

BOROUGH OF HIGHLAND PARK
REGULAR MEETING
FEBRUARY 15, 2022 – 7:00 PM

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

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

By Computer, Smart Phone or Tablet:
<https://zoom.us/j/94141317740>

Dial-in: 1-929-205-6099
Webinar ID: 941 4131 7740

MISSION STATEMENT OF THE BOROUGH OF HIGHLAND PARK:

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

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

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

AGENDA

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

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

8. Borough Administrator's Report.
9. Borough Attorney's Report.
10. Mayor's Report.
11. Public Participation.
(21 minutes total; 3 minutes each speaker limited to items on this Agenda, including Work Session).
12. Ordinances Requiring a Second Reading.
 - 12.a Clerk reports advertising Capital Ordinance providing for Improvements to South 4th Avenue, Johnson Street and Montgomery Street Project , for consideration of passage on final reading by title.
 - a. MOTION to take up ordinance on final reading by title.
 - b. Public Hearing.
 - c. 2-22-58 Resolution to adopt/reject and advertise ordinance on final reading by title.
MOTION adopt/reject **ROLL CALL VOTE**
13. Ordinances Requiring a First Reading.
 - 13.a Clerk reports introduction of Amending Chapter 230 - Automotive Service and Repair Garages for consideration of passage on first reading by title.
 - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.
(Resolution No. 2-22-59)
ROLL CALL VOTE
 - 13.b Clerk reports introduction of Ordinance to Amend to Chapter 136 of the Borough Code Regulating the Establishment, Operation and Licensing of Cannabis Businesses in the Borough of Highland Park. (WORKING TITLE)
 - a. **MOTION** to adopt/reject and advertise ordinance on first reading by title.
(Resolution No. 2-22-60)
ROLL CALL VOTE
14. Consent Agenda Items - Resolutions.
 ROLL CALL VOTE
 - 14.a *2-22-61 Resolution Authorizing the Acceptance of a Grant for the Renovation of the Highland Park Public Library Pursuant to the New Jersey Library Construction Bond Act.
 - 14.b *2-22-62 Resolution to Amend Annual Salary Resolution
 - 14.c *2-22-63 Resolution Authorizing Execution of MOU with Middlesex County Office of Emergency Management for Utilization of Specialized Equipment
 - 14.d *2-22-64 Resolution to Reject Bids Received for the Purchase of Water Meters and

Advance Metering Infrastructure and Replacement and Testing of Existing Meters

14.e *2-22-65 Resolution Authorizing Issuing a Request for Proposals for Revaluation of All Real Property in the Borough of Highland Park

14.f *2-22-66 Resolution to Approve Bills List
MOTION adopt/reject

ROLL CALL VOTE

15. Resolutions requiring a Separate Reading.

15.a 2-22-67 Resolution to Approve Emergency Temporary Appropriations
MOTION adopt/reject

ROLL CALL VOTE

15.b 2-22-68 Resolution to Approve Budget Transfers
MOTION adopt/reject

ROLL CALL VOTE

16. Appointments.

Rehabilitation & Redevelopment Screening Committee: Rebecca Hand, Planning Board Rep.

Highland Park Volunteer Fire Department:

Irene M. Cohen

MOTION TO CONFIRM

ROLL CALL VOTE

17. Second Public Participation.

(3 minutes per speaker on any items; subject to 9PM conclusion prior to Work Session)

18. Recess (5 minutes).

19. Work Session Items: No formal action to be taken.

a. Electric Vehicles (TJ)

20. Executive Session (if necessary).

21. MOTION to adjourn.

22. **Next Scheduled Meeting: March 1, 2022 @ 7 PM**

BOROUGH OF HIGHLAND PARK
No. 2-22-58

RESOLUTION: Council as a Whole

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO SOUTH 4TH AVENUE, JOHNSON STREET AND MONTGOMERY STREET PROJECT, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$503,505.00 FROM THE DEPARTMENT OF TRANSPORTATION MUNICIPAL AID PROGRAM THEREFOR TO PAY THE COST THEREOF", passed on final reading at this meeting be delivered to the Mayor for his/her approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
CAPITAL ORDINANCE NO. 22-2042

CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO SOUTH 4TH AVENUE, JOHNSON STREET AND MONTGOMERY STREET PROJECT, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$503,505.00 FROM THE DEPARTMENT OF TRANSPORTATION MUNICIPAL AID PROGRAM THEREFOR TO PAY THE COST THEREOF:

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1: The capital purpose described in Section 2 of the capital ordinance is hereby authorized as a general capital purpose to be undertaken by the Borough of Highland Park, in the County of Middlesex, State of New Jersey for the said improvement (s) or purpose stated in Section 2 hereof, and is hereby appropriated the sum of \$503,505.00 funded by a New Jersey Department of Transportation FY 2022 Municipal Aid Grant.

Section 2: The capital purpose hereby authorizes roadway improvements to South 4th Avenue, Johnson Street and Montgomery Street Project.

Section 3: The expenditure of \$503,505.00 appropriation for a New Jersey Department of Transportation FY 2022 Municipal Aid Grant, for the purpose set forth in Section 2 hereof, is hereby authorized and approved.

Section 4: The capital budget of the Borough is hereby amended, if needed, to conform with the provisions of this capital ordinance and, to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing the full detail of the amended capital budget and capital programs as approved by the Director of Local Government Services, New Jersey Department Of Community Affairs is on file in the office of the Clerk, if needed, and is available for public inspection.

Section 5: This ordinance shall take effect immediately after the final adoption as described in N.J.S.A. 40:49-2.

Introduced on first reading by title: February 1, 2022

ADOPTED: February 15, 2022

ATTEST:

APPROVED: February 15, 2022

Jennifer Santiago, Borough Clerk

Gayle Brill Mittler, Mayor

BOROUGH OF HIGHLAND PARK
NO. 2-22-59

RESOLUTION: Finance

WHEREAS, an Ordinance entitled, AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 230, LAND DEVELOPMENT CONCERNING AUTOMOTIVE SERVICE AND REPAIR GARAGES, 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, March 15, 2022, 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.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK

ORDINANCE NO. 22-2043

AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 230, LAND DEVELOPMENT CONCERNING AUTOMOTIVE SERVICE AND REPAIR GARAGES

BE IT ORDAINED by the Borough Council of the Borough of Highland Park that the following amendments to Chapter 230 are hereby enacted (underlined material is new and is added; [bracketed] material is deleted):

SECTION 1. Section 230-141.D of the “Code of the Borough of Highland Park” concerning permitted conditional uses in the C Commercial Zone is hereby amended and shall read as follows:

- D. Conditional uses.
- (1) Public utility facilities required to provide the direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards.
 - (2) Automobile service and repair garages, gas stations. Any existing automobile service and repair garage shall be hereby excepted and deemed to continue as a permitted use whereby changes to the business shall require zoning permit approval only, or any addition or expansion of the use shall require site plan approval only, without the necessity of a conditional use application.
 - (3) Fraternal, charitable and philanthropic institutions.
 - (4) New and used car/truck dealerships, sales and service.
 - (5) Drive-in banks.

