Borough of Highland Park has need of the services of a Special Planning Consultant for the calendar year of 2018 and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Philip B. Caton is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Special Planner for 2018; and

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of Special Planner; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Special Planner as per the attached Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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 Philip B. Caton, Clarke Caton Hintz, 100 Barrack Street, Trenton, NJ 08608, a copy of which is attached hereto, 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. 1-18-41

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2018 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

PHILIP GEORGE, Council President, at an annual salary of \$5,085.00 effective January 1, 2018.

SUSAN WELKOVITS, Council Member, at an annual salary of \$4,239.00, effective January 1, 2018.

EDWARD HERMAN, Municipal Court Judge, at an annual salary of \$40,926.00, effective January 1, 2018.

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2018 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

DOUGLAS WATT, On-Call Firefighter, at an hourly rate of \$19.54, effective January 1, 2018.

CHRISTOPHER ZIOBRO, On-Call Firefighter, at an hourly rate of \$19.54, effective January 1, 2018.

CHRISTOPHER INZANO, On-Call Firefighter, at an hourly rate of \$19.93, effective January 1, 2018.

MADLINE HEHIR, Seasonal Recreation, at an hourly rate of \$14.00, effective January 2, 2018.

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 Public Works and Public Utilities Committee, was duly adopted as above:

No. 1-18-42

WHEREAS, the Shade Tree Advisory Committee would like to institute a tree planting program for the spring of 2018; and

WHEREAS, the Shade Tree Advisory Committee has a list of interested residents; and

WHEREAS, the Shade Tree Advisory Committee would like to purchase said shade trees utilizing funds from the Tree Replacement Fund;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Shade Tree Advisory Committee is hereby authorized to purchase said trees utilizing funds from the Tree Replacement Fund.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and the Shade Tree Advisory Committee forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 1-18-43

WHEREAS, the Highland Park Educational Foundation has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct games of chance commonly known as Bingo in accordance with the Bingo Licensing Law (NSJA 5:8-24 to 49), on March 9, 2018; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Bingo in accordance with the requirements of the Bingo 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 for the holding, operation and conduct of games of chance commonly known as Bingo upon payment of a license fee, subject to the provisions of said 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. 1-18-44

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 March 3, 2018; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the 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. 1-18-45

WHEREAS, the following employees are entitled the following payouts in the amounts listed below:

NAME	AMOUNT DUE
Sade Edens	\$79.89
Theodore Haas	\$132.45
Mohab Hannout	\$133.56
David Soden	\$74.20

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the comp time payouts be approved and distributed in the next available pay cycle.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 1-18-46

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director be and is hereby authorized and directed to remit to the following the amount set opposite, the same being the amount of the buyback of 2017 vacation time for the Borough Police Chief:

	Calculation	Amount Due
Vacation	64 hours x \$86.78	\$5,554.12
Total Payment		\$5,554.12

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

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

No. 1-18-47

WHEREAS, the New Jersey Department of Agriculture has promulgated new beekeeping rules designated as PRN 2017-216 in the New Jersey Register which are now open to public comment, which comments must be submitted by January 19, 2018; and,

WHEREAS, the delegates to the 102<sup>nd</sup> State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 8-9, 2017, adopted Resolution #21, which found that:

honeybees are vital components of New Jersey agriculture; and

honeybees forage over airsheds measured in square miles, not acres; and,

New Jersey's beekeepers provide their pollination services to other commodity producers, and produce honey and hive products without the necessity for control of their own land base, unlike all other types of commercial agriculture; and,

the Right to Farm Act is intended to protect Commercial Farms engaged in generally accepted agricultural management practices from over-restrictive local regulation nuisance lawsuits; and,

since 2006, there has been a tremendous increase in public awareness of the extreme honeybee colony losses routinely suffered by beekeepers around the country, and of the threat that the loss of honeybees and other pollinators poses to our food supply and quality of life; and,

increased public awareness has resulted in a corresponding increase in the numbers of beekeepers in New Jersey, who now number in the thousands; and,

many of the state's increasing number of beekeepers are non-commercial or do not operate on a scale or in a location that could make them eligible for exemptions from local regulation of beekeeping practices under the Right to Farm Act; and,

WHEREAS, the proposed regulations include Apiary Standards which prohibit new beekeeper hives on residential lots of less than one quarter (1/4) acre which were not in existence as of July 31, 2015; and,

WHEREAS, the proposed regulations provide that beekeepers may seek a waiver to keep no more than two (2) hives on a residential lot of one quarter (1/4) acre to less than five (5) acres, which waiver requirements may be used to ban existing non-commercial beekeeping; and,

WHEREAS, the proposed regulations require hives to be located at least ten (10) feet from any property line, twenty-five (25) feet from any roadway, sidewalk or path, eighty-five (85) feet from any public place, and mandate a Flyway Barrier of six (6) feet or more and extending more at least ten (10) feet beyond the colony in all directions; and,

WHEREAS, these proposed regulations were developed in spirit and practice without reference or input from the State's beekeeper organizations and contrary to the findings of the State Agricultural Convention in Resolution # 21; and,

WHEREAS, the proposed regulations effectively prohibit beekeeping on all but commercial properties and needlessly add restrictive regulations which are contrary to good Apiary practice, injurious to native plants which require pollination, and ban residential and hobbyist beekeeping;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park that the Borough of Highland Park opposes the adoption of the proposed regulations prescribing new rules for commercial and non-commercial beekeeping in New Jersey as contrary to good Apiary practice, without basis in current best beekeeping practices, and excessively restrictive to small and hobbyist beekeepers, and urges the New Jersey Department of Agriculture to recall the regulations and establish a joint review commission composed of commercial and non-commercial beekeepers, representatives of New Jersey beekeeping organizations, scientists and representatives of the New Jersey Department of Agriculture to propose appropriate regulations for beekeeping in New Jersey.

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

No. 1-18-48

The Governing Body of the Borough of Highland Park desires to further the public interest by obtaining a grant from the State of New Jersey in the amount, FOR UP TO \$1,600.00 to fund the following project:

NJFS Urban and Community Forestry Program Green Communities Grant

Therefore, the Governing Body resolves that Teri Jover or the successor to the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$1,600.00, and (c) to execute [ ] any amendments thereto [X] any amendments thereto which do not increase the Grantee's obligations.

The Mayor and Borough Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 15% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable Federal, State, and Municipal laws, rules, and regulations in its performance pursuant to the agreement.

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

No. 1-18-49

WHEREAS, advertisement was made for receipt of bids on January 12 2017, for an annual contract for repairs and maintenance of the water distribution and sanitary sewer systems in the Borough of Highland Park for the years 2017 and 2018; and

WHEREAS, four bids were received as follows:

J Fletcher Creamer and Son Inc, Hackensack, NJ

2017: \$232,992.75  
2018: \$232,992.75  
Total \$465,985.50

B&W Construction Co, South River, NJ

2017: \$243,535.00  
2018: \$243,535.00  
Total \$487,070.00

Montana Construction Corp., Inc., Lodi, NJ

2017: \$383,007.85  
2018: \$383,007.85  
Total \$766,015.70

Lucas Construction Group, Red Bank, NJ

2017: \$240,534.35  
2018: \$240,534.35  
Total \$481,068.70

and

WHEREAS, the bid for the annual contract for repairs and maintenance of the water distribution and sanitary sewer systems in the Borough of Highland Park was awarded to J. Fletcher Creamer & Son, Inc. as per Resolution No. 2-17-72, adopted by the Highland Park Borough Council on February 7, 2017; and

WHEREAS, funds for this purpose will be made available in Account No. 8-05-55-500-423 upon adoption of the 2018 Municipal and Water & Sewer Budgets in the amount of \$232,992.75 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 Chief Financial Officer shall be and is hereby authorized and directed to remit to the above the amount indicated, the same being the amount due for said services.

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

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

No. 1-18-50

WHEREAS, advertisement was made for receipt of bids on January 12, 2017, for the 2017-2018 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding, with said bids rejected as per Resolution No. 2-17-71; and

WHEREAS, advertisement was made again for receipt of bids on April 28, 2017, for the 2017-2018 Annual Maintenance Contract for Tree Pruning, Tree Removal, Stumps Removal and/or Root Grinding; and

WHEREAS, three (3) bids were received as follows:

- 1. High Tech Landscapes: \$40,670.00
- 2. Chestnut AFS LLC: \$55,487.50
- 3. Rich Tree Service, Inc.: \$53,440.00

WHEREAS, the bid for the annual maintenance contract for tree pruning, tree removal, stumps removal and/or root grinding was awarded to Rich Tree Service, Inc., as per Resolution No. 6-17-210, adopted by the Highland Park Borough Council on June 13, 2017; and

WHEREAS, funds for said contract shall be made available in Account No. 8-01-26-290-237 upon adoption of the 2018 Municipal Budget, in an amount not to exceed \$53,440.00, as reflected by the certification of funds of by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer shall be and is hereby authorized and directed to remit to the above, the amount indicated, the same being the amount due for said services.

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

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

No. 1-18-51

WHEREAS, the Borough of Highland Park has need for Continuing Disclosure Agent Services and Independent Registered Municipal Advisor of Record services in connection with one or more bond issuances to provide certain financial and other information and notices; and

WHEREAS, funds for this purpose are available in Account No. 8-01-20-130-235 in an amount not to exceed \$750.00 without further resolution of Council, 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 Mayor and Borough Clerk are hereby directed to execute and attest on behalf of the Borough the AGREEMENT providing for Continuing Disclosure Agent Services and Independent Registered Municipal Advisor of Record services with Phoenix Advisors, LLC., 4 West Park Street, Bordentown, NJ 08505.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance Director and Phoenix Advisors, LLC forthwith.

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

No. 1-18-52

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director be and is hereby authorized and directed to issue a reimbursement to D. Wenskoski in the amount of \$2,847.00 for covered health care expenses.

BE IT FURTHER RESOLVED that the Borough Clerk provide a certified copy of this Resolution to the Finance Department and the Borough Administrator forthwith.

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

No. 1-18-53

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 50/50 Off-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on March 9, 2018; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the 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 on motion made by Councilman Fine, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilwoman Foster-Dublin.

No. 1-18-54

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2017 budget appropriation balances shall be made as follows:

Description	From	To
Apartment Solid Waste		8,650.00
Gas		4,000.00
Legal		6,500.00



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Sanitary Landfill		1,350.00
Electric		500.00
Finance O.E.	21,000.00	
	<u>21,000.00</u>	<u>21,000.00</u>

Council President George opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Ruth Bickhardt, 307 Magnolia Street, complained that when it snows, people don't shovel, especially crosswalks. Difficult to get around and she feels trapped. Borough Administrator Jover noted that residents have 10 hours after a snowfall to clear their sidewalks. There is a list of students who are available to shovel and the list can be obtained from the Police Department.

Herb Gross, Adelaide Gardens, advised that there is a bingo event that will be held at the Roosevelt Center. He encouraged the Council to attend. Councilwoman Welkovits noted that Councilwoman Kim-Chohan and the County Democratic Committee were at Roosevelt Center recently.

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

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

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

Opposed: None.

Absent: None.

Abstained: Councilwoman Foster-Dublin.

No. 1-18-54A

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 Highland Park)
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 Welkovits, seconded by Councilwoman Kim-Chohan, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:34 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk