

REGULAR MEETING – SEPTEMBER 17, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, September 17, 2019 and was called to order by Mayor Brill Mittler at 7:00 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Deputy Clerk Santiago.

Absent: Borough Clerk Hullings.

The Sustainable Highland Park minute was presented by Chairperson Tina Weishaus. She noted that the plastic bag ordinance is now entering its 5<sup>th</sup> month. They will be going into Phase 2 on November 1<sup>st</sup> where they will ban plastic and to put the 10 cent fee on paper. She is happy to see everyone bringing their own bags. It is amazing how many bags are not being given out. There will be outreach to the entire community and the merchants. She is looking forward to the State to create a law. They are starting a pilot with paper straws. Some restrictions have already started. They will be giving out 100's of paper straws to the restaurants. If the State bill becomes law, plastic straws will be outlawed as well. They are working on anti-idling resolution. They are doing education in the schools and are asking people to turn off their cars. They are calling for the Governing to put a moratorium on all fossil fuel projects and she thanked the Council for considering these resolutions and hopes that they pass. She was recently in Monroe Township speaking with their Environmental Commission and Administration. They are also a Silver Certified community. They were discussing where the town buys their energy. They are part of NJ Buying Block where towns go in together to buy energy. She will pass the information along to Administration. There was a clothing swap held this summer and it was based on reuse. The County will be spraying pesticides in the park.

On motion made by Councilman George, seconded by Councilwoman Kim-Chohan, the minutes of the Regular and Conference Meetings held on April 2, 2019 and April 16, 2019, were approved as distributed by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

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

Councilwoman Foster Dublin reported that October is Fire Prevention month. The Fire Department will hold education workshops and residents should stay posted for more information to be posted on the Fire Department website. She encouraged everyone to use the sidewalks and to look up when crossing the streets. She asked drivers to slow down.

Mayor Brill Mittler congratulated the Police Department and the Detectives for their wonderful work in solving the burglaries in the area. Chief Abrams noted that they had a rash of commercial burglaries. The Detectives did a good job and made an arrest. But, the Borough has been getting hit with daytime burglaries. He encouraged residents to lock their doors and windows. For the Street Fair, Raritan Avenue will be closed from 11:00 a.m. to 4:00 p.m. School is back in session and he asked that residents not block driveways and to watch for children crossing the streets.

Councilman Fine reported that the Library Board will hold their next meeting on September 23<sup>rd</sup> at 7:30 p.m.

Councilwoman Kim-Chohan reported that Fall recreation programming has begun and registration can be done online. If you qualify for free or reduced lunch, you qualify for discounts on Recreation programs. The Recreation Department is hiring seasonal employees. On September 20<sup>th</sup>, there will be a special Brain Health Workshop from 10:00 a.m. to 12:00 p.m. On September 25<sup>th</sup> there will be a Middlesex County Senior Walk. The Fall course by AARP for driver safety will be held on September 25<sup>th</sup> and October 2<sup>nd</sup>. Participants must attend both sessions to get discount on auto insurance. The Band-Aid bench is almost finished and will be revealed at the Arts in the Park event. The Arts Commission is applying for another grant.

Councilman Hale reported that HP Gives a Hoot needs volunteers. They will be at the Arts in Park Event. Food pickup will be held on Tuesday, and they need someone to run to the County to pick up the food. If you are interested, you should contact Michael Buchman. Insider NJ is an online newspaper of the top variety of people. Ashton Burrell and Stephany Kim-Chohan were recently recognized.

Councilwoman Welkovits reported that following in our efforts to reuse, recycle, she thanked Ballard Hutkin and her staff at Century 21 and Main Street Highland Park for organizing another great garage sale weekend. Last week, there was a marathon Planning Board meeting. They approved the plans to build an apartment building at 31 River Road. The former medical building, which stood for approximately 50 years. We are delighted to work with the developer, Garden Homes, who have designed a very nice rental building of 40 units. They will also manage the building, as they do in several locations throughout the State.

Councilman George thanked Tina Weishaus and her committee for the work that they did. He also thanked Abby or her 0 to 5% clothing exchange that she pulled together. It was very well attended. One of the main focuses is going to be water and sewer leak repairs. They will be holding an ad hoc meeting with commercial establishments as well to avoid expert fees. He thanked Main Street Highland Park for the town wide garage sale. Last year, they changed bulk trash pick up to after the town wide sale. Thursday is pick up day for the South Side and today is the North Side and Triangle. The crews will get to you. There is an important water and sewer workshop coming up on September 24<sup>th</sup>. The issues are complex and there are four proposals. The public is invited to attend. Additional meetings will be scheduled as they

move forward. The Shade Tree Advisory Committee meeting is next Wednesday at 8:00 p.m. There will be a Public Works meeting to discuss the tree ordinance. He thanked Don Rish for his years of service and wished him well in his retirement.

Borough Administrator Jover reminded everyone that water and sewer bills are out and can be accessed online. She thanked the residents who came out to the Master Plan meeting. There will be another on October 2<sup>nd</sup> at the Community Center. Feedback has been successful. The Master Plan has to be adopted by year end. The Public Works Superintendent will be retiring at the end of the month. Don Rish has been a part of the Borough for over 40 years.

Borough Attorney Schmierer- No report.

Mayor Brill Mittler reported that for residents who closely follow how the Mayor and Council conduct their business will notice a significant change, starting tonight. For as far back as I can remember, since I first started attending Council meetings in the 1990's, the Mayor and Council conducted their Agenda meetings before the formal Council meeting at which they discuss the business planned for the Council meeting that night. They also conducted their conference meeting, after the formal Council meeting, where they review the business planned for the next Council meeting, in the conference room we refer to as the "Fishbowl". But, no longer. From tonight forward, we'll be holding both meetings in Council Chambers. We have made this change in response to constructive feedback from residents. While the Agenda and Conference meetings have always been open to the public, and residents and visitors have frequently participated in them, the size of the Fishbowl conference room just does not allow for many visitors. So, it has had the unintended effect of discouraging participation by the public. I am grateful to the residents who pointed this out to us. Fostering greater transparency has been one of the foremost goals of the Mayor and Borough Council, since shortly after I was first elected Mayor in 2014. That goal is what has led us to hold more open public forums, to start my monthly addresses at the community center, and use our email, website and social media channels to more robustly share information with the public. The change in Agenda and Conference meeting venues, starting tonight, is part of that effort and we do this so that you, residents of Highland Park, can be better informed and better engaged in the work of our town. Tonight, as we have been for many weeks now, during our work session, the Council will be discussing the status of a resolution on anti-Semitism. The reason we began these discussions is because I was concerned, and I am still concerned, about the rise in anti-Semitic incidents in Highland Park. Clearly, this is an issue we can do something about. It is your Governing Body's responsibility to address the rise in the number of these incidents felt by Jewish members of our community. But, to date, no action has been taken. That is because a simple resolution to combat anti-Semitism on our street has been through many drafts and iterations. Currently, there are at least 6 different versions circulating among Council. There is one authored by a Councilman, a second authored by another Councilman, two versions drafted by the ADL (Anti-Defamation League) because of their concern for our community, another drafted by a few residents who met with me who are affiliated with a group called CJPAC, and another version submitted by the Human Relations Commission, the Borough entity charged with the mission of uniting all parts of our community and ensuring they are feeling safe, welcome, understood and a contributing part of our overall municipality. All of these versions are drafts. Make no mistake, I stand firmly against the pernicious acts of anti-Semitism that have plague Highland Park in recent months. I want us to marshal the will and the resources to do all we can to defeat this scourge and discourage people, including our younger, adolescent population, from considering anti-Jewish comments or actions as anything normal, amusing or reasonable. The problem is that we are spending so much time talking about a resolution and not acting on the solutions. What continues to hold up this resolution is the inclusion of language that addresses geo-political issues and asks the Borough to condemn specific activist groups whose actions and rhetoric are considered anti-Semitic by most mainstream Jewish community organizations. These activist groups are on college campuses and in select communities across the United States, not in Highland Park, in any large numbers. I see, already, how deeply divisive any mention of this group in the proposed resolution against anti-Semitism can be. I've heard from community members with deep concerns about a resolution that seems to discourage types of political speech, even if that speech is deeply distressing to others. I've also heard privately from members of different synagogues and from varying degrees of Jewish observance, including a congregational Orthodox Rabi, who've expressed serious misgivings about this segment of the proposed resolution against anti-Semitism. They feel their concerns are being dismissed by the louder voices in town. Anti-Semitism must be addressed here in Highland Park. I am calling upon the Council to stop going back and forth on this issue. Take the next weeks to firm upon a resolution that we can all agree on. Council members, heed the advice of the ADL, the CJPAC, and your Human Relations Commission, all whose proposals require in-depth education for our residents and students about anti-Semitism (its history and the subversive techniques used in the 21<sup>st</sup> century). Finally, she thanked the Human Relations Commission for their tireless work on this issue and their commitment to eradicating anti-Semitism in Highland Park through education. She also thanked the Borough Council members who have put in so much time discussing the issue of anti-Semitism in Highland Park. But, there's been enough talking. We have at least six versions of this floating around. Read them all, include the best elements of each and come up with one final version that your Health and Human Services Subcommittee can recommend to the Council for a vote.

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

John Kovac, North 3<sup>rd</sup> Avenue, commented that BDS groups are in this town, they are moving into the library and strong arming our library and for us not to take a stand against that is a huge mistake. It was said by a certain BDS supporter at the last council meeting that he speaks with a type of self-righteous hatred that creates lynch mobs. He does not speak with hatred and he does not advocate violence. He speaks with anger, and he has a right to be angry at the insidious anti-Semitism brought to Highland Park by Jewish Voice for Peace. He finds particularly ironic that his critic's reference to a lynch mob; because it brought to mind an incident known as the Ramallah lynching that took place in October, 2000 shortly after the beginning of the second intifada when two captured Israeli soldiers were lynched by a Palestinian mob. There is an infamous photo of this event which the Palestinian authority desperately tried to suppress. It

shows one of the murderers gleefully holding up his blood stained hands at the scene of the crime while the blood thirsty crowd cheers below. This is the intifada of Goldberg Bashi's book P is for Palestine that the BDS group, Jewish Voice for Peace, is forcing on the pre-school children of Highland Park. At the last meeting, he explained that one manifestation of anti-Semitism is an unhinged narrative that accuses Jews of crimes for which they are not only innocent, but are the victims. This is such an example. That a BDS advocate likens him to an instigator of a lynch mob. This is projection of guilt onto a defender of Israel's right to exist as a Jewish State. It is a lie that Israel, rather than defending its citizen's from suicide bombers, rockets and knife wielding killers, is out for Palestinian blood for the sake of murder itself. This is a projection onto the victim of the murderous wish that Israel be overrun and wiped out by those who seek to destroy it. He offered a challenge to BDS supporters in opposition to the proposed resolution condemning BDS anti-Semitism. Say clearly, without obfuscation and reasonable words that Israel has the absolute right to exist as a Jewish state just as Saudi Arabia, Iran, Pakistan, Jordan, Syria and many others exist as Islamic states without question. Let the BDS supporters distinguish themselves from terrorist groups that support them such as the Fund for the Liberation of Palestine; because otherwise, BDS demands everything from Israel and offers in return death.

Ira Mintz, 143 North 5<sup>th</sup> Avenue, commented that he is here to support the Council in adopting a resolution opposing anti-Semitism, but to oppose the Council aligning with the Trump Administration and its condemnation of supporters of the BDS movement as anti-Semitic. He is not here to argue for or against BDS (boycott divestment sanctions movement). We have some residents who think that anti-Zionism is the same as anti-Semitism and there are some who think it isn't the same. It is not the roll of our government officials to use their political power to condemn either parties' speech or the speech of anyone else in the community. There are Palestinians and Israelis who oppose a two state solution; that is not anti-Semitism. There is much room for debate over Israeli politics; in fact, the Israeli's are fighting over their politics as we speak. None of that has anything to do with anti-Semitism in Highland Park and what should our Borough's commitment to protecting the rights and safety of its Jewish residents. We should be supporting free speech in our community, not siding with those on the right who pretend to champion free speech, but then seek to silence the voices of those who advocate for the non-violent BDS movement. Our borough government officials should not be taking sides in that debate and should not be risking the cost and the publicity, and there will be publicity, of the inevitable lawsuit that will be filed challenging any borough condemnation of the exercise of free speech rights. We live in a country where one political party is inciting white nationalists to shoot up our synagogues. We need to unite as residents of Highland Park. He is here opposing an idea that our borough should take any action that will divide the community, rather than unite our communities. He urged the Council to adopt a unifying resolution condemning anti-Semitism and not to inject the divisive and complicated politics of BDS.

Jeff Vardaro, Wayne Street, thanked the Mayor and Council for holding the agenda meeting in the Council Chambers and for holding the Conference Meetings in the Council Chambers going forward. It really sets the right tone and he appreciated the Mayor's comments. He was on vacation and did not know all of this was going on. He has opinions about the anti-Semitism resolution as it has been described in her comments, but in the interest of transparency, if there are 6 drafts of potential resolutions with this kind of public interest, the logical thing would be to put those drafts on the Borough website so that someone like him who is about to go to a meeting can easily access it and figure out what is being talked about. He thinks it would be odd to have an anti-Semitism resolution that just singles out one group that the Borough identifies as an enemy of the Jewish people without referencing every other possible group that does that. He knows that the Borough did a resolution recently about the rights of refugees and immigrants and the Borough didn't add that they were condemning the Republican party who is victimizing a lot of those people, despite the fact that there are a lot of members of that party who say hateful things and do hateful things. If there is a resolution like that, as a Democrat, he would absolutely oppose such a resolution and for the same reasons he would oppose that condemns anti-Semitism and adds in that we are condemning a movement of people who hold diverse beliefs and have some things in common, but some of whom express hateful thoughts. He does not think it is appropriate to make an enemies list for the Borough. He thinks they should focus on the problem that we have in Highland Park which seems to have nothing to do with BDS or Israel in general.

Michael Gordon, 207 South 5<sup>th</sup> Avenue, commented that this town was targeted by a BDS supporting organization because of the large Jewish population and because of the reaction that would happen and it would give them good press. If the KKK had planned a reading for children at our library, I think we would all condemn racism and the KKK specifically and not every other racist group. We are targeted by BDS. BDS is not an anti-Zionist movement that happens to be pro-peace. They are an anti-two state solution. The founder has said that BDS does not want a two-state solution; they want one state minus Jewish residents. They pick out Jewish businesses and the business towns of Israel to boycott, not the resident Christian towns. It is not just against Israel or the Middle East, or the Palestinian territories, it is specifically an anti-Semitic movement. This goes back beyond politics; it goes back beyond modern day Zionism.

Herb Gross, Adelaide Gardens, commented that he wanted to let everyone know that this Friday across the nation they will be honoring all our missing in action and POW's. They should take a moment to honor them. There are 173 veterans still missing in action. He gave his sincere appreciation to the mothers and wives who have made the ultimate sacrifice.

Marc Kolton, 41 North 8<sup>th</sup> Avenue, commented that it is interesting that when Jews were being blown up in pizza stores and buses in the 2<sup>nd</sup> intifada, Israeli defendants were also called Nazis. When Israel put up a fence to protect its Jewish civilians from terrorist attacks; it was called an apartheid state. Jews outside Israel who cried out against this terrorism; were called Nazi sympathizers.

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

The Clerk reported advertising an ordinance entitled, BOND ORDINANCE REPEALING BOND ORDINANCE NUMBER 18-1966 AND BOND ORDINANCE NUMBER 18-1967 FINALLY ADOPTED ON SEPTEMBER 4, 2018 AND PROVIDING FOR THE REPLACEMENT AND REHABILITATION OF WATER MAINS, INTERCONNECTIONS AND WATER METERS IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, 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 Foster-Dublin, 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.

No one 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 Foster-Dublin, the ordinance entitled as above, being Ordinance No. 19-1988, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman George, seconded by Councilwoman Foster-Dublin, and carried by unanimous affirmative voice vote:

No. 9-19-267

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, BOND ORDINANCE REPEALING BOND ORDINANCE NUMBER 18-1966 AND BOND ORDINANCE NUMBER 18-1967 FINALLY ADOPTED ON SEPTEMBER 4, 2018 AND PROVIDING FOR THE REPLACEMENT AND REHABILITATION OF WATER MAINS, INTERCONNECTIONS AND WATER METERS IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,000,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising an ordinance entitled, BOND ORDINANCE PROVIDING FOR THE INSPECTION AND SURVEY OF THE SANITARY SEWER SYSTEM IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$320,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

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

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.

No one 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 Welkovits, the ordinance entitled as above, being Ordinance No. 19-1989, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman George, seconded by Councilwoman Foster-Dublin, and carried by unanimous affirmative voice vote:

No. 9-19-268

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, , BOND ORDINANCE PROVIDING FOR THE INSPECTION AND SURVEY OF THE SANITARY SEWER SYSTEM IN THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$320,000 THEREFOR FROM THE WATER/SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OR NOTES TO FINANCE THE COST THEREOF, passed on final reading at this meeting be delivered to the Mayor for his approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

Resolution Nos. 9-19-269 through 9-19-278, were duly adopted on motion made by Councilman George, seconded by Councilwoman Foster-Dublin, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

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

No. 9-19-269

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates, and a multitude of potentially harmful pollutants that can trigger an asthma attack and other ailments; and

WHEREAS, asthma is a significant public health concern in NJ, especially among children (up to 25% of NJ's school-age children are asthmatic) and the elderly; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO<sup>2</sup>), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, the U.S. Argonne National Laboratory estimated that about 20 million barrels of diesel fuel are consumed each year by idling long-haul trucks (estimated truck emissions total about 10 million tons of CO<sup>2</sup>, 50,000 tons of nitrogen oxides, and 2,000 tons of particulates); and

WHEREAS, we can avoid producing unnecessary greenhouse gas emissions and exposure to air toxins by reducing or eliminating wasteful vehicle idling; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicle's engine because it wears engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning a warm engine on and off again; and

WHEREAS, idling for more than 10 minutes uses as much fuel as it takes to travel 5 miles; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, drive-through windows, business centers, etc.) where New Jerseyans can be exposed to air pollutant emissions; and

WHEREAS, moving beyond New Jersey's existing no-idling code of 3 minutes would significantly improve public health and air quality and reduce costs and greenhouse gas emissions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Highland Park supports the adoption of a strong anti-idling policy by government agencies, schools, business, and other organizations by:

- Encouraging any gasoline or diesel-powered motor vehicle to turn off their engines after 10 seconds if they plan to remain at that location for more than 1 minute.
- Ensuring idling does not occur at idle-frequent locations by enforcing violations and penalties under New Jersey's existing no-idling law a priority for all municipal Peace Officers pursuant to C. 39:3-70.2 and C. 26:2C-1.
- Maintaining municipal vehicles to eliminate any visible exhaust.
- Enforcing existing violations and penalties under NJ's existing no-idling code.
- Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.

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

No. 9-19-270

WHEREAS, the recent Intergovernmental Panel on Climate Change (IPCC) report highlights the urgent need for immediate actions to sharply reduce fossil fuel use. The report concludes that absent aggressive actions, many effects once expected several decades in the future will arrive by 2044 and that global net human-caused emissions of greenhouse gases (GHGs) need to fall by 45 percent from 2010 levels by 2030 to avoid catastrophic climate change; and

WHEREAS, Governor Murphy has declared that climate change is an existential threat to New Jersey and that the State would aggressively combat climate change; and

WHEREAS, Governor Murphy's Executive Order 28 committed the State to achieving, 50 percent clean energy by 2035 for electricity production and 100 percent clean energy by 2050; and

WHEREAS, New Jersey has joined the US Climate Alliance, pledging to uphold the goals established by the Paris Climate Treaty to limit global temperature increases to 1.5 degrees Celsius and no greater than 2 degrees Celsius. States in the alliances have committed to implement policies to reduce GHG emissions by at least 26-28 percent below 2005 levels by 2025; and

WHEREAS, the New Jersey Air Pollution Control Act gives the NJDEP broad powers to determine air pollutants that are detrimental to public health and regular them. In 2005 the DEP declared CO<sub>2</sub> an air pollutant that affects public health enabling it to regulate CO<sub>2</sub> emissions; and

WHEREAS, the New Jersey Global Warming Response Act (GWRA), which requires New Jersey to reduce GHG emissions by 80 percent from 2006 levels by 2050 (this would require a reduction to 25.4 million metric tons), was enacted in 2007 but has not yet been implemented; and

WHEREAS, there are 12 gas-based fossil fuel projects (eight pipeline/compressor projects and four power plants) currently in various stages of proposal, planning, permitting and implementations in New Jersey; and

WHEREAS, if these 12 projects (plus one new gas-fired power plant that started operation in mid-2018) are built and operated at their stated capacities, they will increase in-state CO<sub>2</sub>e (CO<sub>2</sub> equivalent) GHG emissions by approximately 32 million metric tons per year; and

WHEREAS, since New Jersey's total GHG CO<sub>2</sub>e emissions from all sources in 2015 were about 1010 million metric tons, these new projects would increase total GHG emissions by approximately 30 percent; and

WHEREAS, the CO<sub>2</sub>e emissions from the five power plants alone are estimated at 14.2 million metric tons/year and New Jersey's 2017 in-state power emissions were 18.6 million metric tons of CO<sub>2</sub>e, this would increase CO<sub>2</sub> emissions for electric production by approximately 76 percent; and

WHEREAS, the renewable energy technology sector including energy efficiency, solar, wind, battery technology and alternative vehicles manufacturing will create five times the number of jobs than those associated with fossil fuel projects. This expansion of the green economy will provide family-supporting wage employment. The transition to 100 percent renewable energy in NJ will create over 144,600 jobs, and the reduction of GHGs by 80 percent by 2050 would produce more than 550,000 jobs each year nationwide; and

WHEREAS, based on the urgency described in the recent IPCC report, the time for change is NOW. New Jersey must take steps to significantly reduce GHGs NOW.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highland Park, in the interest of protecting its residents, businesses and institutions, strongly supports a state-wide moratorium on fossil fuel projects that should last until the state legislature, New Jersey Board of Public Utilities and New Jersey Department of Environmental Protection develop rules and procedures to regulate GHGs in New Jersey, and adopt specific annual plans to reduce GHGs consistent with Executive Order 28, the State's commitments in the Global Warming Response Act and the US Climate Alliance.

