

REGULAR MEETING – MAY 4, 2021

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, May 4, 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 30, 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 Canavera, Foster, George, Hale, Hersh, Kim-Chohan; Borough Attorney Schmierer; Borough Administrator Jover; Deputy Clerk Santiago.

Absent: Borough Clerk Hullings.

Mayor Brill Mittler read proclamation for Mental Health Awareness Month.

On motion made by Councilman Hersh, seconded by Councilman Hale, the minutes of the Regular/Work Session Meeting held April 6, 2021, was approved, as distributed, by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: Councilperson Canavera.

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

Councilwoman Kim-Chohan reminded residents that May tax payments are now due. The deadlines to file and pay most federal income taxes was extended to May 17, 2021. May is Asian American Pacific Islander month. In 1992, the official designation of May as AAPI heritage month was signed into law. The month of May was chosen to commemorate the immigration of the first Japanese to the United States on May 7, 1843. May is also Jewish American Heritage Month. In 2006, President George W. Bush wanted to proclaim a month that would recognize the more than 350-year history of Jewish contributions to America and the American culture. The hashtag #MyJewishHeritage has been trending on tiktok with 9 million views and counting.

Councilwoman Foster reported that May is Autism Awareness Month. The Police Department has taken great strides and have posted information on their Facebook page. In the past, they had t-shirts printed and wanted to put a decal on one of the cars to bring awareness to people who suffer from Autism. There is a directive number 62 and what that provides is a sensory bag. If a call is made and the Police Department has to respond to a house with someone that suffers from autism, there are common devices that the Officers can provide to bring kindness to a situation. Some of the items in the bag are fidget spinners, headphones, and sunglasses. There are some videos that they have and they will be happy to share those videos on their Facebook page. The Police Department has received more body worn cameras and it will bring about more transparency. The Public Safety Committee has been discussing the deer situation and the Borough Administrator will report further on this matter. Chief Abrams reported that in addition to the sensory bags, which is something brand new that was just instituted this week. They have another directive that they started in the Borough called HP Safe and it is a new program and it is a registry for anyone who has any kind of communication disability in town. It is voluntary if somebody wants to sign himself or herself up or a family member. It contains some detailed information about the person, for example, a current photograph, medical concerns, the best ways to communicate any known stressors or stress reducers and this goes hand in hand with the sensory bags. It provides Officers with quick access to vital information when dealing with anyone who has any kind of communication disability. It will keep things at a calmer level and help everybody stay safe and stay close together and resolve any kind of situations. To sign up, visit the Borough website at www.hpboro.com/hpsafe or look under Police directory on the Borough website and view programs and select HP Safe and download the form and drop off at the Police Department. The information stays confidential and nothing is released until a call involving someone on the registry happens and our computer is smart enough to spit out that information for the Dispatcher to look it up and relay that to the responding Officers. Chief Abrams provided update on Rutgers reviewing traffic stop information. They will be providing a timeline with some benchmarks and they are now crunching the data. They have to now wash some of the stuff that they have with Rutgers' assistance to compare the data that we provided and run that through when Officers were working a regular shift versus an off-duty shift or extra duty when there was a staffing shortage. He is not sure when they will be done with the first stage, but once the first stage is through and they have a system down, the rest of it should not be that long. Councilwoman Canavera asked the Chief if HP Safe would be replacing the Special Needs registry. Chief Abrams noted that this is going to replace what they already had. Safe stands for secure awareness for first encounters. When you do register, not only does the information go on the computer, but they will give you stickers to place on your car or on a window by your front door that will let the Officer know as they approach that someone involved has a communication disability.

Councilwoman Canavera reported that May is National Mental Health Awareness Month. We need to remove the stigma that comes with a mental health diagnosis for all our residents. The Mental Health Commission will be hosting wellness tables at the Library, the High School and the Farmer's Market on May 14, 21 and 28. Please stop by for information on local resources, self-care tips and much more. Anyone with a mental health crisis should reach out for help from the Middlesex County Crisis Hotlines: Rutgers University Behavioral Health Care Hotline: (855) 515-5700 or Raritan Bay Medical Center Hotline: (732) 442-3794. If you are between the ages of 10 and 24, live in New Jersey, and need to talk about an issue or problem that you are facing, call 888-222-2228 anytime or text us at 888-222-2228. The Housing Authority would like residents to be aware of the Middlesex County Emergency Rental Assistance Program. You can learn more about this program by visiting www.middlesexcountynj.gov/rentalassistance. Any

questions can be emailed to mcerap@co.middlesex.nj.us. The Human Relations Commission appointed a new Chair, Norma Goldberg, and Vice Chair, Austin Morreale. These appointments come due to Ashton Burrell stepping down as Chair. Ashton has been a dedicated leader for many years and it was a pleasure to work with him over the years. Thank you Ashton for all your continued service to Highland Park, especially, our children. The Board of Health reminds residents to wear masks at all times when in public and to please keep trying to sign up for the vaccine. Food insecurity is at an all-time high and we have two programs to help. The Community Food Pantry is open the second and fourth Thursday from 9:00 a.m. to 10:45 a.m. and 6:00 p.m. to 7:00 p.m. and the Saturday following from 9:30 a.m. to 10:30 a.m. Donations can be made using their amazon wish list. HP Gives a Hoot Food Pantry is run every Tuesday from 10:00 a.m. to 11:00 a.m. Donations can be made by mailing a check to Borough Hall with a memo that it is for HP Gives a Hoot. Between these two programs, they are serving over 300 families. May 4th is also National Teacher Appreciation Day and she wanted to thank all the teachers out there for all that they do.

Councilman Hersh reported that it is Teacher Appreciation Week and his kid at Bartle School is doing a special project for their teachers. It is also Firefighter Appreciation Day so he thanked them for their service. There is a Star Wars them to May 4th, may the fourth be with you. He acknowledged a few of his favorite songs that were written in the 5'4 time signature; the theme to mission impossible; Radiohead's 15 step and morning bell; xtc's English roundabout soundgarden's my wave. The doughboy statue at the corner of Woodbridge Avenue and Raritan Avenue was taken out by a tractor-trailer last fall. He is happy to report that they have found a contractor to restore the statue and place it back on its pedestal in the center of town. The goal was to have the restoration complete by Memorial Day and we are still on track for that. Covid testing at the Community Center, due to high demand, has extended hours now on Mondays, Tuesdays, Wednesdays and Fridays from 10:00 a.m. to 6:00 p.m. The testing is administered by Ridgewood Lab and they are on site at the Community Center and participants with or without insurance can get tested. Minors are eligible to be tested provided that they have a parent or guardian present. More information on the program can be found at www.hpboro.com. Reservations are encouraged, but walk-ins are welcome. After a comprehensive, aggressive and robust vaccination appointment effort by a stellar team of volunteers and Kim McGraw at the Community Center, Governor Murphy announced that the State's mega sites are now available for walk-in vaccinations. There are other sites like the local Rite Aid where you can get an appointment and get a vaccine. The mega site at Raritan Center in Edison is open seven days a week and they administer the vaccines from 8:00 a.m. to noon. You can find out more information on how to get a vaccine appointment at www.covid19.nj.gov/vaccine finder. Highland Park summer camp scholarships from HP Gives a Hoot were awarded last week to 20 children who will be provided with free weeks of summer camp for income eligible Highland Park residents. He thanked HP Gives a Hoot for always being there when needed. There is another donor fund at the Recreation Center, the Eric and Suzanne Krebs scholarship fund which will award additional scholarships to families who qualify for free and reduced lunch. So far, they have added eight participants, but additional scholarships remain. For more information and to apply email hprecreation@hpbobo.com. You can apply for a scholarship for your own child to attend four free weeks of camp that includes day camp, sports camp or theater camp. It is open to all Highland Park families that qualify for free or reduced lunch. In addition to the 20 four-week scholarships that HP Gives a Hoot is providing, there are additional scholarships available. Highland Park summer camp registrations are now open. You can register at highlandparkrec.com. He congratulated Norma Vargas Greenberg and Austin Morreale for their leadership roles on the Human Relations Commission. Before he was on Council, he was on the HRC and worked closely with them and he is excited for their work as they lead us toward a more equitable Highland Park.

Councilman Hale reported that PSE&G is going to be doing some road work on South Third Avenue and that means that we are temporarily going to have to close the town tables from May 10th to May 12th. The timing for PSE&G is not always so precise. We hope to have the tables back up as soon as the PSE&G work is completed. He wanted to let all the restaurants and restaurant patrons know that the 28.6 billion dollar restaurant revitalization fund and the American rescue plan is open for applications as of yesterday and the SBA is accepting applications. This is an enormous fund designed specifically for restaurants. It is not a loan fund, but a gift fund to keep restaurants open. You can find information at www.sba.gov for a list of funding programs. The Highland Park Farmer's Market is back up and running on Fridays from 11:00 a.m. to 4:30 p.m. He heard that there is a distillery that is selling items at the Farmer's Market and he thinks that is quite exceptional. Today is happy star wars day and if you celebrate star wars, then the fourth be with you.

Councilman George reported that PSE&G is working on the South 2nd Avenue and they will be starting on South 3rd Avenue by the town tables. Middlesex Water's contractor is continuing to do the jetting and they are moving to the South side. This brought up some questions he had from some residents about leaf and spring cleanup of gardens. Refuse from the gardens and leaves is normally picked up on Wednesdays if the crews finish their runs in the early afternoon, but that is not a consistent schedule. The Superintendent does have them go out to do extra pickups. He asked residents to be patient while this work is going on. If anyone runs into a problem where they have missed picking up your recycling or trash, they should call the Department of Public Works or send him an email and they will try to get that remedied. Last week at their meeting, Sustainable Highland Park discussed everyone's farm, which is the local initiative won by Wendy Rosen for local gardening. We are seeing more and more of it pop up to the point where they actually got a table at Main Street for the next couple of weeks at the Farmer's Market to distribute information. They have many interesting ideas on how you can be more sustainable. The Environmental Commission will meet tomorrow night. At their last meeting, they discussed some older proposals for electric vehicles to be more electric friendly, especially in our zoning code. They have recommended that we polish them up and bring them to Public Works for discussion at the next Public works Meeting. The Shade Tree Advisory Committee has drawn up the tree-planting contract with a much better management plan. We have discussed managing the STAC meetings and moving them this year to better manage the planting project.

Borough Administrator Jover thanked residents for their patience as NAP works their way through town on the cleaning and jetting of the sewer system and we are inspecting them, as it is critical to the forthcoming asset management plan and the capital improvement plan for the sewer system. PSE&G is trying to minimize the disruption on South 3rd Avenue to 3 days next week. She asked residents to bear with them and adhere to all the signage as there are workers in the roadways and we need to make sure that they are safe. She mentioned the rental assistance program that Middlesex County is offering and information can be found at www.middlesexcountynj.gov/rentalassistance.

Borough Attorney Schmierer – No report.

Mayor Brill Mittler reported that last week the entire country learned the results of the 2020 census as it related to apportionment of congressional seats. Two of our large neighboring states will each lose a congressional seat due to population declines. The results of the census in New Jersey bucked this trend in our neighboring states with New Jersey showing a population gain and thus maintaining all 12 of our congressional seats. She believes that these results reflect the hard work of Complete Count teams through our state and in that spirit; she would like to take this opportunity to thank our Complete Count Committee Chair, Udi Shore, and his active committee. They spearheaded the efforts to encourage residents to complete the census and kept the issue visible for many months despite the pandemic and their results were very impressive with Highland Park residents responding at a rate that exceeded the prior 2010 census and exceeding the rate of response in New Jersey overall. As more 2020 data for Highland Park becomes available, it will help guide our future plans. She again thanked the Complete Count team for their exceptional service. It really did make a big difference. Several of the Council Members and the Borough Administrator mentioned the new Middlesex County federal funding receipt. They go 24.6 million dollars to assist people that are behind in rent; and for utilities like gas, electric and water due to hardships created by Covid-19. The County has established this fund, she wanted to stress how important this fund is, and the application process opened up yesterday. Eligible households should feel free to apply for this funding. The person who is applying has to qualify for unemployment or have a reduction in household income that demonstrates a risk of homelessness or housing instability and has a household income at or below 80 percent of the area's median income. The website address for information is www.middlesexcountynj.gov/rentalassistance. She thanked all Highland Park residents who have completed their Covid-19 vaccine regimens. 40% of our adult population has completed their courses of vaccinations and another 21% of our adult population has had at least one dose. As current rules limit vaccinations to those over 16, it is essential that adults in town step up, get their appointments, and get vaccinated. Please do your part to protect children and others who cannot be vaccinated in our community by ensuring everyone eligible in your household gets vaccinated. The Governor today announced some new relaxing of Covid restrictions. She went over some of the restrictions that will go into effect on Friday, May 7th. For outdoor gatherings, the limit will increase to 500 persons, up from 200. There is still a 6' social distance requirement. For large venue outdoor capacities, the maximum capacity allowed will increase to 50% for venues with 1,000 fixed seats or more as long as 6' of distance is maintained. The capacity for indoor catered events, including proms, will be raised to 50% up to a maximum of 250 individuals. The capacity for indoor political events, weddings, funerals, memorial services and performances will also increase accordingly. Dance floors will be permitted to open at private catered events with masking and social distancing requirements in place. Dance floors would remain closed at bars and other related businesses such as nightclubs. Carnivals and fairs may now operate at the same capacity as large outdoor amusement gatherings and that bodes well for our July 4th fireworks, which I believe are on July 1st. The prohibition on indoor bar seating will be lifted with final guidance on necessary safeguards, such as spacing and the use of Plexiglas; will come from the New Jersey Department of Health. The restrictions on self-service food like buffets at restaurants would be lifted, but individuals will still be required to remain seated while eating and drinking. She noted that the Governor added today that barring any uptick in cases, additional restrictions would be lifted or modified after May 19th. This past week, we were pleased to learn that months earlier, Highland Park earned a notable distinction. On January 1st, a young couple from the Borough had the first baby born in Middlesex County in 2021. The baby was born at 12:05 a.m. at Raritan Bay Medical Center in Old Bridge. Highland Park residents Gina and John Kozinski were delighted to welcome baby Genevieve into their family. John and Gina dated in high school and married in October, 2015. He is a teacher and she is a social worker. They first lived in Fords, but decided to move to Highland Park in 2018. After attending the annual street fair, they fell in love with the sense of community and culture. Genevieve joins 3-year old sister Jackie and is growing nicely. Gina reports that she just started sitting up on her own. She congratulated John and Gina on their new arrival and for putting Highland Park in the record books.

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.

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

The Clerk reported advertising an ordinance entitled, "CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)", for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

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

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

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

On motion made by Councilwoman Foster, seconded by Councilwoman Canavera, the ordinance entitled as above, being Ordinance No. 21-2022, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstain: None.

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

No. 5-21-115

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

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

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

Opposed: None.

Abstain: None.

Absent: None.

No. 5-21-116

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Highland Park* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Highland Park* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

The Clerk reported advertising a summary of the 2021 Municipal Budget and Tax Resolution, introduced and approved on first reading April 6, 2021, with the public hearing scheduled for May 4, 2021 and that affidavits of publication thereto are on file. She also reported that copies of the budget were made available to the public in Borough Hall, the Highland Park Public Library and on the Borough's website.

On motion made by Councilman Hale, seconded by Councilwoman Foster, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2021 Municipal Budget amendment was opened.

No one appearing to be heard, on motion made by Councilman George, seconded by Councilwoman Kim-Chohan, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2021 Municipal Budget was closed.

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

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

Opposed: None.

Absent: None.

Abstained: None.

No. 5-21-117

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

- (a) \$13,340,854.01 (Item 2 below) for Municipal Purposes
- (c) \$ 469,275.16 (Item 5 below) for Minimum Library Tax

SUMMARY OF REVENUES

General Revenues

1. Surplus Anticipated	\$1,275,000.00
Miscellaneous Revenues Anticipated	2,487,971.55
Receipts from Delinquent Taxes	
2. Amount to be Raised by Taxation for Municipal Purposes	
Municipal Support (Item 6(a), Sheet 11)	13,340,854.01
Minimum Library Tax	469,275.16
Total Revenues	<u>\$17,573,100.72</u>

SUMMARY OF APPROPRIATIONS

5. General Appropriations	
Within "CAPS"	
(a&b) Operations Including Contingent	\$12,377,434.00
(e) Deferred Charges and Statutory Expenditures-Municipal	1,808,944.00
(g) Cash Deficit	
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	1,523,681.72
(c) Capital Improvements	100,000.00
(d) Municipal Debt Service	1,549,041.00
(e) Deferred Charges - Municipal	14,000.00
(f) Judgments	
(n) Transferred to Board of Education for use of Local Schools	
(g) Cash Deficit	
(k) For Local District School Purposes	
(m) Reserve for Uncollected Taxes	<u>200,000.00</u>
Total Appropriations	<u>\$17,573,100.72</u>

The Clerk reported that an ordinance entitled,, had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

On motion made by Councilman George, seconded by 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 Canavera, Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: None.

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

No. 5-21-118

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 230, ARTICLE XX OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010 CONCERNING STORMWATER MANAGEMENT, has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, June 1, 2021, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

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

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

Resolution Nos. 5-21-119 through 5-21-135 were duly adopted on motion made by Councilman George, seconded by Councilwoman Kim-Chohan, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Abstained: None.

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

No. 5-21-119

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 continue with the temporary change of 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 businesses; and

WHEREAS, the Borough of Highland Park desires to continue with the temporary closure of 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 continue with the revised 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, THERFORE IT BE RESOLVED by the Borough of Highland Park Council, Middlesex County, State of New Jersey, the following temporary traffic regulations shall continue to be in effect from June 1, 2021 to August 30, 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:

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

Street Closure(s) (TEMPORARY)

<u>Name of Street</u>	<u>Limits</u>
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.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-21-120

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:

SHETAL OZA, Policy Assistant to the Mayor, at an annual salary of \$15,600.00, effective May 1, 2021.

JACKLYN VASQUEZ, Payroll & Benefits Coordinator, at an annual salary of \$58,000.00, effective May 1, 2021.

JANET MOLINA, Principal Clerk Typist, at an annual salary of \$44,640.00 effective May 1, 2021.

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:

DELANEY MCAVOY, Mechanic, at an hourly rate of \$29.26, effective May 1, 2021.

SEBASTIAN GONZALEZ, Part-time Public Safety Telecommunicator, at an hourly rate of \$22.01, effective May 1, 2021.

PAUL MEYERS, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ANGERYCA CONCEPCION, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ZEN HORIKE, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

DORIAN COLE, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ABIE RUSS-FISHBANE, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ALAM AREEBAH, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ROIE CEDERBAUM, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

ABEN ROJAS, Seasonal Recreation, at an hourly rate of \$12.00, effective April 16, 2021.

JETZAREL GONZALEZ, Library Associate, Youth Services Department, at an hourly rate of \$24.26, effective May 15, 2021.

MELAINA SQUICCIARINI, Library Associate, Youth Services Department, at an hourly rate of \$24.26, effective May 15, 2021.

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 Public Safety Committee, was duly adopted as above:
No. 5-21-121

WHEREAS, Richard Buck Jr., Lawrence Dick, James Thomas, Michael McGlynn and Larry Sale have 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 applicant 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.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 5-21-122

WHEREAS, Lawrence Dick 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 sand has reported favorably upon said application;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determined that said applicants are 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.

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

No. 5-21-123

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Section 3. of Resolution 1-21-13, adopted by the Borough Council on January 5, 2021, shall be supplemented by adding the following fees for programs conducted by the Recreation Department:

<u>PROGRAM</u>	<u>PARTICIPANT FEE</u>
Summer Camp	\$225.00 Resident

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Department and the Recreation Program Coordinator forthwith.

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

No. 5-21-124

WHEREAS, the Highland Park Department of Public Works has a need to make repairs to DPW Vehicle #10 as it is no longer operational, as more fully described on the attached Purchase Order; and

WHEREAS, the expenses related to the repair of this DPW truck affects the health, safety and welfare of the Borough that requires the immediate response, the need for which was not reasonably foreseen; and

WHEREAS, due to the emergent nature of the repair, it was necessary to have the vehicle towed and repaired to address the situation; and

WHEREAS, N.J.S.A. 40A:11-6 provides that public bidding and quotes is not necessary in an emergency situation; and

WHEREAS, Cambria Companies, PO Box 51061, Newark, NJ 07101-5161 was contracted to provide the repair service in the amount of \$20,825.00; and

WHEREAS, funds for this purpose are available in Account No. 1-01-26-315-232 in the amount of \$20,825.00, as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works is hereby authorized and directed to arrange for said repairs from Cambria Companies, PO Box 51061, Newark, NJ 07101-5161, at a total price of \$20,825.00; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Superintendent of Public Works & Public Utilities and the Chief Financial Officer, forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 5-21-125

WHEREAS, Majestic Towing & Transport, Inc., Car Guys Auto Repair, LLC, and Coppa's Service Center & Towing, Inc. have filed with the Clerk of this Borough for a Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such licenses; and

WHEREAS, the Chief of Police has investigated said applicant and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determines that said applicants are qualified and that public necessity and convenience would be served by the issuance of such Licenses.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue Heavy Duty Wrecker/Towing Licenses to the aforesaid applicants.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 5-21-126

WHEREAS, the Highland Park Police Department has a need to make repairs to Police Vehicle #8 as it is no longer operations, as more fully described on the attached Purchase Order; and

WHEREAS, the expenses related to the repair of this Police vehicle affects the health, safety and welfare of the Borough that requires the immediate response, the need for which was not reasonably foreseen; and

WHEREAS, due to the emergent nature of the repair, it was necessary to the have vehicle towed and repaired to address the situation; and

WHEREAS, N.J.S.A. 40A:11-6 provides that public bidding and quotes is not necessary in an emergency situation; and

WHEREAS, Car Care Collision, 126 Raritan Avenue, Highland Park, NJ 08904 was contracted to provide the repair service in the amount of \$9,943.84; and

WHEREAS, funds for this purpose are available in Account No. 1-01-26-315-232 in the amount of \$9,943.84, as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Police Department is hereby authorized and directed to arrange for said repairs from Car Care Collision, 126 Raritan Avenue, Highland Park, NJ 08904, at a total price of \$9,943.84; and

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

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

No. 5-21-127

WHEREAS, the Department of Public Works seeks to install security cameras at its drop-off location to prevent illegal dumping; and

WHEREAS, the Middlesex County Department of Public Safety and Health's Division of Solid Waste Management has funds available for this purpose as part of its 2021 Recycling Enhancement Grant program; and

WHEREAS, the Department of Public Works wishes to apply for this grant in an amount not to exceed \$5,000.00.

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 Department of Public Works, the grant application to Middlesex County, a copy of which is attached to the original of this resolution.

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

No. 5-21-128

WHEREAS, N.J.S.A. 52:34-6.2 authorizes contracting units, including the Borough of Highland Park, to make purchases and contract for services through the use of nationally recognized and accepted cooperative purchasing agreements that have been developed utilizing a competitive bidding process by another contracting units within the State of New Jersey or within any other state; and

WHEREAS, by Resolution 10-18-262, adopted October 9, 2018, the Borough of Highland Park entered into an agreement with a national cooperative called Sourcewell; and

WHEREAS, Sourcewell enters into contracts for a wide variety of goods and services; and

WHEREAS, the purpose of entering the contract with Sourcewell was to obtain better prices than the Borough would be able to obtain individually, and to save the Borough the expense of bidding; and

WHEREAS, the Superintendent of the Department of Public Works has done research and recommends that the Borough purchase the following program from the following vendor through Contract with Sourcewell:

Item Description	Vendor	Amount	Contract No.
Asset Essentials (Work Order Software)	Dude Solutions	\$11,982.17	090320-SDI

WHEREAS, funds for this purpose are available in Account No. 1-01-20-140-218 in the amount of \$11,982.17 as reflected by the Certification of Funds by the Finance Department, shown below; and

BE IT FURTHER RESOLVED, that the Borough of Highland Park be and is hereby authorized to execute and the Borough Clerk to witness any Contract with the above referenced vendor for the items and the amounts listed above.

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

No. 5-21-129

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor is hereby authorized and directed to execute the Memorandum of Understanding between the Borough of Highland Park and the New Jersey State Board of Public Utilities, attached to the original of this resolution.

