

REGULAR MEETING – JUNE 9, 2020

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, June 9, 2020, and was called to order by Mayor Brill Mittler at 7:03 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

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

Absent: Borough Attorney Schmierer; Councilperson Welkovits.

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

Councilman Hale reported that the Governor has relaxed a number of restrictions and as of June 15th and will allow outdoor dining. The Borough is working on a strategy to allow for outdoor dining in the Borough. One of the plans is to close off South 3rd Avenue and put picnic tables in the street to allow people the opportunity to dine outdoors while being socially distanced. People can pick up their food and go to the outdoor dining area to eat or they can have the food delivered to them there. The plan is to block the street from Raritan Avenue up to the Municipal parking lot. There is also a plan to allow the restaurants the ability to have more outdoor dining space. Normally, a permit is required to have outdoor dining (sidewalk cafes). Planning to streamline the process and not charge a permit fee. Applications for the sidewalk café will be delivered to all the restaurants in town. Main Street Highland Park has purchased a number of tables that can be used for outdoor dining. Restaurants can contact Main Street Highland Park directly. The Governor has also relaxed restrictions allowing retail businesses to display merchandise outside their establishments. There will still be a requirement to allow for 4' of space for pedestrians to pass on the sidewalks. He asked the public to look at the signs that will be posted and follow the health restrictions. The information will be posted on the Borough website and the Main Street Highland Park website.

Councilwoman Kim-Chohan reported on behalf of the Food Pantry and thanked everyone who has donated funds or gift cards as they have received over \$26,000.00.

Councilwoman Foster-Dublin thanked everyone in town and the Council Members for coming out to march in the Black Lives Matter movement. She was happy that their voices are being heard and that they are being taken seriously and that her white brothers and sisters and others are putting a real effort into making a change. Not only making a change in town, but on a global stage where our lives matter and our rights will be honored. She encouraged everyone to keep it going as that is the only way you see real change. Part of the change has to do with each and every one of us. This past Sunday there was a canvas display where they were painting in support of Black Lives Matter. She thanked everyone for wanting to see an end to this systemic racism. Since we all marched last week, she made an appointment with a Middlesex County testing facility at Redshaw Elementary School in New Brunswick to get a COVID test. They had promised to do Police Community forums quarterly, but with the pandemic, that was not possible. She announced that on June 25th, they will be hosting a virtual Police Community Forum at 7PM. There has been an uptick, since COVID, of Asian people being attacked. She received information from the Attorney General's Office that on Saturday, June 20th from 11AM to 12:15PM there will be a virtual session with the Attorney General. Lastly, she reported that June is Caribbean Heritage month.

Councilman Fine – No report.

Councilman George thanked Main Street Highland Park, the Police Department, the Department of Public Works and the Safe Walking and Cycling Committee for the street closures for the pedestrian and bike path plan. The Department of Public Works is considering reinstating bulk trash pickup in July. There is a resolution on the agenda to purchase two electric vehicles. There is also a resolution to apply for two additional charging stations. PSE&G will be resuming gas line repairs around town. Lastly, he reported that the South Adelaide Road project will be commencing and that the Borough will be paying for additional repairs that need to be completed. He thanked the Borough Administrator for finding the additional funding to complete the project.

Borough Administrator Jover reported that the deer management forum with representatives from the Division of Fish and Wildlife will take place on June 30th at 7PM. She will share the report that was done based on the drone survey and post it on the Borough's website. She agreed with Councilmen George and Hale about the need for more signage for the shared streets project, which has received positive feedback. As it relates to summer camp, the Borough is trying to work on being able to hold the camp, but with reduced enrollment. They need to review the guidelines from the State and know by the end of the week whether or not it is possible to run the camp.

Borough Attorney Davy - No report.

Mayor Brill Mittler reported that on the agenda for tonight's Council vote is a resolution to condemn the Minneapolis police actions that led to the death of Mr. George Floyd. She included in that resolution the Obama pledge that she and at least one other Council member have already taken. It includes: 1) A review of our police use of force policies. This is ongoing and includes a review of all camera video that involves use of force reports. 2) Engaging our community by including a diverse range of input, experiences and stories in our review: (A) continue to hold quarterly open public police forums; (B) reformulate a diverse Equity Group to inform the Human Relations Commission and the Governing Body. 3) Report the findings of our review to the community and seek feedback. (A) Complete contract with Rutgers University for regular analysis of stop data; (B) establish regular Police Department website reporting of monthly stop data. 4) Reform our community's use of force policies. It must be understood that in the State of New Jersey, unlike many, if not all, other states, each municipal Police Department operates under the guidelines issued by the Attorney General. That is why the Highland Park Police Department operates under the AG's Use of Force policy. AG Grewal has said that he will very soon be updating this policy. If you are interested in reviewing this document, please go to nj.gov/oag/dcj/agguide.com. Finally, on the Council's work agenda for this evening is a discussion of restructuring the Human Relations Commission to include separate

independent sub-commissions including the Immigrant and Refugee Commission, Equity Commission and Anti-Semitism Commission. I understand that there has been some confusion regarding the establishment of the original Equity Commission. Please note, this body has always been a commission of the Borough of Highland Park governed by the rules established by the Borough Council. It is in effect, an advisory board to the Governing Body. While the Highland Park Equity Commission wrote its own bylaws, the bylaws had to be approved by the Governing Body and the Mayor with the consent of the Borough Council appoints each member. If moved under the umbrella of the Human Relations Commission, it will not be any less independent that it was before. Her understanding is that Councilwoman Kim-Chohan has a list of seven volunteers who have expressed interest in, or have already been appointed to the HRC/HPEC sub-commission. Later tonight, during our work session, we will be reviewing the proposed restructuring of the Human Relations Commission.

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.

Sonya Headlum, 133 Benner Street, commented that instead of talking directly to the Mayor and Council as she has done at countless council meetings and commission meetings, and through phone calls, emails and texts, she is going to use this time to reach out to those who have shown up tonight, especially those of you who might be here due to the amazing energy and attention that is being given across our country for the Black Lives Matter Movement. As a black woman and a mother, she thanked them for being here. In March, 2018, after an incident of racial profiling of a young black student in our town, 445 people signed a change.org petition regarding discriminatory policing in Highland Park. The petition had a list of demands that were drawn directly from President Obama's 2015 Task Force on 21st Century Policing. Very similar to what the Mayor says that she just signed. Those demands focused on the following: doing a comprehensive audit; in-depth police training in the areas of racial bias and de-escalation; a regular plan for reviewing police data and sharing that data with the community in a transparent fashion and establishing an anonymous complaint process and creating an all-civilian oversight structure looking carefully at policies on bias and use of force. In December, 2018, the use of force report published by nj.com showed that Highland Park Police were more than 1,033% more likely to use force with black people and because none of our demands from 9 months earlier had been met despite our appearances at Council meetings another change.org petition circulated and this one drew the signatures of 115 people. By January, 2019, the Mayor and Council approved the creation of the Highland Park Equity Commission, however, she does not think it was a coincidence that the Councilperson assigned as the Commission's liaison had recently published an article stating that change.org petitioners were irate, short-sighted and silly for demanding changes to our town citing disparity in the nj.com use of force report. This Councilperson thwarted all of our efforts and made progress painfully slow at best. Needless to say, we accomplished little and she left the Commission when they dealt with an issue that was highly controversial and had nothing to do with policing. She asked them what will be different this time. Here she is again bringing her concerns and demands to the Mayor and Council. What will it take for their voices to really be heard? You being here is a huge part of how we move forward. It is easy for people to think that it is only other people having this problem in Minneapolis, Louisville and New York City. The statistics they have to date clearly state otherwise. So far, the Mayor and Council have refused to take action. In fact, they have shut us down, so where do we go from here? She does not want those here for the first time tonight to end up like her thinking our leadership is finally going to do something for us here in Highland Park that is more than march and chant around town. She noted that she has listened to the Mayor's speeches at the various marches and rallies around town and after her cries of black lives matter, she was asking people to vote in the November election and register. We cannot allow ourselves to fall into the trap of thinking that voting out Trump is going to change our policing policies here in Highland Park. November elections are very important, but this work is done on a local level and our Mayor is responsible and our Police Chief reports to her. Our town leadership has proven again and again that they are incapable of taking action and we need a change in leadership across the board. We all need to come together in this moment, harness our power, our networks and our brains to dismantle the people supporting and perpetuating the inequities and injustice targeting people of color in the community. To stay in touch with her in this cause she asked that people email her at biasfreehp@gmail.com.

Lucinda Holt, 501 Raritan Avenue, commented that she was on the Equity Commission and wanted to address some of the challenges and barriers we faced. For a little over a year, half of the people on the Commission were black. This provided an opportunity for community members to share a different perspective with the Mayor and Council. The Commission's mission was to collaborate with the Mayor, the Council and Municipal Departments to maintain diversity, eliminate disparities and achieve equity. In its first year, the Commission pushed to have community involvement in the hiring process of the Acting Chief and Captain. The Commission's participation was limited to providing some questions and rubrics for assessing the candidate's answers to questions related to equity, which included implicit and explicit bias, procedural justice, police community relations in Highland Park, and collection and analysis. The Commission also repeatedly asked for the benchmarks being developed by the mentor and Chief to measure the progress of the Acting Chief and Captain in their new roles. The Mayor promised to review the Acting Chief and Captain's at the 6-month and year mark of their hires. The Commission members received the benchmarks a year after the Acting Chief and Captain had been hired. Had it been their political will, these benchmarks would have been received in a timely fashion and used to assess the Chief and Captain's work as promised. In spite of this missed opportunity to assess the Acting Chief and Captain's work, Acting Chief Abrams proved himself willing to make some much-needed changes in practices and protocols to improve the culture at the Highland Park Police Department. He also began to have officers attend training on a range of topics including implicit bias and de-escalation tactics. These were some initial first steps in the right direction. The challenge is that research has shown that these trainings are not very effective. The Commission wanted some means of gauging how effective were and requested that the Chief and Captain share at the newly instituted Highland Park Police Quarterly Forums what training the department was receiving and review and analyze police data that might begin to provide some means of gauging what progress, if any, was being made in reducing bias and use of force. These

are just a few details that reflect a bit of the progress that the Commission made and the barriers it faced in having this work prioritized by some who would argue there is no bias or injustice though the numerical and anecdotal data say otherwise. Given the events of the past two weeks, we know that many Highland Park residents are ready to see greater reforms in policing and Chief Abrams has shown himself to be open and willing to work with the Commission and the greater community. But the work of the Commission and the reforms that the community is calling for will continue to languish if the Commission is subsumed under the Human Relations Commission and mired in further local bureaucracy counter to what the Mayor said earlier. She hopes the Mayor and Council have the political will to this potentially important and lifesaving work by reviewing and approving the new applicants who have applied last fall to be on the Equity Commission and maintaining the Equity Commission's independence and their ability to carry out this work.

Cristo Makropolis, 14 Fox Road, commented that he was spit on at the march they held that was against the Governor's order for mass gatherings. He commented on the Obama resolution that the council is passing. He admonished the Mayor for using the George Floyd incident for political reasons. He also commented about deer management and likened it to genocide.

Michele Racioppi, 105 South 2nd Avenue, commented that she has lived in Highland Park since 2008 and is Chairperson of the Highland Park Historical Commission. She understands how making the Equity Commission some type of subcommittee to another committee is definitely not the same as having it be a separate commission or independent commission. As a commission, they already face some levels of bureaucracy, but having them be subsumed into another commission is a very different thing and is very misleading. She stands with the previous callers from Bias-Free Highland Park and the things that they said. She has not been involved in this much, but at their most recent phone call, she learned some shocking statistics about Highland Park, which came from the data that was collected. One that really blew her away was that our police force uses force at a rate higher than 70% of other police departments in the State. The force that we use at a higher rate is also used at a higher rate on black people. We do not have any way to know if those numbers are still accurate or not because that data has not been released yet. She does not understand why they need to analyze the data before it is released. While the data is analyzed, the data should be made public. It worries her that they need to do their own analysis on the data before it is released. She would like to see that data released immediately. You have been collecting the data for almost a year. She asked what evidence they have that any of the numbers in the data have changed in the last three years and asked how long they have to wait to see more equitable policing. There should be zero use of unnecessary force and if those numbers are not reflected, she asked what they would do about it. She wanted to know how long they need to wait to achieve equitable policing. Mayor Brill Mittler explained that they are doing an analysis of stop data, not use of force. While they have the data, the idea was to be able to analyze it for presentation, not so they can get a look at it. She asked for information about use of forces numbers from 2016 to present. She received that information today and for 2016 and 2017, there was an average of 24 use of force reports per year. In 2018 and 2019, that average dropped down to 10 per year. The new Chief and Captain came into play a little over a year ago. In 2020, so far there are 3 use of force reports. She agrees that getting to zero is something we should strive for, but she is encouraged by the numbers going down and she hopes that they will see more of that going forward. Captain Curbelo commented that oversight and accountability is ongoing every day to make the police department the best police department that it can be. They are continuing training and all of the officers, since he and the Chief took over, have completed implicit bias training, de-escalation training, professionalism training, along with a host of other training and they agree that this is not just a one-time thing and that it needs to be done on an annual basis starting with the Chief all the way down to their newest hire. They met with the Rutgers Center on Policing for reviewing their stats in January, but due to the pandemic, they are not working. Once they are back, they will begin working with them again and post the stats, as they are available.

Rob Scott, 25 South 2nd Avenue, asked if someone on the zoom call could tell him how many members are on the zoom call. Borough Administrator Jover noted that there are 81 members of the public in attendance. Mr. Scott thanked Sonya for her eloquent words and he is glad that she took more than her three minutes. The Mayor, Council and community needed to hear them. We are experiencing some turbulent times and he hopes that the Mayor and Council will understand that the turbulence of the past weeks are really the fruits of inaction and empty words. He asked for some immediate action. He hopes that the Mayor and each member of the Council will admit that we have a problem in Highland Park with racist policing. We have known this for some time. His neighbors, who are black and brown, have been more acutely aware of the problem. We also now have very clear data on the problem. The DeLacy Davis report from September found that black drivers in town were 2 ½ times more likely to be stopped than would be expected based on the town population of black drivers. We also know that the rate of use of force is higher in the Highland Park Police Department than in 331 other Police Departments. Given that Highland Park is a small town, given what we like to think about our town, we should be well below the average. Admitting there is a problem is the first step. We need to hear what is going to be done about the problem. Going forward, he thinks it is critical to do what others have asked and keep the HPEC independent from the Human Relations Commission. Do not do some bureaucratic reshuffle and say you are going to do something about the problem. We need something with teeth and we need the people who applied to serve, be appointed. He asked that they all think big. Our values are implemented by budget, he looked at the proposed borough budget, and the Police Department budget is 25% of the total. That number is very high and it says that we value racist policing. He asked that they re-evaluate that budget line and asked how they can implement the values the town claims to uphold. One place you can start is to seriously assess the needs of the community. What are Highland Park's public safety needs? If we answer that question, we may discover that we are better served by our tax dollars directed at the schools, cooperative programs with the schools and public health.

Scott Brustein, 38 South 1st Avenue, thanked them for appointing him to the Arts Commission and he is looking forward to working with them to make Highland Park beautiful.

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

The Clerk reported advertising an ordinance entitled, "CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)", 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.

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 Hale, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 20-2002, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Welkovits.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilman George, and carried by unanimous affirmative voice vote: No. 6-20-169

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)", passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising a summary of the 2020 Municipal Budget and Tax Resolution, introduced and approved on first reading May 5, 2020, with the public hearing scheduled for June 9, 2020 and that affidavits of publication thereto are on file. She also reported that copies of the budget were made available to the public in Borough Hall, the Highland Park Public Library and on the Borough's website.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2020 Municipal Budget amendment was opened.

Mike Roland, New Jersey, asked how much money is in the budget for body cameras. Borough Administrator Jover noted that she does not have an exact number of what is spent on body cameras. Mr. Roland asked how many body cameras the Police Department has. Captain Curbelo noted that they have 30 body cameras and more were just ordered so that they have spares. Mr. Roland asked what system they use to capture, record and save the data. Captain Curbelo indicated that they use Axon Body Cameras. Mr. Roland asked how long the data is saved. Captain Curbelo indicated that they follow the Attorney General's guidelines on record retention. Mr. Roland asked if there are dash cams in all the vehicles and Captain Curbelo confirmed that there are dash cams in all vehicles. Mr. Roland asked what type of budget there would be to educate and do better police work.

Dan Macheret, 233 Denison Street, commented that the current budget line for the Highland Park Police Department is \$3.5 million dollars just for salaries and in total is over \$4 million dollars. The time for mild reforms and analyzing statistics is over. It has been over four years since the Police Department was involved in a killing of a prisoner on camera and they did nothing. It has been over two years since a young black student was profiled and denied that there was a problem with the HPPD. It has been over a year and a half since the release of the use of force report. Your response was to claim that you needed to analyze more statistics and when you did, those statistics also showed racial disparity. Hopefully, the last few weeks have been a wakeup call. It is critical that HPEC remain a commission separate from the Human Relations Commission and that the Mayor immediately make appointments. As mentioned, some of the demands of the bias-free HP group was that there be a group with actual power to oversee the police including subpoena power. Instead, you are subsuming the commission under another. You need to act on the reforms that they proposed instead of stonewalling the HPEC. You need to do more than that as you see with other departments around the country, new leadership and more training is not enough. Minneapolis had previously been a model of implementing police reforms, the same reforms that you resisted and fought every step of the way. Following the murder of George Floyd, the Minneapolis City Council now has a veto proof majority that is committed to defunding the Police Department and reinvesting those funds into the community. Defunding Police Departments and reinvesting that money back into the hardest hit communities is the demand of the national black lives matter movement. He asked each of them if they support the black lives matter movement and if they will commit today to defund the HPPD and reinvest that money into the community.

Christo Makropolis, 14 Fox Road, Edison, tried to comment about the Highland Park Police Department budget. He continued to be rude and disrespectful and was cut off.

Monique Coleman, 407 Lincoln Avenue, commented about specifically looking at the police budget in light of this national, global civil rights movement, the likes of which we have not seen before and in light of the fact that the Mayor restated her commitment of support for black lives matter along with Councilwoman Foster-Dublin. Many of us were at the rally in town this past week and heard repeatedly our local officials, religious leaders, County and State representatives raising the rallying cry around black lives matter. When we get to the hard, deep issues that are being raised by the black lives matter movement, we are still missing the mark, because if you can't talk about, in this moment, seriously looking at reallocating a percentage of the police budget to community social service development, youth development, education, specifically focused on the deep racial disparities that we have across the board, whether it be in housing, access to quality of life, public health and safety in the Borough, then your words in public fall on deeply hollow ground. She asked them now, while the budget is still being reviewed, if they would consider taking into serious consideration and pledging to support black lives matter and this is what we are going to do in our budget to show that support. Black lives matter is saying we need to start reallocating funding, not away from law enforcement that often has bloated budgets, and moving those

funds into the communities that need it most. We are not immune to the type of problems we have seen all across this country. We have a lot of work to do here to address the disparities and quality of life in this Borough. You can make a concrete commitment today. You have Mayors across the country who have already committed to saying I am going to ask my Council to adopt a measure to allocate police funding to youth violence prevention, youth development, and community service. She asked the Mayor if she is willing to do that. Mayor Brill Mittler noted that she would like to take an in-depth look at the police budget, line by line, and the other social service budgets that they have that addresses some of the things she is talking about. Councilwoman Foster-Dublin has been asking for years to have a teen center where some of our young men and women could be mentored and that finally was realized. She is proud to say that out of this graduating class and last year's graduating class, 98% of them have gone on to college and the other 2% have gone into the armed services. Councilwoman Foster-Dublin added that they have seen the benefits when you put community programs and youth services programs in place, and the benefits that can be had in our community for our young people to grow, to learn and to gather. She had wanted to establish a Police Athletic League and while they did not do that, the Police Department and the teens have been working on many different projects in the last two years. There is always room for improvement and things that we can do better. Mayor Brill Mittler noted that she wants to sit down with the Borough Administrator and Councilwoman Foster-Dublin to look at the police department budget as well as the social services areas to see if they can make some movement. Ms. Coleman emphasized that if they are going to use the name of black lives matter and wear the badge of support for it, that means you have to do more than just commit to looking at something, it means you actually have to be bold enough to say that there are areas of improvement that need to be made. We already know the impact the teen center is having on one segment of the teen population. There is a lot that can be done in other areas, including youth development and we know that the police department has an outsized budget. What she is concerned about is you are saying tonight that the best you can do is look at it and see if there is anything you can do other than committing to, in the name of black lives matter, finding a way to reallocate funding that does not in any way impact the public safety of our community, but yet enhances it, and at the same time funnels money into community services and social services that will support the work of our Police Department. She does not understand why you just cannot say that, but you can still say we support black lives matter. She wants them to understand the magnitude of everyone waving around support for black lives matter at this time. Mayor Brill Mittler commented that the only reason she is not saying she will take funding and move it from one line to another is because she does not have the detailed line item budget in front of her. She needs to be able see where the money is allocated, line by line, and find places to make changes. She definitely wants to see improvement in community policing and she definitely wants to see the youth being addressed. She is happy to talk with her again after she has had a chance to review the budget with Councilwoman Foster-Dublin and after she has found money that could be reallocated.

Rob Scott, 25 South 2nd Avenue, amplified what Monique said and he feels like they are all missing the point. We are so beyond there is room for improvement, we are so beyond we need to look line by line. The fabric of the country is coming apart and we are living in a global pandemic. This town has new public health needs that they never had before. The schools are about to be hit by a hurricane of funding demands. It is not time to look at the budget line by line and not have prepared for the Council meeting. What it is time for, is to say 25% on the police, who have a record of racist policing, is too much and we need to find a way to do better. He asked the Mayor and Council to pledge right now to doing better and finding a way to find room in the budget for the other priorities that are coming down the pike.

Anna Haley, 135 North 5th Avenue, asked about the allocation for police officer training for 2020 and the allocation for the center on policing at Rutgers. She also asked about the allocation for the data analysis being done. Captain Curbelo noted that he does not have the number from Rutgers as they were getting ready to send that to the Police Department. Ms. Haley asked what the range was that was targeted and the number for the training budget. Borough Administrator Jover noted that the budget for training \$21,300 and she added an additional \$15,000 for the Rutgers Center on Policing. Ms. Haley asked for the total of the police budget. Borough Administrator Jover noted that the total police budget is approximately \$3.75 million dollars.

Abby Stern Cardinale, Harper Street, commented that her concern is with how some of the responses have gone with regard to the budget. She understands that this is a hearing about the budget and it is very concerning to her to hear that the Governing Body does not have the budget in front of them. It is obvious that this is a charged time nationally, and locally, and we are focused on police and police funding and that should not have been unexpected. It is concerning to her that these numbers were not available. Borough Administrator Jover noted that the budget is up for a vote tonight after an amendment is made to the budget. This is the public hearing on the budget as it was introduced. The proposed amendments are those identified by the Department of Community Affairs after review of the Borough's budget and they do not affect the areas we are discussing and do not change the overall picture. Most of amendments are clerical issues in cap and out of cap, and they had the incorrect amount for the library statutory amount. Chief Financial Officer Majeski added that they needed to change the breakdown of the state aid. Borough Administrator Jover noted that a budget presentation was done at introduction and it was posted on the website as reported by the Clerk. The Council has had various sessions to discuss different aspects of the budget prior to introduction. Ms. Stern Cardinale noted that she has attended council meetings for years and the budget process has always been very confusing to her as to when public can give any kind of feedback. She did see the presentation and her understanding is that this is the time for the public hearing on the budget and she knows that you can postpone a vote on the budget. This is important, as it is a national and local movement. You have seen the showing in town and you have all stated your commitment to black lives matter, which extends to the budget on this local level. She does think it is a passive way around it to say we presented it and this is something that can be looked at again and she thinks it is great that they agreed to work with Monique. It is concerning to her that someone has to volunteer to get them to take another look at the budget. It should be a commission, like the Equity Commission, that should be involved in this and should have been brought in from the beginning once this became more of a concern. There should be some civilian oversight as this is a very complicated process and she thinks they need to work with them so that they know when they can give input. It is hard to know when the appropriate time is to give input and how they do that.

Michelle Racioppi, 105 South 2nd Avenue, appreciated Abby's comments and given the recent events, this was not looked at in advance of the meeting and she is surprised that they do not have the numbers in front of them, as this is something they should have been expecting and they should have been

ready to address it. You may have thought about the budget months ago, but you have not improved it yet, and now you have a chance to look at it again with the recent movement going across the country. She urged them not to approve the budget as it currently is and to go back and look at things again. There is no reason to rush it as we have waited this long already for a budget. She urged them to go back, reassess, and look at those numbers line by line. Chief Financial Officer Majeski advised that the State extended the due dates for budget adoptions to the end of May or the next meeting thereof. This is going to part of our best practices, and if we do not adopt at this meeting, it could affect our State aid going down the line. We also have issues with temporary budgets and if we do not pass it tonight, we are out of our temporary budget and will have to wait until the next meeting to do another temporary budget. There are many ramifications if it is not passed tonight.

Andrew Zappo, 131 Johnson Street, thanked them for their service, it is appreciated. In light of the recent comments made about the budget timeline, it seems like you have your work cut out for you trying to meeting Monique's request to analyze the budget and get back to her. Sounds like it is going to be a late night for them. He asked for clarification on the \$15,000 allocation for analysis of data. Captain Curbelo clarified that the data to be analyzed would be motor vehicle stops. This would be to analyze data that was collected from June 2019 to date. Mr. Zappo commented that based on that number it would give them about 100 hours of work to analyze all that data and he doesn't know if that is a reasonable estimate. He asked them to revisit that line to make sure they get the best information out of that analyst because it is super important for what is going on in our State, our country and our world and they have a responsibility to this Borough to make sure they do the right job.

Elena Gerstman, 127 North 6th Avenue, commented that it seems like they are going to vote on the budget today and that the commitment to look at it cannot really happen. She suggested tabling the public safety portion of the budget and pass the other 75% to keep our Borough going. Mayor Brill Mittler asked what the deadline is to approve the budget. Chief Financial Officer Majeski advised that to be in compliance, the budget would need to be adopted tonight. Mayor Brill Mittler commented if they vote on the budget for a total dollar amount, she wanted to know the Borough's flexibility on moving money from line to line. Chief Financial Officer Majeski advised that they could move funds in November, when transfers are allowed. Mayor Brill Mittler noted that they have committed as a Council not to exceed the bottom-line number for this year and if they adopt the budget with the total amount, they can still, four months from now, move some funds around. Chief Financial Officer Majeski advised that they can start making transfers November 1st. Ms. Gerstmann asked them to pass a motion today saying that the Council will take a look at it and make those transfers in November and hold yourselves accountable with the vote that you take today that you will make those transfers after you have reviewed the police budget and the public safety budget.

Natalie Levine, 1625 Parker Road, commented that she hoped the reason that the budget vote was put off to the latest date allowed by the State was because the Council was considering the many extraordinary circumstances of the public health crisis that is the COVID-19 epidemic. She assumes that they have taken the time to think about current events and how they affect the budget and you have taken the time to review line by line items in light of that public health crisis and she pointed out that racism is also a public health crisis as many of us have been aware of for a long time. As we have become aware of that public health crisis in our community and across our nation, she hopes that they will consider postponing the budget decision, particularly on the public safety portion of the budget, until they have considered line by line with the community how best to proceed.

Colin Marx, 443 Graham Street, commented that he is reading a statement from a frustrated Edison resident. It relates to the Edison Police Department and their support at the recent march. He wanted to know if they were hired to be there and wanted to know if it was necessary for them to be there and to be paid. If there were not enough HPPD Officers to respond, maybe they were understaffed. Captain Curbelo noted that Edison Police were not paid to be there and sent several Auxiliary Officers to help with traffic. Councilwoman Foster-Dublin indicated that the Highland Park Police Officers did not get paid overtime, they volunteered to be there.

Ethan Schoolman, 423 Harrison Avenue, commented that the timing for shifting lines around in the budget may not be great right now given constraints. Another step the Council could take would be to commit, in the form of a resolution, to having a transparent, public, community engaged process for next year's budget. You have a year to build up now, commit to taking several months to go through the important commissions and everyone can benefit. The process should be everyone sitting down at the table and looking line by line and talk about policing and how much is spent on other types of services and education, on services for youth, public health and we have to think about those hard decisions together. Having that kind of transparent involved process improves the outcome. Even if you can't do the line by line as some folks would prefer, committing publicly, in writing, to a really engaged public process for next year's budget will really be helpful and show that the Council is committing to action as well as to the words.

Monique Coleman, 407 Lincoln Avenue, commented that since her earlier comments about the Police budget, there has been a very strong stance taken by members of the community that we need to act now in coordination with stakeholders in the community. Act now and not wait to the next budget. Not pass this budget and say that you are going to come back in November and do a line-by-line consideration of possibly reallocating funds. She urged them, based not only on her concerns, but also because of the concerns expressed by many community members, to tonight take a strong stand and postpone the vote on this budget or at least the public safety portion of it. Immediately begin to do the line-by-line analysis that probably should have already been done, considering the events of the last couple of weeks and to engage, as others have said, the community stakeholders, specifically the HPEC would be the perfect body to be involved with this work with you. She agrees wholeheartedly with being as transparent as possible. She is beyond frustrated and disappointed that you can state this pledge so strong and so loudly and so publicly and boldly, but yet when we talk about what black lives matter really stands for, in terms of the concrete measures for people who say they commit to black lives matter have to do, specifically people in leadership positions. The ball is now in your court to act and to act now with a swiftness. It is going to be okay if you say we can for at least tonight postpone a portion of this budget and do the kind of hard work that we need to do to answer the rallying cry nationally and in our own community. Think creatively and be bold. This cannot wait until next year's budget; this cannot wait until November.

Rob Scott, 25 South 2nd Avenue, commented that he and others are shocked to find out that this is the public hearing on the budget, the deadline to approve is tonight, and nothing can be done. We find that out after they offered a promise that the Mayor is going to look at the budget line by line. He thinks they should have all members of the public who thinks the Council should do something formal about the

budget tonight, either not pass it, not vote, or make a formal resolution that they are going to reconsider the public safety portion of the budget over the next couple of months. Borough Administrator Jover clarified that the Council cannot just approve a portion of the municipal budget. Mayor Brill Mittler noted that the Borough Council has to abide by the laws of the State of New Jersey. There are deadlines for approval of the budget and if we miss those deadlines, we might miss funding for the municipality, which would have a negative impact on everything that we do. What we can do, is what was suggested earlier, which is commit to making the changes we feel are necessary and we can start working on those changes now. They cannot happen until November 1st, but those are the things that we can do legally in the State of New Jersey. Chief Financial Officer Majeski clarified that as long as the funds are still available, transfers can be made starting November 1st. Amendments to budgets can only be done before adoption. Councilwoman Kim-Chohan asked what happens to money not spent, for example, if someone retires. Borough Administrator Jover explained that money not spent can either be put into surplus or used for transfers in November to cover unforeseen expenses. After the budget is adopted, they can make changes, but not until November when transfers are allowed. There is a best practices checklist on a bunch of different measures and your overall score is used to determine State aid.

No one else appearing to be heard, on motion made by Councilman George, seconded by Councilwoman Foster-Dublin, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2020 Municipal Budget was closed.

The following resolution, introduced by the Finance Committee, read by the Clerk in full, 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, Kim-Chohan.

Opposed: None.

Absent: Councilperson Welkovits.

Abstained: None.

No. 6-20-170

<u>WHEREAS, the Local Municipal Budget for the year 2020 was introduced on the May 5, 2020 and</u>					
<u>WHEREAS, the public hearing on said Budget has been held as advertised on June 9, 2020; and</u>					
<u>WHEREAS, the Mayor and Council desires to amend said Budget.</u>					
<u>NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, that the following amendments to the approved budget for 2020 be made:</u>					
<u>CURRENT FUND</u>				<u>From</u>	<u>To</u>
<u>GENERAL REVENUES</u>					
<u>3.</u>	<u>Miscellaneous Revenues:</u>				
	<u>Section B: State Aid Without Offsetting Appropriations:</u>				
	<u>Consolidated Municipal Property Tax Relief Aid</u>		\$	<u>90,633.00</u>	\$ <u>24,612.00</u>
	<u>Energy Receipts Tax (PL 1997, Chapters 162 & 167)</u>		\$	<u>890,914.00</u>	<u>956,935.00</u>
<u>6.</u>	<u>Amount to be Raised by Taxes for Support of Municipal Budget:</u>				
	<u>a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes</u>		\$	<u>12,925,562.81</u>	\$ <u>12,998,924.70</u>
	<u>c) Minimum Library Tax</u>		\$	<u>535,011.34</u>	\$ <u>461,649.45</u>
<u>8.</u>	<u>GENERAL APPROPRIATIONS</u>				
	<u>(A) Operations - Within "CAPS":</u>				
	<u>Coronavirus Mitigation:</u>				
	<u>Salaries and Wages</u>		\$	<u>5,000.00</u>	\$ <u>0.00</u>
	<u>Other Expenses</u>		\$	<u>25,000.00</u>	<u>0.00</u>
	<u>Total Operations {Item 8(A)} within "CAPS"</u>		\$	<u>11,870,128.00</u>	\$ <u>11,840,128.00</u>
				-	-
	<u>Total Operations Including Contingent - within "CAPS"</u>		\$	<u>11,870,128.00</u>	\$ <u>11,840,128.00</u>
	<u>Detail:</u>				
	<u>Salaries and Wages</u>		\$	<u>7,000,950.00</u>	\$ <u>6,995,950.00</u>
	<u>Other Expenses (Including Contingent)</u>		\$	<u>4,869,178.00</u>	\$ <u>4,844,178.00</u>
	<u>(H-1) Total General Appropriations for Municipal Purposes within "CAPS"</u>		\$	<u>13,596,839.00</u>	\$ <u>13,566,839.00</u>
	<u>(A) Operations - Excluded from "CAPS":</u>				
	<u>Other Operations - Excluded from "CAPS":</u>				
	<u>Coronavirus Mitigation:</u>				
	<u>Salaries and Wages</u>		\$	<u>0.00</u>	\$ <u>5,000.00</u>
	<u>Other Expenses</u>		\$	<u>0.00</u>	\$ <u>25,000.00</u>
	<u>Total Other Operations - Excluded from "CAPS"</u>		\$	<u>1,157,979.00</u>	\$ <u>1,187,979.00</u>
	<u>Total Operations - Excluded from "CAPS"</u>		\$	<u>1,365,110.75</u>	\$ <u>1,395,110.75</u>
	<u>Detail:</u>				
	<u>Salaries and Wages</u>			<u>0.00</u>	<u>5,000.00</u>

			Other Expenses	\$	1,365,110.75	\$	1,390,110.75
(H-2)	Total General Appropriations for Municipal Purposes Excluded from "CAPS"			\$	3,089,262.88	\$	3,119,262.88
(O)	Total General Appropriations - Excluded from "CAPS"			\$	3,089,262.88	\$	3,119,262.88
Summary of Appropriations:							
(H-1)	Total General Appropriations for Municipal Purposes within "CAPS"			\$	13,596,839.00	\$	13,566,839.00
(A)	Operations - Excluded from "CAPS":						
	Other Operations			\$	1,157,979.00	\$	1,187,979.00
	Total Operations - Excluded from "CAPS"			\$	1,365,110.75	\$	1,395,110.75
BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the 2020 Local Municipal Budget, so amended.							
IT IS HEREBY CERTIFIED that this is a true copy of a resolution amending the Budget, adopted by the Governing Body on the 9th day of June, 2020.							

The following resolution, introduced by the Finance 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, Kim-Chohan.
- Opposed: None.
- Absent: Councilperson Welkovits.
- Abstained: None.

No. 6-20-171

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$12,998,924.70 (Item 2 below) for Municipal Purposes
- (e) \$461,649.45 (Item 5 below) for Minimum Library Tax

Current Fund:

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	875,000.00
Miscellaneous Revenues Anticipated	2,550,527.73
Receipts from Delinquent Taxes	0.00
2. Amount to be Raised by Taxation for Municipal Purposes (Item (a), Sheet 11)	12,998,924.70
Minimum Library Tax (Item (c), Sheet 11)	\$461,649.45
Total Revenues	16,886,101.88

SUMMARY OF APPROPRIATIONS

5. General Appropriations:	
Within "CAPS"	
(a&b) Operations Including Contingent	11,840,128.00
(e) Deferred Charges and Statutory Expenditures - Municipal	1,726,711.00
(f) Judgements	0.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	1,395,110.75
(c) Capital Improvements	200,000.00
(d) Municipal Debt Service	1,487,334.00
(e) Deferred Charges - Municipal	36,818.13
(m) Reserve for Uncollected Taxes	\$200,000.00
Total Appropriations	16,886,101.88

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 9th day of June, 2020.

It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the CY 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ESTABLISHING A GOVERNMENT ENERGY AGGREGATION PROGRAM AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK" BY ADDING THERETO, A NEW CHAPTER 84, had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

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

- Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan.
- Opposed: None.

Absent: Councilperson Welkovits.

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

No. 6-20-172

WHEREAS, an Ordinance entitled AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ESTABLISHING A GOVERNMENT ENERGY AGGREGATION PROGRAM AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK" BY ADDING THERETO, A NEW CHAPTER 84, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, June 23, 2020, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

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

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

The Clerk reported that an ordinance entitled, CAPITAL ORDINANCE PROVIDING FOR PURCHASE AND INSTALLATION OF PUBLIC ELECTRIC VEHICLE CHARGING STATIONS, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$25,000.00 THEREFORE TO PAY THE COST THEREOF, had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Foster-Dublin, seconded by Councilwoman Kim-Chohan, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Welkovits.

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

No. 6-20-173

WHEREAS, an Ordinance entitled, CAPITAL ORDINANCE PROVIDING FOR PURCHASE AND INSTALLATION OF PUBLIC ELECTRIC VEHICLE CHARGING STATIONS, IN AND BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$25,000.00 THEREFORE TO PAY THE COST THEREOF; has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on June 23, 2020, at 7:00 PM, for the purpose of considering said Ordinance on final passage.

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

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

Resolution Nos. 6-20-174 through 6-20-181 were duly adopted on motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Welkovits.

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

No. 6-20-174

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute, on behalf of the Borough, CARES Act Municipal Reimbursement Agreement with Middlesex County, a copy of which is attached to the original of this resolution.

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

No. 6-20-175

WHEREAS, pursuant to Resolution No. 4-20-142, adopted April 21, 2020, the Borough Council authorized execution of a contract with Esposito Construction, LLC for Improvements to Cherry Street, South Park Avenue and South Adelaide Avenue, in an amount not to exceed \$790,229.95, without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for supplemental work for the above referenced project; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for additional work on South Adelaide Avenue, work that was not anticipated at the time that plans and specifications were prepared for an additional cost of \$51,800.00; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-971-100 in the amount of \$51,800.00, as reflected by the Certification of Funds by the Chief Financial Officer, shown below; and

WHEREAS, Council has reviewed the proposed Change Order No. 1 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gayle Brill Mittler be and is hereby authorized and directed to execute Change Order No. 1, dated June 3, 2020, to the contract of Esposito Construction, LLC upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Esposito Construction, LLC forthwith.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:
No. 6-20-176

WHEREAS, on October 29, 2019, the Borough of Highland Park in the County of Middlesex engaged McManimon, Scotland & Baumann as Special Counsel to develop a scope of services, form of contract and to manage a competitive contracting process for the operation and management of the Borough of Highland Park Water and Sewer Utility; and

WHEREAS, on January 21, 2020 the Borough issued a Request for Proposals through the competitive contracting process of the LPCL, to solicit proposal from qualified and experienced firms or entities to enter into an operating and management agreement with the Borough for a ten-year term;

WHEREAS, on March 17, 2020 the Borough Council rejected all of the proposals due to lack of economic feasibility and moved to re-solicit proposals with the help of Special Counsel; and

WHEREAS, this additional solicitation required additional time from McManimon, Scotland and Baumann at their blended hourly rate of \$245 per hour and necessitates an increase to the maximum contract amount, from \$35,000 to \$53,000.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park in the County of Middlesex that the Council does hereby authorize an increase to the contract with McManimon, Scotland and Baumann, in accordance with the above stated limitations.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to:

Gregory C. Fehrenbach, Principal, Government Management Advisors

Edward J. McManimon, Esquire, McManimon, Scotland and Baumann

Teri Jover, Borough Administrator

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

No. 6-20-177

The Governing Body of the Borough of Highland Park desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of up to \$10,000.00 to fund the following project:

2 Single-Port Level 2 ChargePoint charging stations to be installed at
220 South 6th Avenue, Highland Park, NJ 08904

Therefore, the Governing Body resolves that Josephine (Teri) Jover or the successor to the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$10,000.00, and (c) to execute [X] any amendments thereto [] any amendments thereto which do not increase the Grantee's obligations.

The Mayor and Council authorizes and hereby agrees to match 0% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 0% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

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

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

No. 6-20-178

WHEREAS, the Borough is committed to preserving the health of its new street trees planted in May 2020; and

WHEREAS, the street trees would benefit from consistent watering and health check-ups to bring them to one-year maturity; and

WHEREAS, the Department of Public Works currently only has the capacity to water approximately half of the newly planted street trees; and

WHEREAS, the Shade Tree Advisory Committee wishes to utilize money in the Tree Replacement Fund to pay a company to water the trees through the end of the 2020 season; and

WHEREAS, the Borough solicited three quotes from three reputable tree companies and Bartlett Tree Experts was the most affordable; and

WHEREAS, funds are available for this purpose in Account Number T-12-56-806-100, in an amount not to exceed \$15,000, 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 Borough Administrator is hereby authorized to enter into an agreement with Bartlett Tree Experts for weekly watering services not to exceed \$15,000 in totality.

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

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

No. 6-20-179

WHEREAS, the Borough is committed to electrifying its fleet to reduce carbon emissions; and
WHEREAS, the Borough has funds available to spend on a new 2020 Kia Niro (Electric) through the Middlesex County Improvement Authority's 2019 Pooled Capital Equipment and Improvement Financing Program; and

WHEREAS, National Auto Fleet Group is on Sourcewell contract #120716 for the 2020 Kia Niro (Electric);

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to purchase a new Kia Niro (Electric) for \$39,993.22.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and the Department of Code Enforcement forthwith.

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

No. 6-20-180

WHEREAS, the Borough of Highland Park desires to apply for Sustainable Jersey's Local Public Information & Engagement (PIE) Planning Opportunity to assist with creating a strategic plan for engaging the public in decision-making;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council and Borough of Highland Park that the Mayor and/or Borough Administrator is hereby authorized and directed to execute a grant application for the Local Public Information & Engagement (PIE) Planning Opportunity on behalf of the Borough.

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

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

No. 6-20-181

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 06/9/2020 can be found in the Bills List Journal Book No. 40.

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

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

Opposed: None.

Absent: Councilperson Welkovits.

Abstained: None.

No. 6-20-182

WHEREAS, the Borough of Highland Park, a community of ethnic, economic, and educational diversity sits at the heart of Middlesex County and at the crossroads of the State of New Jersey; and

WHEREAS, the Borough takes great pride in its diversity and maintains an atmosphere of honor, respect and opportunity for every resident and visitor regardless of age, race, creed, religion, origin, sexual orientation, or gender identification; and

WHEREAS, the Borough makes great effort to ensure that its elected leadership, department heads and appointed boards and committees reflect the fabric of the community at large, thus ensuring that the many voices that make up the one Highland Park are represented; and

WHEREAS, the New Jersey State Association of Chiefs of Police has pursued the concept and development of a voluntary statewide law enforcement accreditation program to acknowledge Law Enforcement Departments that have implemented and maintain rigorous policies and procedures that have been deemed sound and operationally effective; and

WHEREAS, as an Accredited Agency, as well as a visible department with respect to the public, sworn members of the Highland Park Police Department receive continuous training throughout their career which includes de-escalation, diversity and interpersonal skills; and

WHEREAS, the Highland Park Police Department is also committed to recruiting and developing a workforce that represents the diversity of the community it serves; and

WHEREAS, recent demonstrations and protests across America, sparked by the video of the tragic death of Mr. George Floyd at the hands of four Minneapolis, Minnesota police officers, challenge public safety organizations and elected leadership across the country to respond as concerns are raised by residents within the communities.

NOW, THEREFORE, BE IT RESOLVED that the Highland Park Mayor, Borough Council, and the Highland Park Police Department, in no uncertain terms, condemn the actions that led to the death of Mr. George Floyd; and

BE IT FURTHER RESOLVED that the Mayor, Borough Council, and the Highland Park Police Department will remain committed to the morally, ethically, and lawfully fair treatment of Borough residents, employees, and visitors; and

BE IT FURTHER RESOLVED that the Mayor, Borough Council, and the Highland Park Police Department will review police use of force policies; will engage the community by including a diverse range of input, experiences, and stories in the review; report the findings of the review to the community and seek feedback; and follow the Attorney General's guidelines regarding police use of force policies plus share our community's input, suggestions, and recommendations with the AG's office.

BE IT FINALLY RESOLVED that the Mayor, Borough Council and the Highland Park Police Department will continue to take the necessary steps, to maintain policies and procedures to ensure that residents, employees and visitors have adequate channels of communication and processes to bring all matters that call into question the fair, impartial and just treatment of anyone without fear of retribution or reprisal.

Mayor Brill Mittler appointed Scott Brustein to serve as a Regular Member of the Arts Commission for a term to expire August 1, 2022.

Mayor Brill Mittler appointed the following to serve as members of the Board of Health for terms to expire as indicated:

Dr. Norma Bowe January 1, 2022

Daniel Moritz, Alt. #1 January 1, 2023

Mayor Brill Mittler appointed Ryan Potter to serve as a Regular Member of the Recreation Advisory Committee for a term to expire December 31, 2020.

The above appointments were confirmed on motion made by Councilwoman Foster-Dublin, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: Councilperson Welkovits.

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.

Christos Makropolis, Edison, made comments about Joe Biden and asked how they can fight racism. They broke Governor Murphy's executive order about mass gatherings. He asked why the Mayor keeps interrupting him when he speaks. He made an inappropriate comment about the Mayor and was muted.

Mike Roland, New Jersey, commented that they stated before that they did not like how Christos was speaking, that is a violation of the First Amendment, and they violated his right to speak. He asked why there was not a video for the attendees. He asked if the Police Department has a log for body cameras. Captain Curbelo advised that all the body cameras are individually assigned to officers and when they turn on and off, they log into the system. Mr. Roland commented that the First Amendment gives them the right to be offensive and you do not have a constitutional right not to be offended. Him cursing is legal, it is a violation of the law for you to disrupt him, hang up on him and mute him, and it is a violation of the sunshine law.

Greg McLendon, 433 River Road, commented that he lost for words at the disrespect he is hearing from all fronts. It seems to be a mutiny against the Highland Park Police Department and the Highland Park Local Government. He personally thinks the Police Department is doing a tremendous job and he has seen great strides. In the past year and a half, the Police Department has made a lot of changes. He sits in on meetings weekly with the Chief and Captain and as an African American; he can speak for their ethics. What has transpired over the years, we can all agree was not a good scene. There are many people now still going around Highland Park not realizing that we have become a community friendly, policing friendly Police Department. They are very approachable on any issue you have. He encouraged residents to go and talk to the Chief and Captain and do a ride along to see what the Police Officers deal with on a daily basis. To ride the when they are in the process of transition is unfair. He commented about Mr. Makropolis being rude and he witnessed the incident at the rally and watched as Police Officers walked him back to his home in Edison. His actions could have caused a disaster. He commented about Mr. Roland being disrespectful and he hoped that he comes to a future meeting because that type of behavior is not tolerated in Highland Park.

Matthew Hersh, 333 Felton Avenue, thanked them for listening to so many people. He echoed Lucinda Holt's comments regarding the Equity Commission. She was Chairperson and he is a member of the Equity Commission. He is concerned about it being absorbed under the Human Relations Commission. He thinks the way the restructuring looks on the agenda makes some sense from an administrative standpoint, but there is still a lot of work to be done by the Equity Commission and the Immigration Commission. If you look at the founding resolution for the Immigration Commission, there are a number of big-ticket items that have not happened. We looked at an independent, non-government, non-profit organization to help provide vital resources for immigration and refugee communities in Highland Park, including citizenship services, English classes and legal guidance. The Council had also resolved to clear transparent protocols for the certification of visas for undocumented immigrant community members who are victims of serious crimes. Under new Police leadership, he thinks there is a real opportunity to do that work. There is a lot of work that the Immigration Commission can do. When it comes to the Equity Commission, he feels that there was a lot of energy behind their formation. They never really were able to get the ball rolling for many reasons that have already been stated. The power of the Equity Commission has yet to be fully realized. Regardless if it is truly independent or not, he thinks it serves an important purpose on its own to review things like budgetary allocations and he agrees that when it comes to budgeting, 11th hour budgeting is a real dangerous proposition. He thinks that going into this with a fully formed Equity Commission, they can go into the budget cycle, reviewing policing similar to health care. If we spend money on building healthy communities, it will be more effective than calling the Police every time something goes wrong. That is a really important lens to enter their budgeting talks and hopefully there is a process going into November.

Anna Haley, 135 North 5th Avenue, shouted out support for Sonya, Lucinda and Monique's comments earlier in the meeting. Numbers were reported that claimed a reduction in use of force over the last four years. She does not think anything has been posted on the website and she bridle that at a meeting when you could anticipate push back from the community around policing issues, the data is not available. It sounded like they were taking multi-year averages that might in fact feed a different trend. They did not break those numbers down by race. There can be a completely different pattern for folks of color and use of force than white folks, even if the numbers are going down. She feels that this is a good example of why people are being so inconvenient to you and so impatient. On analyzing the data, they mentioned Rutgers Center on Policing and that you are trying to get to work with them. You suggested that

they closed up shop when the pandemic hit. She works at Rutgers and no faculty and researchers have stopped working. She will seek clarification from the COPS Center about what that process has been and why they might have shut down when all of Rutgers have remained open the whole time. She fears we are having a DeLacy contract repeat where the Council has the appearance of having unilaterally selected an entity to conduct this really important analysis without any public input or possibly without any consideration of other firms. He looked quickly at the websites. While the COPS Center does appear to have an ongoing project with the Princeton Police Department, that has a somewhat similar data analysis, she cannot find in their very considerable portfolio of research, any other relevant research in terms of examining racial bias in policing. She finds that a striking choice when there are many options in the greater tristate New York area for this kind of work. She wants to know why that choice was made.

Mayor Brill Mittler noted that she received the data today. Captain Curbelo commented that Rutgers was recommended to them. Councilwoman Foster-Dublin clarified that the recommendation came out of the DeLacy Davis report and they also researched John Jay College. Captain Curbelo commented about how the statistics were put together. They are working to put that information out to everybody. They were looking at it from when we started in 2019 and comparing it to when they were not in charge. Ms. Haley commented that she does not think that they are taking this in any form seriously. Mayor Brill Mittler noted that they are working on getting the information onto the website. Captain Curbelo indicated that they have prepared the documents to go out to the website and they are working on facilitating that and hopes that it is done very shortly.

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.

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

Work Session:

Resolution Condemning Discrimination Against Asians – Councilwoman Kim-Chohan had circulated draft of resolution recommended by Councilman Fine and reviewed by the Health and Human Services Committee. She thinks this falls in line with everything we are trying to do and past resolutions we have passed condemning racism. There has been racism against Asians due to COVID-19. Consensus of Council to put resolution on the June 23rd agenda for action.

Human Relations Commission Ordinance – Councilwoman Kim-Chohan commented about the restructuring of the Human Relations Commission and everyone has heard all of the comments. This restructuring was discussed prior to her becoming the Chairperson of the Health and Human Services Committee. She has not met with the Immigration and Refugee Task Force as she was told that they are okay with the restructuring and willing to have the support of the Human Relations Commission. The Equity Commission had a different view on it and she has heard mixed feedback. When she did meet with the Equity Commission, there were not sufficient members. Now, with everything going on, we need something with more teeth like a civilian review board and that is what she is hoping that Equity could do with the support of the HRC. It is not minimizing any of the work that they have done, but right now, because Equity Commission doesn't have members, work cannot be done. To keep their mission alive and to keep their work going, there were discussions about bringing them under HRC and HRC would support them. In the past, there were overlapping efforts from both commissions. She has heard that people have applied to be on the Equity Commission but had not yet been appointed. She feels that the commission could help the Highland Park Police Department. She would like to keep the Equity Commission as a single commission and review the applicants to get them appointed. Councilman Hale indicated that he was the Chairperson of the Health and Human Services Committee prior to Councilwoman Kim-Chohan. He pointed out that the Immigrant and Refugee Task Force voted unanimously to join the HRC because they thought that there were other people on the HRC who were interested in immigration issues and as a result, they would have a greater mass of people to carry out the work of the Immigrant and Refugee Committee. The way that it was structured is that it is a standing committee of the HRC. For the Equity Commission, they should follow the same policy and the reason why that did not happen, is that there were not enough members of the Equity Commission still left in order to make that happen. The biggest issue with the Equity Commission right now is that they have not filled the vacancies and he thinks that those vacancies have to be filled. As soon as those vacancies are filled, they should have the Equity Commission vote whether they want to go to the HRC or whether they want to remain as a stand-alone commission. He thinks there is incredible value for going to the HRC. Ashton Burrell is an incredible leader and a statewide figure. The structure of this is after the statewide Human Relations Commission that he chairs. That is a decision the Equity Commission can make. The biggest issue right now is the membership of the Equity Commission. All of the members, who were on, have decided to do other things. We need to staff the Equity Commission with the people that have had their application on file and then allow them to vote on whether they want to become part of the HRC or remain as an independent commission. He does not think there is a difference in the level of independence. He thinks the HRC and the HPEC can be incredibly independent of the Borough as volunteer commissions. They can and will have their voices heard. In terms of the structure, he agreed with Councilwoman Kim-Chohan to get the HPEC with a full complement of members and allow them the decision of whether to go to the HRC or not. Councilwoman Kim-Chohan indicated that she and her standing committee went over the applications of seven interested individuals who would like to serve on the HPEC. Consensus seems to be to keep the Equity Commission separate from the HRC.

Goals – No reports.

There being no further business, on motion made by Councilman George, seconded by Councilwoman Foster-Dublin, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 10:30 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk