

REGULAR MEETING – MAY 3, 2022

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, April 19, 2022, and was called to order by Mayor Brill Mittler at 7:02 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 5, 2022. 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 29, 2022 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 April 29, 2022, and has remained continuously posted as required by law.

Present: Mayor Brill Mittler, Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan (7:15 p.m.); Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Santiago.

Absent: Councilperson Foster.

Mayor Brill Mittler asked for a moment of silence to remember beloved resident Dwayne Haskins who lost his life in a terrible accident.

Mayor Brill Mittler commented that the Borough has been tormented by the recent marring of a beautiful mural in our community. As Mayor of Highland Park, she strongly condemns anti-black racism, anti-Muslim hate, anti-Semitic hate, xenophobic and racial harassment in all of its forms. Those sentiments are abhorrent to the community of Highland Park. I had the distinct pleasure of talking with the artist Amrisa Nirajan as she installed her artwork on the side of the building in town. When she told me of the terrible verbal confrontation she endured, I immediately called the Police Chief who instructed the officers on duty to increase their patrols in the area as she worked. She personally apologized to Amrisa for not being able to make her feel completely safe by providing on-site personal protection as I had hoped. Those were my words last night speaking on behalf of myself and on behalf of my office as Mayor. She does not know what anti-racism in the 21st century looks like, but she wants to advocate for it and be a part of the vision for change. Highland Park isn't a perfect community, it's not even enough that it's a nice community. That certainly was made clear by the defacing of this mural. As Mayor, I want to work towards seeing our community aspire to the ideal that this mural so effortlessly projects. We must be a community that practices extreme hospitality. Highland Park must not only talk about anti-racist policies but practice it throughout its government agencies and in its social life. The defacement of the mural is a tragedy in so many ways. The potential for hate on the streets of Highland Park is still present. Work needs to be done that we aren't equipped to facilitate alone. We're coming to a public and transparent process for protecting our black and racially marginalized residents who are subject to racial violence. We must come together to protect every one of our residents. Highland Park strongly opposes anti-black racism, anti-Muslim hate, anti-Semitic hate, anti-LGBT hate and racial and xenophobic harassment. I'm calling on all of our residents now to keep me and my administration accountable to make Highland Park the community we'd all be proud of.

On motion made by Councilman George, seconded by Councilwoman Canavera, the minutes of the Reorganization and Adjourned meetings held January 4, 2022 and the Regular Meeting held January 19, 2022, were approved, as distributed, by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, George, Hale, Hersh.

Opposed: None.

Absent: Councilpersons Foster, Kim-Chohan.

Abstain: None.

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

Councilman George commented that the Borough Council deplores the senseless act of defacing an artistic expression of who we are in Highland Park, a community of diverse origin and family, diverse in opinion and life experience, but united in keeping Highland Park safe, healthy and respectful of that diversity. The Borough Council supports the referral of the criminal defacement of the mural at 75 Raritan Avenue to the County Prosecutor and will take actions within its authority to deter any future acts such as this. A mindless, childish moment with a spray can did more than ruin an artist's work, it graphically points out to all of us that making Highland Park safe and welcoming is not just buzz words, it takes work. The Borough Council is committed to doing that work. He congratulated those involved with the street fair sponsored by Main Street. They did an excellent job in providing one of the first big public venues since our town closed down because of the pandemic. You could see the joy and the pleasure in everyone's face as they got to walk see their neighbors, see all the borough officials and boards and commissions. He thanked the Shade Tree Advisory Committee and Sustainable Highland Park for their preservation of earth day this year by combining it with the street fair with a lot of great exhibits on South 3rd Avenue. The plastic bag ban starts tomorrow. He noted that they continue to have the list of projected paving on the borough website. The list is subject to possible change. We are also working on improving trash pickups and trying to utilize the new street sweeper which is already getting overworked. He talked to the crew and was with the truck the other day and they're actually out using it every day and doing a great job.