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

No. 5-21-130

WHEREAS, Governor Murphy signed S1163 in November 2020 requiring all police officers to wear body cameras; and

WHEREAS, the Department of Law and Public Safety has grant funds available for the purchase of body cameras, ancillary equipment, and storage; and

WHEREAS, the Police Department wishes to apply for a grant from the Department of Law and Public Safety in order to purchase 30 new body cameras;

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 Police Department, the grant application to the Department of Law and Public Safety, a copy of which is attached to the original of this resolution.

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

No. 5-21-131

WHEREAS, the Borough's current TelVue server for Public Access Channel broadcasting is at end-of-life and can no longer be supported by current software; and

WHEREAS, the Communications Department and HPTV wish to upgrade their existing server and software to meet the needs of the public access channel; and

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

Broadcast Technologies	NO RESPONSE
TelVue Corporation	\$14,426.00
Wowza Media Systems	NO RESPONSE

and

WHEREAS, HPTV has recommended that said services be purchased from TelVue Corporation in Mt. Laurel, NJ based on their quote for same and HPTV's working knowledge of TelVue's server and software system; and

WHEREAS, funds are available for this purpose in Account No. 1-01-20-105-235 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 purchase of server and software from TelVue Corporation, 16000 Horizon Way, Suite 100, Mt. Laurel, NJ 08054 in the amount of \$14,426.00; and

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

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

No. 5-21-132

WHEREAS, pursuant to Resolution No. 3-21-97 adopted by the Borough Council on March 16, 2021, Sunset Creations Inc., Belle Mead, NJ was awarded the 2021 Tree Planting Bid; and

WHEREAS, a Blanket Purchase Order was generated, Purchase Order No. 21-00386, in the amount of \$15,610.00; and

WHEREAS, it is necessary to increase the Blanket Purchase Order by \$24,965.00 to accurately reflect the total project costs; and

WHEREAS, funds for this additional increase are available in the amount of \$24,965.00 in Account No. T-12-56-500-001, as reflected by the certification of funds by the Chief Financial Officer, show below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Purchase Order No. 21-00386 be increased from \$15,610.00 to \$40,575.00.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Shade Tree Advisory Committee.

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

No. 5-21-133

WHEREAS, N.J.S.A 40A:14-118.3 has been enacted by the New Jersey Legislature to require the use of body worn cameras by uniformed police officers in the State of New Jersey; and

WHEREAS, the Highland Park Police Department began requiring body worn cameras for sworn officers in 2016 after entering into an agreement with Axon Enterprises, Inc.; and

WHEREAS, the Highland Park Police Department has a need for upgraded body worn cameras and services of the operation and use of same; and

WHEREAS, Axon Enterprises, Inc. is a state approved vendor for said equipment and services under State Contract #17-FLEET-00738; and

WHEREAS, Axon Enterprises, Inc. has submitted a proposal to the Borough of Highland Park for a five (5) year contract in the total amount of \$87,778.00 for upgraded body worn cameras and services for the operation and use of same by the Highland Park Police Department; and

WHEREAS, public bids are not required when the purchase is under state contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the New Jersey Public Contracts Law provides for certain exceptions to the 24 month contract award period, including N.J.S.A 40A:11-15[5] which allows for data processing service, for any term of not more than seven years, and N.J.S.A 40A:11-15[7] which allows for leasing of equipment, for a period not to exceed five years.

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

1. That the Borough Council of the Borough of Highland Park does hereby approve and authorize a five (5) year contract with Axon Enterprises, Inc. for upgraded body worn cameras and services for the operation and use of same per their proposal dated April 14, 2021 in the total amount of \$87,778.00.
2. That the Mayor, Borough Administrator and Chief of Police be hereby authorized to execute the proposal from Axon Enterprises, Inc. dated April 14, 2021.

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

No. 5-21-134

WHEREAS, on November 7, 2017, New Jersey voters approved the New Jersey Library Construction Bond Act (the "Bond Act") which authorizes the issuance of \$125 million in State General Obligation Bonds ("Bonds") to provide grants for the construction, reconstruction, development, extension, improvement and furnishing of public libraries in the State of New Jersey; and

WHEREAS, the purpose of the Bond Act is to improve New Jersey's public library facilities in order to ensure the well-being and success of New Jersey residents and for public libraries to best serve the residents of their communities now and into the future, modern, efficient, and technologically-current buildings with flexible space are necessary; and

WHEREAS, the Bond Act requires that proceeds from the Bonds can fund no more than fifty percent (50%) of the costs of the Project and the remaining fifty percent (50%) shall be supported by the appropriate local governing entity in the area served by the public library; and

WHEREAS, on March 24, 2020 the Borough Council of the Borough of Highland Park determined that the Highland Park Public Library was in need of renovations and approved Resolution No. 3-20-113 in support of a grant application to the first round of Bond Act grant funding; and

WHEREAS, the Mayor and Council of the Borough of Highland Park have determined that it continues to be in the best interest of its residents and the community to prepare and submit a grant application in the amount of \$944,929.00 in accordance with the Bond Act to fund a portion of the costs of renovations of the Highland Park Public Library on a matching basis; and

WHEREAS, the Mayor and Council of the Borough of Highland Park have also determined that in the event that the Borough of Highland Park and the Highland Park Public Library are awarded the Grant, the Borough and Library shall take the necessary action to authorize sufficient matching funds for the Project.

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

- 1) The preparation and submission of a grant application in the amount of \$944,929.00 to the State of New Jersey pursuant to the New Jersey Library Construction Bond Act on behalf of the Borough of Highland Park is hereby authorized.
- 2) The Mayor and/or Borough Clerk are hereby authorized to execute the grant application, and any other supporting documents, including but not limited to Exhibit B.
- 3) This Resolution shall take effect immediately.

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

No. 5-21-131

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 5/4/2021 can be found in the Bills List Journal Book No. 41.

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

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

Opposed: None.

Absent: None.

Abstain: None.

No. 5-21-136

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following statements of revenues and appropriations shall constitute the Main Street Highland Park Budget for the year 2021;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Asbury Park, NJ, in the issue of May 7, 2021.

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

Income

Government Grants	35,000.00
Special Assessment (BID)	166,474.00
Fees/Sponsorships	22,070.00
Reserves <u>56,000.00</u>	
Total Income	\$ 279,544.00

Expense

Administration and General	\$ 190,979.65
Program Expense	<u>88,550.00</u>
Total Expense	\$ 279,529.65

Budget Surplus/(Deficit) \$ 14.35

Notice is hereby given that the Main Street Highland Park Budget and Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on May 4, 2021.

A hearing on the Main Street Highland Park/Business Improvement District Budget will be held at the next Council Meeting, which, due to the COVID-19 pandemic will be taking place virtually on **June 1, 2021 at 7:00 o'clock PM** at which time and place objections to said Budget and Resolution for the year 2020 may be presented.

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

Austin Morreale Rev. Antoinette Moss

Mayor Brill Mittler appointed Greg McClendon to serve as Regular Member of the Human Relations Commission for a term to expire April 17, 2023.

Mayor Brill Mittler appointed Dov Fine to serve as a Student Member of the Recreation Advisory Committee for a term to expire December 31, 2021.

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

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

Opposed: None.

Absent: None.

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.

Eric Lipton, 123 So. Adelaide Avenue, commented about a trailer that belongs to the Police Benevolent Association that was formerly parked by the Police Department but is now in full public display featuring the thin blue line flag that was created in 2014 as an acrimonious response to black lives matter. It is a racist symbol and was created as an opposition to the civil rights movement in the same way the confederate flag has been used. It has no place in our town. The Police Department has been trying to rebuild a reputation in this community with regards towards racial disparities in policing and this is just a giant middle finger to the people of color in this town. It has to go. It is not about love for Police. He would happily paint lots of lovely things about police on that trailer if the trailer is even needed. The lack of urgency since this was raised is problematic. We would not leave a confederate flag trailer with the words Police

on it in the middle of our town and we would not leave a swastika anywhere in this town. We cannot send this message to the people of color in our town that abide by this. As long as it is there, the statement is the Police and this town are not taking racism seriously. He asked the Governing Body to please do something soon to cover it up or put a divider around it. He has sent emails to the Mayor and the Police Department and has not received a response. He asked that this be taken seriously and that it be gone.

Councilwoman Foster noted that she and the Mayor have been working on this with the Police Department since being notified about it by Councilman Hersh. She received the pictures and has the same concerns. She has discussed this on numerous occasions with the Police Chief and she asked him to share any information that he can. Chief Abrams noted that he hears what they are saying about the trailer and they are working on solutions. The trailer is not a piece of equipment owned by the Police Department. It was bought by the union to assist them when they did things around town at events such as National Night Out and the Trunk or Treat. It was purchased through donations from Borough residents, including the wrap and artwork around it. It was used primarily to haul equipment when our Police Officers participate in the Unity Tour Police Bicycle Ride from New Jersey down to Washington, DC, which precedes Police Memorial Week. We are working on solutions and he knows that a cover was purchased for it. It had to be moved from Borough property and it was placed where it was as a stopgap until the union can find space for it somewhere else. He understands that is causing heartache in the community and they are working on a solution to alleviate that. They do care about everyone and they are not a racist Police Department. Councilwoman Foster noted that moving the trailer was only a temporary solution and the emblem is still on the side of the trailer. Covering it up is not an option, it is only a temporary solution. It needs to have a more permanent solution.

Mayor Brill Mittler thanked Mr. Lipton for recognizing the efforts the Police Department has been making to address issues of equity. You rightfully point out that this symbol on this trailer takes away from all the good work that has been done over the last couple of years.

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

The Governing Body took a 5-minute recess at 8:11 p.m. and reconvened at 8:16 p.m. with all members previously present still in attendance except Councilwoman Foster.

Work Session:

Cannabis – Borough Attorney Schmierer noted that back in February, the Governor signed a 240 page long law that authorized recreational marijuana for residents who are over 21 years of age. The Cannabis Regulatory Committee that was recently appointed is currently working on the regulations that will go along with this legislation allowing the sale of marijuana for recreational purposes. The types of activity that are authorized and permitted under the law are in different classes and there are six separate types of licenses, which may be issued by a municipality. Class 1 is a cannabis grower – for facilities involved in growing and cultivating cannabis; Class 2 is a cannabis processor – for facilities involved in the manufacturing, preparation and packaging of cannabis items; Class 3 is a cannabis wholesaler – for facilities involved in obtaining and selling cannabis items for later resale by other licenses; Class 4 is a cannabis distributor – for businesses involved in transporting cannabis items in bulk from one licensed cannabis establishment to another; Class 5 is a cannabis retailer – for locations at which cannabis items and paraphernalia are sold to consumers; and Class 6 is cannabis delivery – for businesses providing courier services for a licensed cannabis retailer to deliver cannabis items and related supplies to consumers. Local governments can regulate five of those categories but they have to permit cannabis delivery within their community. There is a window of 180 days after this legislation was passed, August 22nd, by which a municipality can opt out of approving for now, at this time, the distribution, sale or the cultivation of the other five classes of marijuana activity in your town. If you take no steps to opt out of the program, you always have the right to opt into the program at any time or if you do an opt out, then automatically these types of activities will be permitted to take place in the Borough. The municipality, at this time, has the ability to adopt an ordinance and have that effective before August 22nd if you elect to opt out of participating in any of these activities related to the new legislation. The thinking right now from other towns he is working with and advice from the NJ League of Municipalities and the Institute of Municipal or Local Government Attorneys is to recommend that municipalities adopt an ordinance to opt out of the mandatory participation in this program. If you do opt out, then the clock stops and then we can wait and see during the 180-day period what the administrative agency envisions the programs to work and what types of regulations they think would be appropriate in the municipal setting and what types of regulations might not be appropriate. The Borough could get this done before the 22nd and begin implementing ordinances as to the type of activity that they would or would not permit, but the Borough would have to go through a number of changes to their land use regulations in order to permit this activity, which up until this legislation, was prohibited. There would have to be changes built in to the laws that are enforced that say you are not supposed to smoke marijuana. There was some discussion about whether or not you could put out a bid for people interested in the retail side to come in and explain what they are willing to pay for the privilege of having a retail distribution center, but you cannot do that. The state regulation is very specific except for one category, which is wholesaling. The other activities that take place, the Borough is entitled to a two percent fee user fee on any other materials that are either grown and a one percent fee on manufactured items. For stuff that is sold, you would be entitled to a two percent tax for hosting that activity. The money the Borough gets to keep would go to general revenue. You can also apply for a grant from the Commission that is in the process of putting together the rules and regulations to help train the Police Department about how to implement this law.

Mayor Brill Mittler asked if a testing lab would fall under the manufacturer definition. Borough Attorney Schmierer confirmed that and it would be defined that way to make sure. Mayor Brill Mittler asked if a municipality opts out initially, how long they have to wait to opt back in. Borough Attorney Schmierer noted that there is no waiting period. Mayor Brill Mittler referenced a company that approached the Borough a couple of years ago for a retail store and they were willing to give the Borough a large sum of community benefit funds. She asked if that option was still viable. Borough Attorney Schmierer advised that under the new legislation that went away. Mayor Brill Mittler asked if the State was going to make public the municipalities that are opting in right away. If the Borough opts out and Metuchen, Edison or New Brunswick opts in, does that then indicate to businesses that want to open that other towns are ready to go and

businesses would not want to come to Highland Park. Borough Attorney Schmierer noted that he is not aware of any registry for towns that opt in or out of the program. He thinks it is going to be word of mouth and will be tracked by the NJ League of Municipalities. Mayor Brill Mittler noted that in the election when this was on the ballot in Highland Park, over 70% of the voters wanted recreational marijuana here. Councilman Hale noted that of all the municipalities in Middlesex County, we were the second highest pro-vote town next to New Brunswick. The vast majority of voters in Highland Park clearly wanted to have recreational cannabis. Councilman George mentioned that if the Borough did not adopt the safe harbor provision within the first 180 days, any of the six categories could begin. He asked if they would be subject to any kind of zoning regulation, for instance, no recreational consumption or sale within 500 feet of a school or church. Borough Attorney Schmierer noted that the Borough would have to be guided by what is in the state legislation. They would have to adhere to a 1,000-foot distance, not near a school or a house of worship. As long as they go into a zone where retail is permitted, they would be considered a retailer and they would have to adhere to the same regulations as other businesses, plus whatever is in the state legislation.

Councilman George noted that his biggest issue is the smoking issue and the recreational use on the street. He asked what the Council needs to do to regulate that and what they would need to do before August 22nd. Borough Attorney Schmierer noted that he would recommend amending the no smoking ordinance for the Borough to include smoking marijuana cigarettes and it would be included with a regular nicotine cigarette and they would have to adhere to those regulations and it would be enforced by the local restaurants and the Police Department and the amendment could be done before August.

Mayor Brill Mittler asked Chief Abrams to explain to the Council what the Police can and cannot do regarding complaints of marijuana. Chief Abrams explained that the way the law is written right now, the odor of marijuana is no longer probable cause or even reasonable suspicion for a stop. Receiving a complaint of someone smoking marijuana in a place where they are not supposed to be smoking becomes almost impossible to enforce because you cannot use your sense of smell to locate the person who is using the marijuana. In New Jersey right now, the smoking of marijuana itself is legal, but they have not yet created the infrastructure to produce legal cannabis. Even though it is legal to smoke it, it is still illegal to possess it in New Jersey, which makes it confusing and hard to enforce. You are going up to somebody who is smoking marijuana and saying yes you can smoke it, but you cannot possess it and I need to take it from you because it is contraband and it is not New Jersey legal because it has not gone through the New Jersey process of being cultivated, processed, tested, taxed and sold in New Jersey. Borough Attorney Schmierer asked Chief Abrams if the Borough changed the local ordinance about no smoking and specifically included marijuana cigarettes even before they should be smoked in New Jersey and you found someone sitting at Pino's smoking a cigarette, you could enforce a local ordinance. Chief Abrams noted that they were told that any ordinance for smoking now is for marijuana and tobacco. His Officers have been told to treat marijuana like any tobacco product and if they are not allowed to smoke tobacco in a restaurant, then they are not allowed to smoke marijuana. They would not be arrested for marijuana or ticketed for marijuana; they would be given a ticket for smoking as the Borough has an ordinance that prohibits smoking. There is a Borough ordinance that prohibits smoking on Borough property and if someone was on Borough property and was smoking marijuana and we could see them, then his Officers could go and issue a summons for smoking. The interesting thing about this law is that the homeowner or the building owner can set the rules. If you are in a rented apartment and you want to smoke marijuana, but your apartment Management Company says you cannot smoke marijuana in the apartment, then you can have and store it, but you cannot actually smoke it in your own apartment.

Councilman Hersh asked how many citations the Police give out for smoking in apartments. Chief Abrams noted that they do not issue citations for that. He does not know if it would be a code enforcement issue or a law enforcement issue if somebody violates their building ordinance on whether they can or cannot smoke. Councilman Hersh noted that they immediately jumped to the law enforcement component of this and he does not think that is the best lens through which to craft policy. By sheltering ourselves from this industry, even for a short time, would negatively impact us, particularly at a time when our downtown really needs a boost coming out of this pandemic. This is an industry that we have had a lot of interest in from prospective retailers and industrialists and he would be more interested in looking at this policy through a lens of community benefit, particularly if there is industry coming into Highland Park and what kind of community benefits are there for the town. He would not opt out of the cannabis retail license. He thinks we have to open it to downtown right away because we are going to get usurped by neighboring communities.

Councilwoman Canavera commented that she does not think that smoking marijuana in apartment complexes is going to be a big issue.

Councilman Hale commented that he would strongly argue that the Borough not move to opt out even as we are waiting for regulations. The Borough has a number of things that will be challenges if the State is saying 1,000 feet from a synagogue or school or church. That does not leave a whole bunch of open spots. If we are talking about waiting, he thinks it is a recipe for the Borough to get left behind, especially when our residents voted in favor of this. It should be incumbent upon us to do what we need to do to get ready ahead of time and not be opting out and not waiting for things down the line. He thinks there are bunches of things that we can do whether or not we need to add marijuana to our non-smoking ordinance. We should make it clear that walking down the street smoking marijuana is not what we want in this town. We have ordinances about public consumption of alcohol and those could be added to public consumption of marijuana if that is a particular concern. We certainly could use the tax revenue that would come in from this across the board and he thinks that there is a great deal of potential for that. He thinks that the Borough should push forward and try and make that happen. There could be some debate or question about whether we want growers (i.e. smell), but he does not know if we can restrict based on that. His instinct is to say that we should make Highland Park ready for this new industry and to capitalize as much as we can. He asked if there was anything Highland Park could do to enhance set-asides for minority, women and veteran owned business or is that going to be done by the CRC. Is there anything Highland Park can do to make sure that we are encouraging those types of businesses to come here? He asked the Borough Attorney is there is anything that he has seen or heard from the State about record expungement as it relates to getting rid of past criminal convictions. That is another really important part of this and he wants to make sure that we are not just focusing on the economic benefits, but focusing on the social justice issues.

Councilwoman Kim-Chohan addressed the Mayor's comment about a listing of participating municipalities. She noted that she believes that on August 23rd, nj.com will compile a list that says who is open and who is not open. She noted that she is in banking and her bank is one of the two banks in the State that have been dealing with marijuana customers. Her President/CEO is part of the New Jersey Cannabis Association who compiles all of that information and it is going to be shared within the network of people in this area. She does not think we should miss out on this opportunity either.

Councilman Hersh agreed and the Borough should do the opposite of what they did with the vape shops.

Councilman George commented that it would take them just as long to adopt an ordinance opting out as it would to fine-tune our ordinances and be open and ready for business. He sees no reason why we should not start implementing our zoning, anti-smoking and anti-public places ordinances now.

Borough Administrator Jover asked for clarification about what would happen if the Borough did not opt in or opt out of the program and whether those six classifications would be allowed to operate in the Borough. Borough Attorney Schmierer noted that retail establishments are easy and would be allowed to operate as a permitted use in various areas. The other activities like cultivation or manufacturing could take place in any area that is zoned industrial. Borough Administrator Jover asked about the 1,000 foot map and whether that only applied to the retail and consumption side of things. Borough Attorney Schmierer noted that he would double check on that, but he believed it was for all uses.

Mayor Brill Mittler noted that the Borough needs to identify our houses of worship and our schools and where 1,000 feet is in any direction. She asked whether the Borough needs to change their zoning ordinances at all. Borough Attorney Schmierer advised that they would go into permitted uses and accessory uses in the various zones in Chapter 230 and add where you want to permit what you want to permit. Mayor Brill Mittler noted that she senses that this is something we need to pursue and in conversations she has had with each of them, this is something that they need to pursue aggressively and figure out what ordinances this would affect and pull it together administratively to make this happen.

Chief Abrams noted that as Councilman Hale said earlier, there are certain provisions that have been handed out to the courts to vacate certain marijuana offenses that are pending and certain cases that have already been adjudicated and people are serving sentences on that. That is something that they are working on.

Councilman Hersh commented that when it comes to crafting ordinances, he is wary of the League of Municipalities approach to this and he was wondering if we could look for other reputable organizations or model ordinances. Mayor Brill Mittler noted that she believes the Borough has to modify existing ordinances. Borough Attorney Schmierer commented that the Borough would be the model ordinance. They are going to have to dissect the various sections of current ordinance to come up with amendments to those and build what the Borough wants to do based on ordinance that they will put together. Councilman Hale asked Councilwoman Kim-Chohan if the people she knows in the cannabis business could help the Borough with the ordinance. He wants to make sure that the Borough understands what the process for doing this is so that we can be as efficient as possible.

Mayor Brill Mittler advised that the Borough Attorney is the one that needs to pull together everything that he heard us discuss. He is the one that has to look at our existing ordinance to see what has to be changed and/or create something new, if it is necessary. Councilman Hale asked as the process is going forward if it would be appropriate to have the Borough Attorney bring those to the Economic Development and Planning Committee to say yes or no or does he bring it to the entire Council. It may be faster to have the Economic Development and Planning Committee weigh in as opposed to bringing it to all of the Council in a work session. There are not many Council meetings before August and we normally send things to committee first. Mayor Brill Mittler asked if this is something that would be done at the Economic Development and Planning Committee in cooperation with the Administration Committee or would it go to the entire Council. Borough Attorney Schmierer thinks it is a good suggestion to team up with the Administration Committee and the Economic Development and Planning Committee as we are going through the drafting process so that we can share information and the committees can discuss it and give us some final direction. Borough Administrator Jover offered to work with the Borough Attorney along with the Borough Planners because most of the changes are zoning related. As professionals, they can do the first wave of a recommendation of what they think would work to try and keep this moving ahead and then follow whatever committee path put forth.

Councilwoman Kim-Chohan commented about the fact that there are few Council meetings between now and August and some special meetings might need to be scheduled. Mayor Brill Mittler agreed that some special meetings might need to be scheduled as the zoning changes have to go before the Planning Board.

Covid-19 Guidelines – Borough Administrator Jover noted that the State is opening up gradually and incrementally. She is particularly focused on, with the Mayor's support and guidance, how to open up the Borough buildings. They are looking at various aspects that would include not just coming in to do day-to-day things but also on what the impact would be on opening up Court and having in-person Council meetings. She started talking with the Board of Health to get input on how and when to pull the trigger on these questions. One of the things we are going to want to see, which is what we are seeing right now, vaccination rates going up and case rates and infection rates going down. With Borough employees getting themselves vaccinated, we are going to be increasingly comfortable with opening our front door. They are trying to figure out how to do it and give departments enough time to adapt since we have been closed for so long. We might do a soft launch like the Library where they will be more open for in-person services, but we are going to still try to encourage the drop-off boxes and online payments. Councilwoman Kim-Chohan asked about offering monetary incentive to employees to get vaccinated. Borough Administrator Jover noted that she has been thinking about it, but many employees have been vaccinated for a while. She is also looking at the Borough's policies to see if there are ways they can add perks to vaccinated versus not vaccinated. She has to run a number of ideas past the Labor Attorney just to make sure we do not cross any lines. If anyone has any creative ideas, they should let her know. She feels like the Borough is at a plateau based on her knowledge of where different employees are and some are just legitimately uncomfortable with the vaccine. She is not sure a \$50 or \$100 coupon would tip that balance.

REGULAR MEETING – MAY 4, 2021

There being no further business, on motion made by Councilwoman Canavera, seconded by Councilwoman Kim-Chohan, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:28 p.m.

Respectfully submitted,

Jennifer Santiago
Deputy Clerk