

REGULAR MEETING – APRIL 21, 2020

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, April 7, 2020, and was called to order by Mayor Brill Mittler at 7:01 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler; Councilpersons Fine, Foster-Dublin, George, Hale; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: Councilpersons Kim-Chohan, Welkovits.

On motion made by Councilman George, seconded by Councilman Hale, the minutes of the Water and Sewer Workshop held September 24, 2019 were approved, as distributed, by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

Abstain: None.

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

Councilman Hale reported that Main Street Highland Park is working very hard to make sure the businesses and restaurants are engaged. One of the promotions is "Take out Tuesday". They are also working diligently to finding a way to safely open the Farmer's Market on May 1st.

Councilwoman Foster Dublin reported that the schools are providing for families who need meals and are also providing assistance to others. The Teen Center has been holding virtual meetings via Skype. There are 13 seniors graduating, that utilize the Teen Center, and going to college. They are working on a virtual graduation and preparing going away packages. She congratulated the Police Chief and the Police Captain for successfully completing their "acting" terms. She outlined some of the benchmarks that they have achieved over the last year – Trunk & Treat Program, developing a plan of action for transparency between the department and the community, and development of training protocols for the Police Department, etc.

Councilman Fine – No report.

Councilman George reported that the Arts Collective donated \$175 to the Food Pantry. They held a mask contest, with \$100 prize and a donation to the Food Pantry.

Borough Administrator Jover – No report.

Borough Attorney Schmierer - No report.

Mayor Brill Mittler reported on behalf of Councilwoman Kim-Chohan about some of her committees. HP Gives and Hoot and the Food Pantry have been working closely with the Community Services staff in providing food for many residents. There has been an increase in people participating in the Food Pantry, and thankfully, with lots of donations, the staff has been able to keep up with that demand. HP Gives a Hoot has been providing meals to 31 teen center families. Sadly, the Board of Health and the community lost a long-time member recently. Ken Sachs passed away about a week ago and he served on the Board of Health for over 20 years and he will be sadly missed. She asked for a moment of silence in his memory. She commented about the numbers that she reports, versus the numbers that the County and State report. This is a massive undertaking for the State Board of Health and the County Board of Health. There is sometimes a lag from when information is reported to the State, then to the County and then finally to the municipalities. She thanked Chief Abrams for keeping a wonderful tab on the Borough's current numbers. We may be seeing a difference in the numbers due to streamlining and improving the reporting. Later in the meeting, she is asking the Council to vote on a resolution that will allow them to help some of the residents in town who are having financial difficulties by extending the deadline date for this quarter's municipal taxes. When you go outside, please keep 6' of distance between you and the people coming towards you. Please, wear a mask and wash your hands. Avoid going out, unless absolutely necessary.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. The total time for this session is 21 minutes; three minutes maximum per speaker. Comments are limited to items on the agenda. If you want to speak on an item that is not listed, there will be an opportunity to do so later in the meeting.

Marlene Tarshish, 146 North 10th Avenue, commented about the COVID-19 card information being only available in English. She also noted that people are congregating and she has seen them using the high school track. Chief Abrams noted that the high school track should be locked and people are not supposed to be there. The Police Department is doing periodic patrols of the high school track and is also assisting the County with patrolling the County parks.

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

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

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2020 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$11,640,349.00; and

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

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

2020 TEMPORARY OPERATING BUDGET

DESCRIPTION	ACCOUNT NUMBER	2020 TEMPORARY BUDGET
GENERAL GOVERNMENT FUNCTIONS		
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	89,871.00
Other Expenses	20-100-2	11,875.00
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	16,518.00
Other Expenses	20-110-2	5,994.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	78,910.00
Other Expenses	20-120-2	13,188.00
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	19,600.00
Other Expenses	20-130-2	67,350.00
ANNUAL AUDIT		
Other Expenses	20-135-2	13,500.00
TAX COLLECTION		
Salaries & Wages	20-145-1	37,806.00
Other Expenses	20-145-2	8,200.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	27,956.00
Other Expenses	20-150-2	6,875.00
LEGAL SERVICES		
Other Expenses	20-155-2	175,000.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	10,000.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Salaries & Wages		3,570.00
Other Expenses	20-170-2	52,500.00
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	54,750.00
CENTRAL SERVICES		
Other Expenses	20-316-2	42,250.00
LAND USE ADMINISTRATION		
PLANNING BOARD		
Salaries & Wages		3,570.00
Other Expenses	21-180-2	25,075.00
ZONING BOARD OF ADJUSTMENT		

Salaries & Wages	21-185-1	10,357.00
Other Expenses	21-185-2	6,075.00
HUMAN RIGHTS COMMISSION		
Other Expenses	21-195-2	525.00
INSURANCE		
GENERAL LIABILITY/WORKERS COMPENSATION		
Other Expenses	23-211-2	206,660.00
EMPLOYEE GROUP HEALTH		
Other Expenses	23-220-2	645,029.00
PUBLIC SAFETY FUNCTIONS		
POLICE		
Salaries & Wages	25-240-1	1,759,173.00
Other Expenses	25-240-2	105,968.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	119,361.00
Other Expenses	25-250-2	2,250.00
OFFICE OF EMERGENCY MANAGEMENT		
Salaries & Wages	25-252-1	20,000.00
Other Expenses	25-252-2	13,250.00
FIRST AID CONTRIBUTION		
Other Expenses	25-260-2	7,500.00
FIRE		
Salaries & Wages	25-265-1	117,325.00
Other Expenses	25-265-2	36,465.00
LOSAP		
Other Expenses	25-265-2	8,250.00
MUNICIPAL PROSECUTOR		
Other Expenses	25-275-2	17,500.00
PUBLIC WORKS FUNCTIONS		
STREETS & ROADS		
Salaries & Wages	26-290-1	569,798.00
Other Expenses	26-290-2	60,350.00
APARTMENT COLLECTION		
Other Expenses	26-305-2	112,500.00
PUBLIC BUILDINGS & GROUNDS		
Salaries & Wages	26-310-1	22,496.00
Other Expenses	26-310-2	85,500.00
MOTOR POOL		
Salaries & Wages	26-315-1	38,359.00
Other Expenses	26-315-2	69,500.00
HEALTH & HUMAN SERVICES FUNCTIONS		
BOARD OF HEALTH		
Other Expenses	27-330-2	525.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	525.00
COMMISSION ON IMMIGRANT & REFUGEE AFFAIRS		

Other Expenses	27-336-2	263.00
SAFE WALKING & CYCLING COMMITTEE		
Other Expenses	27-337-2	1,313.00
SUSTAINABLE HIGHLAND PARK		
Other Expenses	27-338-2	1,150.00
HISTORICAL COMMISSION		
Other Expenses	27-339-2	263.00
PARKS & RECREATION FUNCTIONS		
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	35,460.00
Other Expenses	28-370-2	8,250.00
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	101,978.00
Other Expenses	28-371-2	14,603.00
ARTS COMMISSION		
Other Expenses	28-374-2	525.00
SHADE TREE ADVISORY COMMITTEE		
Other Expenses	28-375-2	302.00
TEEN CENTER		
Salaries & Wages	28-373-1	34,959.00
Other Expenses	28-373-2	-
CELEBRATION OF PUBLIC EVENTS		
Other Expenses	30-420-2	5,000.00
UTILITY EXPENSES & BULK PURCHASING		
ELECTRICITY		
Other Expenses	31-430-2	55,000.00
STREET LIGHTING		
Other Expenses	31-435-2	85,000.00
TELEPHONE		
Other Expenses	31-440-2	26,000.00
FUEL OIL/GASOLINE/NATURAL GAS		
Other Expenses	31-460-2	50,000.00
SANITARY LANFILL		
Other Expenses	32-465-2	159,548.00
UNIFORM CONSTRUCTION CODE		
Salaries & Wages	22-195-1	171,336.00
Other Expenses	22-195-2	6,675.00
UNCLASSIFIED		
CABLE TELEVISION		
Other Expenses	30-411-2	5,000.00
ACCUMULATED SICK LEAVE		
Salaries & Wages	30-415-1	40,000.00
COMMUNICATIONS		
Salaries & Wages	20-105-1	52,833.00
Other Expenses	20-105-2	11,591.00
CORONAVIRUS MITIGATION		
Other Expenses		25,000.00
MUNICIPAL COURT FUNCTIONS		

MUNICIPAL COURT		
Salaries & Wages	43-490-1	90,012.00
Other Expenses	43-490-2	6,325.00
PUBLIC DEFENDER		
Other Expenses	43-495-2	3,000.00
LIBRARY		
Salaries & Wages	29-390-1	328,256.00
Other Expenses	29-390-2	176,143.00
INTERLOCAL MUNICIPAL SERVICE AGREEMENTS		
COUNTY HEALTH SERVICES		
Other Expenses	42-401-2	22,664.00
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	5,384.00
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	7,800.00
PUBLIC AND PRIVATE PROGRAMS		
NJDEP Radon Awareness	41-724-2	-
Art & History Grant		3,750.00
Township Match		938.00
Rivers Reforestation Grant		2,335.00
Middlesex County Census Grant		2,000.00
STATUTORY EXPENDITURES		
SOCIAL SECURITY SYSTEM		
Other Expenses	36-472-2	164,630.00
UNEMPLOYMENT COMPENSATION INSURANCE		
Other Expenses	23-225	15,000.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM		
Other Expenses	36-471-2	489,601.00
POLICE AND FIREMAN'S RETIREMENT SYSTEM		
Other Expenses	36-475-2	837,812.00
DCRP		
Other Expenses	36-476-2	5,775.00
	SUBTOTAL	7,853,073.00
DEBT SERVICE		
BOND PRINCIPAL		
Other Expenses	45-920-2	625,000.00
INTEREST ON BONDS		
Other Expenses	45-930-2	242,369.00
M.C.I.A. LEASE/LOAN		
Other Expenses	45-950-2	291,704.00
DBIZ LOAN		
Other Expenses	45-925-2	-
	SUBTOTAL	1,159,073.00
	GRAND TOTAL	9,012,146.00
2020 TEMPORARY WATER AND SEWER BUDGET		
DESCRIPTION		2020 TEMP

OPERATING		
Salaries & Wages		120,444.00
Other Expenses		1,239,409.00
Middlesex County Utilities Authority		740,900.00
STATUTORY EXPENDITURES		
Public Employee Retirement System		-
Social Security System		-
DEFERRED CHARGES		
Overexpenditure Budget Appropriation		-
	SUBTOTAL	2,100,753.00
DEBT SERVICE		
Payment of Bond Principal		460,000.00
Interest on Bonds		67,450.00
	SUBTOTAL	527,450.00
	GRAND TOTAL	2,628,203.00

2. Said emergency temporary appropriations will be provided for in the 2020 budget under the various captions listed herein.
3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

The Clerk reported advertising an ordinance entitled, ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR 433 CLEVELAND AVENUE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., 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 Hale, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 20-2000, was duly adopted, by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

No. 4-20-135

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR 433 CLEVELAND AVENUE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., 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 Neptune, 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, AN ORDINANCE TO REPLACE CHAPTER 388 AS THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" CONCERNING TREE REMOVAL AND PROTECTION, 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 Councilman Hale, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Borough Attorney Schmierer advised that the Environmental Commission reviewed the proposed ordinance and they had 3 minor changes to make to the ordinance. They asked that 3 minor changes be made to the ordinance as follows: (1) "clear cutting" definition be added; (2) §388-11A has been revised to establish a tree replacement schedule for any properties in the Borough whether they are residentially occupied properties, nonowner occupied properties or commercial properties; and (3) § 388-6A.e.v. concerning the permit application has been revised to delete the requirement that the tree removal plan must be prepared, signed and sealed by a licensed land surveyor. He further noted that the changes are not substantive in nature and that the public hearing can be held and the ordinance adopted.

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.

Roseanne Baruh, 616 South 1st Avenue, commented that the Shade Tree Advisory Committee is looking to make replacement of trees easier for residents with the adoption of this ordinance.

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

On motion made by Councilman George, seconded by Councilman Hale, the ordinance entitled as above, being Ordinance No. 20-2001, was duly adopted, as amended, by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

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

No. 4-20-136

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE TO REPLACE CHAPTER 388 AS THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010" CONCERNING TREE REMOVAL AND PROTECTION, 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 Neptune, 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. 4-20-137 through 4-20-146 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.
 Opposed: None.
 Absent: Councilpersons Kim-Chohan, Welkovits.

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

No. 4-20-137

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

WHEREAS, by Ordinance No. 16-1921, adopted on December 20, 2016, the Borough Council declared the entire Borough, including the property commonly known as 433 Cleveland Avenue and identified as Block 153, Lots 15, 17, 18 and 19, Block 154, Lots 6.01, 10 and 11 and Block 191, Lots 6.01 and 6.02 on the Official Tax Map of the Borough (the "Property") an "area in need of rehabilitation"; and

WHEREAS, pursuant to the Redevelopment Law the Borough Council caused a redevelopment plan, to be prepared for the Property, entitled the "433 Cleveland Avenue Redevelopment Plan" (the "Redevelopment Plan"); and

WHEREAS, the Borough Council, referred the Redevelopment Plan to the Planning Board for its review and recommendation pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Planning Board, at a duly noticed and constituted public meeting held on February 13, 2020, has reviewed the Redevelopment Plan;

WHEREAS, following such review the Planning Board has rendered its report and recommendations to the Borough Council and by resolution memorialized on March 12, 2020 determined that the Redevelopment Plan is consistent with the Borough's Master Plan and recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, in that same resolution the Planning Board made the following suggestions to the Borough Council:

- (a) Expand the Redevelopment Plan to incorporate rain gardens to mitigate water impact along the stream;
- (b) Investigate the expansion of the trail, taking into account both the ravine and attendant topographic issues presented and the resulting safety issues that may occur;
- (c) Consider pedestrian safety and the interplay of same beyond both Cleveland Avenue and Madison Avenue; and
- (d) Consider the fiscal impacts of the proposed development of the Property; and

WHEREAS, in furtherance of its obligation to consider the adoption of the Redevelopment Plan via ordinance, the Planning Board shall review the recommendations of the Planning Board and approve, disapprove, or change any of such recommendations as set forth in *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law; and

WHEREAS, the members of the Borough Council have personally reviewed the Planning Board's recommendations, as set forth in the resolution of the Planning Board; and

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Borough Council addresses the suggestions of the Planning Board, as set forth in both the resolution of the Planning Board as follows:

- (a) The Borough Council notes that the Redevelopment Plan as drafted does require rain gardens to the extent practical in Section 5.4.5.G;
- (b) There are no plans to expand the trail at this time due to the ravine and related safety issues;
- (c) The Borough will request that the Property owner consider pedestrian and safety issues beyond Cleveland and Madison Avenues; and
- (d) The Borough intends to address the fiscal impacts of the proposed development as a component of the negotiations of a redevelopment agreement. At a minimum the Borough expects that the Board of Education will realize savings in its obligation to reimburse for busing cost that exceed its current share of taxes from the Property.

Section 3. This Resolution shall further support the Borough Council's ordinance adopting the Redevelopment Plan and directing that the applicable provisions of the Borough's Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein

Section 4. This Resolution shall take effect immediately.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 4-20-138

WHEREAS on March 11, 2020 the Borough of Highland Park entered into an Agreement with the P.B.A. Local No. 64 for the period of January 1, 2019 through December 31, 2022; and

WHEREAS the Agreement establishes a new wage scale for police officers covered by P.B.A. Local No. 64 for the period of January 1, 2019 through December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the salary resolution No. 01-19-14 and 01-20-14 are hereby amended as articulated below:

Police Officer	Theodore	Pardo	\$121,706.00	01/01/19 - 07/31/19
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BE IT FURTHER RESOLVED that the Finance Director be and is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 4-20-139

WHEREAS, FRAN LEE, Master Librarian, has retired from the Borough of Highland Park effective March 1, 2020; and

WHEREAS, per the requirements of the Agreement between Borough of Highland Park and the Library Union, Fran Lee is entitled to unused accrued time payments in the amount as calculated below.

2020 Accrual Balance	Hours	Per Hour	Total
SICK	547.18	55.04	\$5,000.00
VACATION	71.57	55.04	\$3,939.21
TOTAL			<u>\$8,939.21</u>

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that the unused accrued time payment in an amount not to exceed \$8,939.21 be approved and distributed in the next available pay cycle.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:
No. 4-20-140

WHEREAS, the Borough of Highland Park was awarded \$216,000 from the New Jersey Department of Transportation (NJDOT) for the 2016 Safe Routes to School (SRTS) project; and

WHEREAS, the Borough of Highland Park was included in the NJDOT’s design assistance program, whereby the costs related to engineering and design for the 2016 SRTS project are fully reimbursable up to \$400,000; and

WHEREAS, the Borough of Highland Park selected NV5 as its preferred consultant for the 2016 SRTS project from a pool of engineering design consultants established by NJDOT through a quality-based selection process; 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, NV5 is a full service professional and technical engineering firm in the State of New Jersey with extensive experience in providing these services; and

WHEREAS, NV5 provided a revised proposal for design services for the 2016 SRTS project dated August 22, 2019 that was approved by NJDOT; and

WHEREAS, funds are available for this purpose in Account Number C-04-55-816-001 in an amount not to exceed \$210,528.34, as reflected by the Certification of Funds by the Chief Financial Officer, shown below; and

WHEREAS, execution of this contract will occur after NJDOT certification of the Borough of Highland Park’s eligibility to receive federal funding.

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 NV5, 7 Campus Drive, Suite 300, Parsippany, NJ 07054, a proposed copy of which is attached to the original of this resolution, 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 Public Safety Committee, was duly adopted as above:
No. 4-20-141

BE IT RESOLVED by the Mayor and Borough Council that the Mayor and Borough Clerk are hereby authorized and directed to execute and attest the Memorandum of Understanding between the Borough of Highland Park and the New Jersey Office of Emergency Management attached to the original of this resolution.

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

No. 4-20-142

WHEREAS, on March 20, 2020 pursuant to a duly advertised Notice to Bidders, the Borough of Highland Park (“Borough”) received four (4) bids for the Improvements to Cherry Street, South Park Avenue, and South Adelaide Avenue (“Project”). Which bids are as follows;

Esposito Construction, LLC Matawan, NJ	\$790,229.95
P & A Construction, Inc. Colonia, NJ	\$820,964.95
JADS Construction South River NJ	\$844,723.50
Top Line Construction Corp. Somerville, NJ	\$927,251.34

WHEREAS, upon recommendation of the Borough Engineer and review by the Borough Attorney, the Borough desires to award the contract for the Project to Esposito Construction, LLC; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the award of the contract purpose in the amount of \$790,229.95 in Account No. C-04-55-821-001 as reflected by the certification of funds, shown below.

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

1. The contract for the Project is hereby awarded to Esposito Construction, LLC, 253 Main Street, Suite 385, Matawan, NJ 07747 in the amount of \$790,229.95, subject to the approval of the New Jersey Department of Transportation.

2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Esposito Construction, LLC, Inc. consistent herewith.

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

No. 4-20-143

WHEREAS, the Borough of Highland Park has a need for the services of an Environmental Consultant who is a Licensed Site Remediation Professional (“LSRP”) in connection with litigation entitled JSM at Highland Park, LLC v. The Borough of Highland Park, Docket No. MID-L-4958-17; 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, Jonathan Perse, P.G., Cornerstone Environmental Group, LLC, is an LSRP licensed in the State of New Jersey; and

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of Jonathan Perse to serve as the Borough’s Environmental Consultant in connection with the above-referenced matter; and

WHEREAS, funds for this purpose are not to exceed the amount of \$25,000.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$25,000.00 in the Borough’s temporary or permanent budget for the Calendar Year 2020 in account No. 0-01-20-155-233, as reflected by the Certification of Funds 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 Jonathan Perse, P.G., LSRP, a copy of which is attached hereto, and that notice of this contract be published as required by law and that a copy of the

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

No. 4-20-144

WHEREAS, the Borough of Highland Park is authorized by statute to enter into grant agreement contracts which receive Federal funding through the New Jersey Department of Transportation (NJDOT) Local Aid Division; and

WHEREAS, it is the understanding of the Borough of Highland Park that certain Federal programs including the Federal Highway Administration require specific procurement requirements for the selection of firms which must be followed in order to obtain funds from these agencies; and

WHEREAS, it is the desire of the Borough of Highland Park to standardize the procedure for the solicitation of proposals for such contracts and to insure to the maximum extent practical competition in the selection of firms; and

WHEREAS, it is the desire of the Borough of Highland Park to insure a process consistent with these requirements and with State law; and

WHEREAS, the Borough created a Policy and Procedure Manual for the oversight of Federal Aid Projects, dated September, 2019; and

WHEREAS, in April 2020, the Borough revised the Policy and Procedure Manual for the oversight of Federal Aid Projects based on input from NJDOT consultants at AECOM.

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

1. Administrative responsibilities of the Borough, contract bid preparation and award procedures, construction and project management for Federal Aid Projects shall be coordinated as outlined in the Policy and Procedure Manual dated April 2020.
2. Solicitation for Consultant Services for Professional Services, Competitive Contracts, and Extraordinary Unspecifiable Services for Federal Aid Projects shall be coordinated as outlined in the Policy and Procedure Manual.
3. All proposals and contracts for professional services, competitive contracting and extraordinary unspecifiable services related to Federal Aid projects shall require submission of a statement of corporate ownership and the provision of PL 1975, c. 127 (C.10:5-31 et seq.) concerning equal employment opportunity, Affirmative Action Regulations PL 1975, c. 127 (N.J.A.C. 17:27) and Non-Collusion Affidavit.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to the Borough Administrator and the Finance Office.

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

No. 4-20-145

WHEREAS, the Highland Park Department of Public Works had a need to make emergency repairs to sewer mains at Raritan Avenue and South Adelaide Avenue, as more fully described on the attached quotation; and

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

WHEREAS, J. Fletcher Creamer and Son, Inc. was called out to make said emergency repairs; and

WHEREAS, the Superintendent of the Department of Public Works has confirmed that said repairs were completed by J. Fletcher Creamer and Son, Inc. and payment is due to them for said repairs; in an amount not to exceed \$75,509.31; and

WHEREAS, funds for this purpose are available in the amount of \$75,509.31 in Account No. 0-05-55-500-423, 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 Finance Director shall be and is hereby authorized and directed to issue payment in the amount of \$75,509.31 to J. Fletcher Creamer and Son, Inc., 101 East Broadway, Hackensack, NJ 07601, for services in connection with said sewer main repairs; and

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 4-20-146

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall include in the minutes of this meeting a statement as to all such claims approved as shown in a Bills List Journal in accordance with said Ordinance.

The bills approved for payment at this meeting, Bills List 4/21/2020 can be found in the Bills List Journal Book No. 40.

Borough Planner Constantine and Special Redevelopment Counsel appeared to give a brief presentation prior to Council passing a resolution declaring properties in Block 173, Lots 41, 42, 44 and 45 (between Raritan Avenue and Denison Street) as Areas in Need of Redevelopment with Condemnation. The Planner prepared a detailed study on these lots, which was presented to the Planning Board at their February 2020 meeting and was followed by a public hearing. The Planning Board approved a resolution adopting the recommendations in the study and recommending to Council it be declared a Condemnation Redevelopment Area.

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

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

No. 4-20-147

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

WHEREAS, by Resolution No. 8-19-237, adopted on August 6, 2019, the Borough Council (the "Council") of the Borough authorized and directed the Planning Board of the Borough of Highland Park (the "Planning Board") to investigate certain properties within the Borough and to recommend to the Council whether all or a portion of such properties should be designated as an area in need of redevelopment with the power of eminent domain ("Condemnation Redevelopment Area") in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-6*; and

WHEREAS, in areas designated as Condemnation Redevelopment Areas, the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, in accordance with the Redevelopment Law, the Planning Board caused LRK, Inc. (the "Planner") to conduct a preliminary investigation of the following properties (hereinafter referred to collectively as the "Study Area"):

BLOCK	LOT	ADDRESS
173	41	133 Raritan Avenue
173	42	127 Raritan Avenue
173	44	Denison Street
173	45	Denison Street

WHEREAS, the Planner prepared a map of the Study Area and an investigation report entitled "Preliminary Investigation of a Condemnation Area in Need of Redevelopment Gateway Redevelopment Area," dated January 29, 2020 (the "Study"); and

WHEREAS, the Study concluded that the Study Area qualifies as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, on February 13, 2020, pursuant to the Redevelopment Law, the Planning Board held a duly noticed public hearing concerning the Study (the "Public Hearing"), giving all persons who are interested in or would be affected by a determination that the Study Area is a Condemnation Redevelopment Area the opportunity to be heard; and

WHEREAS, the Public Hearing was opened to the public for comment and there were concerns placed on the record with regard to the Study Area being designated as a Condemnation Redevelopment Area; and

WHEREAS, at the Public Hearing, the Planning Board considered the Study, heard the comments of the Planner, took the public comments into account, and deliberated on the matter using the criteria set forth in the Redevelopment Law; and

WHEREAS, on February 13, 2020, the Planning Board approved a resolution (the "Planning Board Resolution"), in the form introduced to it at the Public Hearing, accepting and adopting the recommendations contained in the Study, and recommending that the Study Area be declared a Condemnation Redevelopment Area for the reasons set forth therein; and

WHEREAS, on February 13, 2020, the Planning Board memorialized the Planning Board Resolution, accepting and adopting the recommendations contained in the Study, and recommending that the Study Area be declared a Condemnation Redevelopment Area for the reasons set forth therein; and

WHEREAS, after careful consideration of the Study, the Planning Board Resolution, and all of the relevant facts and circumstances concerning this matter,

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Based on substantial evidence and the recommendation of the Planning Board, the Council hereby designates the Study Area as a Condemnation Redevelopment Area.

Section 3. The City Council hereby directs the Borough Clerk to transmit a certified copy of this Resolution forthwith to the Commissioner of the Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 4. The Council hereby directs the Borough Clerk to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Study Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the Public Hearing, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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 the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale.

Opposed: None.

Absent: Councilpersons Kim-Chohan, Welkovits.

No. 4-20-148

WHEREAS, N.J.S.A. 54:4-67a permits the Governing Body by resolution to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent; and

WHEREAS, the statute fixes the rate of interest cannot exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the Tax Collector is made; and

WHEREAS, the Borough of Highland Park adopted Resolution No. 1-20-12 on January 7, 2020 setting the Rate of Interest for Delinquent Taxes at 8% on the first \$1,500.00 and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date when any tax installments shall be payable unless paid within ten (10) days after the due date; and

WHEREAS, due to the COVID-19 pandemic and the State and Federal declarations of a major disaster throughout New Jersey, the Governing Body of the Borough of Highland Park wishes to change the rate of interest for future delinquent tax payments;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highland Park in the County of Middlesex, that the rate of interest for taxes unpaid after May 10, 2020, is fixed at 0.000001% on the first \$1,500.00 of delinquency and 0.000001% per annum on any amount of taxes in excess of \$1,500.00 effective May 10, 2020 through May 29, 2020; and

BE IT FURTHER RESOLVED, that the rate of interest for taxes unpaid shall be calculated from date of the quarterly payment until the date of actual payment; and

BE IT FURTHER RESOLVED, that this Resolution shall be published in its entirety once in the official newspaper of the Borough of Highland Park and a copy of this adopted Resolution be forwarded to the Division of Local Government Services in the Department of Community Affairs; and

BE IT FURTHER RESOLVED, effective May 30, 2020, the rate of interest for taxes unpaid after May 30, 2020 is fixed at 8% on the first \$1,500.00 of delinquency and 18% per annum on any amount of taxes in excess of \$1,500.00 effective May 30, 2020, and as per N.J.S.A. 54:4-67 is "to be calculated from the date the tax was payable until the date that actual payment to the Tax Collector is made."

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. Speakers are limited to 3 minutes and the discussion to end at 9:00 PM.

Robin Loewenstein, 116 South 4th Avenue, commented that Councilwoman Foster-Dublin mentioned in her report that her family had resigned from the First Aid Squad. She noted that the squad's hours were drastically reduced after their resignations. The First Aid Squad is only covering Highland Park for 30-35 hours per week. Councilwoman Foster-Dublin noted that during the COVID-19 pandemic, hours have been reduced and all squads are stretched thin.

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

Work Session:

Water & Sewer Contract Operations Timeline – Borough Administrator Jover noted that they resolicited proposals for the water and sewer system and those proposals are due on April 30, 2020. The plan is award the contract at the second meeting in May. The proposals will be reviewed by Frances McManimon, herself, Councilman George, Superintendent of Public Works Michael Wieczorkiewicz and CFO Greg Fehrenbach. They will make a recommendation to Council to award the contract at the May 19th meeting. The contract will need to be advertised and they will need to execute an agreement as well. The plan is for the commencement of the contract to begin July 15, 2020.

2020 Budget Overview – Borough Administrator Jover advised that she did not get to prepare the information as she would have wanted. She needs to discuss some things with the Chief Financial Officer. The budget must be introduced at the first meeting in May. May need to schedule a special meeting to review the budget with the Governing Body.

Goals

Councilwoman Foster-Dublin provided update that there have been some setbacks with some of the goals on her list and that some of them are on hold at this time.

Councilman Hale noted that one of his goals is to protect the businesses on the way and support them in any way possible during this pandemic.

Councilman George noted that the water and sewer system goal is ongoing. The sidewalk program SOP should be in place by December. Need to gather the players/parts, circulate the SOP that should be completed by the end of August and appoint a task force. Borough Administrator Jover suggested creating best practices about getting around safely.

REGULAR MEETING – APRIL 21, 2020

There being no further business, on motion made by Councilman Fine, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:24 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk