

REGULAR MEETING – APRIL 6, 2021

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, April 6, 2021, and was called to order by Mayor Brill Mittler at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 6, 2021. In addition, notice of this meeting via zoom was faxed to The Home News Tribune and emailed to The Star Ledger and the Highland Park Planet on April 1, 2021 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ on March 12, 2021 and has remained continuously posted as required by law.

Present: Mayor Brill Mittler; Councilpersons Foster (7:09 PM), George, Hale, Hersh, Kim-Chohan; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: Councilperson Canavera.

Mayor Brill Mittler read proclamation for Sexual Assault Awareness Month/Denim Day.

On motion made by Councilman George, seconded by Councilman Hale, the minutes of the Regular/Work Session Meetings held March 2, 2021 and March 16, 2021, were approved, as distributed, by the following roll call vote, to wit:

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

Abstain: None.

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

Councilman Hersh reported that he is pleased that the World War I Memorial Statue, otherwise known as the Doughboy, will be restored by Memorial Day. This is due to the efforts Highland Park Historical Commission, Emma Missey and Teri Jover. They found a company that will repair the doughboy statue and replace it on its pedestal at Woodbridge Avenue and Raritan Avenue. 2020 was a terrible year for many reasons and it was the year that the doughboy fell. 2021, however, will be the year that the doughboy takes its rightful place in the center of town and he is excited about that. It is an icon that represents community pride. On the consent agenda, they will be approving a resolution for the July 4th fireworks to take place on Thursday, July 1st with a rain date of Monday, July 5th. Stay tuned to see how this wonderful outdoor community event will take place with the proper safety precautions in place. The Borough's deepest condolences go out to the family of Middlesex County Commissioner Deputy Director Ken Armwood who passed away suddenly on March 29th. Ken Armwood was a lifetime public servant. He was elected to the Piscataway Board of Education at the age of 19 and served on his town Council. Anybody that met him knew that he was committed to public service and he would greet any challenge optimistically and enthusiastically. He was a real friend to those who knew him and it is a big loss for Middlesex County. He was a friend to Highland Park and had a focus on Economic Development. He educated youth to get on track either in the workforce or in college and he took his talents to East Brunswick as the Economic Development Director. He believe in growing local economies through human capital from the ground up and he lived is life through that lens and through the lens of public service and we will miss him dearly. He offered congratulations to Chanelle C. McCullum who was appointed to the Board of Commissioners yesterday. She comes from the Piscataway Township Council also.

Councilwoman Kim-Chohan reported that tonight the Borough Council will be voting on their 2021 municipal budget and the Borough Administrator will be doing her annual budget presentation. She thanked the amazing group of volunteers in town working day and night to book our residents for vaccines. They are doing incredible work. She and her husband received their first dose thanks to their help. Their efforts to get Highland Park one-step closer every day to a healthier community are really appreciated. She thanked the HP Chinese Association, At Those New Brunswick and Anti-Racism Association for hosting a stop Asian hate rally last month. It felt remarkable to see all of our Asian residents and allies coming together supporting each other. The Governor held an Asian American roundtable with Elected Officials throughout the State. There was a lot of discussion on getting the word out on what is a report within the community. One of the things we tend to overlook was cybercrimes and where to report them. This past week we had a tragic loss of County Commissioner Kenneth Armwood. She and Councilwoman Foster attended the services. He will be deeply missed. April is National Financial Literacy month. A goal for this month is to encourage people to determine their financial weaknesses and develop a budget. She is sure that she is not the only one that received the substantial credit card bill this time last year because we were on lockdown and that was a big wake-up call to her on the amount of time she was shopping online and spending a lot of money. Try to make some time to look over your finances this month.

Councilwoman Foster reported that Kenny Armwood was a dear friend and huge supporter of the Caribbean community. This year would have been the sixth year that he would have served as Grand Marshall for the Caribbean Festival. He lived many lifetimes in his short tenure here on earth and he did some amazing things for everyone across the spectrum. Yesterday, his former high school friends spoke and talked about the caliber of the person that he was and how he was a true advocate for all. She will be missing her dear friend. They are going to be doing a celebration of his life and there is a lot more things that they are going to be doing. Today, there was an active fire in town and unfortunately, we lost one of the homes. The Fire Department is still on the scene along with the Police Department, First Aid Squad and Office of Emergency Management. Representatives from the Construction Office, Middlesex Water and the County Fire Marshall's office were also on the scene. Highland Park had mutual aid from Fire Departments in Edison, New Brunswick, Franklin, Piscataway, East Brunswick, North Brunswick and South Plainfield. They all came to assist and Highland Park is extremely grateful that no one was hurt in the fire. Things can be replaced, but people cannot be replaced. The landlord is going to be providing shelter for those people who are misplaced. She prays that they will work through finding permanent residences soon and that whatever can be salvaged from the homes that were not burned down will be able to be salvaged.

The Police Youth Academy is coming up and anyone who has not had an opportunity to sign up should do so soon. This month is Autism Awareness Month and the Police Department is going to be doing something special.

Councilman Hale commented about the passing of Kenneth Armwood. He was involved with Economic Development in East Brunswick and he was also involved with Economic Development for the county. When he became the Council Liaison for Economic Development in Highland Park he reached out to Commissioner Armwood and he was gracious and offered assistance and support to point him in the right direction. He thinks it is important to recognize a life of service and it really was a life of service. He was elected at age 19 and never left public service and he thinks that is pretty impressive. Highland Park has fantastic volunteers and we need to say thank you to the fantastic people who are helping our community in so many different ways. He wanted to add his thanks to the staff that we have for the budget process and the redevelopment process. It is a lot of work and there is a lot of time and effort put into it. He thanked all of the first responders who came out for the fire today and everybody who helped out with that. He wanted to reach out and thank Ed, Lori, Chief Abrams, Jennifer, Joan, Emma, Chris, Joe and all of the folks who have been working on that and, of course, Teri Jover.

Councilman George reported that he joins with his fellow Councilmembers in expressing condolences to the family of Commissioner Armwood. He had the privilege of working with him in Piscataway over the years. Since then, he has reached out to him a number of times with questions related to programs that they could make work. Councilwoman Kim-Chohan mentioned the volunteers who are working toward getting bookings for vaccinations. He would like to make a special thank you to them. He was on the State register list and the hospital lists waiting for a vaccine. He got reminders that they would get to him soon and he was getting frustrated. He reached out to Abby Stern Cardinale and within two hours, he had an appointment and within 24 hours, he had his first vaccination. Those volunteers have expressed that they will not accept anything for doing this volunteer work for the residents and he asked them if he could make a donation in their name. He will make an electronic donation of \$100 to the charity of their choice, which is the Food Pantry. He thanked the volunteers – Abby Stern Cardinale, Grace Yen, Nayla Caruso, Erica Oeringer, Laura Christensen, Eric Lipton, Amanda Potter, Tamaguina Hasra, Rose and Mark Tripodi De Lorenzo, Jenny Chapman and Rebecca Hersh. They remind him of his college age teenager who can do anything technical except clean his room. How they accomplish what they do, he does not know, but he is pleased to make a donation in their name. Anyone else who has been helped by them should consider making even the smallest of donations. There are a number of large trucks that are working on jetting the sewers right now. It is part of the Middlesex Water Contract. There is no particular emergency, but as part of our program of upgrading and inventorying our infrastructure, they are jetting all of the sewers in order to determine their validity. Later, they will be checking the flows. The downtown stretch of Raritan Avenue has been paved and the project was completed in a timely fashion. The Department of Public Works has started the bulk trash pickup for April and May. The telephone number to sign up is available on the Borough website. The Snowplow Evaluation Committee had hoped to complete their review by March 31st, but did not due to a number of Council members that were unable to attend the Public Works Meeting. They hope to bring together all the individual parts that they have been working on and finalize at their meeting, which will take place the week after next. On tonight's agenda, there is a grant request and authorization for the Environmental Commission for a grant for \$1,500.00 for maintenance at the Meadows Trail. The Meadows Trail and the Native Plant Sanctuary have opted to go more with maintenance this year instead of planting. This will hopefully improve the conditions and make planting more viable next year. He attended the Library Board of Trustees Meeting last week and they discussed the second round library bond program. The new Director of the Library feels that some changes in trajectory from last year's bid submission need to be made. He reminded everyone on Council and the residents that one condition of the program is that the Borough Council will match in bonding or contribution of 50%. The Executive Director is working with their Architect, who was assisting with the plan last year, in putting together a revised plan. They are going to focus more on the experiences that we have all gone through in the last year with more electronic information as well as getting residents back in, but using computers more fully and making internet access and learning more accessible.

Borough Administrator Jover reported that the Council Redevelopment Entity will meet on April 13, 2021 at 7:00 PM via Zoom to present the draft Redevelopment Plan to the public.

Borough Attorney Schmierer – No report.

Mayor Brill Mittler asked for a moment of silence in memory of Kenneth Armwood, Deputy Commissioner Director. She reported that at the end of March 2021, Highland Park had a pandemic-to-date total of 948 positive cases reported. That is approximately 6.8% of our population. The total number of new cases reported in March was 147, the third highest monthly total to date. There have been 15 new cases so far in April (4/1-4/5). According to County information, to date, 2,270 residents have received full vaccinations. That is approximately 16.2% of our population. We still have a long way to go to reach our goal of 70% vaccinations. If you would like assistance with appointments, please call Kim McGraw at the Community Center at 732-819-0052. It is particularly difficult for our seniors to arrange for vaccinations. Today, she received confirmation that the Middlesex County Department of Health will be vaccinating senior residents of our Senior Housing building on Thursday. Registration for senior residents of the building is underway. Please remember that while the end of this pandemic is feeling much closer, it is not here yet. Continue to wear a face covering when you leave your home. Wash your hands often. Maintain 6' of social distance from others outside your immediate family. We are in the home stretch. Let us not mess it up now. As this week is the week in which Yom HaShoah falls, the date set internationally to commemorate the Holocaust, and this week also follows Women's History Month, she wanted to share the story of one inspiring woman, a Holocaust survivor who lives in Highland Park. Her name is Ruth Bickhardt. Many residents may know Ruth as she is a frequent attendee at in-person Mayor and Council meetings, who is unafraid to share concerns about conditions in town, yet always respectful when she does. We value her input and participation in these meetings. What some may not know is that Ruth lived through some harrowing experiences in her youth. She grew up in a traditional Jewish family, living in Germany, where her father was a partner in a boot manufacturing business. After Kristallnacht, her father was arrested and

the family realized they had to leave the country quickly. Ruth's father applied for papers to immigrate to Palestine and was informed that they had been granted. He learned when he went to pick up the papers that someone else had bribed the official to get the documents. Her father then went to Cuba and applied for a visa for the family to the US. Meanwhile, Ruth, her mother, and her brother got on the German ocean liner, the St. Louis, which was supposed to take them along with hundreds of other Jews to safer shores. They got on the boat in May 1939 and suffered disappointment as they were denied permission to disembark in Cuba, the United States and Canada. She recalled that the boat was so close to the Florida coast that you could count the cars on the roadway, yet they were refused entry. Eventually, England, France, Belgium and Holland agreed to take some of the refugees and Ruth, her mother and her brother Hans ended up living in an inn in Marseilles, France. While there, they found an unlikely benefactor in the wealthiest and best educated man in the village, who made arrangements for the family to work on his estate when war broke out and the Jews were supposed to stay at home under house arrest. Her family eventually found its way to Cuba and then later to the US, where Ruth enrolled in the public school. Her parents searched for work and were advised to become chicken farmers in South Jersey, which they did. She finds it particularly remarkable when hearing Ruth's story, which she had the privilege to hear in detail, that she has the ability to see and clearly state, beyond the persecution the Jews faced, that her family received repeated kindnesses and aid from non-Jews who they encountered. She is unambiguous in recognizing how these strangers were her family's salvation. I also find it inspiring to see how, time and again, Ruth continues to stand up for what she believes in. She is also unafraid to challenge us, all of us, to make her home, our home, Highland Park, a better place for all who live here. Ruth is a Highland Park treasure. Finally, she thanked the Police Department, Fire Department, First Aid Squad and OEM team, led by Jim Polos, for their valiant work in controlling and extinguishing the fire on Raritan Avenue this afternoon. Through joint efforts, including resident volunteers, (shout out to Eileen Romano, Kelly and Megan for supplying coffee, water and Gatorade), and our surrounding towns (Edison, New Brunswick, Piscataway and South Plainfield) fire departments who came in to assist our own department. She also wanted to thank the folks at Papagallo's Restaurant for the dozens of pizza pies they delivered for our first responders. Thankfully, no one was injured. Our Administration made arrangements to house a family that might need temporary lodging. HP Gives a Hoot stands ready with additional support. Today's cooperation between our own Public Safety Teams, our neighboring municipalities, our residents and our volunteers clearly demonstrated, once again, that when one of our residents needs help the rest of Highland Park stands ready to work.

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.

Mary Forsberg, 317 Denison Street, commented that she lives within blocks of two houses that have been on fire recently. She asked how the Borough plans to deal with fire problems if they building four and five-story houses/apartment buildings. She asked if there are agreements for shared services for bringing in neighboring fire departments for assistance. She also asked if there is a cost for them to come to the Borough. She has heard that the Volunteer Fire Department is understaffed and she is worried about fire safety. She referenced the closure of North 3rd Avenue and the fact that fire trucks had trouble navigating that turn. Mayor Brill Mittler noted that they have an agreement with all surrounding municipalities called mutual aid and they all help each other out whenever there is a fire in the area.

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

The Clerk reported that the 2021 Municipal Budget and Tax Resolution were introduced in writing by the Finance Committee for consideration of passage on first reading. Copies of the full text will be available at the Highland Park Public Library and Borough Hall. The full final budget as adopted and approved will appear in the minutes of the meeting at which the budget is finally adopted.

Borough Administrator Jover explained a power point presentation depicting a pie chart of all the taxes the Borough is responsible for collecting. She explained that the total tax levy, the amount to be raised by taxes, includes 61% for the schools, 27% for municipal purposes, 10% for the County, 1% for Middlesex County open space and 1% for the Library, is \$50,039,999.55. The average property tax bill is \$12,369.69 or \$1,030.81 per month. Your tax bill is broken up as follows: \$629.00 per month to the schools; \$117.32 to the County, including open space; \$9.67 per month to the Library; and \$274.82 per month to the municipality. The municipal share makes up 27% of the pie chart and is approximately \$3,300.00 per year or \$275.00 a month out of your overall tax bill for the average residential assessment. There is a million dollar increase from 2020 to 2021. The municipal budget is \$17,573,100.72 and encompasses 28% for public safety, 19% for general services and administration, 17% for public works, 10% statutory, 10% insurance, 10% capital improvements and debt and 6% library. There is a statutory amount that the Borough must contribute to the library and they Borough contributed an additional \$612,203.84 to support programming. From 2020 to 2021, the municipal budget increased by approximately \$686,000.00, which is about a 4% increase. The Borough will receive a \$200,000.00 grant for their micro grid phase II project. One of the areas that increased significantly was staffing for the Fire Department at the recommendation of the Public Safety Committee. Pension costs have increased as well as debt service and health insurance. The increase in the amount to be raised by taxes is \$341,929.31. The total water & sewer utility budget is \$5,335,728.00. Key projects for 2021 is the cleaning/TV inspection of the sewer system, GIS mapping of the water system, asset management plan, system risk assessment/plan and a meter replacement program.

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, the 2021 Municipal Budget and Tax Resolution were duly adopted on first reading by the following roll call vote, to wit:

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.
 Opposed: None.
 Abstained: None.

Absent: Councilperson Canavera.

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

No. 4-21-100

Municipal Budget of the Borough of Highland Park, County of Middlesex for the Year 2021

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Neptune, N.J. in the issue of April 16, 2021.

The governing Body of the Borough of Highland Park does hereby approve the following as the Budget for the year 2021:

General Appropriations

Appropriations Within "CAPS"

Municipal Purposes \$14,186,378.00

Appropriations Excluded from "CAPS"

Municipal Purposes 3,186,722.72

Reserve for Uncollected Taxes – Based on

Estimated 99.60 Percent of Tax Collections 200,000.00

Total General Appropriations 17,573,100.72

Less: Anticipated Revenues Other Than Current

Property Tax 3,762,971.55

Difference: Amount to be Raised by Taxes

For Support of Municipal Budget:

Local Tax for Municipal Purposes Including

Reserve for Uncollected Taxes 13,340,854.01

Minimum Library Tax 469,275.16

Water & Sewer Utility Operating Fund:

Total Water & Sewer Utility Revenues \$5,335,728.00

Total Water & Sewer Utility Appropriations \$5,335,728.00

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on April 6, 2021.

A hearing on the Budget and Tax Resolution will be on Tuesday, May 4, 2020 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons.

Due to the COVID-19 pandemic and pursuant to the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-8(b), this meeting will be held by means of the use of electronic communications equipment. The public may participate by phone by dialing 1 (929) 205-6099 and entering in Webinar ID 917 5801 8409 or by computer/smart device via the following link: <https://us02web.zoom.us/j/91758018409>.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE AMENDING ON-STREET PARKING REGULATIONS FOR RESIDENCES OCCUPIED BY PERSONS WITH DISABILITIES AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 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 Councilwoman Foster, seconded by Councilman George, 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 Councilwoman Foster, seconded by Councilman George, the ordinance entitled as above, being Ordinance No. 21-2021, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

Abstain: None.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman George, seconded by Councilman Hale, and carried by unanimous affirmative voice vote:

No. 4-21-101

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "AN ORDINANCE AMENDING ON-STREET PARKING REGULATIONS FOR RESIDENCES OCCUPIED BY PERSONS WITH DISABILITIES AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK", 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.

The Clerk reported that 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), had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

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

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

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

No. 4-21-102

WHEREAS, 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)**, 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, May 4, 2021 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. 4-21-103 through 4-21-113 were duly adopted on motion made by Councilman George, seconded by Councilman Hersh, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

Abstained: None.

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

No. 4-21-103

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief of Police and the Mayor are hereby authorized and directed to execute the Memorandum of Understanding between the Borough of Highland Park and Middlesex County Prosecutor's Office for use of the Specialized Investigative Law Enforcement Equipment for a period of January 1, 2021 to December 31, 2021 attached to the original of this resolution.

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

No. 4-21-104

BE IT RESOLVED by the Borough Council of Highland Park of the Borough of Highland Park that the Mayor is hereby authorized and directed to sign the contract agreement with Garden State Fireworks for the Fireworks Display to be held on Thursday, July 1, 2021 with a rain date of Monday, July 5, 2021.

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

No. 4-21-105

WHEREAS, Sustainable Highland Park would like to apply for a \$20,000.00 grant from Sustainable Jersey & PSEG to fund an initiative to wrap traffic control boxes on Raritan Avenue to improve Highland Park's downtown; and

NOW, THEREFORE, 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 and submit, on behalf of Sustainable Highland Park, the grant application to Sustainable Jersey, a copy of which is attached to the original of this resolution.

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted as above:

No. 4-21-106

WHEREAS, the Borough of Highland Park seeks to repair the Doughboy statue that was damaged in a traffic accident in November 2020; and

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

American Monument Co.	\$9,950.00
Materials Conservation	\$21,500.00
Robert Neal Carpenter	\$10,000.00

and

WHEREAS, the Borough Administrator's Office has recommended that said services be obtained from American Monument Co., Englewood, NJ based on their quote for same and their professionalism and quality of work; and

WHEREAS, funds are available for this purpose in Account No. 1-01-26-310-232 upon adoption of the 2021 municipal budget, as reflected by the certification of funds available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized and directed to accept the quote for repair and reinstallation of the Doughboy statue from American Monument Co., 479 No. Dean Street, Englewood, NJ 07631, at a cost not to exceed of \$9,950.00; and

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

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

No. 4-21-107

WHEREAS, the Borough of Highland Park was selected to receive funding for intersection safety improvements through the Safe Routes to Schools (SRTS) Phase II grant program; and

WHEREAS, the Borough wishes to utilize the same Responsible Charge and Administrative Procedures, adopted on April 21, 2020, for the administration of this grant as its using for its Phase I grant; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is authorized to move forward with administering the abovementioned grant utilizing the same Responsible Charge as Phase I and procedures outlined in the April 2020 Administrative Procedures Manual.

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

No. 4-21-108

WHEREAS, the Environmental Commission would like to apply for a \$1,500.00 Open Space Stewardship grant from ANJEC (Association of New Jersey Environmental Commissions) to fund ongoing maintenance and improvement of the Meadows Trail and the Meadows natural area;

NOW, THEREFORE, 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 and submit, on behalf of the Environmental Commission, the grant application to ANJEC, a copy of which is attached to the original of this resolution.

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted as above:

No. 4-21-109

WHEREAS, the Historical Commission desires to update the National Register for Livingston Historic District and to survey buildings along the Raritan Avenue & Woodbridge Avenue commercial corridor; and

WHEREAS, the New Jersey Historical Trust (NJHT) has funds available for these initiatives in their Preserve New Jersey Historic Preservation Fund; and

WHEREAS, the Historical Commission wishes to apply for a grant from the NJHT in the amount of \$39,375.00; and

WHEREAS, NJHT requires a 25% cash match from applicants, which amounts to \$13,125.00, which will be made available in the Historical Commission’s 2022 budget should they be selected for this grant; and

NOW, THEREFORE, 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 and submit, on behalf of the Historical Commission, the grant application to NJHT, a copy of which is attached to the original of this resolution.

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

No. 4-21-110

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.

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

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

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

1. The Borough Council of the Borough of Highland Park does hereby authorize submission of a strategic plan for the Highland Park Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$ 7,664.00
Cash Match	\$ 1,916.00
In-Kind	<u>\$ 5,748.00</u>

2. The Borough Council of the Borough of Highland Park acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

No. 4-21-111

WHEREAS, the Borough of Highland Park is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at www.govdeals.com and also available from the Borough Clerk’s Office in the Borough of Highland Park.
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com.

- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached to the original of this resolution.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Highland Park reserves the right to accept or reject any bid submitted.

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

No. 4-21-112

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 5, 2021 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:

SEAN BIBBY, Police Officer, at an annual salary of \$103,193.00, effective June 11, 2021.

ANDREW BERARDO, Firefighter Supervisor, at an annual salary of \$19,360.00, effective January 1, 2020.

ANDREW BERARDO, Firefighter Supervisor, at an annual salary of \$19,747.00, effective January 1, 2021.

ANDREW SCHWARTZ, Fire Department LOSAP Administrator, at an annual salary of \$400.00, effective January 1, 2020.

RICHARD ABRAMS, Police Chief, retroactive payment of \$851.67 for January 1, 2019 through April 16, 2019.

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

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

No. 4-21-113

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

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

The bills approved for payment at this meeting, Bills List 4/6/2021 can be found in the Bills List Journal Book No. 41.

Mayor Brill Mittler appointed the following to serve as Regular Members of the Human Relations Commission for terms to expire April 17, 2024:

- Tracy Cangiano
- John Adler
- Doreen Moore

Mayor Brill Mittler appointed the following to serve as Regular Members of Human Relations Commission for terms to expire April 17, 2023:

- Micheale May
- Wenjing Wang

Mayor Brill Mittler appointed Eric Canavera to serve as the Alternate #2 Member of the Human Relations Commission for a term to expire April 17, 2024.

Mayor Brill Mittler appointed Hayden Hsiung to serve as a Regular Member of the Mayor’s Equity Advisory Committee for a term to expire December 31, 2021.

Mayor Brill Mittler appointed Tina Weishaus to serve as a Regular Member of Sustainable Highland Park for a term to expire December 31, 2021.

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

Ayes: Councilpersons Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

Abstain: None.

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.

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

Work Session:

Affordable Housing Update – Borough Administrator Jover noted that the Governing body received an interim report from our Affordable Housing Attorney, Michael Edwards, of Surenian, Edwards and Nolan. She and the Mayor met with Mike Edwards to discuss the memo and he is feeling very encouraged about the Borough’s status right now in terms of our compliance with our fair share housing settlement agreement. We are going to need to submit a monitoring report in mid-July as we did last year. They briefed him on any development going on and how it is intended to be inclusionary, but is not included in our settlement agreement. We are going to show the State Fair Share group that the Borough is on the right track to meeting and hopefully exceeding our obligations. We are going to be monitoring our affordable housing projects in town to make reporting that much easier. The Borough does have an Administrative Agent who helps with that. CGP&H, our Affordable Housing Planner, helps to keep us on track and so does our Attorney. Round three ends in July of 2025.

Boards/Commission Protocol – Mayor Brill Mittler noted that due to Covid-19 they did not hold their annual get together with the Chairs and Vice Chairs of the Boards/Commissions. There are certain regulations that are required and that have fallen through the cracks. She has asked the Borough Attorney to prepare a summary of what the protocols are for the Boards/Commissions. The summary was distributed to the Governing Body and she will be relying on the Council Liaisons to reinforce these protocols with each of their Committees/Commissions. Borough Attorney Schmierer advised that his office put together a handbook so that volunteers know the protocol and role that they are following. A question was brought up about whether or not the separate boards/committees/commissions could adopt resolutions, which would comment on any public policy issues. The answer to that question is generally no, although the Borough does have a Planning Board and a Zoning Board that are independent and they adopt resolutions when they approve things. For the most part, it all has to come through the liaisons from the various boards/commissions back to the Council, which is the entity that would adopted those resolutions. The first part of the handbook is a welcome and a thank you to all the folks that staff the various boards/committees/commissions and points out to them the valuable work that they do and how the Borough could not function without having volunteers. On page two they highlighted the primary mission of most of the boards/committees/commissions is to be advisory to the Governing Body. They are supposed to pass their recommendations up about legislation or any other issue, which is burning in the public sector to the Governing Body for action. The boards/committees/commissions do not make policy decisions. The handbook continues to provide direction to a Board Chair on how to conduct the operation of that entity. They suggest that the Chair be instrumental in putting together the agenda and presiding over the meeting. They also talk about the Secretary and that boards/committees/commissions be timelier with the production of minutes so that they can be posted and made available. They are encouraging the Secretary to take the minutes and make sure that they put those before the board not longer than 60 days after the regular board/committee/commission meeting so that they are timely and that we can adhere to the Open Public Meetings Act and the Open Public Records Act requirements. They mention Council Liaisons so that the volunteers understand that that is how they get their message up the chain to the Governing Body. The relationship to the Mayor and Council and Staff interaction is mentioned in the handbook. It is noted that the boards/committees/commissions have no authority to supervise or direct Department Heads, but will get support from those departments. The handbook goes on to outline the general communications policy and the website and social media policy. We caution the members of the boards/committees/commissions, as they cannot speak for any of the entities that they volunteer for unless they are authorized to do so or unless they are the Chairperson and have been authorized by the board/committee/commission to speak. Individual members of these groups can voice their own person comments about matters but they cannot speak for the board/committee/commission. They have to understand that they are a part of an entity that together makes the decisions and recommendations, they cannot unilaterally make statements as a member of that group, and they have to be very cognizant of that because they can be misstating positions that the Borough has not even considered. We also mentioned that they can voice their own position but that they have to be careful not to speak for the board/committee/commission. We encourage them and invite them to utilize the borough website and other social media platforms that are available to them to post their agenda and their issues related to their mission and to solicit input from the public. By doing that, we also warn them that they should not be using their own social media platforms for discussing borough business that they are volunteering to oversee. The Borough receives a lot of OPRA requests and the Clerk's Office has to scour everything to pull the requested information that was discussed. If people are using their own social media platform to speak about Borough business, it is impossible for the Clerk's Office to know that. We encourage them to understand that they should work through the official Borough platforms to get their word out and let people know what they are doing. They should not use their own personal media platform as that gets us in trouble in terms of trying to respond to OPRA requests. Mayor Brill Mittler noted that if any board/committee/commission wants to get the word out on something, they can reach out to Harry Glazer who will then make sure it gets posted on the Borough's Face book page. Borough Attorney Schmierer agreed that Harry does a wonderful job in representing and getting the word out for the boards/committees/commissions and for the Governing Body. The Handbook goes on to talk generally about how to get organized, get things done and how to get your members to attend. If you are going to volunteer, you should have a commitment to attend the meetings. We advise that the boards/committees/commissions advise the Clerk's Office of the meeting dates even when we do not have a requirement under the Open Public Meetings Act to publish a notice. The notices can then be posted on the Borough website on a monthly basis. The handbook talks about meeting procedures, courtesy decorum and how the Open Public Meetings Act works. We tell them that they have the ability to go into closed or executive sessions, but most of the boards/committees/commissions do not really need to do that very often. We talk about quorum requirements and rules of procedures. They outline what an agenda should look like, how minutes should be prepared and how the various meetings should be run. They advise them about the code of conduct, which is basically, the local government ethics law and they highlight some of the standards in there. If there is a potential conflict they should get advice from the board/committee/commission attorney, if there is one, or check with the Borough Attorney. There is an acknowledgement at the end of the handbook that the volunteers have received a copy and that acknowledgement should be signed and sent back to the Clerk's Office. Councilman Hale thanked the Borough Attorney for putting this together. He thinks it is going to be very helpful for the boards/committees/commissions. He asked if there was a place in the handbook that addressed reporting changes in the boards/committees/commissions. He noticed that often the Clerk's Office is not made aware of changes and has a hard time keeping track of membership. He asked if a board/committee/commission has a zoom meeting if that could be considered as the meeting minutes because some groups struggle to provide accurate minutes on a regular basis. Borough Attorney Schmierer noted that they could add language in the meeting procedures section to keep the Clerk's Office informed of membership changes. He will look into whether zoom meeting tapes can constitute minutes but believes minutes still need to be produced. They will need to better educate the secretaries of the boards/committees/commission on the preparation of minutes. They should be a succinct summary of what took place at the meeting. The Board Secretary should be able to do a half page of minutes. He thinks that we are moving towards the law reflecting that a zoom tape could constitute something for minutes, but not everyone has access to computer networks. Borough Administrator Jover appreciated that he put this together but she has a

version of this but did not realize he was putting this together and would have shared her version. They do not do it every year, but they convene the chairs and review procedures with them. He has done a good job on some of the technical stuff but there are also things they need to know with respect to budget requests and other things. She wondered if these documents could be combine so that it is easier for the boards/committees/commissions to use and she is willing put some time into margining these documents. Mayor Brill Mittler noted that the reason the Borough Attorney is working on this is because we have not had those meeting and some boards/committees/commissions have been functioning in ways that are not advisory and they need to make sure that they understand that their Council Liaison would take their recommendations to the appropriate Council Committee and then to a Work Session of the Governing Body for discussion and possible action. She thinks it is a good idea to eventually merge the two documents but for the short term, she wants to make sure that the Council Liaisons can quickly communicate to their committees what their roles are. Councilwoman Kim-Chohan asked if there would be anything in this handbook about missing meetings. Borough Attorney Schmierer noted that they can add something about that to the handbook. Some of the boards/committees/commissions handle that differently under the Land Use Law. There is nothing quite that technical for most of the other boards/committees/commissions. Under the quorum section they would add some provision to say that if there is a member or members who regularly do not attend meetings, they could be removed by the rest of the board subject to statutory requirements. This would not apply to members who miss meetings due to an excused absence.

The following resolution, introduced by the Council as a Whole, 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 Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: Councilperson Canavera.

Abstain: None.

No. 4-21-114

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

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

1. The public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:
(Redevelopment Negotiations)
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

There being no further business, on motion made by Councilman George, seconded by Councilwoman Foster, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:57 p.m.

Respectfully submitted,

Joan Hullings
Borough Clerk