

REGULAR MEETING – AUGUST 2, 2022

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, August 2, 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 July 29, 2022 and was posted on the Borough website at [www.hpboro.com](http://www.hpboro.com) and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ on July 29, 2022, and has remained continuously posted as required by law.

Present: Mayor Brill Mittler; Councilpersons Canavera, Foster, George, Hale, Hersh, Kim-Chohan; Borough Attorney Schmierer; Assistant to Borough Administrator Von Thun, Borough Clerk Santiago; Attorneys Baumann and Strasser; Planner Cosenza.

Absent: Borough Administrator Jover.

On motion made by Councilwoman Foster, seconded by Councilwoman Canavera, Resolution No. 8-22-210 was added to the Consent Agenda, by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

Mayor Brill Mittler read proclamation honoring retirement of long-time volunteer Shelia Highsmith.

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

Councilwoman Canavera congratulated Shelia on her retirement. She was the person who get her started on her volunteer journey. August is National Family Fun Month. It's a perfect reminder to take a break and have some carefree family fun here in town. The Board of Health wants to remind everyone that while May, June and July are considered the prime months for ticks, they are still a very major issue right now. Please be careful and check yourself, your pets and children for ticks after being outside. Food insecurity is still high. We have two programs. The Community Food Pantry is open the 2<sup>nd</sup> and 4<sup>th</sup> Thursday from 9:00 a.m. to 10:45 a.m. and 6:00 p.m. to 7:00 p.m. and the Saturday after that Thursday from 9:30 a.m. to 10:30 a.m. Donations can be made using their amazon wish list. The HP Gives a Hoot food pantry is open every Tuesday from 10:00 a.m. to 11:00 a.m. Donations can be made by mailing a check to Borough Hall. They are also taking donations at the Zone 6 Teen Center. The Mental Health Commission wants to remind everyone that if you are having a mental health crisis to please reach out for help. The Middlesex County hotline numbers are Rutgers University Behavioral Health Care HOTLINE: (855) 515-5700; Raritan Bay Medical Center HOTLINE: (732) 442-3794 Or Text HOME to 741741.

Councilman Hale reminded everyone that the Highland Park Annual Arts in the Park Street Fair will take place on September 11<sup>th</sup>. This is a great event and the time to stock up and shop for gifts, eat a lot of food and listen to local music. The Farmer's Market is open every Friday so please come out and support the market. Tonight they will be voting on naming Garden Homes as a conditional redeveloper as part of a redevelopment plan. This is an exciting first step in bringing about downtown redevelopment. There is a lot of work ahead. With the possibility of Stop and Shop and Saiff Drugs closing, he knows it is nerve-racking for many people. He wanted to assure everybody that the Borough is working very hard on both of those to make sure that we have a solid grocery store and we have solid development in the downtown. He thanked Main Street for working with the Mayor in reaching out to Stop and Shop and other businesses. He also thanked the Mayor for her hard work. He thanked Assistant to the Borough Administrator Von Thun for her work with the Neighborhood Preservation program.

Councilwoman Foster reported that the National Night Out event will be held next Tuesday at Irving School beginning at 6:00 p.m. The Youth Junior Cadet Academy was run in July and it was a huge success. She congratulated all the children that graduated and hoped that they put the skills they learned to good use. The Police Department and the Safe Walking and Cycling Committee have been working on the Street Smart Awareness Program. The kickoff for the program will be on September 9<sup>th</sup> and will commence at the Susan Welkovits Pavilion on Raritan Avenue. There will be representatives from the State along with the Mayor and Councilmember Hersh. She thanked Councilmember Hersh for not letting this initiative go and for working with her to make it come to fruition. She reminded residents to be aware of their surroundings and to lock their cars. She reminded residents to wear helmets when riding a bicycle or a scooter and she reminded everyone to always practice public safety.

Councilwoman Kim-Chohan reported that a few weeks ago the Governor announced the Property Tax Relief Program that's going to help about 1.8 million New Jersey households. It's replacing the Homestead Benefit Program. Homeowners making up to \$250,000 would be eligible to receive an average \$700 rebate the first year and the program included renters this time. Renters making up to \$100,000 would be eligible for a rebate of \$250 to offset costs of rent increases. This would apply to about 1.1 million homeowners and 600,000 renters in New Jersey. You have to apply for the program, it is not automatic. The Tax Office will have applications and will assist residents that are interested in the program. She thanked Main Street Highland Park for inviting her to their gazpacho contest. She participated in the squash muffin contest, but she thinks the gazpacho one was better and she really enjoyed it.

Councilman Hersh reported that the Department of Recreation oversees the Park Stock Summer series which started off successfully with two shows last week. Hey Bulldog, a Beatles Cover Band, were slated to play Thursday, but the show has been postponed due to hot weather and is rescheduled for August 18<sup>th</sup> at Grove 1 in Donaldson Park. He thanked musicians Sheila Shukla and Gary Kaplan and he thanked Kim McGraw for all their hard work in getting this program going.

Councilman George reported that Arts in the Park will occur in September and the following week will be the town wide garage sale. The Department of Public Works will be reinstating bulk trash pickups by reservation for the fall. They will be doing bulk trash pickups, without appointments, the week following the town wide garage sale. The Department of Public Works is moving into the second phase of recycling along Raritan Avenue and Woodbridge Avenue using our new equipment, the one armed bandits and using toters. They found the money to finance the toters from capital that they had planned when we added our second one armed bandit truck. They have a good handle on the commercial properties and the amount of toters needed. They are looking to rollout that phase sometime in October. PSE&G had their pre-meeting for the paving programs yesterday. It is their high priority to do the roads around Bartle School prior to school opening. Alan Williams communicated to him that the National Science Foundation has issued a grant for some Rutgers Grad students to do a study of the tick population in public areas especially the Meadows Trail and the Native Plant Sanctuary. During the work session, we will hear a brief discussion of Sustainable Highland Park adopt a drain program which is in place.

Assistant to Borough Administrator Von Thun – No Report.

Borough Attorney Schmierer – No Report.

Mayor Brill Mittler reported that she and Councilman Hersh share an enthusiasm for the Park Stock Program, Highland Park's own music festival, which has been in full swing since July. It is really wonderful to see so many people from our community enjoying the music in Donaldson Park. This Thursday's performance has been postponed, but Park Stock is just one of the ways in which Highland Park continues to gain the reputation as the place to be for music and arts in Middlesex County. She gave a shout out to the Highland Park Recreation Department for pulling this summer long event together. We really gave them a challenge to make it happen and they really came through. She hopes that Park Stock becomes a regular summer music festival for Highland Park. She wanted residents to know that she is aware that Highland Park needs a supermarket so she is not giving up on trying to find a replacement for Stop and Shop.

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.

Peter Spool, 146 Graham Street, asked for more detailed information about the resolution designating Garden Homes Entity as the conditional redeveloper for 232 Raritan Avenue. He also asked for clarification as to how the Borough arrived at the decision.

Mary Forsberg, 317 Denison Street, commented about the redevelopment plan and the conditional redeveloper, Garden Homes. She also commented about the meeting that residents had a hard time accessing.

Grazina Strolia, 24 Redcliffe Avenue, asked about redevelopment and voice her concern about putting a public square on South 3<sup>rd</sup> Avenue.

Mary Forsberg, 317 Denison Street, commented that her professional background is finance. She commented that she is interested in the pilot provided to Garden Homes for 431 River Road.

Neil Fine, Dartmouth Street, commented that he has rented in town for over 12 years and just bought a house on Dartmouth Street. One of the things he loves about this town is the farmer's market and the downtown area. He is upset about the possibility of the farmer's market area being taken away and he thinks the matter should be taken to a town-wide referendum.

Randall Solomon, 331 Felton Avenue, commented that he is glad to see the town moving forward with the redevelopment, but one of the biggest issues we face is wanting to increase taxes and vibrancy downtown. You need better store structures and you need people to live downtown. He also voiced his concern about the farmer's market.

Alexis Thomason, 155 Exeter Street, commented that this past week she wrote to the Mayor, Councilman Hersh and Jenny Chapman at Main Street Highland Park with her idea about turning the farmer's market into a municipal partial open-air market. She believes that the Borough needs more living spaces downtown and that there should be ordinances to stop the vacancies.

Harold Sackowitz, 617 South 5<sup>th</sup> Avenue, asked how the Borough hooked up with this new proposal with regard to parking.

Jenny Chapman, 123 Magnolia Street, asked about moving forward with accepting Garden Homes as the conditional redeveloper before there is a plan for that property and before it is sold to them. She feels that this is an unpopular move and is a political issue for the Governing Body.

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

The ordinance amending Chapter 230 concerning the deed restricted control periods and mandatory set-aside requirements was tabled from consideration until September 6, 2022, on motion made by Councilman Hale seconded by Councilwoman Canavera, and carried by the following roll call vote, to wit:

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

Opposed: Councilperson Hersh.

Absent: None.

The Clerk reported advertising an ordinance entitled, ORDINANCE NO. 2055: “AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 230, LAND DEVELOPMENT CONCERNING: PARKING REGULATIONS FOR ALL ZONING DISTRICTS; AND BULK REGULATIONS AND RESIDENTIAL DESIGN STANDARDS FOR SINGLE- AND TWO-FAMILY DWELLINGS”, 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 George, seconded by Councilwoman Canavera, 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.

Peter Spool, 146 Graham Street, commented about the parking language that was removed and replaced with NJAC 5:21, which amounts to 2 parking spaces have to be set aside as well as half a parking space for visitors.

Mary Forsberg, 317 Denison Street, commented that it looks like the ordinance is reducing the number of required parking spaces for residential and two family dwellings. She also commented that making these changes will cause problems for a lot of people.

Harold Sackowitz, 617 South 5<sup>th</sup> Avenue, questioned whether the Borough must comply with State requirements.

No one else 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 Councilman George, the ordinance entitled as above, being Ordinance No. 22-2055, was duly adopted by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

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

No. 8-22-185

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, ORDINANCE NO. 2055: “AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 230, LAND DEVELOPMENT CONCERNING: PARKING REGULATIONS FOR ALL ZONING DISTRICTS; AND BULK REGULATIONS AND RESIDENTIAL DESIGN STANDARDS FOR SINGLE- AND TWO-FAMILY DWELLINGS”, passed on final reading at this meeting be delivered to the Mayor for his/her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the “Home News Tribune”, of Neptune, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported that an ordinance entitled, ORDINANCE NO. 2056: “AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY AMENDING CHAPTER 9 OF THE “CODE OF THE BOROUGH OF HIGHLAND PARK” CONCERNING THE SHADE TREE ADVISORY COMMITTEE, had been introduced in writing by the Public Works and Public Utilities Committee for consideration of passage on first reading by title.

On a motion made by Councilman George, seconded by Councilwoman Canavera, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted on motion made by Councilman George, seconded by Councilwoman Canavera, and carried by unanimous affirmative voice vote:

No. 8-22-186

WHEREAS, an Ordinance entitled, ORDINANCE NO. 2056: “AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY AMENDING CHAPTER 9 OF THE “CODE OF THE BOROUGH OF HIGHLAND PARK” CONCERNING THE SHADE TREE ADVISORY COMMITTEE, 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, September 6, 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.

The Clerk reported that an ordinance entitled, ORDINANCE NO. 2057: “AN ORDINANCE AMENDING THE “CODE OF THE BOROUGH OF HIGHLAND PARK” CHAPTER 197: FLOOD DAMAGE PREVENTION”, had been introduced in writing by the Council as a Whole for consideration of passage on first reading by title.

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

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

Opposed: None.

Absent: None.

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

No. 8-22-187

WHEREAS, an Ordinance entitled, ORDINANCE NO. 2057: “AN ORDINANCE AMENDING THE “CODE OF THE BOROUGH OF HIGHLAND PARK” CHAPTER 197: FLOOD DAMAGE PREVENTION”, as follows, 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, September 6, 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.

The Clerk reported that an ordinance entitled, ORDINANCE NO. 2058: AN ORDINANCE PROHIBITING FIREARMS IN PUBLIC BUILDINGS AND AMENDING THE “CODE OF THE BOROUGH OF HIGHLAND PARK”, had been introduced in writing by the Public Safety Committee for consideration of passage on first reading by title.

On a motion made by Councilwoman Foster, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

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

No. 8-22-188

WHEREAS, an Ordinance entitled, “ORDINANCE NO. 2058: AN ORDINANCE PROHIBITING FIREARMS IN PUBLIC BUILDINGS AND AMENDING THE “CODE OF THE BOROUGH OF HIGHLAND PARK”, 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, September 6, 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.

Resolution Nos. 8-22-189 through 8-22-208 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, Foster, George, Hale, Hersh, Kim-Chohan.

Opposed: None.

Absent: None.

Abstain: None.

The following resolution, introduced by the Health and Human Services Committee, was duly adopted as above:

No. 8-22-189

WHEREAS, N.J.S.A. 40:8-1 et seq. authorizes municipal local units to enter into contracts with one another for the purpose of providing shared services; and

WHEREAS, the Borough of Highland Park is desirous of procuring Animal Control Shelter Services for the period of January 1, 2022 through December 31, 2024 inclusive, to comply with the laws of the State of New Jersey; and

WHEREAS, the Township of Edison is desirous of supplying and undertaking the duties of Animal Control Shelter Services and fulfilling the obligations thereof as prescribed by law; and

WHEREAS, the Borough of Highland Park represents that the funds to meet the costs of this contract are included in the current budget of appropriations, or in the alternative, that there has been and there will continue to be an Ordinance authorizing the appropriation sufficient to meet the costs of carrying out the provisions of the contract.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the attached shared service agreement with the Township of Highland Park for the purpose of providing Animal Control Services to said Borough.
2. The Borough Clerk is directed to forward and execute shared service agreement to the Edison Township Clerk, at 100 Municipal Boulevard, Edison, New Jersey 08817, with the instructions to return a fully signed copy of the Borough for its records.

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

No. 8-22-190

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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

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

WHEREAS, the Highland Park Borough Council has applied for DMHAS Youth Leadership funding through the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex.