SECTION 2. Section 230-114 of said Code concerning specific regulations pertaining to service stations, including automobile service and repair garages, is hereby amended and shall read as follows:

The following regulations shall apply to automobile service stations, automotive repair services and garages, public garages, filling stations, and/or gas stations:

- A. All storage areas, trash facilities, pits, lifts and working areas shall be within a building. All lubrication, repair or similar activities shall be performed in an enclosed building, and no dismantled parts shall be placed outside.
- B. All gasoline pumps, air pumps and the islands upon which pumps are normally located shall be set back from the street line at least 60 feet and from any other property line at least 50 feet. A minimum space of 25 feet shall exist between any two islands and between any island and the service station building.

- C. No junked motor vehicle or part thereof and no unregistered motor vehicle shall be permitted outside an enclosed service station building. Other than employees' vehicles, no more than six motor vehicles may be located outside a service station building at any given time, provided that the owners are awaiting the repair of said motor vehicles.
- D. The exterior display of nonvehicular equipment for rent or sale shall be permitted, provided the area devoted to this purpose is in addition to the minimum lot size required for a service station; the area devoted to this purpose does not exceed 20% of the total area of the entire site; the maximum sign area for a service station is not exceeded; and the location of the equipment being rented or sold does not interfere with the off-street parking requirements for the service station and does not interfere with the traffic circulation indicated on the approved site plan.
- E. The proposed use shall be located on a lot of not less than 20,000 square feet in an area which is not located at the corner of any dangerous street intersection, as determined by Police Department accident records, and the lot lines of which are located not less than 1,000 feet from any school offering courses of general educational instruction, hospitals, church or library and not less than 2,000 feet from an existing auto repair or service station.
- F. It is intended that service stations be designed compatibly with other permitted commercial or industrial uses in the zone in which they are located and that they not be stripped along the available highway frontage or at each quadrant of a convenient intersection.
- G. All filling station storage tanks shall be placed in a six-inch-thick concrete cradle. All filler spouts, vents and gauging and venting areas shall be covered by a six-inch-thick concrete plate. Emergency shutoff and venting equipment shall conform to the most recent federal and state requirements, as they may from time to time be revised.
- H. Ingress and egress turning movements shall be designed and coordinated with the access points required for nearby uses, frequency of intersecting side streets, minimizing left turns off collector and arterial streets and maintaining building setbacks compatible with the required setbacks and landscaping.
- I. [No automotive vehicle of any kind may be displayed for sale or lease from any service station that does not comply with the regulations of § 230-93.]

Up to four (4) vehicles may be displayed for sale or lease on the property at any given time, provided that all such vehicles shall be located in designated off-street parking spaces and does not interfere with the traffic circulation on the site; no such vehicles shall be displayed closer than six (6) feet to the front property line; this setback area shall be buffered and screened in accordance with subsection K. below; automobile prices or year of manufacture shall not be boldly displayed on the automobile in a manner which would be legible from the roadway so as to avoid undue distractions to the traveling public; and banners, flags, movable signs, flashing lights, pennants, rotating devices or similar

devices shall not be permitted. Signs shall conform to the requirements of the municipal sign ordinance.

- J. Off-street parking shall be provided at the rate of three spaces per service bay plus one space for service vehicle.
- K. The area along the front lot line, with the exception of those areas required for ingress and egress, shall contain a six-foot-wide landscaped strip, defined by either a brick wall two feet in height and capped with a stone or cast stone slab or by an evergreen hedge of the same height. The landscaped area between the edge of the property line and the brick wall shall be planted with street trees no more than 30 feet on center.

SECTION 3. Any article, section, paragraph, subsection, clause, or other provision of the BOROUGH Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 5. This ordinance shall take effect upon its passage and publication and filing with the County of Middlesex Planning Board, and as otherwise provided for by law.

Introduced and Passed on first reading: February 15, 2022

Adopted: _____, 2022

Approved: _____, 2022

Attest:

Jennifer Santiago, Municipal Clerk

Gayle Brill Mittler, Mayor

BOROUGH OF HIGHLAND PARK
NO. 2-22-60

RESOLUTION: Finance

WHEREAS, an Ordinance entitled, AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF HIGHLAND PARK REGARDING CLASS V RETAIL CANNABIS BUSINESSES, CLASS VI CANNABIS DELIVERY SERVICES, AND MEDICAL CANNABIS DISPENSARIES IN THE CBD AND C ZONING DISTRICTS, ESTABLISHING LICENSING, TAXATION, AND ZONING REQUIREMENTS IN CONNECTION THEREWITH, AND PROHIBITING ALL OTHER CLASSES OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH, 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, March 15, 2022, 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.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK

ORDINANCE NO. 22-2044

AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF HIGHLAND PARK REGARDING CLASS V RETAIL CANNABIS BUSINESSES, CLASS VI CANNABIS DELIVERY SERVICES, AND MEDICAL CANNABIS DISPENSARIES IN THE CBD AND C ZONING DISTRICTS, ESTABLISHING LICENSING, TAXATION, AND ZONING REQUIREMENTS IN CONNECTION THEREWITH, AND PROHIBITING ALL OTHER CLASSES OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (“CREAMMA”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, section 31a of CREAMMA authorizes municipalities by ordinance to adopt regulations:

- Establishing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries;
- Governing location, manner and times of operation of such establishments, distributors or delivery services;
- Establishing civil penalties for the violation of any such regulations; and
- Prohibiting the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1 et seq. (“CUMCA”) authorizes, among other things, the licensed operation of medical cannabis cultivators, medical cannabis manufacturers, medical cannabis dispensaries and clinical registrants as defined in the CUMCA; and

WHEREAS, in accordance with CREAMMA and CUMCA, on August 17, 2021, the Mayor and Council of the Borough of Highland Park adopted Ordinance #21-2027, which amended the Code of the Borough of Highland Park (“Code”) to:

- Permit Class 5 cannabis retailers and Class 6 cannabis delivery services to operate within the geographical boundaries of the Borough, and prohibit Class 1, Class 2, Class 3 and Class 4 licenses;
- Establish limitations on where and how these operations may take place;
- Establish licensing and taxation requirements in connection with same; and

WHEREAS, in accordance with CUMCA, Ordinance #21-2027, also amended the Code to:

- Allow medical cannabis dispensaries to operate with the geographical boundaries of the Borough;
- Establish limitations on where and how these operations may take place; and
- Establish licensing and taxation requirements in connection with same; and

WHEREAS, since the adoption of Ordinance #27-2021, the Borough has continued to research, study and analyze the constantly evolving landscape of CREAMMA and CUMCA; and

WHEREAS, based on its research and information now available from the Cannabis Regulatory Commission, the Borough finds that it is in the Borough’s best interest to further amend the Code to clarify the regulations governing medical cannabis dispensaries, Class 5 cannabis retailers and Class 6 cannabis delivery services, and to further refine the licensing process and the criteria for evaluation of potential cannabis business owners within the Borough.

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

1. Preamble. The findings set forth in the preamble to this ordinance are hereby incorporated as if fully restated.

2. General prohibition on all cannabis businesses other than Class 5 cannabis retailers and Class 6 cannabis delivery services. As stated within ordinance #21-2027 and in accordance with the authority granted to municipalities by N. J. S.A. 24:61- 45, all other marketplace classes of cannabis businesses other than Class 5 cannabis retailers and Class 6 cannabis delivery services shall be prohibited from operating anywhere within the geographical boundaries of the Borough.

3. Amendments to Borough land development regulations. Chapter 230, entitled “1989 Land Development Ordinance of the Borough of Highland Park, New Jersey,” of the Code of the Borough Highland Park (“Code”), is hereby revised by amending subsections 230-140(10) and subsections 230-141(8), and by creating new subsection 230-140(11) and 230-140(9) to clarify the permitted principal uses in connection with medical cannabis dispensaries and marketplace cannabis businesses in the CBD Central Business District and the C commercial District, as follows (additions are underlined; deletions are in [brackets]):

§ 230-140. CBD Central Business District Zone.

B. Permitted principal uses.

- (10) Medical cannabis dispensaries.[, Class 5 cannabis retailers and Class 6 cannabis delivery services, as said terms are defined in this Code, subject to the requirements set forth in Chapter 136 of this Code.]

- (11) Class 5 cannabis retailers and Class 6 cannabis delivery services, as said terms are defined in this Code, subject to the requirements set forth in Chapter 136 of this Code.

§230-141. C Commercial Zone.

B. Permitted principal uses.

- (8) Medical cannabis dispensaries. [, Class 5 cannabis retailers and Class 6 cannabis delivery services, as said terms are defined in this Code, subject to the requirements set forth in Chapter 136 of this Code.]
- (9) Class 5 cannabis retailers and Class 6 cannabis delivery services, as said terms are defined in this Code, subject to the requirements set forth in Chapter 136 of this Code.

4. Licensing requirements and general limitations for Class 5 cannabis retailers and Class 6 cannabis delivery services and Medical cannabis dispensaries. Chapter 136 entitled “Cannabis,” Part II, “General Legislation,” of the Code of the Borough of Highland Park, is hereby amended and shall read as set forth in Exhibit “A” attached hereto.

5. Taxation of Class 5 cannabis retailers and Class 6 cannabis delivery services. Article III entitled “Local Cannabis Transfer Tax and User Tax,” Chapter 374, “Taxation” of the Code of the Borough of Highland Park, is hereby amended and shall read as set forth in Exhibit “B” attached hereto.

6. Taxation of Medical cannabis Dispensaries. A new Article IV entitled “Local Medical Marijuana Transfer Tax” is hereby added to Chapter 374, “Taxation” of the Code of the Borough of Highland Park and shall read as set forth in Exhibit “C” attached hereto.

7. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Borough Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

8. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

9. Effective date. This ordinance shall take effect upon its passage and publication and filing with the County of Middlesex Planning Board, and as otherwise provided for by law.

Introduced on first reading by title:

ADOPTED:

ATTEST:

Jennifer Santiago
Borough Clerk

Gayle Brill Mittler
Mayor

EXHIBIT A

PART 1: Personal Use Cannabis

ARTICLE I General Provisions

§136-1. Purpose.

This article is enacted in accordance with the provisions of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“CREAMMA”), *N.J.S.A. 24:61-32 et seq.*, the provisions of The Jake Honig Compassionate Use Medical Cannabis Act (“CUMCA”), P.L. 2009, c. 307 (approved January 18, 2010), amended by P.L. 2019, c. 153 (approved July 2, 2019), *N.J.S.A. 24:6I-1 et seq.*, and the regulations promulgated by the Cannabis Regulatory Commission (“CRC”). The purpose of this chapter is to regulate the establishment and operation of cannabis businesses in the Borough of Highland Park (“Borough”) and to specify the conditions and limitations applicable thereto.

§136-2. Definitions.

For the purpose of this chapter and all other applicable chapters of this Code, words and phrases herein shall have the meanings set forth in CREAMMA.

§ 136-3. Applicable laws.

All applications for licenses, all licenses issued and all proceedings under this chapter shall be in accordance with the Act, rules and regulations referred to in § 136- 1 above, and all other applicable laws of the State of New Jersey. The regulations set forth herein are subject to the enabling authority of the State of New Jersey, by and through the Cannabis Regulatory Commission, and are subject to compliance with all statutes and/or regulations promulgated and adopted by the State of New Jersey or its instrumentalities. If any provision of this chapter is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.

§ 136-4. License required.

No cannabis facility may lawfully operate in the Borough without the issuance of a state permit or license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority as well as oversight and issuance of a license by the Borough in accordance with the provisions of this chapter.

EXHIBIT A

§ 136-5. Conditions and limitations.

- A. Only the following marketplace classes of cannabis facilities shall be allowed to operate in the Borough, subject to the limitations and requirements set forth herein and elsewhere in this Code and all other classes shall be prohibited:

Class 5 Cannabis Retailer
Class 6 Cannabis Delivery Service

- B. Only an approval from the Borough Council [~~license issued pursuant to~~] in accordance with Article II, Sec. 136-7(B) below [this chapter] shall constitute “written municipal approval” pursuant to CREAMMA, N. J.S.A. 24:61- 36(b)(1)(c)(i) and 24:61-45(c). Other written statements, letters, resolutions, or other documents issued by the Borough or any official, employee, or other representative shall not constitute annual or renewed "written municipal approval" for purposes of the CRC.
- C. Cannabis retailers and delivery services (“facility”) shall be permitted, pursuant to this chapter, only if in addition to all applicable land use regulations, the following requirements are met:
- (1) Land development regulations: The facility shall obtain all approvals required pursuant to the Borough’s land development regulations set forth in Chapter 230 of this Code, which approval(s) shall be evidenced by the issuance of a zoning permit.
 - (2) Hours of operation: The operating hours of the licensed facility shall be between 9:00 am and 10:00 pm daily. It shall be unlawful for any person to sell or dispense cannabis or cannabis products in any licensed facility at any time other than between these hours.
 - ~~[(2)]~~(3) The licensed facility shall be accessible directly from a right-of- way through a separate entrance independent from any other retail ingress.
 - ~~[(3)]~~(4) No cannabis product shall be visible from a public sidewalk, public street or right-of-way or any other public place.
 - ~~[(4)]~~(5) All cannabis products shall be stored securely indoors and onsite.
 - ~~[(5)]~~(6) [~~Consumption of cannabis products, by any means of ingestion, shall not be permitted in the licensed facility or adjacent grounds.~~] Consumption of cannabis products, by any means of ingestion, shall not be permitted in the licensed facility or adjacent grounds unless within an approved cannabis consumption area. Each retailer may only operate one cannabis consumption area. The cannabis consumption area shall be either (a) an indoor, structurally enclosed area of the licensed cannabis retailer's premise that is separate from the area in which retail sales of cannabis items occur or (b) an exterior structure on the same premise as the retailer, either separate from or connected to the retailer and likewise wholly

EXHIBIT A

enclosed. There shall be no outdoor cannabis consumption area. The cannabis consumption area shall be equipped to mitigate and contain odors from cannabis products and non-compliance with all rules and regulations adopted by the CRC.

~~[(6)]~~(7) Outside generators and other mechanical equipment used for any kind of power supply, cooling or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.

~~[(7)]~~(8) All cannabis facilities shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round-the-clock video surveillance system, 365 days a year ~~[- shall have security fencing and gates around the perimeter of the premises;]~~ and shall be secured in accordance with applicable State law and regulation.

~~[(8)]~~(9) Signage design shall comply with the Borough's sign regulations at Section 230-115 of the Code.

~~[(9)]~~(10) With respect to stand-alone cannabis delivery services, cannabis items shall not be stored or housed at the office or dispatch without trained security personnel guarding the items. Cannabis items must not be left unattended in vehicles. Signage design shall not include artistic or photographic renderings of cannabis plants. Signage at the cannabis delivery service shall communicate that the facility is not open to the public. Signs and advertisements visible from the public right of way are prohibited.

~~[(10)]~~(11) No cannabis facility shall be housed in a vehicle or any movable or mobile structure.

~~[(11)]~~(12) Comply with all rules and regulations adopted by the New Jersey Cannabis Regulatory Commission.

~~[(12)]~~ Consumption of cannabis products, by any means of ingestion or smoking shall not be permitted in the licensed facility or adjacent grounds unless within an approved cannabis consumption area. Each retailer may only operate one cannabis consumption area. The cannabis consumption area shall be either a) an indoor, structurally enclosed area of the licensed cannabis retailer's premise that is separate from the area in which retail sales of cannabis items occur or (b) an exterior structure on the same premise as the retailer, either separate from or connected to the retailer and likewise wholly enclosed. There shall be no outdoor cannabis consumption area. The cannabis consumption area shall be equipped to mitigate and contain odors from cannabis products which may be smoked. The cannabis consumption area shall be equipped with a ventilation system sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the cannabis consumption area. The discharge of said ventilation system shall not discharge any odors that can be smelled by any adjacent property owner or within a right of way.]

EXHIBIT A

ARTICLE II

Licensing

§136-6. Issuing authority.

- A. All licenses required by this chapter shall be issued by the Borough Council, which shall also administer the provisions of this chapter.
- B. No license issued pursuant to this chapter shall be effective until or unless the State has issued the requisite permits or licenses to operate such a facility.
- C. Each license shall be effective from January 1 until December 31 and shall be annually renewed upon the submission of an application and renewal fee provided all conditions and requirements of applicable State law and this this chapter are met. The Borough may, at its discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.

§ 136-7. [~~Application process.~~]Request for Applications.

- A. Within sixty (60) days of the passage of this chapter, the Borough will issue a request for applications from applicants seeking licensing. The application process will be open for thirty (30) days. Any submissions received after the 30 days expire will not be evaluated for a license. The scoring shall be on a scale of zero to one hundred (100) as set forth in the criteria established by the Borough within the application package. The highest scoring applicants shall be pre-approved for licensure with the Borough pursuant to obtaining a license from the State. Any applicant that receives scoring less than eighty (80) points out of one hundred (100) shall not be approved.

~~A.]B. [~~Application.~~]**Procedures.** Persons wishing to obtain any classification of cannabis license shall [~~file a license application~~] submit a response to the application package that is to be available with the Borough Clerk, on a standardized form established by the Clerk. The Clerk shall establish a reasonable opening period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by the Clerk, until all documents and application fees are submitted.~~

~~B.C. **Completeness.** To be deemed complete, all [~~applications~~]- responses to the request for applications shall be accompanied by the following:~~

- (1) Nonrefundable application fee.
- (2) Registration fee, which shall be refunded in the event the applicant does not receive a license.

EXHIBIT A

- (3) Zoning permit demonstrating that the location proposed for licensing by the applicant complies with all applicable requirements of the Borough's land development regulations set forth in chapter 230 of this Code.
- (4) Proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
- (5) Affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
- (6) Affidavit or other documentary proof that any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.

~~{C.}D.~~ All applications upon being deemed complete shall be ~~[submitted to the Council for approval or denial. In evaluating the application(s), the Council shall establish a minimum percentage score required to be awarded a license using the criteria and percentage attributed to said criteria set forth herein below. In the event, however, there are multiple applicants for a license, the Council shall evaluate all applicants and issue a notification of award after consideration and evaluation of the following criteria:]~~ reviewed by the Borough Administrator or his or her designee(s) and scored based upon the evaluation criteria as listed within application package, including, but not be limited to, financial sustainability, community benefits, local hiring process, promoting of diverse ownership structures and environmental sustainability. The highest scoring applicants will then be referred to the Council for consideration to issue a "resolution of local support."

~~{D.}E.~~ Notwithstanding the foregoing competitive application process, a notification of award and resolution of local support shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 6 months, which may be extended in the Administrator's discretion for an additional 6 months for good cause. No license to operate shall issue until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 6 months from issuance, unless extended for good cause, the Administrator shall issue a new request for proposals and evaluate all applicants for licensure under the above criteria.

F. Final approval from the Borough will be in the form of a local business license being issued. The local business license will not be issued from the Borough until a state issued

EXHIBIT A

license is presented to the Borough Clerk's office for presentment to the Council to authorize the Clerk's office to issue the license by way of Resolution.

- ~~{(1) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principals (twenty percent, not to exceed 2,500 words);~~
- ~~(2) Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1,000 words), and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (five percent, not to exceed 2,500 words);~~
- ~~(3) Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (five percent, not to exceed 2,500 words), whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (five percent), and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine or osteopathic medicine with experience conducting cannabis-related research (five percent);~~
- ~~(4) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);~~
- ~~(5) Summary of the applicant's environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability (three percent); and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal~~

EXHIBIT A

audits to assess the effective implementation of an environmental management system (three percent);

~~(6) Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in the Borough for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in Highland Park for five or more years in the past ten years (five percent); and~~

~~(7) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority owned, women owned, or veteran owned business (twenty percent in total; ten points for one certification and twenty points for two or more).]~~

§ 136-8. Fees; number of licenses.

A. The number and type of cannabis licenses and the annual fees therefor shall be as follows:

<u>Class of License</u>	<u>Application Fee (nonrefundable)</u>	<u>Annual Registration Fee</u> (refunded in the event the applicant does not receive a license)	<u>Number of Licenses</u>
Class 5 Cannabis Retailer	\$1,000.00	\$5,000.00	Limited to [six (6)] <u>five (5)</u>
Class 6 Cannabis Delivery Service	\$.1000.00	\$2,500.00	No limit

B. The license fee shall be paid on or before January 1 and shall cover the time period from January 1 until December 31. For a license issued after December 1 and before December 31, the license fee shall be prorated on a per month basis.

C. Licenses issued pursuant to this chapter shall be personal to the licensee and shall not be transferable.

D. A separate license shall be required for each class of cannabis business, and a separate application fee and registration fee shall be charged for each type of license.

