

BOROUGH OF HIGHLAND PARK  
REGULAR MEETING  
DECEMBER 1, 2020 – 7:00 PM

The Borough is using the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Borough's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers.

The public is invited to attend and participate by way of a call-in number and password:

Dial-in: 1-929-205-6099

Webinar ID: 922 5426 0119

By Computer, Smart Phone or Tablet:

Web Link: <https://zoom.us/j/92254260119>

MISSION STATEMENT OF THE BOROUGH OF HIGHLAND PARK:

The Mission of the Highland Park Borough Council is to establish a government based upon the principles of good government: ethics, efficiency and the effective provision of services.

The Borough Council is committed to creating a thriving community, which is sustainable economically, environmentally and socially.

The Borough Council is further committed to creating a community which values its unique and diverse populations and encourages direct public participation in the governing process.

**AGENDA**

\* Denotes Consent Agenda Posted Items. Ordinarily, consent agenda items, pursuant to Ordinance No. 920, are not read nor debated unless there is a request by a member of Council or the public. Furthermore, unless requested by a member of Council for a separate vote, all consent agenda items, as per Council's Rules of Order, Article IV, shall be considered in the form of one **MOTION**.

1. Call to Order and Open Public Meetings Statement.
2. Pledge of Allegiance.
3. Roll Call.
4. Agenda Questions by Council Members.
5. Honors and Awards.
6. Approval of Minutes.

- 7. Council Reports.
- 8. Borough Administrator's Report.
- 9. Borough Attorney's Report.
- 10. Mayor's Report.
- 11. Public Participation.  
*(21 minutes total; 3 minutes each speaker limited to items on this Agenda, including Work Session).*

12. Ordinances Requiring a Second Reading.

12.a Clerk reports advertising Ordinance Accepting a Conservation Easement with Trail Provision on Block 75, Lot 15.02 for consideration of passage on final reading by title.

a. MOTION to take up ordinance on final reading by title.

b. Public Hearing.

c. 12-20-306 Resolution to adopt/reject and advertise ordinance on final reading by title.

**MOTION adopt/reject**

**ROLL CALL VOTE**

13. Ordinances Requiring a First Reading.

14. Consent Agenda Items - Resolutions.

**ROLL CALL VOTE**

14.a \*12-20-307 Resolution to Schedule 2021 Adjourned and Reorganization Meetings.

14.b \*12-20-308 Resolution to Amend Annual Salary Resolution.

14.c \*12-20-309 Resolution to Approve Final Payout for Mechanic Robert West.

14.d \*12-20-310 Resolution to Amend Resolution 10-20-280 - Funding Strategic Plan for the Highland Park Municipal Alliance

14.e \*12-20-311 Resolution to Approve 2021 Taxi Owners

14.f \*12-20-312 Resolution to Approve 2021 Taxi Operator

14.g \*12-20-313 Resolution Authorizing RFP for Purchase and Installation of Water

Meters

- 14.h \*12-20-314 Resolution Authorizing RFP for Manhole Repairs
- 14.i \*12-20-315 Resolution Authorizing Professional Services Agreement with CDM Smith for Risk and Resilience Assessment Project
- 14.j \*12-20-316 Resolution to Cancel General Capital Grant Receivables
  
- 14.k \*12-20-317 Resolution Authorizing Continuation of Temporary Street Closures to Support Restaurants and Businesses During COVID-19 Health Emergency
  
- 14.l \*12-20-318 Resolution to Approve Bills List.

15. Resolutions requiring a Separate Reading.

- 15.a \*12-20-319 Resolution to Accept/Reject RFP for Electric Generation Services & Government Energy Aggregation Services
- 15.b \*12-20-320 Resolution Opposing the Transportation of Liquid Natural Gas by Truck and Rail in New Jersey
- 15.c \*12-20-321 Resolution to Accept 2019 Audit.
- 15.d \*12-20-322 Resolution to Approve Emergency Shelter Program Agreement

16. Appointments.

Board of Health

Jeffrey Anthony, Alt. No. 2

**MOTION TO CONFIRM**

**ROLL CALL VOTE**

Alan Kluger

Planning Board

Jeffrey Perlman, Alt. #1

**NO CONFIRMATION NECESSARY**

17. Second Public Participation.  
*(3 minutes per speaker on any items; subject to 9PM conclusion prior to Work Session)*
18. Recess (5 minutes).
19. Work Session Items: No formal action to be taken.
  - a. Rules of Order (ES).
  - b. Mental Health Commission (GBM).
  - c. 2021 Bulk Trash Program (PG).
  - d. Bring Your Own Bag Ordinance (TJ).
  - e. A4930/S0313 (JF).
20. Goals.
21. Executive Session (if necessary).
22. MOTION to adjourn.
23. **Next Scheduled Meeting:**

BOROUGH OF HIGHLAND PARK  
No. 12-20-306

RESOLUTION: Economic Development and Planning Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX ACCEPTING PURSUANT TO N.J.S.A. 40A:12-3 A CONSERVATION EASEMENT WITH TRAIL PROVISION ON BLOCK 75, LOT 15.02 BOROUGH OF HIGHLAND PARK TAX MAP, passed on final reading at this meeting be delivered to the Mayor for his/her 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.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

**Borough of Highland Park  
Ordinance No. 20-2015**

**AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX  
ACCEPTING PURSUANT TO N.J.S.A. 40A:12-3 A CONSERVATION EASEMENT WITH  
TRAIL PROVISION ON BLOCK 75, LOT 15.02 BOROUGH OF HIGHLAND PARK TAX MAP**

**WHEREAS** land use development approvals have been granted involving the development of Block 75, Lot 15.02, Borough of Highland Park Tax Map, said property commonly known as 48 Skyview Terrace; and

**WHEREAS** the Borough of Highland Park Planning Board approval requires the developer of said property to provide a conservation easement providing for a 5-foot wide trail through a portion of the property; and

**WHEREAS** the New Jersey local Lands and Buildings Law, N.J.S.A. 40A:12-3 et seq. requires a municipality to accept conservation easements by ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Highland Park, Middlesex County as follows:

1. The Borough of Highland Park hereby accepts a Conservation Easement with Trail Provision over a portion of Block 75, Lot 15.02 Borough of Highland Park Tax Map in accordance with approval and recommendations made by the Borough of Highland Park Planning Board when approving a development application concerning said property.
2. This ordinance shall take effect upon its passage and publication as provided for by law.

Introduced and passed on first  
reading: November 10, 2020

ADOPTED:  
ATTEST:

APPROVED:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

\_\_\_\_\_  
Gayle Brill Mittler, Mayor

BOROUGH OF HIGHLAND PARK  
NO. 12-20-307

RESOLUTION TO SCHEDULE 2021 ADJOURNED  
AND REORGANIZATION MEETINGS

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that an Adjourned Meeting of the Mayor and Borough Council will be held at Borough Hall, 221 South 5<sup>th</sup> Avenue, Highland Park, NJ on Tuesday, January 5, 2021, at 6:30 PM.

BE IT FURTHER RESOLVED that the Organization Meeting of the Borough Council for the Year 2021 will be held at Borough Hall, 221 South 5<sup>th</sup> Avenue, Highland Park, NJ on Tuesday, January 5, 2021 at 7:00 PM.

ADOPTED: December 1, 2020

ATTEST:

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Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

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Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
No. 12-20-308

RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 7, 2020 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

SHAKIYLA BROWN, Police Officer, at an annual salary of \$44,449.00, effective December 1, 2020.

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 7, 2020 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an hourly basis, there have been the following changes, to wit:

MARIO DIAZ, Part-Time Safety Telecommunicator, at an hourly rate of \$22.01, effective December 1, 2020

DAVID SODEN, DRE Stipend, \$300.00, effective December 1, 2020.

MICHAEL WIECZORKIEWICZ, Superintendent of Public Works, \$103,000, effective November 12, 2020.

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.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				



BOROUGH OF HIGHLAND PARK  
NO. 12-20-309

RESOLUTION TO APPROVE FINAL PAYOUT TO ROBERT WEST

RESOLUTION: Finance Committee

WHEREAS, Robert West, Mechanic, has resigned from his position with the Borough of Highland Park effective October 31, 2020; and

WHEREAS, Robert West is entitled to payment for time spent on paid sick leave from August 1, 2020 through October 31, 2020, at his 2020 rate of pay with all normal and ordinary deductions, including pension, as calculated below; and

	Calculation	Amount Due
Sick	65 days @ \$300.96 per day	\$19,562.40

WHEREAS, Robert West is entitled to retroactive payments for vacation and personal time already paid out, based on the final contract settlement with the Department of Public Works Association, effective November 13, 2020 as calculated below.

	Calculation	Amount Due
Vacation	116.00 hrs @ \$1.46 per hr	\$169.36
Personal	12.00 hrs x \$1.46 per hr	\$17.52

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 \$19,749.28 be approved and distributed in the next available pay cycle.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
RESOLUTION 12-20-310

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2020-June 2025

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, The Borough of Highland Park Council of the Borough of Highland Park, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Highland Park Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Highland Park Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Highland Park, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Highland Park Borough Council does hereby authorize acceptance of funding for strategic plan for the Highland Park Municipal Alliance grant for fiscal year 2021 (October 1, 2020 – June 30, 2021) in the amount of:  
DEDR \$5,838.00  
Cash Match \$1,459.50  
In-Kind \$4,378.50
2. The Highland Park Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
*Gayle Brill Mittler, Mayor*

**CERTIFICATION**

I, Joan Hullings, Municipal Clerk of the Borough of Highland Park, County of Middlesex County, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Highland Park Borough Council on this 1st day of December 2020.

\_\_\_\_\_  
*Joan Hullings, Borough Clerk*

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-311

RESOLUTION AUTHORIZING ISSUANCE OF TAXI OWNER LICENSES FOR THE PURPOSE  
OF OWNING A TAXI CAB IN THE BOROUGH OF HIGHLAND PARK

RESOLUTION: Public Safety Committee

WHEREAS, Car 20 LLC/AA Checker and LR No. 12, LLC has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such licenses for the year 2021; and

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

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

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

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-312

RESOLUTION AUTHORIZING ISSUANCE OF TAXI OPERATOR LICENSE FOR THE  
PURPOSE OF OPERATING TAXI CABS IN THE BOROUGH OF HIGHLAND PARK

RESOLUTION: Public Safety Committee

WHEREAS, Leon Rozenbalt has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2021; and

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

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

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

ADOPTED: December 1, 2020

ATTEST:

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Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

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Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-313

RESOLUTION AUTHORIZING ISSUANCE OF RFP FOR  
PURCHASE AND INSTALLATION OF WATER METERS

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, the Borough Highland Park has deemed it necessary to purchase and install new water meters throughout the water system with Automated Meter Reader (AMR) capabilities;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator shall be and is hereby authorized and directed to seek RFP's for purchase and installation of water meters.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-314

RESOLUTION AUTHORIZING ISSUANCE OF RFP FOR  
MANHOLE REPAIRS

RESOLUTION: Public Works and Public Utilities Committee

WHEREAS, the Borough of Highland Park water and sewer system operator, USA-Highland Park has identified two manholes as posing potential risks due to their configuration; and

WHEREAS, the location of these manholes are at North 3<sup>rd</sup> Ave and South 8<sup>th</sup> Ave; and

WHEREAS, the cost of these repairs is estimated to exceed the bid threshold of \$44,000.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator shall be and is hereby authorized and directed to seek RFP's for the repair of the above referenced manholes.

ADOPTED: December 1, 2020

ATTEST:

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Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

---

Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera	X			
Fine	X			
Foster-Dublin	X			
George	X			
Hale	X			
Kim-Chohan	X			

BOROUGH OF HIGHLAND PARK  
NO. 12-20-315

RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES  
AGREEMENT FOR WATER SYSTEM RISK AND RESILIENCE ASSESSMENT PROJECT

RESOLUTION: Public Works and Utilities Committee

WHEREAS, new federal legislative requirements to America's Water Infrastructure Act (AWIA) were signed into law on October 23, 2018, called the Community Water System Risk and Resilience Act ; and

WHEREAS, the Borough of Highland Park is required to conduct a Risk and Resilience Assessment (RRA) of the drinking water system by June 31, 2021; and

WHEREAS, the Borough of Highland Park is responsible for completing an Emergency Response Plan within six months of RRA certification; and

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

WHEREAS, Middlesex Water Company, the Borough of Highland Park's contract operator as secured a proposal from CDM Smith Inc., a qualified engineering firm in the State of New Jersey; and

WHEREAS, funds for this purpose are not to exceed the amount of \$15,000.00 without further resolution of Council; and

WHEREAS, funds will be available for this purpose in the amount of \$15,000.00 in account No. 0-05-55-500-233, 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 Borough Administrator is authorized and directed to authorize Middlesex Water Company to contract with CDM Smith Inc. to provide the required AWIA services with an amount not to exceed \$15,000.

ADOPTED: December 1, 2020

ATTESTED:

\_\_\_\_\_  
Joan Hullings, BOROUGH CLERK

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster-Dublin				
George				
Hale				
Kim-Chohan				



110 Fieldcrest Avenue, #8  
6<sup>th</sup> Floor  
Edison, New Jersey 08837  
tel: 732 225-7000  
fax: 732 225-7851

October 30, 2020

Mr. Robert K. Fullagar, P.E.  
Vice President of Operations  
Middlesex Water Company  
485C Route 1 South, STE 400  
Iselin, NJ 08830

Subject: Technical Proposal – America’s Water Infrastructure Act (AWIA) Risk and Resilience Assessment Project - USA-Highland Park

Dear Mr. Fullagar:

As you are aware, new federal legislative requirements to America’s Water Infrastructure Act of 2018 (AWIA) were signed into law on October 23, 2018, called the Community Water System Risk and Resilience Act. This new act is more broad than other assessments related to risks and resilience, and specifically calls out the risks of “natural hazards” that have not been assessed by all utilities in the past under previously required vulnerability assessments.

Based on our recent discussions, Utility Services Affiliates (Highland Park), Inc. (USA-Highland Park), as a subsidiary to the Middlesex Water Company, serves a population of under 50,000 which will require a Risk and Resilience Assessment (RRA) to be conducted on the drinking water system by June 30, 2021. A certification that the RRA has been completed will need to be sent to the U.S. Environmental Protection Agency (USEPA) by this date. An Emergency Response Plan (ERP) for the drinking water system must be complete within six (6) months of the RRA certification.

MWCo is requesting services to perform the RRA and to provide input into an existing Emergency Response & Business Continuity (ER&BC) Plan (which services as the ERP). CDM Smith Inc. (CDM Smith) proposes to perform these services as outlined below.

#### Scope of Services

CDM Smith’s technical approach and scope of services is attached and consists of the following tasks:

- Task 1 – Project Kickoff, Data Gathering, Review Existing Materials
- Task 2 – Stakeholder Workshops and Development of the Threat-Asset Matrix
- Task 3 – Risk and Resilience Assessment
- Task 4 – Emergency Repsonse Plan







Mr. Robert K. Fullagar, P.E.  
October 30, 2020  
Page 2

#### Level of Effort

The not-to-exceed/reimbursable cost for this work is \$23,307 and would be performed in accordance with the 2020/2021 Base Agreement for Engineering Consulting Services between CDM Smith Inc. and MWCo dated January 1, 2020. A detailed breakdown of this fee is attached for reference.

CDM Smith appreciates the opportunity to continue to be of service to the Water Company and looks forward to working on this project. Should you have any questions, or require additional information, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink that reads "David J. Tanzi".

David J. Tanzi, P.E., BCEE  
Senior Vice President  
CDM Smith Inc.

#### Attachments

xc: L. Miller, CDM Smith  
T. Schoettle, CDM Smith  
File: 20825-  
rf10-30-20\_highlandparkawiproposal.docx

# Scope of Services – America’s Water Infrastructure Act (AWIA) Risk and Resilience Assessment Project – USA-Highland Park

## Introduction

A federal legislative requirement to America’s Water Infrastructure Act of 2018 (AWIA) was signed into law on October 23, 2018 (Act). This new Act is more broad than other assessments related to risks and resilience, and specifically calls out the risks of “natural hazards” that have not been assessed by all utilities in the past under previously required vulnerability assessments. The AWIA encompasses:

- Pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems;
- Monitoring practices;
- Financial infrastructure (such as billing mechanisms);
- Use, storage or handling of chemicals;
- Operation and maintenance; and
- May include capital and operational needs for risk management (optional)

As part of the AWIA, the following must be performed:

- Conduct risk assessments for assets listed above for malevolent acts and natural hazards
- Determine the System’s resilience to those hazards
- Prepare an Emergency Response Plan (ERP)

EPA has prepared the guidance document “Baseline Information on Malevolent Acts for Community Water Systems” guidance document from EPA (July 2019) which identifies the follows malevolent acts that are recommended to be evaluated as part of this project. They have not provided guidance on natural hazards – instead recommend that the utility identify these threats themselves. CDM Smith recommends using a local, state, or regional natural hazard mitigation plan for guidance.

Threats for evaluation may include:

Malevolent Acts (recommended by EPA)	Natural Hazards (examples)
<ul style="list-style-type: none"> <li>▪ Assault on Utility</li> <li>▪ Contamination of Finished Water</li> <li>▪ Contamination of Source Water</li> <li>▪ Cyber Attack on Business Enterprise Systems</li> <li>▪ Cyber Attack on Process Control Systems</li> <li>▪ Sabotage</li> <li>▪ Theft or Diversion of Resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drought</li> <li>▪ Extreme temperatures</li> <li>▪ Flooding</li> <li>▪ Wind events</li> <li>▪ Thunderstorm winds/Lightning/Hail</li> <li>▪ Tornado</li> <li>▪ Wildfire</li> </ul>

CDM Smith Inc. (CDM Smith) proposes the following approach to perform the Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP), along with associated tasks to facilitate compliance with AWIA requirement. These will be conducted in accordance with American Water Works Association (AWWA) – specifically the “Risk and Resilience Management of Water and Wastewater Systems” (ANSI/AWWA J100-10 (R13)) and the “Emergency Preparedness Practices” (ANSI/AWWA G440-17) for guidance.

The overall goal of the project is to build upon prior vulnerability and risk assessments performed by the utility and conduct a current assessment of the utility’s existing assets and business processes to determine risks associated with malevolent acts and natural hazards, in order to comply with the AWIA. After identification of risks, an assessment of the utility’s resilience of the operational and business needs will then be conducted.

## Scope of Service

CDM Smith will perform the following scope of services for the following subsidiary of the Middlesex Water Company to comply with the requirements of this Act:

MWCo Subsidiary	System	PWSID Number	Population Served (Winter)
Utility Services Affiliates (Highland Park), Inc. (USA-Highland Park)	Highland Park	1207001	14,000

It is our understanding that this system contains the following major components:

- Distribution water main piping
- Interconnection with other utilities

### Task 1: Project Kickoff, Data Gathering, Review Existing Materials

CDM Smith will facilitate a kick-off meeting to be held via conference call with representatives of the utility to confirm project goals and key stakeholders for the project.

CDM Smith will request existing information to be provided by the utility at the start of the project, such as:

- GIS/asset management program for applicable assets
- Locations and facility descriptions of assets

- As-built drawings of critical facilities
- After-action reports
- Local hazard mitigation plans
- Previously prepared vulnerability or risk assessments
- Previously prepared Emergency Response Plans (ERP) and associated annexes.

CDM Smith will perform an initial review of the documents provided by the utility and summarize additional data requests as needed throughout the project. CDM Smith will use EPA and AWWA guidance and AWIA experience to inform additional data that could be useful for this project. The data review will be documented by CDM Smith to summarize the contents, which will streamline efforts for Task 2 and Task 3.

No field or site visits are anticipated to be conducted as part of this project.

## Task 2: Stakeholder Workshops and Development of the Threat-Asset Matrix

The main focus of this task is the stakeholder workshop. The goal of the workshops is to engage leaders and decision-makers at the utility in the AWIA requirements. These workshops have been modified to be virtual since the COVID-19 pandemic, when in person gatherings are not possible due to safety. At the workshops CDM Smith will facilitate the discussion to allow the team to identify the vulnerabilities, consequences, and possible solutions from the top threats on the utility's critical assets. This will result in important information for the Risk and Resilience Assessment, to make the results useful and beyond a desktop exercise. It is also intended to gain buy-in from the utility's leaders and decision-makers on the work, to ultimately reduce risk and improve resilience at the utility.

In preparation for the workshops, CDM Smith will conduct an initial threat characterization and create a "threat-asset pair" matrix which identifies threats to the water system from a comprehensive list of malevolent acts and natural hazards that may impact critical assets. The utility's critical assets into broad categories (i.e. water production, water distribution, information technology, SCADA systems, finance and accounting) necessary to move the discussion forward. Related to the assets required to be evaluated by the Act. These assets will be evaluated into "threat-asset pairs" based on the types of malevolent acts or natural hazards (threats) that may impact the asset. Malevolent acts will be determined based on the "Baseline Information on Malevolent Acts for Community Water Systems" guidance document from EPA (July 2019). Natural hazards will be determined based on a state, regional, or local natural hazard mitigation plan. This draft Threat-Asset Matrix will serve as a discussion point at the stakeholder workshop and the final will be the basis for Task 3. During the initial asset characterization stage, the following will be performed:

- Identification and evaluation of critical assets, mission-critical functions, and supporting infrastructure and evaluation if there have been changes to the system that warrant an update to the critical asset list.
- Identification of the critical internal and external supporting infrastructure which will likely include the following: Operations & Maintenance, Monitoring Practices, and Financial Infrastructure.

Stakeholder workshops provide an efficient method to gather institutional knowledge about hazards, risks, and resilience from utility stakeholders by:

- Understanding connections between ongoing issues and challenges, hazards, and current plans or actions
- Identifying vulnerabilities to inform the risk and resilience profiles for the threat-asset pairs
- Developing and prioritizing actions to improve resilience that inform the Emergency Response Plan

The workshop is anticipated to take place immediately after the initial threat-asset matrix is completed. For the purposes of this scope of services, it is assumed that a total of one (1) workshop will be conducted which will be attended by key members of operations, distribution, finance, IT and human resources (where applicable).

The deliverables for this task will be:

1. Initial threat characterization in the form of a threat-asset matrix, prior to the workshop.
2. Preparation for and facilitation of the Stakeholder workshops. This will include an agenda, PowerPoint slides, handouts, and other materials needed for a successful workshop.

### Task 3: Risk and Resilience Assessment

After the completion of Task 2, CDM Smith will conduct the Risk and Resilience Assessment. CDM Smith developed a Microsoft Excel Tool which follows the J100 guidance and incorporates EPA AWIA resources for AWIA projects (RRA Tool). The RRA Tool will be delivered to the client at the end of the project, for use for future RRA requirements.

This process will for conducting the Risk and Resilience Assessment using the Tool follows the RAMCAP method outlined in the AWWA J100 guidance. The specific tasks to conduct the assessment are as follows:

1. Finalize the threat-asset pairs based on the utility's priorities and the findings of Tasks 2 to identify, rank, and record critical assets. The goal of this is to determine the critical and high-consequence assets and the high threat-likelihoods. CDM Smith will use input from the workshops (conducted as part of Task 2) and data review (conducted as part of Task 1) to ensure that medium-consequence or likelihood threat-asset pairs are also included, as appropriate. The high-criticality threat-asset pairs will move on to the Consequence Analysis, Vulnerability Assessment, and Threat Analysis stages described below.
2. In order to conduct the Consequence, Vulnerability, and Threat Calculations for high-priority threat-asset pairs, the following will be performed:
  - Consequence Analysis: Develop and refine consequence metrics or criteria (i.e. replacement costs, casualties, loss of revenue,). The RAMCAP methodology is used to define ranges of consequence and analyze based on the consequence metrics for each threat-asset following the RAMCAP process and are measured in dollars.
  - Vulnerability Assessment: For each critical threat-asset pair the vulnerability is determined by estimating the likelihood of a threat occurrence. The output of a

vulnerability analysis is to determine the likelihood of success of the malevolent actor for each specified attack scenario on each threat–asset pair, given that the attack is carried out. The parallel concept for natural hazards is the likelihood that the hazard will produce the consequences already estimated, given that the hazard occurs. This is expressed in a numerical value from zero (the threat is unlikely to occur and produce the consequence) to one (the threat is very likely to occur and produce the consequence). Vulnerability considers advanced preparation, immediate response, and long-term recovery ability.

- Threat Likelihood Analysis: Conduct the threat analysis to estimate the likelihood or frequency of malevolent threats and the probability of natural hazards. This is expressed in a numerical value from nearly zero (the threat is unlikely to occur) to one (the threat is certain to occur). The EPA has provided guidance on these values for malevolent acts; natural hazard likelihood will be informed by available resources from natural hazard mitigation plans, FEMA flood maps, or other sources as needed.

### 3. The Risk and Resilience Analysis includes:

- Calculation risk for each threat-asset pair as the product of the results from Consequence Analysis, Vulnerability Analysis, and Threat Analysis, using the following equation:

$$\text{Risk} = \text{Consequences} \times \text{Vulnerability} \times \text{Threat Likelihood} \quad (R = C \times V \times T)$$

- Create the Utility Resilience Index (URI) as outlined in J100 as:
  - Operational – These indicators reflect the tactical capacity of the utility to react quickly and/or cope with various incidents that have the potential to disrupt services.
  - Financial – These indicators reflect the fiscal capacity of the utility and supporting community to react quickly and/or cope with various incidents that have the potential to disrupt revenue.

Each of these indicators are numerical values from zero (not resilient) to one (highly resilient) designed to reflect the resilience of the utility as a whole. They help to further focus the utility toward areas that need further attention to reduce risk and improve resilience. This will be presented in easy-to-understand dashboards as it applies to each critical asset.

CDM Smith will conduct one (1) virtual meeting with the utility leadership to discuss, review, and refine the findings of the draft risk and resilience analysis prior to finalizing the results and creating the RRA report.

Following this meeting, the methodology, findings, and recommendations of the Risk and Resilience Assessment will be documented in a report format. An electronic copy of the draft Risk and Resilience Analysis Report will be provided to the utility for review. CDM Smith will incorporate utility's written comments on this draft report into a final Risk and Resilience Assessment report.

The deliverables for this task will be the following documents:

1. The completed Risk and Resilience Assessment in a Microsoft Excel tool. The completion of this deliverable meets the AWIA requirements and will allow the utility to certify compliance with the Act.
2. A companion write-up of the Risk and Resilience Assessment, which documents the RRA Tool methodology, assumptions, and results.

CDM Smith will also provide assistance with certification, if needed.

#### Task 4: Emergency Response Plan

The ERP must include the following items to enable the utility to both respond to and proactively prepare for threats, including:

- Strategies and resources to improve resilience, including physical security and cybersecurity;
- Plans, procedures, and equipment for responding to a malevolent act or natural hazard;
- Actions, procedures, and equipment to lessen the impact of a malevolent act or natural hazard, including alternative source water, relocation of intakes, and flood protection barriers;
- Strategies to detect malevolent acts or natural hazards.

CDM Smith will create an Emergency Response Plan (ERP) for the utility as required by AWIA. This will build upon the utility's existing emergency response material and include actions that may be taken on the water system based on the outcome of the RRA.

It is our understanding that the utility currently has an Operation Emergency Plan (OEP) which serves as an addendum to the MWCo Enterprise Emergency Response & Business Continuity (ER&BC) Plan, which is updated on a regular basis.

As part of this task, CDM Smith will review these documents and identify any emergency response procedures, mitigation strategies and detection strategies that can be used to address high risk threats that are not currently covered in the current ER&BC Plan and OEP. These items will be incorporated into a stand-alone document which can be appended to either the ER&BC Plan and OEP

An electronic copy of this document will be provided to utility for review. CDM Smith will incorporate the utility's written comments on this draft report into a final document to be used by the utility.

The deliverables for this task will be:

1. Document that can be appended to the utilities existing ER&BC Plan or OEP. The completion of this deliverable meets the AWIA requirements and will allow the utility to certify compliance with the Act.
2. Assistance with certification, if needed.

MWC\_HighlandParkAWIA\_Scope\_v1.docx

America's Water Infrastructure Act (AWIA) Risk and Resilience Assessment Project  
Middlesex Water Company  
Highland Park

Task	Total Level of Effort		Total Cost	
	Hours	Cost	MWCo	Highland Park
Task 1 - Project Kickoff, Data Gathering, Review Existing Materials	19	\$ 3,310	\$ 828	\$ 2,483
Task 2 - Stakeholder Workshops and Development of the Threat-Asset Matrix	34	\$ 5,748	\$ 2,874	\$ 2,874
Task 3 - Risk and Resilience Assessment	64	\$ 10,636	\$ 3,722	\$ 6,913
Task 4 - Emergency Response Plan	22	\$ 3,613	\$ 1,807	\$ 1,807
<b>Total:</b>	139	\$ 23,307	\$ 9,231	\$ 14,076



Utility Services Affiliates - Highland Park, Inc.  
America's Water Infrastructure Act (AWIA) Risk and Resilience Assessment Project

Task	Project Manager (D. Tanzi)		RR Task Lead (L. Miller)		Cyber Security (M. Lick)		ENEV2 (S. Malter)		ENEV5 (R. Dalal)		ERP (B. D'Armiento)		TRC		Admin/Technician		Outside Professionals	ODCs	Labor Totals		Total Cost
	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars	Rate: Hours	\$ Dollars			Hours	Labor Dollars	
<b>America's Water Infrastructure Act (AWIA) Risk and Resilience Assessment Project - Utility Services Affiliates (Highland Park), Inc. (USA-Highland Park)</b>																					
<b>Task 1 - Project Kickoff, Data Gathering, Review Existing Materials</b>																					
1.1 - Kick-off Conference Call	1	\$ 282	4	\$ 750		\$ -		\$ -	4	\$ 648		\$ -		\$ -		\$ -		\$ -	9	\$ 1,680	\$ 1,680
1.2 - Review Existing Documents		\$ -		\$ -		\$ -		\$ -	3	\$ 486		\$ -		\$ -		\$ -		\$ 50	3	\$ 486	\$ 536
1.3 - Prepare Data Collection Memorandum		\$ -		\$ -		\$ -		\$ -	2	\$ 324		\$ -		\$ -		\$ -		\$ 25	2	\$ 324	\$ 349
		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -	\$ -
Administrative	1	\$ 282		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	4	\$ 439		\$ 25	5	\$ 721	\$ 746
<b>Subtotals:</b>	<b>2</b>	<b>\$ 565</b>	<b>4</b>	<b>\$ 750</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>9</b>	<b>\$ 1,457</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 439</b>	<b>\$ -</b>	<b>\$ 100</b>	<b>19</b>	<b>\$ 3,210</b>	<b>\$ 3,310</b>
<b>Task 2 - Stakeholder Workshops and Development of the Threat-Asset Matrix</b>																					
2.1 - Stakeholder Workshop (1)	1	\$ 282	4	\$ 750		\$ -		\$ -	6	\$ 971		\$ -		\$ -		\$ -		\$ 50	11	\$ 2,004	\$ 2,054
2.2 - Prepare Threat-Asset Matrix		\$ -	1	\$ 188		\$ -		\$ -	20	\$ 3,238		\$ -		\$ -	2	\$ 219		\$ 50	23	\$ 3,644	\$ 3,694
		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -	\$ -
<b>Subtotals:</b>	<b>1</b>	<b>\$ 282</b>	<b>5</b>	<b>\$ 938</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>26</b>	<b>\$ 4,209</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 219</b>	<b>\$ -</b>	<b>\$ 100</b>	<b>34</b>	<b>\$ 5,648</b>	<b>\$ 5,748</b>
<b>Task 3 - Risk and Resilience Assessment</b>																					
3.1 - Prepare Risk and Resilience Assessment		\$ -	2	\$ 375		\$ -	4	\$ 509	16	\$ 2,590		\$ -		\$ -		\$ -		\$ 25	22	\$ 3,474	\$ 3,499
3.2 - Stakeholder Meeting (1)		\$ -	4	\$ 750		\$ -		\$ -	6	\$ 971		\$ -		\$ -		\$ -		\$ 50	10	\$ 1,721	\$ 1,771
3.3 - Prepare RRA Report (Draft and Final)		\$ -	4	\$ 750		\$ -	6	\$ 764	16	\$ 2,590		\$ -		\$ -	2	\$ 219		\$ 200	28	\$ 4,323	\$ 4,523
		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -	\$ -
QA/QC and Administrative	1	\$ 282		\$ -		\$ -		\$ -		\$ -		\$ -	2	\$ 450	1	\$ 110		\$ -	4	\$ 842	\$ 842
<b>Subtotals:</b>	<b>1</b>	<b>\$ 282</b>	<b>10</b>	<b>\$ 1,875</b>	<b>0</b>	<b>\$ -</b>	<b>10</b>	<b>\$ 1,273</b>	<b>38</b>	<b>\$ 6,151</b>	<b>0</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 450</b>	<b>3</b>	<b>\$ 329</b>	<b>\$ -</b>	<b>\$ 275</b>	<b>64</b>	<b>\$ 10,361</b>	<b>\$ 10,636</b>
<b>Task 4 - Emergency Response Plan</b>																					
4.1 - Prepare Emergency Response Plan (ERP) Gap Analysis Appendix		\$ -		\$ -	0	\$ -	4	\$ 509	12	\$ 1,943		\$ -	2	\$ 450	2	\$ 219		\$ 100	20	\$ 3,121	\$ 3,221
		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -	\$ -
QA/QC and Administrative	1	\$ 282		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	1	\$ 110		\$ -	2	\$ 392	\$ 392
<b>Subtotals:</b>	<b>1</b>	<b>\$ 282</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 509</b>	<b>12</b>	<b>\$ 1,943</b>	<b>0</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 450</b>	<b>3</b>	<b>\$ 329</b>	<b>\$ -</b>	<b>\$ 100</b>	<b>22</b>	<b>\$ 3,513</b>	<b>\$ 3,613</b>
<b>Total:</b>	<b>5</b>	<b>\$ 1,412</b>	<b>19</b>	<b>\$ 3,563</b>	<b>0</b>	<b>\$ -</b>	<b>14</b>	<b>\$ 1,782</b>	<b>85</b>	<b>\$ 13,760</b>	<b>0</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 900</b>	<b>12</b>	<b>\$ 1,316</b>	<b>\$ -</b>	<b>\$ 575</b>	<b>139</b>	<b>\$ 22,732</b>	<b>\$ 23,307</b>

BOROUGH OF HIGHLAND PARK

NO. 12-20-316

RESOLUTION TO CANCEL GENERAL CAPITAL GRANT RECEIVABLES

WHEREAS, in conjunction with an annual review of all receivables and reserves, certain capital projects have been completed and there are various grant receivables identified in the General Capital Fund that are outstanding; and

WHEREAS, these receivable balances are deemed no longer valid or needed; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following grants receivable be canceled to the listed account:

<u>GRANT</u>	<u>ORDINANCE #</u>	<u>AMOUNT</u>	<u>CANCELED TO:</u>
DOT-Felton & Graham	1934	\$33,647.20	Capital Fund Balance
DOT-Various Roadway Impr	1968	\$12,000.00	Ordinance #18-1968
County of Middlesex- First Aid Squad Improvement	1758	\$75,000.00	Capital Fund Balance
Federal FEMA Grant	1896/1947	\$17,800.00	Capital Fund Balance
CDBG Access/Walkway Mun Bldg	1606/1611	\$88,357.85	Capital Fund Balance
TOTAL GRANTS RECEIVABLE CANCELED		<u>\$226,805.05</u>	

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera	X			
Fine	X			
Foster-Dublin	X			
George	X			
Hale	X			
Kim-Chohan	X			

BOROUGH OF HIGHLAND PARK  
NO. 12-20-317

RESOLUTION AUTHORIZING CONTINUATION OF TEMPORARY STREET CLOSURES TO  
SUPPORT RESTAURANTS AND BUSINESSES DURING COVID-19 HEALTH EMERGENCY

RESOLUTION: Economic Development Committee

WHEREAS, on June 3, 2020, Governor Murphy signed Executive Order No. 150, declaring that effective at 6:00 a.m. on Monday, June 15, 2020, restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, and bars, referred to as “food or beverage establishments,” are permitted to offer in-person service at outdoor areas; and

WHEREAS, Executive Order No. 150, permits Municipalities to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas; and

WHEREAS, pursuant to N.J.S.A. 39:4-197.3, a municipality may enact emergency or temporary special traffic regulations by Resolution; and

WHEREAS, the Borough of Highland Park desires to temporarily change the existing two-way traffic pattern along No. Fourth Avenue between Route NJ 27 (Raritan Avenue) and Denison Street to a one-way street in the southward direction only, to accommodate outdoor dining by local business; and

WHEREAS, the Borough of Highland Park desires to temporarily close a portion of So. Third Ave to all traffic for more than forty-eight (48) continuous hours between Route NJ 27 (Raritan Avenue) and Magnolia Street, to accommodate outdoor dining by local businesses; and

WHEREAS, during the temporary closure of So. Third Ave, the detour routes shall be along the municipal roadways of So. Second and So. Fourth Avenues; and

WHEREAS, the temporary change of No. Fourth Ave to a one-way street, and the temporary closure of So. Third Ave will impact the state highway of Route NJ 27 (Raritan Avenue); and

WHEREAS, pursuant to N.J.S.A. 39:4-8a, any municipal regulation which places any impact on a state highway or temporarily closes a street for more than forty-eight (48) continuous hours, shall require the approval of the Commissioner of Transportation; and

WHEREAS, the New Jersey Department of Transportation agrees to revise by a work order for the traffic signal along Route NJ 27 (Raritan Avenue) at the intersection of Third Avenue to match the proposed for the temporary closure of So. Third Avenue.

NOW, THEREFORE IT BE RESOLVED by the Borough of Highland Park Council, Middlesex County, State of New Jersey, the following temporary traffic regulations shall be in effect from December 1, 2020 to February 28, 2021 as follows:

**In the Borough of Highland Park:**

**One-Way Street(s) (TEMPORARY)**

The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated. Parking on these streets will be permitted on the sides as indicated below:

<b>Name of Street</b>	<b>Direction</b>	<b>Limits</b>	<b>Parking Permitted</b>
No. Fourth Ave	South	Rt 27 to Denison Ave	Yes

**Street Closure(s) (TEMPORARY)**

<b>Name of Street</b>	<b>Limits</b>
So. Third Ave	Rt 27 to Magnolia St (only half of the block is closed)

BE IT FURTHER RESOLVED that this Resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 20<sup>th</sup> day of October, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-318

RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

RESOLUTION: Finance Committee

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 12/01/2020 can be found in the Bills List Journal Book No. 40.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

**BOROUGH OF HIGHLAND PARK  
NO. 12-20-320**

**Resolution Opposing the Transportation of Liquid Natural Gas by Truck and Rail  
in New Jersey**

**RESOLUTION: COUNCIL AS A WHOLE**

WHEREAS, a fundamental purpose of government is to protect the health, safety, and welfare of citizens; and

WHEREAS, the State of New Jersey Constitution declares “All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness”<sup>1</sup>; and

WHEREAS, Governor Philip D. Murphy recognized that “New Jersey is especially vulnerable” to the impacts of climate change and sea level rise, that “minority and low-income communities are disproportionately affected by climate change . . . [and] increased air pollution,” that “in the absence of action at the federal level, states must take the lead in reducing greenhouse gas emissions,” that it is “the policy of this State that . . . New Jersey must pursue a just and smooth transition away from its reliance on fossil fuels as a primary energy source,” and that “unlimited present day and future investments in expanded fossil fuel infrastructure [is] a potential waste of both private and public resources”<sup>2</sup>; and

WHEREAS, Governor Philip D. Murphy’s vision for a clean energy future includes a proposed Wind Port in Salem County that “will provide thousands of high-quality jobs . . . and establish New Jersey as the national capital of offshore wind”<sup>3</sup>. This project and others like it promise vastly greater, long-term economic benefits to the State of New Jersey than further investments in outdated fossil fuel infrastructure, while safeguarding our environment for future generations; and

WHEREAS, New Fortress Energy is planning the overland transport of Liquefied Natural Gas (“LNG”, also known as liquid methane) by truck on public highways and by rail car on existing railways from a yet-to-be-completed liquefaction plant in Wyalusing, Pennsylvania, to a proposed LNG export terminal in Gibbstown, New Jersey on the Delaware River (the “Gibbstown Logistics Center”); and

WHEREAS, New Fortress Energy subsidiary Energy Transport Solutions received a Special Permit from the Pipeline and Hazardous Materials Safety Administration (“PHMSA”)<sup>4</sup> for the transport of LNG in rail cars designed 50 years ago and never used for LNG transport while subsequent federal rulemaking requires a safer rail car design for all other carriers<sup>5</sup>; and,

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<sup>1</sup> <https://www.state.nj.us/state/archives/docconst47.html#page1>

<sup>2</sup> Exec. Order No. 100 (Jan. 27, 2020), 52 N.J.R. 365(a) (Mar. 2, 2020).

<sup>3</sup> <https://www.nj.gov/governor/news/news/562020/20200616a.shtml>

<sup>4</sup> Special Permit DOT-SP 20534 <https://www.phmsa.dot.gov/safe-transportation-energy-products/dot-20534-pdf>

<sup>5</sup> <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2020-06/2137-AF40%20Final%20Rule%20%206.19.20%20web%20final.pdf>

WHEREAS, the transport of LNG has unique safety hazards, exposing those along these particular truck and rail routes to unprecedented and unjustifiable risk. An LNG release boils furiously into a flammable vapor cloud 620 times larger than the storage container. An unignited ground-hugging vapor cloud can move far distances,<sup>6</sup> and exposure to the vapor can cause extreme freeze burns. If in an enclosed space, it asphyxiates, causing death<sup>7</sup>. If ignited, the fire is inextinguishable; the fire is so hot that second degree burns can occur within 30 seconds for those exposed within a mile. An LNG release can cause a Boiling Liquid Expanding Vapor Explosion.<sup>8</sup> The explosive force of LNG is similar to a thermobaric explosion – a catastrophically powerful bomb. The 2016 US Emergency Response Guidebook advises fire chiefs initially to immediately evacuate the surrounding 1-mile area.<sup>9</sup> No federal field research has shown how far the vapor cloud can move so in the most recent serious Plymouth, Washington, LNG fire, they evacuated a 2-mile radius<sup>10</sup>; and

WHEREAS, Delaware River Partners, LLC, a subsidiary of Fortress Transportation and Infrastructure Investors, LLC, has submitted an application to the Delaware River Basin Commission under Docket D-2017-009-2 to construct a transloading facility (“Dock 2”) at the Gibbstown Logistics Center that would transfer LNG from trucks and railcars to vessels; and

WHEREAS, the Delaware River Basin Commission states, “The vision of the Delaware River Basin Commission is built upon the Compact signed in 1961 by Delaware, New Jersey, New York, Pennsylvania, and the federal government. It is defined in the Delaware River Basin Compact as, “the conservation, utilization, development, management and control of water and related resources of the Delaware River Basin under a comprehensive multipurpose plan will bring the greatest benefits and produce the most efficient service in the public welfare”<sup>11</sup>; and

WHEREAS, the Delaware River Basin Commission has recently affirmed in its statement on Diversity, Equity, Inclusion & Justice that its “core values” are “Service: to the public, the regulated community and our DRBC colleagues; Respect: for each other, the public and the Basin’s water resources; Professionalism: defined by high ethical standards, integrity, continuous improvement and accountability<sup>12</sup>; and

WHEREAS, neither the State of New Jersey nor the Delaware River Basin Commission has assessed the potential public safety, public health or environmental impacts of the proposed overland transport of LNG by truck or by rail car on the communities along the possible transportation routes between Wyalusing, Pennsylvania, and Gibbstown, New Jersey; and

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<sup>6</sup> “Immediate ignition with liquid still on the ground could cause the spill to develop into a pool fire and present a radiant heat hazard. If there is no ignition source, the LNG will vaporize rapidly forming a cold gas cloud that is initially heavier than air, mixes with ambient air, spreads and is carried downwind.” P. 10 “Methane in vapor state can be an asphyxiant when it displaces oxygen in a confined space.” P. 11. SP 20534 Special Permit to transport LNG by rail in DOT-113C120W rail tank cars. Final Environmental Assessment. Docket No. PHMSA-2019-0100. December 5, 2019. P. 10.

<sup>7</sup> SP 20534 Special Permit to transport LNG by rail in DOT-113C120W rail tank cars. Final Environmental Assessment. Docket No. PHMSA-2019-0100. December 5, 2019. P, 11.

<sup>8</sup> “LNG tank BLEVE is possible in some transportation scenarios.” Sandia National Laboratories, “LNG Use and Safety Concerns (LNG export facility, refueling stations, marine/barge/ferry/rail/truck transport)”, Tom Blanchat, Mike Hightower, Anay Luketa. November 2014. <https://www.osti.gov/servlets/purl/1367739> P. 23.

<sup>9</sup> US DOT Emergency Response Guidebook. <https://www.phmsa.dot.gov/hazmat/erg/emergency-response-guidebook-erg>

<sup>10</sup> <https://www.sightline.org/2016/06/03/williams-companies-failed-to-protect-employees-in-plymouth-lng-explosion/>

<sup>11</sup> <https://www.nj.gov/drbc/library/documents/DRBCvision-mission-values.pdf>

<sup>12</sup> <https://www.nj.gov/drbc/about/staff/DEIJ.html>

WHEREAS, no federal, state, or local agency has conducted a risk assessment of the specific transportation route(s) along which the LNG would travel; and

WHEREAS, no full scale Quantitative Risk Assessment, which quantifies the frequencies of events such as transportation accidents and their consequences, has been done of the trucks or rail cars that would contain the LNG that would travel from Wyalusing, Pennsylvania, to Gibbstown NJ<sup>13</sup>; and

WHEREAS, neither the State of New Jersey nor the Delaware River Basin Commission has conducted a comprehensive assessment of the cumulative and long-term impacts of the full scope of New Fortress Energy's plan to liquefy natural gas from fracking wells in Northern Pennsylvania, transport the LNG by truck or rail to the Gibbstown Logistics Center and export by marine vessels overseas on the Delaware River past Delaware and South Jersey bayshore communities; and

WHEREAS, training or support in [the township/county/district] has not been provided for emergency or first response service organizations to respond to accidents, fires, explosions, derailments, or other emergencies related to LNG transport within this jurisdiction; and

WHEREAS, the absence of such assessments and support prevents the appropriate management of and avoidance of accidents, derailments, catastrophic events, health harms, and environmental damage and degradation that could occur from the transportation of LNG through these communities, including risks to public health, property values and the clean air and water upon which all citizens and businesses depend; and

WHEREAS, the potential transportation routes travel through communities with proportionately more minority and low income populations, compounding environmental injustices<sup>14</sup>;

NOW, THEREFORE, BE IT RESOLVED that:

1. The [Township/County/District] calls upon the members of the Delaware River Basin Commission to disapprove the Dock 2 project, Docket D-2017-009-2.
2. The [Township/County/District] calls upon the State of New Jersey to act in furtherance of its policy to transition away from fossil fuels by taking all measures possible to prevent the transportation of LNG by truck and/or by rail through New

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<sup>13</sup> “The QRA will help to evaluate the derailment and release probability of LNG rail cars over certain segments of the network, and account for a variety of track and train characteristics... An LNG risk model can be used to understand the probability and consequences for LNG transportation incidents for both rail and truck delivery. Even though they are treated differently, the underlying event tree analysis approach is the same. When the probability of LNG tank car derailment is understood, better decisions can be made regarding the crashworthiness, placement, and operation of rail cars and the potential consequences from an LNG release due to a derailment. Further study for modeling the probability and consequences of transporting LNG by rail and truck will help decision-makers understand public risks and make informed decisions.” “Risk Assessment of Surface Transport of Liquid Natural Gas”, prepared for U.S. DOT Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety prepared by Cambridge Systematics, Inc. with MaineWay Services, LLC, Rutgers University, Transport Analytics, LLC., ScienceSmith LLC, March 20, 2019. P. ES-9.

<sup>14</sup> Delaware Riverkeeper Network, <https://www.delawareriverkeeper.org/taxonomy/term/1174>



Jersey and by conducting a public health and safety analysis, a quantitative risk assessment, and a comprehensive environmental review of the potential impacts to communities and the natural environment in New Jersey.

3. The [Township/County/District] calls upon Governor Murphy to rescind state permitting of the Gibbstown Logistics Center Dock 2 based on the lack of comprehensive, full and fair review of the potential public health and safety and environmental impacts of this project.
4. That an official copy of this resolution be filed with the Delaware River Basin Commission, 25 Cosey Road, P.O. Box 7360, West Trenton, NJ 08628-0360 and that copies are sent to the voting members of the DRBC at their respective locations: the Governors of Pennsylvania, New Jersey, New York, and Delaware and the U.S. Army Corps of Engineers.
5. That an official copy of this resolution be filed with New Jersey State Governor Phillip D. Murphy, PO Box 001, Trenton, NJ 08625

ADOPTED: December 1, 2020

ATTEST:

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Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

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Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

BOROUGH OF HIGHLAND PARK  
NO. 12-20-321

RESOLUTION: Finance Committee

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highland Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution, and the required affidavit to said Board to show evidence of said compliance.

ADOPTED: December 1, 2020

ATTEST:

\_\_\_\_\_  
Joan Hullings, Borough Clerk

I, Joan Hullings, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Joan Hullings, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Fine				
Foster				
George				
Hale				
Kim-Chohan				

**BOROUGH OF HIGHLAND PARK  
NO. 12-20-322**

**RESOLUTION: COUNCIL AS A WHOLE**

**WHEREAS**, during the winter months when a Code Blue emergency is declared, the Borough of Highland Park wishes to provide a warming shelter in order to protect the health, safety and welfare of residents in need of said shelter; and

**WHEREAS**, the Borough has also experienced other instances during the year when an emergency shelter is necessary for the Borough residents whose homes or apartments may have sustained damage from severe weather incidents or a fire; and

**WHEREAS**, the Borough owns 212 Raritan Avenue which contains an apartment which could serve as the Borough's emergency shelter; and

**WHEREAS**, the Reformed Church of Highland Park Affordable Housing Corporation, a nonprofit corporation of the State of New Jersey, has assisted in the past providing shelter to Borough residents and have offered to oversee and administer 212 Raritan Avenue as the Borough's emergency shelter.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park as follows:

1. The Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to enter into an Emergency Shelter Program Agreement with the Reformed Church of Highland Park Affordable Housing Corporation to administer and oversee the use of 212 Raritan Avenue as the Borough's emergency shelter. The Agreement offered by this Resolution is on file in the Office of the Municipal Clerk and may be inspected during regular office hours.
2. A certified true copy of this Resolution shall be furnished upon its adoption to the Reformed Church of Highland Park Affordable Housing Corporation, 19 S. Second Avenue, Highland Park, New Jersey 08904.

ADOPTED: December 1, 2020

ATTEST:

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Joan Hullings, Borough Clerk

I, Joan Hullings, Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough on the 1<sup>st</sup> day of December 2020.

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Joan Hullings, Borough Clerk

**RECORD OF COUNCIL VOTES**

Council Member		Ayes	Nays	Abstain	Absent
Fine					
Foster-Dublin					
George					
Hale					
Kim-Chohan					
Canavera					

**BOROUGH OF HIGHLAND PARK – REFORMED CHURCH OF HIGHLAND PARK  
AFFORDABLE HOUSING CORPORATION  
EMERGENCY SHELTER PROGRAM AGREEMENT**

This Agreement entered into on this 1<sup>st</sup> day of December 2020, by and between the Borough of Highland Park, a municipal corporation of the State of New Jersey, having its principal offices located at 221 S. Fifth Avenue, Highland Park, New Jersey 08904 (hereinafter referred to as the “Borough”) and the Reformed Church of Highland Park Affordable Housing Corporation, a nonprofit corporation of the State of New Jersey, having its principal offices located at 19 South Second Avenue, Highland Park, New Jersey 08904 (hereinafter referred to as “RCHP-AHC”).

**WITNESS**

**WHEREAS**, the Borough wishes to provide an available shelter to residents needing assistance when a winter Code Blue emergency is declared and a warming shelter is needed; and

**WHEREAS**, the Borough also wishes to provide temporary housing on an as-needed basis during severe weather incidents or fire damage which renders a residence uninhabitable; and

**WHEREAS**, the Borough is the owner of real property located 212 Raritan Avenue which has an upstairs apartment which is currently vacant but is maintained by the Borough; and

**WHEREAS**, RCHP-AHC is an experienced nonprofit that has, in the past, offered assistance to the Borough to operate and manage on a year-round basis an emergency shelter; and

**WHEREAS**, the Borough has determined that the apartment located at 212 Raritan Avenue is currently not needed for any other public use other than for an emergency shelter use.

**NOW, THEREFORE**, in consideration of \$10.00 and good and other valuable consideration and the mutual promises set forth hereinbelow, the Borough and RCHP-AHC agree as follows:

1. The Borough agrees to designate the apartment located at 212 Raritan Avenue as an emergency shelter to be utilized to house Borough residents as an emergency shelter during Code Blue emergency declarations during the colder months and year-round to be utilized as an emergency shelter by residents who may have had their residence storm damaged, damaged by fire or other act of god.
2. The Borough hereby designates RCHP-AHC to oversee the operation of the emergency shelter referenced hereinabove. RCHP-AHC shall train and assign a residential manager who may reside in the apartment when it is not in use as an emergency shelter and oversee the operation of the apartment when it is in service as an emergency shelter.
3. RCHP-AHC, in consultation with the Borough Administrator, will be responsible for determining when Borough residents shall be permitted to utilize the above-referenced apartment for temporary shelter. Only residents who have requested emergency shelter through either RCHP-AHC or the Borough shall be permitted to utilize the emergency shelter once approved. The apartment shall not be utilized as a walkup shelter but rather the individual wishing to utilize the shelter must contact either RCHP-AHC or the Borough within a reasonable period of time prior to actually taking occupancy of the shelter.
4. The use of the aforementioned apartment shall commence as an emergency shelter on December 1, 2020 and terminate on November 30, 2021.

5. RCHP-AHC shall quarterly submit a report to the Borough Administrator setting out the use to which the shelter was put during the previous quarter and an affirmation of the continued tax exempt status of RCHP-AHC as a nonprofit corporation pursuant to both federal and state law.

IN WITNESS WHEREOF, the parties have hereunto set their hand and seal the day and date first written above.

BOROUGH OF HIGHLAND PARK

\_\_\_\_\_  
Joan Hullings, Municipal Clerk

By: \_\_\_\_\_  
Gayle Brill Mittler, Mayor

REFORMED CHURCH OF HIGHLAND PARK  
AFFORDABLE HOUSING COPORATION

\_\_\_\_\_  
, Secretary

By: \_\_\_\_\_  
, President