BE IT FURTHER RESOLVED, that the Murphy administration should closely review the 12 fossil fuel projects and take steps to ensure that any true increase in energy demand be satisfied through improvement on energy efficiency, increased conservation and clean renewable energy development, not additional fossil fuel infrastructure.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Highland Park Borough Clerk to:

- Governor Phil Murphy
- NJDEP Commissioner Catherine R. McCabe
- State Senator Patrick J. Diegnan
- State Assemblypersons Nancy J. Pinkin and Robert J. Karabinchak

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

No. 9-19-271

WHEREAS, the 1996 Safe Drinking Water Act requires that once every five years the United States Environmental Protection Agency (USEPA) issue a new list of no more than 30 unregulated contaminants to be monitored by public water systems; and

WHEREAS, the fourth Unregulated Contaminant Monitoring Rule (UCMR 4) was published in the Federal Register and requires monitoring for 30 chemical contaminants between 2018 and 2020 using analytical methods developed by USEPA and consensus organizations; and

WHEREAS, this monitoring provides a basis for future regulatory actions to protect public health; and

WHEREAS, the Borough of Highland Park Water Utility is required to participate in the UCMR 4 study and therefore requires the services of an USEPA-certified laboratory to properly perform analyses and prepare reports consistent with the UCMR 4 requirements;

WHEREAS, three (3) proposals were solicited as follows:

Pace Analytical Services, LLC	\$ 7,672.00
Babcock Laboratories, Inc.	\$ 8,860.00
Eurofins Eaton Analytical	\$10,120.00

and

WHEREAS, the Borough Administrator has recommended that said services be purchased from Pace Analytical Services, LLC of Melville, NY based on their quote for same as well as their experience and equipment; and

WHEREAS, funds are available for this purpose in Account No. 9-05-55-500-233 upon adoption of the 2019 water and sewer utility 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 Borough Administrator is hereby authorized and directed to accept the proposal for laboratory testing services from Pace Analytical Services, LLC, 575 Broad Hollow Road, Melville, NY 11747, at a total cost not to exceed of \$7,672.00; and

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

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

No. 9-19-272

WHEREAS, the Zone 6 Teen Center opened its doors to Highland Park teens in September 2018 after several years of planning and construction; and

WHEREAS, the grounds around the building were left unimproved and given the topography remain prone to flooding and stormwater runoff; and

WHEREAS, the Borough of Highland Park worked with Rutgers Cooperative Extension-Water Resources Program in 2015 to develop an Impervious Cover Reduction Action Plan; and

WHEREAS, the Borough of Highland Park partnered with Rutgers Department of Landscape Architecture in 2019 to work with a graduate student under the supervision of a Professor and Licensed Landscape Architect to develop an innovative landscape design that includes best practices for stormwater management; and

WHEREAS, the Borough of Highland Park sought proposals from qualified landscaping companies to regrade, add necessary drainage, install a retaining wall and water permeable paver system; and

WHEREAS, five (5) proposals were solicited as follows:

G&J Property Maintenance LLC	\$38,000.00
Bartel Landscaping Inc.	\$39,500.00
Enviroscapes Inc.	not interested
Wogisch Landscape Contractors	non responsive
Burke Environmental Inc.	non responsive

and

WHEREAS, the Borough Administrator and the Qualified Purchasing Agent have recommended that said services be purchased from G&J Property Maintenance LLC based on their quote for same as well as their experience; and

WHEREAS, funds are available for this purpose in Account No. C-04-55-826-210, 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 Borough Administrator is hereby authorized and directed to accept the proposal for landscaping services from G&J Property Maintenance LLC, P.O. Box 172, Sewaren, NJ 07077, at a total cost of \$38,000.00; and

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

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

No. 9-19-273

WHEREAS, the Borough of Highland Park contracted with New Tech Water Technology in 2019 to conduct a leak detection survey of its water system; and

WHEREAS, the initial results of the leak detection survey identified six (6) locations where there are water leaks that the Borough of Highland Park Water Utility is responsible for repairing, specifically: 1) in front of 481 Harrison Ave, 2) in front of 100 Lawrence Ave, 3) Eden Ave at So. 11<sup>th</sup> Ave, 4) So. 4<sup>th</sup> Ave at Magnolia St, 5) service line to vacant lot opposite 111 Johnson St, and 6) stub service to property at 352 So. 3<sup>rd</sup> Ave; and

WHEREAS, three (3) quotes were solicited as follows:

J. Fletcher Creamer & Son Inc.	\$37,850.00
Schilke Construction Company, Inc.	\$43,200.00
B&W Construction Co. of NJ Inc.	\$51,900.00

and

WHEREAS, the Superintendent of the Water and Sewer Department and the Qualified Purchasing Agent have recommended that said services be purchased from J. Fletcher Creamer & Son Inc., Hackensack, NJ based on their quote for same; and

WHEREAS, funds are available for this purpose in Account No. 9-05-55-500-423 upon adoption of the 2019 municipal water and sewer utility budget, as reflected by the certification of funds available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of the Water and Sewer Department is hereby authorized and directed to accept the quote for water leak detection services from J. Fletcher Creamer & Son Inc., P.O. Box 101 East Broadway, Hackensack, NJ 07601, at a total cost of \$37,850.00; and

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

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

No. 9-19-274

WHEREAS, the Borough of Highland Park and the Township of East Brunswick have various and numerous municipal resources employed to protect the public safety and welfare of each community; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, encourages municipalities to enter into Shared Services Agreements as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the Borough Administrator has initiated discussions with the Township of East Brunswick to enter into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 *et seq.* to share public works services, including but not limited to public works services such as pothole and road reconditioning; and

WHEREAS, the Borough of Highland Park and the Township of East Brunswick may desire to enter into a Shared Services Agreement for the joint utilization of such services;

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

- 1) The Borough Administrator is hereby authorized to negotiate with the Township of East Brunswick a Shared Services Agreement to provide various public works services for the Borough of Highland Park.
- 2) The Shared Services Agreement so negotiated shall be reviewed and approved by said Mayor and Council and be authorized by resolution.
- 3) A certified copy of this resolution shall be forwarded to the Borough Administrator and the Chief Financial Officer forthwith.

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

No. 9-19-275

WHEREAS, pursuant to Resolution No. 5-19-159, adopted by the Borough Council on May 15, 2019, a contract was awarded to JADS Construction Company, Inc. of South River, NJ, for the Improvements to North Third Avenue and Hilton Street, Improvements to Merilind Avenue and South Eleventh Avenue, and Improvements to Various Municipal Parking Lots; and

WHEREAS, it appears from Pay Estimate No. 1 and Change Order No. 1, filed by the CME Associates, the Borough requested and approved additional work on North Third Avenue, Hilton Street, Merilind Avenue, South Seventh Avenue and the various parking lot improvements including additional striping work throughout the project, milling and overlaying of the remaining portion of Hilton Street and additional paving work at the Borough's Farmers Market Municipal Lot for an increase of \$18,143.03, the Borough had previously approved a \$8,800 in funds with Resolution 9-19-250, total overall increase of Change Order No. 1 is \$26,943.03; and

WHEREAS, there is due to JADS Construction Company, Inc. the sum of \$337,307.87 in accordance with said Pay Estimate for work performed from July 31, 2019 to September 6, 2019; and



WHEREAS, funds for this purpose are available in Account No. C-04-55-971-100 in the amount of \$337,307.87, as reflected by the Certification of Funds Available by 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 be and is hereby authorized and directed to pay JADS Construction Company, Inc. the sum of \$337,307.87, as certified by the Engineer in Pay Estimate No. 1, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Chief Financial Officer and the CME Associates forthwith.

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

No. 9-19-276

WHEREAS, the property owner remitted a duplicate payment for water and sewer charges on a property known as 125 Graham Street, Account #20190550-0; and

WHEREAS, the Tax Collector recommends that the property owner be refunded \$981.25 from water and sewer to be allocated to the appropriate parties;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to issue a refund in the amount of \$981.25 from the water and sewer account to Steven Heisler, 125 Graham Street, Highland Park NJ 08904.

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

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

No. 9-19-277

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:

KIMBERLY MCGRAW, Community Services Assistant, at annual salary of \$40,494.00 effective October 1, 2019

EARL F. SMITH, Crossing Guard, at annual salary of \$9,027.00 effective September 16, 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:

MARTA HERRERA, Circulation Desk Assistant (Library), at an hourly rate of \$12.91, effective September 18, 2019.

MICHAEL CEDERBAUM, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

SAPIR FIHART, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

TYLER TRINH, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

JANIYA MITCHELL, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

NIGEL BAILEY, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

WYZE ROMAN DANIELS, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

FAIZON MORRIS, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

RIMEVI MENDEZ, Seasonal Recreation, at an hourly rate of \$10.00, effective September 10, 2019.

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

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

No. 9-19-278

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 9/17/2019 can be found in the Bills List Journal Book No. 39.

Mayor Brill Mittler appointed Earl F. Smith to serve as a Crossing Guard for a term to expire June 30, 2020.

The above appointment was confirmed on motion made by Councilwoman Foster-Dublin, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: None.

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

Daniel Mondrow, 25 Marshall Drive, Edison, commended the Borough Council for bringing up the question of anti-Semitism in Highland Park. It is an ongoing problem and an increasing problem. New Jersey has prided itself on its ethnic diversity, but it seems as if ethnic diversity applies only when Jews are not involved. Anti-Semitism is like pornography, we can't really define it, but we know it when we see it. This pertains particularly to the anti-BDS movement. It pays to make a number of important points. The Democratic Jewish State of Israel is a key ally and strategic partner of the United States. Since Israel was founded in 1948, Congress has repeatedly expressed our nation's unwavering commitment to the security of Israel as a Jewish and democratic state. Various groups and movements target Israel; the only democracy in the Middle East with the aim of excluding the State of Israel and the Israeli people from the



economic, cultural and academic life of the rest of the world. The global boycott divestment and sanctions movement (BDS), is one of several recent political movements that undermines the possibility for a negotiated solution to the Israeli/Palestinian conflict by demanding concessions of one party alone and encouraging the Palestinians to reject negotiations in favor of international pressure. The founder of the global BDS movement has denied the right of the Jewish people in their homeland, saying “we oppose a Jewish state in any part of Palestine, no Palestinian will ever accept a Jewish state in Palestine”. The global BDS movement targets not only the Israeli government, but Israeli academic, cultural and civil society institutions as well as individual Israeli citizens of all political persuasions, religions and ethnicities, and in some cases, even Jews of other nationalities who support Israel. In contrast to protest movements that have sought racial justice and social change, the global boycott divestment and sanctions movement targeting Israel is not about promoting co-existence, civil rights and political reconciliation, but it questions and undermines the legitimacy of Israel and its people.

Ashton Burrell, So. 8<sup>th</sup> Avenue, Chairman of the Highland Park Human Relations Commission, commented that the Commission came to a consensus that they were going to create their own resolution. There were numerous resolutions presented to them and they respect each and every person that presented one to them. The presented their version to the Council tonight. He received numerous emails and had countless conversations with individuals and he is also reminded of the mission of the HRC, which is they should attempt to foster through community effort or otherwise good will and cooperation, the consternation among the groups and elements of the inhabitants of the Borough that would aid in eliminating all types of discrimination. With that being said, the HRC does condemn anti-Semitic behavior and they condemn any type of behavior that is a threat to anybody in this town. Anyone that is hurt in this town, they jump in and intervene. We have missed a lot of situations in the past, and we hope that we don't in the future. He hopes that the Council will take a look at their resolution and he hopes that they can continue to build better bridges to lead into a better Highland Park.

Henry Schanzer, 29 Brookfall Road, Edison, NJ, commented that he appreciated what the Mayor said in opening this discussion and he knows that her heart is in the right place and her heart is leading her, but he believes there is a basic problem that we really have to face. Anti-Semitism has many colors and has many facets. Many State legislatures have passed anti-Semitism resolutions. He wondered why Highland Park needs to have its voice heard. The Borough should speak up about the cancer of hatred.

Monique Coleman, 407 Lincoln Avenue, thanked the Mayor and Council for their statement regarding the meetings and the change they decided to make to hold all the meetings in the Council Chambers. She was presently surprised that they responded to the concerns of residents. She wants to know what the plan is as far as minutes for these meetings are concerned and the recording of the agenda and conference meetings because 6:30 is a difficult time for people who work and who still want to know what is happening at meetings. She knows that in the past, the 6:30 meetings have had discussions and they have had presentations. She would appreciate being able to access those meetings as fully as she is able to access these meetings because they are televised and there are also minutes. Mayor Brill Mittler noted that she was speaking to the volunteer who records the meetings earlier and she is not sure how much time they can ask volunteers to give them for the television recordings. They can look into other options for recordings, but they haven't had a chance to really figure out that will work. Ms. Coleman commented about the Sustainable Highland Park update that Ms. Weishaus gave. She is very supportive of all the work they do and she is very supportive of the plastic bag ban. She is in special education and she also works with children and adults who have a wide range of disabilities. One of the concerns in that community is about the plastic straws. She wanted to make sure the Borough is addressing that as a community. We do have members of the community who have special needs and should be able to use a straw that is accessible for them and that is not a paper straw. Councilman George commented that the Commission for Universal Access is also working on that. When they originally had conversations about the plastic bag ordinance, they had that discussion. They are aware that there are certain disabilities where straws have to be of a certain kind and that the paper does collapse. The Commission for Universal Access is working on that piece of it and that will be included in any ordinance that the Borough does. It is also in two of the proposals before the Assembly. Ms. Coleman commented that she wanted to echo Mr. Vardaro's question about the public getting access to the actual resolution well in advance of the vote. She asked where it would be posted. Mayor Brill Mittler noted that it would be posted on the website and she hopes to have the many versions condensed into one, maybe two resolutions, that the Council will consider.

Helene Wisotsky, 54 No. 7<sup>th</sup> Avenue, commented about the BDS movement. Efforts to subvert Israel as a sovereign Jewish state has not changed for anti-Semites over the past 2,000 years. The difference today, is that the BDS campaign includes more, but equally radical actors, including far left, Muslim, Christian and sharing and aligning points to delegitimize a Jewish state in the Middle East. The native population of what was historically called Judea and Samaria, not only in the time of Jesus, but over 1,000 years before that. Islamic Greeks have provided the ideological framework that energizes politically minded Western Muslims who are often the most vigorous and enthusiastic participants in BDS activities. The Ayatollah, back in May, 2001, stated that the purchase of any item that helps strengthen Zionism is not permissible. Far left revolutionaries, rejectionist Palestinians, terrorist groups and Islamists have been foundational to the BDS movement. Rejectionist Palestinians and terrorist group members from the PFLP and others operating in the West are using the ploy of intersectionality to orchestrate the anti-Israel BDS campaign, tagging Israel as a Jewish apartheid state oppressing and colonizing people of color. Key entities include, Hamas, the PFLP, the PA, Council of National Economic Forces in Palestine, the Muslim Brotherhood, identified as a terrorist organization in the Sunni world, various radical popular committees and the co-founders. The BDS movement is a subversive anti-Semitic effort to penetrate Western mainstream professional groups, trade unions, leading academic institutions, the Highland Park Library and the world of cultural icons to gain cultural cash and make its anti-Semitism respectable.

Max Wisotsky, 54 No. 7<sup>th</sup> Avenue, commented that the BDS movement is a worldwide effort to boycott and sanction Israel culturally, socially and economically for allegedly violating the rights of Palestinians, wrongfully occupying their territory and being an apartheid state. These allegations are absolutely false. Israel sits in the middle of a sea of autocratic, dictatorial and theocratic states where known flagrant offenses are part of the governmental structure of ordinary life. Israel is the only democratic country in the Middle East and has the most inclusive minority participation in the area. Women, gays and minorities live freely in Israel. About 20% of Israel's population are Arabs who live, work, go to school and serve in the Army and serve in the Parliament. Yet, its haters try to label Israel as an apartheid state. He wondered how many Jews go to university or serve in the government in Jordan, Syria, Lebanon, Egypt, Saudi Arabia, Afghanistan, Iran or Iraq. Israel, the only Jewish state in the entire world, has been singled out for condemnation. Even those governments have seen through this hypocritical charade and have passed various anti-BDS resolutions. These include the House of Representatives of the United States, about 20 State governments and many US cities. Even Germany, that knows a thing or two about anti-Semitism, passed an anti-BDS resolution and specifically called BDS anti-Semitic. Highland Park is a well-known, very liberal town. It is diverse, all inclusive, and tolerant of minorities and very social minded. It proudly proclaims on so many lawns "Hate has no home here". One can presume that it also encompasses the hate of anti-Semitism. The BDS movement is not really an economic tool, just another form of anti-Semitism. Anti-Semitism and BDS, irrespective of its camouflage cover, are not different entities, but merely two sides of the same coin.

Matt Hersh, 333 Felton Avenue, commented that he is nervous to speak on this topic as it is something that he is not particularly well versed in, but it is something he has worked on as a member of the Human Relations Commission. He had a tough time forming an opinion about the resolution that was proposed to them because, on the one hand, as a Jew, personally, he has been increasing uncomfortable with anti-Semitism coming from his political brethren on the left. He has become accustomed to expecting it from people from other political corners. The resolution that they were originally reviewing identified anti-Semitism from one political movement and from one political place. Because of that, it was clear that the resolution was retaliatory in nature; retaliatory from a really terrible set of circumstances that happened at the Highland Park Public Library when an administrative person should have come in and addressed the situation regarding a children's book, P is for Palestine. Had the Library had some kind of check in order, maybe they would have looked at the book and said this may not be a good idea for our community. This is not censorship if we choose not to have the author here, maybe this book, even though some think it might be educational, is not a good idea here. That book is not a good idea here and is not a good idea in a lot of places. However, when the government begins assigning anti-Semitic labels to residents specifically, in the original resolution it singled out very specific incidents that have happened at the high school that somebody reading it would know that it is about them, and that is where he becomes deeply uncomfortable. At first he wondered why it didn't address anti-Semitism on the right. Our President, enables anti-Semitic speech and establishes a culture that makes it okay. He wondered why there was no mention of that until later iterations of the resolution. It reminded him that it is retaliatory and that is not what a Governing Body should do and not how they should handle a problem. Chairman Burrell referenced the mission of the Human Relations Commission and that the HRC shall attempt to foster the community effort or otherwise good will, cooperation and consideration, the consternation among the groups and elements of the inhabitants of the Borough that will aid in eliminating all types of discrimination. The initial resolution doesn't do that in his opinion and it potentially does the opposite. The Governing Body should not be making statements that are divisive and that take and assign anti-Semitic labels to people that may not be anti-Semitic. He was reminded of the President, who said that there are good people on all sides. The difference is that this is coming from a Governing Body that is projecting a label on a certain portion of the population that he thinks is unfair. It is wrong and dangerous for any resolution to single out residents of a certain political ideology. The speaker before referenced the inclusive community's resolution that the Council passed in 2017 that could have easily identified any number of leaders or movements that promoted or perpetuated or were purveyors of hate and intolerance, and it didn't. The Governing Body needs to lead from a place of hope and not fear, not hatred and certainly not retaliation.

Mark, 47 Leslie Street, commented that it is quite distressing to hear a member of the Human Rights Commission to talk about inclusiveness and political aspects and sit here and call the President of the United States the biggest anti-Semite in the country. We are all against hate and against anti-Semitism and any anti-ethnic of all persuasions. Why should we single out BDS as part of this resolution? Just have an anti-hate resolution and why include BDS. BDS covers itself, it is saying that we just want to be able boycott and follow the model of South Africa. BDS specifically is anti-Semitic and singles out the State of Israel and singles out the double standards. We heard different people talk about the United States resolution, and the German resolution about anti-Semitism, but the State Department issued a definition of anti-Semitism. One bullet point is denying the Jewish people their rights to self-determination by claiming that the existence of the State of Israel is a racist endeavor. Another bullet point is applying double standards by requiring a behavior not expected or demanded of any other democratic nation. These are bullet points from the State Department definition of anti-Semitism. BDS is felt to be anti-Semitic and why specifically should the Highland Park Council include that is because we are against all hate of all kinds, but BDS specifically is a point that people don't understand and want to cover themselves and that is why it deserves to be specifically mentioned in the resolution.

Audrey Mondrow, 25 Marshall Drive, Edison, NJ, asked what the Governing Body thinks BDS is. Mayor Brill Mittler noted that the Council will be discussion this resolution further. Councilwoman Kim-Chohan noted that this is the time for the Council to listen to all the comments and different opinions.

Debbie Atlas, 310 Lincoln Avenue, commented that she is going to read from the House of Representatives resolution of BDS that was passed in July. "Whereas, cooperation between Israel and the United States is of great importance, especially in the context of rising anti-Semitism, authoritarianism and security problems in Europe, the Middle East and North Africa; Whereas, the Global Boycott, Divestment and Sanctions Movement (BDS Movement) targeting Israel is a campaign that does not favor a two-state solution and that seeks to exclude the State of Israel and the Israeli people from the economic, cultural, and academic life of the rest of the world; Whereas, the Global Boycott, Divestment and Sanctions

Movement is one of several recent political movements that undermines the possibility for a negotiated solution to the Israeli-Palestinian conflict by demanding concessions of one party alone and encouraging the Palestinians to reject negotiations in favor of international pressure; Whereas, the founder of the Global BDS Movement, Omar Barghouti, has denied the right of the Jewish people in their homeland, saying, “we oppose a Jewish state in any part of Palestine. No Palestinian, rational Palestinian, not a sell-out Palestinian will ever accept a Jewish State in Palestine”; Whereas, the Global BDS Movement targets not only the Israeli government, but also Israeli academic, cultural, and civil society institutions, as well as individual Israeli citizens of all political persuasions, religions, and ethnicities, and in some cases even Jews of other nationalities who support Israel; Whereas, the Global BDS Movement does not recognize, and many of its supporters explicitly deny, the right of the Jewish people to national self-determination; Whereas, university-based Global BDS efforts violate the core goals of the university and global cultural development, which thrive on free and open exchange and debate, and in some cases, leads to the intimidation and harassment of Jewish students and others who support Israel; Whereas, the Global BDS Movement promotes principles of collective guilt, mass punishment, and group isolation, which are destructive of prospects for progress towards peace and a two-state solution; Whereas, boycotts and similar tools aimed at promoting racial justice and social change have been used effectively in the United States, South Africa, and other parts of the world; and Whereas, in contrast to protest movements that have sought racial justice and social change, the Global Boycott, Divestment and Sanctions Movement targeting Israel is not about promoting coexistence, civil rights, and political reconciliation, but about questioning and undermining the very legitimacy of the country and its people; Now, Therefore, Be it Resolved that the House of Representatives (1) opposes the Global Boycott, Divestment and Sanctions Movement (BDS Movement) targeting Israel, including efforts to target United States companies that are engaged in commercial activities that are legal under United States law, and all efforts to delegitimize the State of Israel; (2) urges Israelis and Palestinians to return to direct negotiations as the only way to achieve an end to the Israeli-Palestinian conflict; (3) affirms the Constitutional right of United States citizens to free speech, including the right to protest or criticize the policies of the United States or foreign governments; (4) supports the full implementation of the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296; 128 Stat. 4075) and new efforts to enhance government-wide, coordinated United States-Israel scientific and technological cooperation in civilian areas, such as with respect to energy, water, agriculture, alternative fuel technology, civilian space technology, and security, in order to counter the effects of actions to boycott, divest from, or sanction Israel; and (5) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states – a democratic Jewish State of Israel, and a viable, democratic Palestinian state – living side-by-side in peace, security, and mutual recognition.”

Ira Mintz, No. 5<sup>th</sup> Avenue, commented that there are plenty of Israelis, including members of the Israeli government, who don't support a two-state solution, who don't believe in the rights of the Palestinians to have their own state, are upset that Palestinians may not believe that Israelis have a right to their own state. We shouldn't be passing a resolution condemning members of the Israeli government or other Jews who don't support a two-state solution. This is not the business of the Borough Government and it is not the business of the Borough Government to condemn those people on the other side who might not completely agree with Israel's policies as it pertains to Palestinians. What he thinks is great about this Country and great about this Borough is that people can come up to this microphone and say different things about these controversial issues. Our Government leaders shouldn't be condemning my side, their side or the BDS side, that is not the place of our government and he implored them to adopt a resolution that is unifying in the town, not one that promotes divisions.

John Kovac, No. 3<sup>rd</sup> Avenue, commented that he does believe that there is a resolution here that is not exclusive to BDS and does mention that there is anti-Semitism that comes from the right and violence that comes from the right and is every bit as worthy as condemnation. He emphasized that BDS is not just targeting Israel, it is targeting American Jews and that means that every Jew in this town who doesn't suck up to their political point of view. If you want to be accepted as a Jew, on the far left, in this movement, you can renounce Israel and you could allow yourself to be coerced into that. That is what is happening on college campuses. Jewish students are being ostracized and they are being excluded and that is apartheid that is happening right here in our own backyard and now it is moving into our library. To suggest that it is not in this town, he finds that shocking. He thinks the Borough can do something about it and he thinks there is a resolution that is not exclusive to BDS, it includes that type of anti-Semitism and acknowledges properly that there are other kinds of anti-Semitism. He thinks they should get going on that and not confuse the issue by talking about six resolutions. There is one good resolution and they need to move on that.

Matt Hersh, 333 Felton Avenue, commented that he does not think it is right to single out anybody from any political movement. If we are going to focus on BDS and have an intellectual discussion about BDS, which could be very important and enlightening, we need to talk about the greatest enablers of hate speech and that could come from a number of places. He thinks that if you saw Governor Murphy and Senator Booker today respond to several comments made by members of various city councils in New Jersey, he would think we would all agree that it's important to call out hate when we hear it and when we see it. He thinks the difference though is a quote submitted to a newspaper making a statement is different when a political body creates an ordinance or statement of record that very specifically assigns labels to residents because they have a certain geo-political belief. To assume that members of the community who have a certain geo-political belief are this or that, carry this hate or not, is particularly dangerous.

John Wenz, 301 South 4<sup>th</sup> Avenue, expressed his sadness and sorrow that we are charged with the responsibility to address anti-Semitism again now in our nation and in our town and within our community and that there has been a rise in anti-Semitism throughout our nation, our state, our county and within our own community in various forms. He is not of Jewish decent and is mostly Irish and German. His grandparents grew up in a Jewish community in Manhattan and he has lived with Jewish people his entire life in various ways and is very glad to live in Highland Park. He is glad it is a community where education is encouraged and that there is diversity. One of the strong parts of being a member of the Human Relations Commission that he wanted to be able to impart was that there should be safety, there should be clarity about how we can complain and how we can support each other when any incidents of hate speech, discrimination or bias arises. The Attorney General of the State of New Jersey has come out

with recommendations about how throughout the State we can revise our criminal justice code so we can specifically provide safety to anyone that experiences discrimination. The implementation and the application of the required Attorney General guidelines offer best practice of how they would be able to deal with this. He thinks this is a great tool for us to be able to apply to our community and that it will be helpful to his neighbors that are of Jewish decent and he thinks it is important for them to know the depth of sorrow that he feels.

Debra Lewitter, Valentine Street, commented that there has been a lot of discussion tonight and a lot of papers being handed to the Council with the different resolution versions. It boils down to two things; (1) no matter what is going to happen, whether you include BDS or not, it is going to be divisive to some group or another. The question is how you are going to align yourselves and are you going to say we are not singling out BDS, we are just saying that whatever organization is going to say things that are hateful, we are going to be against. Are we going to make it a resolution where we want everyone to be happy? We need to put some teeth into the resolution and say we are against hatred, all forms and all types.

Henry Schanzer, 29 Brookfall Road, Edison, NJ, commented that he wanted to correct one point that was made by a speaker. Identifying BDS in the resolution as a violation of anyone's speech is nonsense. The importance of identifying the US Congress resolution and that of many other states in the United States, which name BDS as a prime source of anti-Semitism, does not violate anybody's right of speech.

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

A 10-minute recess was taken at this time.

The Conference Meeting was called to order at 9:21 p.m. by Mayor Brill Mittler.

Present: Mayor Brill Mittler, Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits (left meeting at 9:27 p.m.); Borough Attorney Schmierer; Borough Administrator Jover; Deputy Clerk Santiago.

Absent: Borough Clerk Hullings.

Mayor Brill Mittler noted that on September 24<sup>th</sup> there will be Standing Committee Meetings if needed. The next Regular Meeting will be held on October 3<sup>rd</sup>.

Borough Attorney Schmierer advised that his office drafted the Puppy Mill Ordinance and that he shared it with Councilwoman Welkovits and it is ready for introduction. Item to be listed on the October 29<sup>th</sup> Conference Agenda and a copy to be shared with the rest of the Governing Body.

Borough Attorney Schmierer noted that his office is working on the Telecommunications Ordinance. They received the FCC materials and the matter can be listed for discussion on the October 29<sup>th</sup> Conference Agenda.

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

Abby Stern Cardinale, Harper Street, commented about the anti-Semitism resolution and noted that she was not going to mention BDS. Her concern is something Councilwoman Welkovits brought up at the last meeting and she was thinking about it. She thinks that mentioning incidents having to do with children is a really bad idea. When you think about children, there are different laws for minors and hopefully there is a chance for rehabilitation. It sounds like, from what she heard, they did some pretty bad things, but she hopes that we can teach them versus condemn them and she thinks it is a small enough community that it is obvious and that people know. We should be focusing on education for these children and not continue to ostracize them in the community. She also commented about medical and recreational marijuana and that it is another hot topic. She thinks that everyone has thought about this topic and has opinions and she encouraged them not to be afraid to share their opinion. It is great that the Council listens to the comments, but it is also great to have opinions and share them with the community. She appreciates hearing where there are coming from and she encouraged them not to punt the issue of recreational marijuana just because it is easy and say we are not talking about this. If you think that it is something that is okay, she encouraged them to be honest.

Michael Gordon, South 5<sup>th</sup> Avenue, noted that he was going to read a statement from Rabbi Kaufman, who could not attend tonight. He feels very strongly about the resolution and about the perception that our Jewish community and the community as a whole is divided on this issue. When he spoke to him about it, he didn't understand it and he doesn't either. He has been a resident in Highland Park for 25 years and grew up in East Brunswick. He knows a very diverse crowd in the community and he has been speaking to a lot of people and he doesn't see a divisiveness dividing the town that he thinks some of you have been told about from some leaders. On the ground, there is really no division. Not that anyone is for condemning BDS, but a majority of the Jewish community that he has spoken to and leadership is very strong about wanting BDS condemned because it is not a retaliation for what happened in the library, it is to prevent it from happening in other places in the community, like the high school, or the middle school. What happened in the library was tragic and we still don't know what is happening. We don't want to see the same fight happening again. He now read statement from Rabbi Kaufman, 415 Raritan Avenue, "Israel is held to a double-standard to which no other nation is held. Israel is delegitimized and demonized. Attempts at bringing BDS into our town falls into the witness test unequivocally as anti-Semitism.

Government Energy Aggregation Program Overview – Borough Administrator Jover noted that she was asked to present an overview of this program and what it means and whether the Borough would be interested in pursuing that. The Public Works and Public Utilities blessed this program in concept to bring to Council. There was a state law passed that enabled local government to aggregate the residential and commercial customers in a municipality and get better pricing for energy supply. What they were discussing was renewable government energy aggregation as layer onto that. There are third party suppliers that you can out to and switch your supplier. This allows the government to pool the customer base to try to get a better. Sustainable Highland Park is excited about the potential sustainability goals for the State of New Jersey and the Borough. We have an opportunity to potentially align with the Township of Piscataway, who is also pursuing government energy aggregation. We might be able to go out to the market at the same time with a larger pool of accounts, which would be a better saving and a better opportunity for the residents. There are a couple of steps the Borough would have to take to do this. They would have to pass an ordinance saying that the Borough wants to do this and take on this roll. The Borough would have to find an Energy Consultant that would develop the bid to go out into the market in alignment with Piscataway. She is recommending a purchasing coop that the Borough is a member of in the State of New Jersey that has already taken the time to procure those services that the Borough could take advantage of that would save the Borough time and energy. That is the one that Piscataway is using and we need to use the same professionals to make it all work. This is the same approach that New Brunswick has taken and from what she is hearing there were some communication issues that we can learn from them so that residents understand the program. Residential customers are opted in, but they will have the ability to opt out. Commercial customers will have to opt in. The Borough can do some special outreach to encourage them to opt in. She wanted to create an outline about the program. Councilwoman Foster-Dublin asked about families that are on fixed income/budget with the utility. Borough Administrator Jover said she was not aware that utility companies do that. She will have to look into that. She will redistribute the information again to the Governing Body and would be happy to answer any questions. The goal is to improve opportunities and savings for the residents and do not want to impact low income families/seniors in that way. She explained that the coop did a bid and they got responses from consultants and they went with the one that was most qualified and hopefully had the best rate. Councilman George would like more information on how the working relationship will work with Piscataway. Councilwoman Kim-Chohan asked how would a resident opt out of the program. Borough Administrator Jover noted that the Borough would send out a letter explaining the program. There is an official point at which you must opt out. If you don't want to be included in the initial arrangement, you can also opt out. It was asked whether an ordinance could be introduced at the October 29<sup>th</sup> meeting. Mayor Brill Mittler will discuss in Administration Committee Meeting.

Adult Use Marijuana Task Force – Mayor Brill Mittler noted that she and Councilman Hale talked about this topic briefly and this falls into his bucket. They will continue the conversation and hopefully have a plan on how they want to proceed at the next meeting.

Municipal Judge Reappointment – Councilwoman Foster-Dublin noted that his appointment term will expire next month. They are in conversation with him and she will report back as they are taking a look at the Municipal Court as a whole. The Borough has been meeting with Piscataway and the Judge has been involved. Still need to do some more exploration on how that arrangement might work. She reported that the Police Department is looking to hire a new Police Officer. There were 4 applicants and they have selected 1, and after successful background check, they will make an offer to the successful candidate. The DeLacey Davis report is complete and everyone should be provided with a copy shortly. She asked that the report not be shared with any committees yet until Mr. Davis has a chance to come to a meeting and explain it. Councilman Hale asked if Mr. Davis could make a presentation of the report to the Equity Commission. Councilwoman Foster-Dublin noted that she would check into that.

Update on Anti-Semitism Resolution – Mayor Brill Mittler noted that there are 6 or 7 resolutions floating around. The Council has two different resolutions and the HRC presented another version. She met with a group of residents last week and they also gave a proposed resolution. The ADL also provided two resolutions. Councilman Hale noted that there are 8 different resolutions; 2 from the ADL, 1 says BDS and the other doesn't and there is a resolution from the march group. It makes a lot of sense to try and narrow down the number of versions. It should be pared down to 2 resolutions; one containing BDS and the other without BDS. He read the two different versions into the record. Mayor Brill Mittler asked Councilman Hale to take a look at the resolutions from the ADL. Councilman Fine noted that he agreed with Councilman Hale. Councilwoman Foster-Dublin noted that she would like him to also include the resolution from the HRC. Councilman Hale agreed to do that. Councilman George noted that he would like a chance to read all of the versions of the resolution. Mayor Brill Mittler noted that the resolution will be reviewed by the Borough Attorney prior to Council acting on it. Councilwoman Kim-Chohan would like to see the resolution cater to Highland Park. This resolution is very broad. Need more facts about Highland Park. Councilman Hale noted that there is a meeting on the 24<sup>th</sup> and comments are welcome. He is hoping to have a vote on this resolution on October 29<sup>th</sup>.

The meeting was extended beyond 10:00 p.m. on motion made by Councilman Hale, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present.

Water and Sewer Working Session – Councilman George noted that there will be a Water and Sewer working session held on September 24<sup>th</sup>. Greg Fehrenbach will be presenting his report. He will have some power point slides to show and the Council will have an opportunity for discussion. This is an 18-month process and the public will be in attendance and is welcomed. This is complicated stuff, so we are going to bring it up on a regular basis. Mayor Brill Mittler noted that she has discussed this with Councilman George and Borough Administrator Jover. The DEP is breathing down the Borough's neck and they don't want to kick the bucket down the road. It is really important issue and there are a lot of ins and outs to it. This will be a work session, not a regular council meeting.

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There being no further business, on motion made by Councilman George, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 10:17 p.m.

Respectfully submitted,

Jennifer Santiago  
Deputy Clerk