EXHIBIT A

ARTICLE III Suspension or Revocation of License

§ 136-9. Suspension; revocation; non-renewal.

Any suspension, revocation or non-renewal of a license pursuant to this chapter, or any suspension, revocation or non-renewal of a CRC-issued license or permit for the operation, or any adjudication of felony criminal guilt by the cannabis business or its principals shall constitute an automatic revocation of a Borough license issued pursuant to this chapter, at which time the operation shall immediately cease. A criminal adjudication voids and prohibits any future reinstatement of a Borough license.

ARTICLE IV Enforcement, Violations and Penalties

§ 136-10. Violations and penalties.

Any violation of the terms of this chapter, of any condition of the license, or of any State, or local law or regulation may result in the revocation of the license and may further subject the licensee to any applicable penalties, including but not limited to the general penalties set forth in Chapter 1, Article III of this Code.

§ 136-11. Enforcement.

The provisions of this chapter shall be enforced by the Borough Police Department, Borough Zoning Officer and/or Borough Health Officer as appropriate based on the nature of the violation.

EXHIBIT A

PART 2: Medical Cannabis Dispensaries

ARTICLE I General Provisions

§ 136-12. Purpose.

This article is enacted in accordance with the provisions of The Jake Honig Compassionate Use Medical Cannabis Act (CUMCA), P.L. 2009, c. 307 (approved January 18, 2010), amended by P.L. 2019, c. 153 (approved July 2, 2019), codified at N.J.S.A. 24:6I-1 et seq., and the regulations promulgated by the CRC. The purpose of this chapter is to regulate the establishment and operation of Medical Cannabis Dispensaries in the Borough and to specify the conditions and limitations applicable thereto.

§136-13. Definitions.

For the purpose of this chapter and all other applicable chapters of this Code, words and phrases herein shall have the meanings set forth in CUMCA.

§ 136-14. Applicable laws.

All applications for licenses, all licenses issued and all proceedings under this chapter shall be in accordance with the Act, rules and regulations referred to in § 136- 12 above, and all other applicable laws of the State of New Jersey. The regulations set forth herein are subject to the enabling authority of the State of New Jersey, by and through the Cannabis Regulatory Commission, and are subject to compliance with all statutes and/or regulations promulgated and adopted by the State of New Jersey or its instrumentalities. If any provision of this chapter is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.

§ 136-15. License required.

No cannabis facility may lawfully operate in the Borough without the issuance of a State permit or license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority as well as oversight and issuance of a license by the Borough in accordance with the provisions of this chapter.

§ 136-16. Conditions and limitations.

A. Only the following types of medical cannabis facilities shall be allowed to operate in the Borough, subject to the limitations and requirements set forth herein and elsewhere in this Code and all other classes shall be prohibited:

Medical Cannabis Dispensaries

EXHIBIT A

B. All other Conditions and limitations as found in Sec. 136-5 above shall also be applicable to Medical Cannabis dispensaries.

ARTICLE II
Licensing

§ 136-17. Licensing.

A. All licensing requirements and procedures as described above in sections 136-6 and 136-7 shall also be applicable to Medical Cannabis Dispensaries.

§ 136-18. Fees; number of licenses.

A. The number and type of cannabis licenses and the annual fees therefor shall be as follows:

<u>Class of License</u>	<u>Application Fee (nonrefundable)</u>	<u>Annual Registration Fee (refunded in the event the applicant does not receive a license)</u>	<u>Number of Licenses</u>
<u>Medical Cannabis Dispensaries</u>	<u>\$1,000.00</u>	<u>\$5,000.00</u>	<u>1</u>

B. Any medical cannabis dispensary licensed by the state and within the Borough of Highland Park that is seeking to expand to also include a Class 5 Cannabis Retailer License for personal use must do so in accordance with the terms of N.J.S.A. 24:6I-46(a)(3)(a)(ii). Provided that business has met the requirements to obtain a license from the state, that business will be exempt from obtaining a separate license to operate within Highland Park and that retail license will not count towards the five (5) licenses being permitted, as both operations will be occurring within one location.

C. The business seeking to operate as both a medical cannabis dispensary and Class 5 Cannabis Retailer will not be exempt from paying the annual registration fee as if they are running two separate businesses (\$10,000.00).

D. The Medical Cannabis Dispensary must notify the Borough of its intent to submit its CRC application to become a Class 5 Retailer prior to submitting its application to the CRC in order to obtain local approval for doing so.

EXHIBIT A

ARTICLE III Suspension or Revocation of License

§ 136-19. Suspension; revocation; non-renewal.

Any suspension, revocation or non-renewal of a license pursuant to this chapter, or any suspension, revocation or non-renewal of a CRC-issued license or permit for the operation, or any adjudication of felony criminal guilt by the cannabis business or its principals shall constitute an automatic revocation of a Borough license issued pursuant to this chapter, at which time the operation shall immediately cease. A criminal adjudication voids and prohibits any future reinstatement of a Borough license.

ARTICLE IV Enforcement, Violations and Penalties

§ 136-20. Violations and penalties.

Any violation of the terms of this chapter, of any condition of the license, or of any State, or local law or regulation may result in the revocation of the license and may further subject the licensee to any applicable penalties, including but not limited to the general penalties set forth in Chapter 1, Article III of this Code.

§ 136-21. Enforcement.

The provisions of this chapter shall be enforced by the Borough Police Department, Borough Zoning Officer and/or Borough Health Officer as appropriate based on the nature of the violation.

EXHIBIT B

CHAPTER 374

TAXATION

ARTICLE III

Local Cannabis Transfer and User Tax

§374-6. Purpose. The purpose of this article is to implement the provisions of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the " Act" or " CREAMMA") set forth at N.J.S.A. 24:61- 46 and N.J.S.A. 40:481- 1, which authorize a municipality to impose transfer and user taxes on cannabis establishments.

§374-7. Definitions. All terms herein shall be defined as set forth in section 3 of CREAMMA, N.J.S.A. 24:61- 33.

§374-8. Cannabis transfer tax.

A. All cannabis establishments operating in the Borough shall be subject to the following transfer tax on the sale of cannabis or cannabis related items:

1) Class 5 cannabis retailers: Two percent (2%) of the receipts from each sale

B. The transfer tax imposed pursuant to this section shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.

C. Any transaction for which the transfer tax is imposed shall be exempt from the tax imposed under the "Sales and Use Tax Act," N.J.S.A. 54:32B- 1 et seq.

D. The transfer tax shall be collected or paid, and remitted to the Borough by the cannabis establishment purchasing or receiving the cannabis or cannabis item. The transfer tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.

§374-9. Cannabis user tax.

A. Any concurrent license holder operating more than one cannabis establishment shall be subject to a two percent (2%) user tax. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to this article, from the license holder's establishment that is located in the Borough to any of the other license holder's establishments, whether located in the Borough or in another municipality.

~~C.~~ B. The user tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis. Any transaction for

EXHIBIT B

which the user tax is imposed, is exempt from the tax imposed under the Sales and Use Tax Act. N.J.S.A. 54:32B- 1 et seq.

Ð. C. The user tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.

§374-10. Collection of cannabis transfer and user tax.

In accordance with the provisions of CREAMMA:

A. Every cannabis establishment required to collect the transfer and user taxes imposed by this article shall be personally liable for the transfer and user tax imposed, collected, or required by this article and CREAMMA.

B. Any cannabis establishment collecting a transfer tax or user tax shall have the same right with respect to collecting the tax from another cannabis establishment or the consumer as if the tax was a part of the sale and payable at the same time. With respect to non- payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the tax was part of the purchase price of the cannabis or cannabis item and payable at the same time, provided that the Borough's chief financial officer is joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

C. No cannabis establishment required to collect the transfer and user taxes imposed by this article shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

§374-11. Remittance of cannabis taxes; delinquencies.

A. All revenues collected from the transfer tax and user tax imposed pursuant to this article shall be remitted to the Borough's chief financial officer on a monthly basis.

B. The Borough shall enforce the payment of delinquent taxes or transfer fees imposed by this article in the same manner as provided for municipal real property taxes.

C. In the event that the transfer tax or user tax imposed by this article is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid Borough taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of Borough taxes, and shall be on a parity with and deemed equal to the Borough lien on the parcel for unpaid property taxes due and owing in the same year.

D. The Borough shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance of cannabis taxes and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien

EXHIBIT B

shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

E. No licensed cannabis establishment operating in the Borough shall be permitted to renew a license issued pursuant to Chapter 136 of this Code should any transfer or user tax imposed by this article be delinquent.

EXHIBIT C

CHAPTER 374

TAXATION

ARTICLE IV

Local Medical Cannabis Transfer Tax

§374-12. Purpose. It is the purpose of this article to implement the provisions of The Jake Honig Compassionate Use Medical Cannabis Act (CUMCA), P.L. 2009, c. 307 (approved January 18, 2010), amended by P.L. 2019, c. 153 (approved July 2, 2019), codified at N.J.S.A. 24:6I-1 *et seq.*, which authorizes the governing body of a municipality to adopt an ordinance imposing a transfer tax at a uniform percentage rate not to exceed 2% on the purchase price of any medical cannabis dispensed by a medical cannabis dispensary located in the Township, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the dispensary.

§374-13. Definitions. All terms herein shall be defined as set forth in section 3 of CUMCA, N.J.S.A. 24:6I-1 *et seq.*,

§374-14. Medical Transfer Tax. A medical cannabis transfer tax in the Borough shall be fixed at a uniform percentage rate of 2% on all sales or transfers of cannabis products from a medical cannabis dispensary, pursuant to N.J.S.A. 24:6I-10(i) of the CUMCA. The medical cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute, state and federal or local ordinance or resolution by any government entity upon a medical cannabis dispensary. The transfer tax shall be paid to the Borough no later than February 1 of each year with a report certified as true and accurate by the authorized individual within the dispensary showing the gross revenues for the medical cannabis dispensary for each month of the preceding year. A copy of this article shall be transmitted to the State Treasurer and to every medical cannabis dispensary within the Borough.

§374-15. Collection of medical transfer tax. Collection procedures as provided for in §374-10 of this code shall also be applicable to the medical transfer tax in accordance with the terms of CUMCA.

§374-16. Remittance of medical transfer tax; delinquencies. Remittance procedures and delinquency policies as provided for in §374-11 of this code shall also be applicable to the medical transfer tax in accordance with the terms of CUMCA.

BOROUGH OF HIGHLAND PARK
NO. 2-22-61

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FOR THE
RENOVATION OF THE HIGHLAND PARK PUBLIC LIBRARY PURSUANT
TO THE NEW JERSEY LIBRARY CONSTRUCTION BOND ACT

RESOLUTION: Council as a Whole

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, on May 4, 2021 the Mayor and Council of the Borough of Highland Park authorized 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 and authorized execution of the grant application, and any other supporting documents; and

WHEREAS, the Borough of Highland Park has been awarded said grant and determined that it continues to be in the best interest of its residents and the community to authorize and approve the grant agreement in the amount of \$944,292.00 in accordance with the Bond Act to fund a portion of the costs of renovations of the Highland Park Public Library with 50% matching funds in the amount of \$472,465.00; and

WHEREAS, the Highland Park Public Library has been awarded said Grant and 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:

Resolution 22-61

- 1) Approves the project as described in the building program, and approves and authorizes Library Director Katherine Jaggers, Library Board of Trustees President Helen Rovner, Library Board of Trustees Vice President Nora Krieger the and Library Board of Trustees Secretary Cassandra Oliveras-Moreno execution and delivery of the grant agreement and any other supporting documentation as needed with the State of New Jersey pursuant to the New Jersey Library Construction Bond Act on behalf of the Borough of Highland Park.

- 2) This Resolution shall take effect immediately.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
No. 2-22-62

RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 4, 2022 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:

Carol Gordon, Crossing Guard, at an hourly rate of \$19.75 per hour, effective 02/04/2022

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

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
NO. -2-22-63

**RESOLUTION TO EXECUTE MEMORANDUM OF
UNDERSTANDING WITH MIDDLESEX COUNTY OFFICE
OF EMERGENCY MANAGEMENT**

RESOLUTION: Council as a Whole

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 the Memorandum of Understanding between the Borough of Highland Park Office of Emergency Management and Middlesex County Office of Emergency Management, Department of Public Safety and Health for utilization of specialized equipment for a period of two (2) years expiring December 31, 2022 attached to the original of this resolution.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

MEMORANDUM OF UNDERSTANDING (MOU)

by and between the

THE COUNTY OF MIDDLESEX COUNTY

and the

Highland Park Borough

<Municipality/Entity Name>

for use of

SPECIALIZED EQUIPMENT

owned and maintained by the Middlesex County Prosecutor’s Office or the County Office of Emergency Management that fall under the Umbrella of the Middlesex Department of Public Safety and Health (“hereinafter the Middlesex Department of Public Safety and Health”) for the duration of the 2022 calendar year

PREAMBLE

WHEREAS the County of Middlesex Department of Public Safety and Health is interested in supporting municipalities and government entities within the County of Middlesex in their efforts to serve, protect, and provide for the safety and welfare of its citizens and visitors by ensuring that said municipalities and government entities have access to state-of-the-art equipment owned by and in the possession of the County of Middlesex Department of Public Safety and Health; and

WHEREAS specialized equipment has been purchased for and by the County of Middlesex with funding derived from its Federal, State, County and local partners that will support our collective efforts to provide for the safety and welfare of its citizens and visitors; and

WHEREAS the Middlesex County Department of Public Safety and Health concurs that the strategic deployment of specialized equipment based upon need and risk assessment is a significant step in reaching the goal of providing for the safety and welfare of the citizens of Middlesex County; and

WHEREAS the Director of the Middlesex County Department of Public Safety and Health, with the approval and/or consensus of the respective County officials to which the specialized equipment is assigned, reserves the right to approve the loaning of said specialized equipment to a specific municipality or entity that enters into this *MOU*, as well as the right to re-direct the assignment of specialized

equipment previously committed for use by one municipality or entity for a particular event to a different municipality or entity based upon need and risk assessment; and

WHEREAS any municipality or entity that wishes to be considered to have this specialized equipment made available for use within their respective jurisdictional area, hereinafter referred to as "*participating municipalities or entities*", are hereby required to execute and comply with all aspects of this *MOU*.

NOW, THEREFORE, BE IT RESOLVED that the parties of this *MOU* agree that the PREAMBLE above is included herein and shall have full force and binding effect and that the specialized equipment will be made available for use on as as-needed, priority basis, as determined solely by the Middlesex Department of Public Safety and Health, subject to the following provisions:

A. EQUIPMENT AND TRAINING

1. Specialized equipment shall, at the discretion of the Director of Public Safety and Health, with the approval of the County agency that has management control over said equipment, be made available for use exclusively by *participating municipalities or entities*. Criteria for receiving the designation as *participating municipalities or entities* includes, but is not limited to, execution of this *MOU*, requisite training, and the provision of all requisite documentation and insurance information prior to the equipment being loaned to said agencies.
2. Unless otherwise agreed to by the designated County official, specialized equipment shall be operated and utilized solely by authorized personnel employed by the *participating municipalities or entities* and may not be loaned out to or given to another municipality or entity without the express authorization of the designated County official. Said personnel must successfully complete the established training requirements for the use/operation of said equipment. The training shall be administered by a designated staff member of the County of Middlesex.
3. The *participating municipalities or entities* assume full responsibility for the security, proper care, and maintenance of said equipment while it is in their possession. To the extent that the intended use of the specialized equipment is anticipated to cause more than normal wear and tear such that there will be a material decrease in the anticipated useful life of the specialized equipment, the County of Middlesex reserves the right to impose a reasonable fee upon the *participating municipality or entity* for the use of said equipment. The participating municipalities or entities agree to return the equipment to the designated County official

immediately upon conclusion of the event or by the agreed upon date, whichever is earlier. Additionally, the County of Middlesex also reserves the right to impose a late fee in case specialized equipment that is in high demand by other law enforcement agencies is not returned prior to the agreed upon date of return (as set forth in B. (3) below), and the County of Middlesex has not agreed to any extensions of time. The amount of the late fee shall be agreed to prior to the release of said equipment by the County to the *participating municipality or entity*.

B. DEPLOYMENT

1. Specialized equipment will be stored at a designated County facility and will be made available to *participating municipalities or entities* for use on an “as-needed, priority basis”, subject to availability and requisite approval.
2. The *participating municipalities or entities* hereby agree to properly store and provide the requisite security of the specialized equipment while it is in their possession, and to take reasonable steps to prevent damage to same.
3. The *participating municipalities or entities* hereby agree to provide individual formal written requests to the Middlesex County Director of Public Safety and Health for each event in which the use of specialized equipment is sought. The request shall contain a detailed explanation describing the equipment being requested, the event in which it is to be employed, the reason it is needed, and the intended duration (dates/times) that it will be needed.
4. The *participating municipalities or entities* hereby agree to provide proof of insurance via a Certificate of Insurance with either each request submitted, or for a calendar year if the Certificate of Insurance is applicable to the type of equipment the agency is seeking to utilize. The *participating municipalities or entities* shall always carry and maintain during period of use the following insurance coverage with an insurance company or companies acceptable to the County, with limits not less than those shown below. A Certificate of Insurance shall be filed with the County prior to commencement of use.
 - a. Commercial General Liability (CGL): Coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury with limits no less than \$1,000,000 per occurrence/\$2,000,000 aggregate. The County of Middlesex, its officers, officials, employees, and volunteers shall be included as an additional insured.
 - b. Automobile Liability: Coverage for all owned, non-owned and hired vehicles with limits not less than \$1,000,000 per occurrence, combined single limits (CSL) or its equivalent.

- c. Workers Compensation: As required by the State of New Jersey and Employers Liability with limits not less than \$1,000,000 per accident for bodily injury or disease.
- d. Property Insurance (equipment): Coverage insuring against all risk of loss to real or personal property of County while in User's care, custody, and control with limits not less than \$1,000,000 per occurrence/\$2,000,000 aggregate.

Additional Insurance Provisions

- Any combination of primary and umbrella/ excess may be used to satisfy the Limits.
 - Waiver of Subrogation: The insurances shall contain Waiver of Subrogation provisions, as allowed by law, in favor of the County.
 - Primary Coverage: The Certificate of Insurance should indicate that all insurance coverage's will be provided on a primary, non-contributory basis as respects to the County of Middlesex, its officers, officials, employees, and volunteers for all coverages except Workers Compensation.
 - Notice of Cancellation: Each Insurance Policy required above shall provide that coverage shall not be cancelled, except with notice to the Entity, which in this case is the Middlesex Department of Public Safety and Health.
 - Special Risks: The County reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
5. The *participating municipalities or entities* are responsible for conducting a visual and operational inspection of the specialized equipment at the time of the pickup. The *participating municipalities or entities* agrees to document/report any damage or non-operational equipment directly to the designated County representative prior to taking custody of said equipment.
 6. The *participating municipalities or entities* hereby agree to report directly to the designated County representative any damage incurred to the specialized equipment, as well as non-functional equipment, while said equipment was in their custody and control.
 7. The *participating municipalities or entities* hereby agrees to immediately report any non-functioning or malfunctioning components of the specialized equipment directly to the designee of the County of Middlesex.

8. The *participating municipalities or entities* hereby agrees to assume responsibility for reimbursing the County for the full costs for the repairs for any damages that occur to the specialized equipment while said equipment is in their custody, or that was not reported at the time of pickup. This clause will be waived if it is determined by the designated County representative that the damage/equipment failure was not the fault of the *participating municipalities or entities* or its personnel.
9. The *participating municipalities or entities* hereby agrees to return specialized equipment that is equipped with a fuel tank with a full tank of fuel. In the event the *participating municipalities or entities* fails to do so, the *participating municipalities or entities* shall be required to reimburse the County for cost of the fuel to fill the tank (at the rate per gallon in which the County pays for fuel) as well as an additional service fee of \$25.00.
10. While the County will typically transport the specialized equipment, in the event that County personnel are unavailable or unable to do so, the *participating municipalities or entities* hereby agrees to provide the proper means to transport the specialized equipment to and from the designated County storage facility.
11. The *participating municipalities or entities* hereby agrees to confer with the *OEM Police Bureau* personnel concerning deployment of any specialized equipment during events that are deemed confidential, sensitive, high-profile, or controversial in nature.

C. INDEMNIFICATION

The participating municipality or entity of the *participating law enforcement agency* shall save, protect, indemnify, and save harmless the County of Middlesex, County Prosecutor, their elected officials, officers, and employees from any and all injuries to persons, deaths or damages to property or claims for injuries to persons, death or damages to property which may result or arise from the use, deployment and/or maintenance of such Specialized Equipment by their law enforcement personnel.

D. SUPERSEDE

This *MOU* supersedes any prior executed *MOUs* in respect to specialized equipment

E. COUNTERPARTS

This *MOU* may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This *MOU*

shall become effective as to each participating municipality or entity upon the execution of the agreement by that participating municipality or entity and upon receipt of the requisite proof of insurance.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the parties have caused this *MOU* to be executed by its proper officers and have their proper corporate seal affixed, the day and year first written above.

COUNTY OF MIDDLESEX

COUNTY OF MIDDLESEX

JOSEPH KRISZA
Director of the Middlesex County
Department of Public Safety & Health (signature)

RONALD G. RIOS
Director of the Board of County Commissioners
(signature)

ATTEST:

Clerk of the Board of County Commissioners

Date

REQUESTING ENTITY: _____

OEM Coordinator

Mayor/Governing Body Official (printed name)

Chief of Police

ATTEST:

Clerk _____

Date

APPROVED AS TO FORM AND LEGALITY

County Counsel or designee (signature)

BOROUGH OF HIGHLAND PARK
NO. 2-22-64

RESOLUTION TO REJECT BIDS RECEIVED FOR THE PURCHASING OF WATER METERS AND ADVANCE METERING INFRASTRUCTURE AND REPLACEMENT AND TESTING OF THE EXISTING METERS

RESOLUTION: Council as a Whole

WHEREAS, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., on January 20, 2022 three (3) bids were received for the “Purchasing of Water Meters and Advance Metering Infrastructure and Replacement and Testing of the Existing Meters” project, and as follows:

- | | | |
|----|--|---------------------|
| 1. | Core & Main LLC | \$1,236,165.00 |
| 2. | Ferguson Enterprises LLC dba Ferguson Waterworks | \$1,355,151.25 |
| 3. | Kennedy Culvert & Supply Company | \$1,551,780.67; and |

WHEREAS, the Local Public Contracts Law requires that an award of a contract exceeding the bid threshold be made to the lowest responsive and responsible bidder, and further does not authorize a municipality to accept a materially defective bid; and

WHEREAS, the bid submitted by the apparent low bidder for this project failed to include the bidder’s current Experience Modification Rate and/or written documentation that the bidder’s EMR was 1.0 or less, the submission of which the Borough explicitly made a mandatory, non-waivable requirement for bidding on this project, which omission renders this bid unresponsive and materially defective; and

WHEREAS, the bid submitted by the second low bidder contained “exceptions and clarifications” to certain material legal terms and conditions contained in the Borough’s Information to Bidders, General Conditions and Supplemental Information to Bidders and General Conditions, creating a “conditional” and therefore materially defective bid; and

WHEREAS, the bid submitted by the third low bidder failed to include, among other things, the bidder’s current Experience Modification Rate and/or written documentation that the bidder’s EMR was 1.0 or less, which omission renders this bid unresponsive and materially defective; and further, even if it had been responsive, the bid price submitted by the third low bidder was substantially higher than the Borough’s cost estimates and appropriation for the project; and

WHEREAS, the Borough’s Consultants and Administrator also recommend that the specifications for the project be substantially revised; and

WHEREAS, the Local Public Contracts Law requires the rejection of unresponsive bids and bids which contain material, non-waivable defects; and

WHEREAS, the Local Public Contracts Law and specifically N.J.S.A. 40A:11-13.2.d., also authorizes the Borough to reject all bids for certain additional enumerated reasons, including but not limited to when the Borough seeks to substantially revise the specifications for the project's goods or services.

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

1. The three (3) bids received on January 20, 2022 for the "Purchasing of Water Meters and Advance Metering Infrastructure and Replacement and Testing of the Existing Meters" are hereby rejected on the basis that the three bids are unresponsive and contain material, non-waivable defects, for the reasons set forth in the "Whereas" clauses.

2. Notwithstanding the defective bids received, the bids are also rejected because Borough seeks to make substantial revisions to the specifications for the goods and services, as authorized by N.J.S.A. 40A:11-13.2.d.

3. Borough staff, the Borough Attorney and the Borough's Consultants are hereby authorized and directed to take all necessary action to make the appropriate revisions to the specifications for the project and to re-advertise same.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, BOROUGH CLERK

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough at its meeting on the 15th day of February, 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
NO. -2-22-65

RESOLUTION AUTHORIZING A REQUEST FOR PROPOSALS FOR THE
REVALUATION OF ALL REAL PROPERTY IN THE BOROUGH OF HIGHLAND PARK

RESOLUTION: Finance Committee

WHEREAS, the Borough of Highland Park has been ordered by the Middlesex County Board of Taxation to implement a municipal-wide revaluation of all properties within the Borough to be completed by November 1, 2022 to be effective for tax year 2023; and

WHEREAS, the Borough desires to achieve a fair and equitable distribution of the property taxes by ensuring that every taxpayer pays their fair share of the property taxes; and

WHEREAS, the last revaluation of all real property in the Borough of Highland Park was on October 1, 1990; and

WHEREAS, N.J.S.A. 11-4.1, et seq., provides that competitive contracting may be used to procure specialized goods and services, the price of which exceeds the bid threshold; and

WHEREAS, the Division of Local Government Services and the Division of Taxation recommend the use of the competitive contracting process for the proposal solicitations in connection with the revaluation of real property.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk is hereby authorized to advertise a notice for a Request for Proposals (RFP) for the revaluation of all real property in the Borough of Highland Park. Separate RFPs for revaluation of residential and commercial properties may be advertised upon the recommendation of the Tax Assessor and Finance Committee. The proposals will be received and evaluated in accordance with the instructions and methodology provided in the forthcoming RFP documentation.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
NO. 2-22-66

RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

RESOLUTION: Finance Committee

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

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

The bills approved for payment at this meeting, Bills List 2/15/2022 can be found in the Bills List Journal Book No. 42.

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Deputy Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

**BOROUGH OF HIGHLAND PARK
NO. 2-22-67**

RESOLUTION: Finance Committee

WHEREAS, N.J.S.A. 40A:19 allows for a municipality to adopt a temporary budget within the first 30 days of its budget year when contracts, commitments or payments need to be made prior to the adoption of the regular budget, and

WHEREAS, the Borough of Highland Park requires additional appropriations to maintain operation until such time that the Borough Budget is adopted; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, that the following additional temporary budget appropriations be authorized:

Temp Budget amend 1

CURRENT FUND

Tax Assessment OE	6,500.00
Communications OE	20,000.00
NPP Grant	150,000.00
PERS	557,837.18
PFRS	917,623.89
DCRP	15,000.00
	<u>1,666,961.07</u>

WATER/SEWER UTILITY

MCUA	160,000.00
	<u>160,000.00</u>

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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

BOROUGH OF HIGHLAND PARK
1-21-68

RESOLUTION: Finance Committee

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that transfers of 2021 budget appropriation balances shall be made as follows:

Budget Transfer #5

Description	From	To
Group Insurance	25,000.00	
Community & Economic Dev OE		25,000.00
	25,000.00	25,000.00
		0.00

ADOPTED: February 15, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 15th day of February 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

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