Councilwoman Canavera commented that she was deeply saddened when she saw the defacing of our newest mural in town. The Mayor and Council President George have said what I have would have said so I will defer the rest of my comments. May is Mental Health Awareness Month and it's a more observation than ever before. Almost 20 percent of American adults, nearly 50 million Americans currently experience mental health issues and many suffer in silence because of the stigma associated with mental health illness and mental disorders. The Mental Health Commission wants to remind everyone that if you have a crisis please reach out for help. You can call the Rutgers University Behavioral Helpline at 855-515-5700; the Raritan Bay Medical Center Hotline at 732-274-1741. The Community Food Pantry is open the second and fourth Thursday from 9:00 a.m. to 10:45 a.m. and from 6:00 p.m. to 7:00 p.m. and the Saturday following the Thursday from 9:30 a.m. to 10:30 a.m. Every month, donations can be made using

their amazon wish list. The HP Gives a Hoot Food Pantry is every Tuesday at the Zone 6 center from 10:00 a.m. until 11:00 a.m. Donations can be made by making a check payable to the borough hall with a memo that it's for HP Gives a Hoot. If you cannot get to the Highland Park gives a hoot pantry during their working Hours, please call and they will arrange for you to pick up at any time.

Councilman Hersh reported that on May 30th we'll be holding our annual Memorial Day Parade. The parade starts in New Brunswick and ends at the Doughboy Monument. The fireworks event will take place on July 3rd in Donaldson Park. Come down to the park to enjoy food, music and fun. The fireworks are set to go off at 9 20 p.m. The rain date is Thursday, July 7th. There is a new recreation program, open gym nights for 6th and 8th grade students that started on May 2nd at the Bartle School gym. Registration is required and space is limited. You can go to highlandparkrec.com for more information. The Recreation Department was also out at the street fair. The Recreation Department was able to provide information about the upcoming summer camp programs. The Recreation Department will be hiring counselors and CIT's for the summer camp programs, so if you are interested in applying, visit highlandparkrec.com. He thanked all who organized this wonderful event. Members of the Arts Commission also attended the street fair to celebrate public art. The Safe Walking and Cycling Committee was also at the street fair promoting bicycle safety. The desecration of the mural is unsettling, but not surprising that somebody with a can of spray paint can impose racism and bigotry at the town's gateway while selling discord at a time when we need to have a united front against racism, bigotry and Muslim and Jewish hate. That doesn't mean that those things don't exist here, they do, but it means that when they manifest themselves, we need to stand up against it. It also means that as a community, we need to know and act on the warning signs that lead up to this hate. We hold Highland Park up as being a welcoming community and that is a virtue that could not have been more on display than it was yesterday when leaders from the faith community gathered together to denounce the racist graffiti and to embrace the mural's original message, radical hospitality. This means, according to the artists who led this effort that we display a willingness to challenge one's own comfort for the sake of others, an idea we've seen practiced by those who serve these particular communities and we believe this is a value held by Highland Park. This value is why it puts into sharp relief when hate, bigotry and racism happen here. When people say I can't believe this happened in a place like Highland Park, it reminds me of a few things. It happens in Highland Park all the time just as it happens everywhere. We have to remember that we are not immune. Let's ask ourselves why we suspend disbelief when thinking about the hate, racism, anti-Semitism, anti-immigrant and bigoted thought that exists strongly in our society today. We see what is on TV, we see what is on community groups on social media that is directed at many of us personally and we should never be desensitized to acts of hate and violence, but we need to know the signs, we need to identify racism when we see it and take steps to get out in front of it. We should expect it and be proactive about it. Our proclaimed loss of innocence means that we are not intentionally thinking about protecting each other each and every day. This is our town, this is our home and he is embarrassed and angered by this act. He apologized to the mural team and to those who have been hurt by this desecration. The borough's investment in surveilling, sealing and protecting this asset is a symbol of who we are as a town. We want artists to come back and feel safe here to display their work, public art that makes us think cross-culturally about our neighbors and what we represent as a community. He called on all residents to work together to get this mural cleaned up as soon as possible.

Councilwoman Kim-Chohan commented on the welcoming mural. She thinks Council President George put everything into perspective. We all joined last night together to stand up to hate. We have the public hearing on the municipal budget tonight. She thanked the Public Works and Public Utilities Committee for their assistance in obtaining the PSE&G grant for electric vehicle charging stations. They hope to get more in the Borough as electric vehicles become more popular in Highland Park.

Councilman Hale echoed the comments of Council President George about what an amazing event main street was. It was so exciting to be able to be back out with everybody. He specifically thanked Rebecca, Javier and Jenny and all the volunteers for putting this together. Tonight will be the public hearing on the main street budget and they earned a big part of their budget with the hard work that they did at the street fair. His colleagues have spoken eloquently about the mural. He thanked Dan Swern from the art lab who sent a note earlier today about the processes for removing the graffiti and the need to make every effort to take care of the art underneath. All of us want to get rid of it as fast as possible, but there is a process that needs to be followed to make sure that we do it right. We will be working with Dan and other on making sure the removal of the graffiti is done in the most protective way. Rebecca Hersh did some research about a process for future murals and about processes for bringing building owners and artists together with canvasses.

Borough Administrator Jover thanked all the volunteers that made the 5K, the street fair and earth day possible. She also thanked all the borough employees for all of the work they did to assist with these events. It's the work of Main Street and their volunteers, it's the work of borough employees from Public Works, the Police Department, the Fire Department, Community Services and the volunteers from the First Aid Squad. This week will be the last week of Covid testing at the Community Center as the lab we have been working with no longer has funding for uninsured testing. We will keep an eye on the needs of the community as well as funding availability. If that should change, we know how to pivot and reinstitute testing, but we have made testing site information available on the borough website.

Borough Attorney Schmierer- No Report.

Mayor Brill Mittler reported that she had the opportunity to visit the building owner with Jim Nichols, Chair of the Main Street Organization, yesterday and the property owner is going to securing additional lighting and cameras for that area. This will be helpful in further protecting the mural from any future activities. She thanked Mr. Kessler Wong for stepping up and quickly addressing the issue of additional security. She had the opportunity to spend some time with the new manager at Stop and Shop in town handing out some reusable shopping bags prior to the ban of plastic bags going into effect this week. She thanked Stop and Shop for helping our resident by handing out free Stop and Shop reusable bags so that no one should feel that they have to buy a bag. She thanked Commissioner Sean Latourette and the Department of Environmental for coming to Highland Park and planting a new Salem oak tree at the Bartle

School. Every municipality in the State of New Jersey is going to get a seedling from a Salem oak tree and Highland Park was one of the first to receive their tree. Trees do so much more than provide shade for us, they are also critical in terms of climate control, so we have another tree to add to our collection in town.

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.

Amrisa Niranjani, Melford, NJ, commented that she wanted to thank the community for coming together to protect the message of radical hospitality for refugees and asylum seekers in New Jersey. Her intent in creating this work was to highlight that the people in New Jersey and Highland Park welcome all to build their homes here with us. The mural is meant to honor specific actions taken by community groups to build a borough that is safe and hospitable to all. The faces that you see here represent lesser discussed refugee groups. Anyone can become a refugee. It is not a definition of a person, but a status, granted by circumstances often outside of one's control. There is no ethnic group that makes up refugees, but this design specifically reflected those whose stories are alive in Highland Park right now. Her hope is that this mural would serve to speak to the beauty in those we may think of as strangers. Do not allow yourself to be distracted or in sorrow due to the defacement of the mural. She asked residents to feel proud of what people can do when they come together. Many people said kind things during this installation, however many people said hateful things. She alerted the Borough and the Mayor who stated the Borough would station Police presence to support the completion of the mural. Her hope is that this experience will call to light how important each body and voice is in building our communities as we would like to see them. Public art can often be a mirror for a community. If you are in this community and don't like this reflection of your home, now is a perfect time to stand up against any hatred that challenges this message. The message is that there is no room for hatred in this community and that home is where we make it. Lastly, she ended with a note to refugees and asylum seekers who may witness this defacement. You are wanted and needed in our communities. This is a place where when hatred shows up, the community showed up stronger. She was not born in the United States, however she holds her hopes and dreams of this nation accountable and she hoped that they would too.

Rebecca Cypess, 52 Brookdale Court, commented that she was speaking on behalf of herself and the Middlesex County Black Jewish Coalition. She echoed the comments by the artist and commented about the vigil and the fact that more education is needed.

Betty Epstein, 208 Cedar Avenue, commented about work being done by PSE&G and Water Company and wanted to know when Cedar Avenue would be repaired. She also commented about the closures of North 4th and South 3rd Avenue and the fact that it will be a traffic nightmare.

Jeff Vardaro, Wayne Street, commented that he is Chair of the Mayor's Equity Advisory Council. He invited members of the public to their next meeting on Monday. The mural issue and the public safety response will be the topic of discussion on the agenda. He also noted that there are vacancies on this Council that they have trouble filling. Interested residents should consider volunteering to serve on this Council.

Monique Coleman, 407 Lincoln Avenue, shared a statement on behalf of the black community watch line. The group stands in solidarity with the artist, a woman of color and an immigrant, who experienced multiple incidents of verbal harassment and intimidation while installing a mural in Highland Park. The black community watch line, a confidential hotline, has received a number of calls from black individuals and people of color documenting incidents of racial bias, violence and/or aggression across the state of New Jersey and here in Highland Park. Watch line calls on the Mayor and Borough Council to commit to ongoing acknowledgement that racism exists within the Highland Park community and they should take immediate action to support black individuals and people of color who experience racial violence, harassment or intimidation and to do so in ways that do not create additional harm. Lastly, with input from community-based organizations, work with an anti-racist organization to identify how anti-racist policies and practices would benefit all members of the community and determine whether there is a political will to implement anti-racist policies and practices in governmental institutions in Highland Park.

Dr. Ramis Pandey, River Ridge Terrace, commented that the Mayor is doing a great job and that he would love to meet with her.

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

The Clerk reported advertising an ordinance entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY PROHIBITING SMOKING AT THE TOWN TABLES AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK", for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

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

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

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

On motion made by Councilman Hale, seconded by Councilwoman Canavera, the ordinance entitled as above, being Ordinance No. 22-2051, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster.

Abstain: None.

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

No. 5-22-118

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY PROHIBITING SMOKING AT THE TOWN TABLES AND AMENDING THE "CODE OF THE BOROUGH OF HIGHLAND PARK", passed on final reading at this meeting be delivered to the Mayor for his/her approval, and if approved by him, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

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

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

Opposed: None.

Absent: Councilperson Foster.

No. 5-22-119

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 2022 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 following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster.

No. 5-22-120

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

WHEREAS, these conditions have been met.

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

1. That the Township Council, for the aforementioned reasons, hereby determines that the Budget shall be read by title only.

On motion made by Councilman Hale, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2022 Municipal Budget was opened.

No one appearing to be heard, on motion made by Councilman George, seconded by Councilwoman Canavera, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2022 Municipal Budget was closed.

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

Ayes: Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan.
 Opposed: None.
 Absent: Councilperson Foster.

No. 5-22-121

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) \$13,587,478.06 (Item 2 below) for Municipal Purposes
- (c) \$ 466,441.00 (Item 5 below) for Minimum Library Tax

SUMMARY OF REVENUES

General Revenues

1. Surplus Anticipated	\$1,800,000.00
Miscellaneous Revenues Anticipated	3,081,460.16
Receipts from Delinquent Taxes	
2. Amount to be Raised by Taxation for Municipal Purposes	
Municipal Support (Item 6(a), Sheet 11)	13,587,478.06
Minimum Library Tax	<u>466,441.00</u>

Total Revenues

18,935,379.22

SUMMARY OF APPROPRIATIONS

5. General Appropriations

 Within "CAPS"

(a&b) Operations Including Contingent	\$ 12,710,895.00
(e) Deferred Charges and Statutory Expenditures-Municipal	1,863,311.07

 (g) Cash Deficit

 Excluded from "CAPS"

(a) Operations – Total Operations Excluded from "CAPS"	1,754,749.15
(c) Capital Improvements	600,000.00
(d) Municipal Debt Service	1,792,424.00
(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>
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Total Appropriations

18,935,379.22

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

Ayes: Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan.
 Opposed: None.
 Absent: Councilperson Foster.

No. 5-22-122

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

WHEREAS, these conditions have been met.

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

- 1. That the Township Council, for the aforementioned reasons, hereby determines that the Main Street Highland Park Budget shall be read by title only.

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

Ayes: Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan.
 Opposed: None.
 Absent: Councilperson Foster.

No. 5-22-123

WHEREAS, pursuant to Resolution No. 4-22-99 adopted by the Borough Council of the Borough of Highland Park on April 5, 2022, that approved the Main Street Highland Park Budget for the year 2022; and

WHEREAS, said Budget was advertised in the Home News Tribune issue of April 8, 2022 together with a notice of the public hearing on the Budget scheduled for May 3, 2022 at 7:00 PM in Borough Hall, 221 South 5th Avenue, Highland Park, NJ; and

WHEREAS, said Budget and Notice of Hearing had been posted in the Borough Hall where public notices are customarily posted and was made available to each person requesting the same prior to and during the public hearing; and

WHEREAS, notice had been served on all property owners within the Special Improvement District as certified by the Tax Assessor and as shown by the affidavit of the Borough Clerk attached hereto and a public hearing on the Budget was held on May 3, 2022;

WHEREAS, pursuant to N.J.S.A. 40A:4-8, the said Main Street Highland Park Budget was introduced and adopted by title since, at least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget was made available for public inspection and was further made available to each person who requested a copy of said budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the 2022 Main Street Highland Park 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

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

Budget Surplus/(Deficit) \$ 14.35

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to Main Street Highland Park, the Tax Assessor, the Tax Collector and the Finance Director forthwith.

Resolution Nos. 5-22-124 through 5-22-130 were duly adopted on a motion made by Councilman George, seconded by Councilwoman Canavera, and carried by the following roll call vote, to wit:

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

Opposed: None.

Absent: Councilperson Foster.

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

No. 5-22-124

WHEREAS, pursuant to the provisions of the Local Public Contracts Law (“LPCL”), on three occasions bids were solicited by the Borough of Highland Park for the “Purchasing of Water Meters and Advance Metering Infrastructure and Replacement and Testing of the Existing Meters” project (“Project”); and

WHEREAS, following the last two solicitations, bids were to be received on January 20, 2022 and March 29, 2022, respectively, and the Council rejected all bids on both occasions on the basis that they were nonconforming; and

WHEREAS, consistent with the LPCL, a nonconforming bid is not considered a “bid” at all; and

WHEREAS, pursuant to the LPCL and in particular, N.J.S.A. 40A:11-5(3), a contract may be negotiated and awarded by at least two-thirds affirmative vote of the authorized membership of Council without public bidding when no bids were received in response to the advertisements; and

WHEREAS, Core & Main, LLC has offered to contract with the Borough to complete the Project in accordance with the Bidding and Contract Documents for which bids were solicited for the sum of \$1,265,751.25; and

WHEREAS, Core & Main, LLC’s plumbing subcontractor is registered as of April 5, 2022 under the Public Works Contractor Registration Act, and said contractor is in compliance with the requirements as set forth in the March 29, 2022 solicitation; and

WHEREAS, as required by N.J.S.A. 40A:11-5(3)(i), the Borough has made a reasonable effort to confirm that the same or equivalent goods and services are not available from an agency or authority of the United States, the State of New Jersey, Middlesex County, or a municipality in close proximity to the Borough; and

WHEREAS, the terms, conditions and specifications for completion of the Project as set forth in the negotiated contract are the same as those solicited for the Project; and

WHEREAS, the Borough is obtaining these goods and services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law” and in connection therewith, Core & Main, LLC has completed and filed with the Borough the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8 and Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 (collectively, the “Pay-to-Play Forms”); and

WHEREAS, the Chief Financial Officer has certified that the availability of sufficient funds for this contract in U-06-55-603-001.

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 foregoing preamble is hereby incorporated herein as if fully restated.
2. The Council hereby awards a contract to Core & Main, LLC for “Purchasing of Water Meters and Advance Metering Infrastructure and Replacement and Testing of the Existing Meters” project in accordance with the Bidding and Contract Documents for the March 29, 2022 solicitation for the sum of \$1,265,751.25.
3. The Mayor and Clerk are hereby authorized and directed to execute an Agreement consistent herewith.
4. A copy of the Agreement and the Pay-to-Play Forms shall be available in the office of Borough Clerk.

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

No. 5-22-125

WHEREAS there were 585 motor vehicle fatalities in New Jersey in 2020; and

WHEREAS, approximately 40% of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from May 23 - June 5, 2022 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 90.23% to 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Highland Park, in the County of Middlesex, State of New Jersey declares its support for the Click It or Ticket seat belt mobilization, both locally and nationally, from May 23, 2021 - June 5, 2022 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 5-22-126

WHEREAS, the Borough of Highland Park Police Department is in need of off-duty detail management services; 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 may exceed the bid threshold; and

WHEREAS, N.J.S.A. 11-4.1(b)(3) states that competitive contracting may be used by local units for the operation, management or administration of other services with the approval of the Director of the Division of Local Government Services.

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 police off-duty detail management services in the Borough of Highland Park. The proposals will be received and evaluated in accordance with the instructions and methodology provided in the forthcoming RFP documentation.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon approval of the Director of the Division of Local Government Services as provided by law.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-22-127

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:

Lawrence Robert Keller, Part-time Fire Fighter, at an hourly rate of \$21.79 per hour, effective 04/25/2022.

Karen Aarons, Crossing Guard, at an hourly rate of \$19.75, effective 05/03/2022.

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.

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

No. 5-22-128

WHEREAS, the Mayor and Borough Council desire to install public direct current fast charging (DCFC) electric vehicle chargers in Highland Park to accommodate a growing fleet of electric vehicles in town and around the state; and

WHEREAS, the Borough's desired location for the chargers on So. 5th Avenue has a suitability score from NJ Department of Environmental Protection (NJDEP) of 95 out of a possible 100 due to its proximity to multi-family housing, low-income census tracts, Route 27, and local amenities; and

WHEREAS, PSEG has funds available to build out New Jersey's EV charging infrastructure by funding meter installation costs and pole to meter utility service upgrades; and

WHEREAS, the Mayor and Borough Council desire to apply for a grant from PSEG in an amount of up to \$150,000; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute and submit, on behalf of the Borough Council, the grant application to PSEG.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized to sign the grant agreement upon acceptance on behalf of the Borough of Highland Park and that their signature constitutes acceptance of the terms and conditions and approves the execution of the grant agreement.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-22-129

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Municipal Court Administrator, Tracey Horan, shall be and is hereby authorized and directed to draft a check in the amount of \$2,046.50 made payable to the Borough of Highland Park as unanticipated revenue from outstanding checks on the General Account. Said check is to be forwarded to Lori Majeski, Chief Financial Officer, who will process the check accordingly.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Director and Municipal Court Administrator forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-22-130

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

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

The bills approved for payment at this meeting, Bills List 4/19/2022 can be found in the Bills List Journal Book No. 42.

Mayor Brill Mittler appointed Abby Stern Cardinale to the Board of Health.

The above appointment was confirmed on motion made by Councilwoman Canavera, seconded by Councilman George, and carried by the following roll call vote, to wit:

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

Abstain: None.

Opposed: None.

Absent: Councilperson Foster.

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.

Dr. Ramis Pandey, River Ridge Terrace, commented that he is interested in getting involved with the Board of Health.

Betty Epstein, 208 Cedar Avenue, commented again about the condition of Cedar Avenue and the plans to put tables back on South 3rd Avenue and North 4th Avenue. She voiced her concern about the traffic that this will cause along with the road work being done. She also commented about the legalized selling of marijuana and hoped the Council would not allow Police to use recreational marijuana.

Ed Epstein, 208 Cedar Avenue, commented about the decision made in 2020 about recreational marijuana. He thinks the Council should re-examine that decision. He mentioned the number of places approved to sell recreational marijuana in New Brunswick and Edison.

Elizabeth Roesener, 22 Harrison Avenue, commented about marijuana and asked what protections are being offered to the community.

Rob Roesener, 22 Harrison Avenue, asked if the town could consider a sound barrier wall along Route 18 by the river to help minimize traffic noise.

John Bucu, 41 Byron Place, Somerset, commented that he hoped Highland Park would not allow Police Officers to use recreational marijuana. He also commented about the taxpayers paying for health care insurance for the Mayor and Councilwoman Foster.

Annick Aviges, 412 Harrison Avenue, commented about the pot business and what is going on in town. She asked questions about the budget, the process to apply for pot license and whether the Police will be allowed to use recreational marijuana.

Michele May, South Adelaide Avenue, commented about dangerous potholes within the crosswalk on South 11th Avenue and the drainage problem. She also commented about drivers in the pickup line for school that blow through the stop signs on Central Avenue.

Mary Botteon, 709 Madison Avenue, commented about Police Officers using recreational marijuana and she hoped Highland Park would follow the lead of other towns like Jersey City.

Gabrielle Wilders, 24 Walter Avenue, commented about downed trees and tree limbs overhanging power lines on Walter Avenue. The Department of Public Works viewed the trees in question back in October and nothing has happened. She needed to contact the Administration office to get status. Thinks there needs to be better communication. She also commented about the faded lines for the bike lane on Walter Avenue

Elizabeth Roesener, 22 Harrison Avenue, commented about whether there is testing for drivers for marijuana or other drugs such as cocaine.

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

Work Session:

Highland Park Signs – River Road, Upper Raritan Avenue – Councilman Hale noted that Main Street Highland Park has wanted to put some additional welcome signs as you come in and out on Raritan Avenue and when you go in and out on Woodbridge Avenue as well as putting signs on upper Raritan Avenue and on River Road. The design idea is very similar to the existing designs and Main Street Highland Park has the money to pay for it and they will work with them on spacing and placement.

Central Avenue Traffic Study – Chief Abrams noted that the Public Safety Committee has been trying to figure out a way to make the Central Avenue area around Irving School safer. Sergeant Soden did a proposal and it needs to have a study done by CME Associates before they can proceed any further. One of the things they recommend is to make Central Avenue between South 10th and South 11th Avenue a one-way. Sergeant spoke with residents in that area about this proposal and the community is in support of it. To have CME complete the study would cost money and that is why it is being brought to the Council. The cost to do the traffic study is approximately \$5,000 to \$7,000. Right now Crossing Guards, Teachers and Police Officers place barricades and signage for drop off and pick up times. Making the change suggested would be a more permanent and safer solution. Anticipating getting this done prior to the beginning of the new school year.

NJ Reparations Task Force - Councilman Hersh noted that this is to consider a resolution moving forward in support of Assembly Bill 938 and Senate Bill 386 that would establish a New Jersey reparations task force. It would establish a task force to study and develop reparation proposals for black New Jersey residents and the task force would consist of 11 members, four Legislators and seven public members. They would be appointed by the Governor and eight members would be appointed by legislative leadership.

The bill proposes that this task force would examine the institution of slavery within the State of New Jersey the extent to which New Jersey and the Federal Government prevented/opposed/restricted efforts of former enslaved persons and their descendants who are considered US citizens to economically thrive upon the ending of slavery; examine the lingering effects of slavery; research methods and materials for facilitating education; community dialogue; symbolic knowledge acknowledgement and other formal actions; make recommendations for what remedies should be awarded through what instrumentalities and to whom those remedies should be awarded; and address how recommendations comport with national and international standards. The Middlesex Jewish Black Coalition had been advocating for this legislation and are looking for support from municipalities. Borough Clerk had circulated information about a possible resolution that Montclair Township did. Consensus to get feedback from Councilwoman Foster and put resolution on future agenda.

Affordable Housing – Borough Administrator Jover reported that at a recent Administration Committee meeting the Affordable Housing Attorney, Mike Edwards, suggested the Borough Council adopt two ordinances. One ordinance is a mandatory set-aside ordinance. Establish affordability component requirements for projects of a certain size that appear before the boards, 20% inclusionary for a sale project and 15% inclusionary for a rental project. They have advised other communities they work with to consider this ordinance and we would want this as part of our overall compliance approach with the State's regulations. This would also help to make sure any projects that come forward through these means would be inclusionary. Borough Attorney Schmierer noted that it is a good recommendation. This ordinance would add to the current ordinance that is in place. Borough Administrator Jover noted that part two is an amendment to the existing affordable housing ordinance. This was pitched to the Council last year and when the ordinance was done, a paragraph was dropped out of the final version. Borough Attorney Schmierer noted that the change says at least 30 years or until released by the Governing Body which basically will make these units perpetual.

There being no further business, on motion made by Councilman George, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Jennifer Santiago
Borough Clerk