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

1. The Highland Park Borough Council does hereby authorize acceptance of an application for DMHAS Grant funding for the Highland Park Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:  

DMHAS Grant Funding	<u>\$ 5,000</u>
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2. The Highland Park Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

No. 8-22-191

WHEREAS, on July 6, 2022 pursuant to a duly advertised Notice to Bidders, the Borough of Highland Park (“Borough”) received one (1) bid for the improvements to South 4<sup>th</sup> Avenue, Johnson Street, and Montgomery Street; and

Which bid is as follows;

Top Line Construction Corp.	\$499,500.06
22 Fifth Street	
Somerville, NJ 08876	

WHEREAS, upon recommendation of the Borough Engineer and review by the Borough Attorney, the Borough desires to award the contract for the Project to Top Line Construction Corp.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the award of the contract purpose in the amount of \$499,500.06 in Capital Account No. C-04-55-829-001 as reflected by the certification of funds no. 2022-13.

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 contract for the Project is hereby awarded to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 in the amount of \$499,500.06, subject to the approval of the New Jersey Department of Transportation.
2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Top Line Construction Corp.

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

No. 8-22-192

WHEREAS, pursuant to Resolution No. 3-22-86, adopted March 15, 2022, the Borough Council authorized execution of a contract with Hellas Construction, Inc. for Improvements to Highland Park

Recreation Complex (Athletic Field), in an amount not to exceed \$1,974,540.00, without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, it appears from Pay Estimate No. 2, filed by CME Associates, that certain work under said contract has been completed and approved, and there is due to Hellas Construction Inc. the sum of \$84,396.00 in accordance with said Pay Estimate for work performed from June 1, 2022 to June 25, 2022; and

WHEREAS, funds for this purpose are available in Capital Account No. C-04-55-830-001, in an amount not to exceed \$612,163.76, as reflected by the Certification of Funds Available by the Chief Financial Officer Lori Majeski, certification no. 2022-14; and

WHEREAS, the Borough Engineer has prepared the attached Change Order No. 1 to the said contract to allow for supplemental work for the above referenced project; and

WHEREAS, Council has reviewed the proposed Change Order No. 1 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay Hellas Construction Inc. the sum of \$84,396.00, as certified by the Engineer in Pay Estimate No. 2, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary;

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Highland Park that Mayor Gayle Brill Mittler be and is hereby authorized and directed to execute Change Order No. 1, dated July 13, 2022, to the contract of Hellas Construction, Inc. upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Engineer; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Hellas Construction Inc.

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

No. 8-22-193

WHEREAS, pursuant to Resolution No. 3-22-86, adopted March 15, 2022, the Borough Council authorized execution of a contract with Hellas Construction Inc. for Renovations to the Highland Park Recreation Complex, in an amount not to exceed \$1,974,540.00, without further resolution of Council; and

WHEREAS, pursuant to said resolution a contract was duly executed; and

WHEREAS, it appears from Pay Estimate No. 3, filed by CME Associates, that certain work under said contract has been completed and approved, and there is due to Hellas Construction Inc. the sum of \$379,318.31 in accordance with said Pay Estimate for work performed from June 26, 2022 to July 25, 2022; and

WHEREAS, funds for this purpose are available in Capital Account No. C-04-55-830-001, in an amount not to exceed \$379,318.31, as reflected by the Certification of Funds Available by the Chief Financial Officer Lori Majeski, certification no. 2022-15; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay Hellas Construction Inc. the sum of \$379,318.31, as certified by the Engineer in Pay Estimate No. 3, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary;

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Hellas Construction, Inc.

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

No. 8-22-194

WHEREAS, the Historical Commission seeks to complete an historic architectural survey along Raritan Avenue, also known as the Lincoln Highway; and

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

Arch2	-
Connolly & Hickey	-
Richard Grubb & Associates, Inc.	\$30,000.00

and

WHEREAS, the Historical Commission Chair and Borough Administrator have recommended that said services be purchased from Richard Grubb Associates, Inc. based on their quote for same based on their professionalism and quality of work; and

WHEREAS, funds are available for this purpose in Grant Account No. G-02-41-753-200, in an amount not to exceed \$30,000.00, as reflected by the certification of funds available by the Chief Financial Officer, certification no. 2022-16.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized and directed to accept the quote for historical survey services from Richard Grubb Associates, Inc., 259 Prospect Plains, Building D, Cranbury, NJ 08512 at a cost not to exceed of \$30,000.00.

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

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

No. 8-22-195

WHEREAS, Doolittle Motor Car Co, Inc. dba Dependable Motors, Car Guys Auto Repair, Guaranteed Motor Towing Service, Inc., and Oasis Towing, have filed with the Clerk of this Borough for a Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

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

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

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

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

No. 8-22-196

WHEREAS, the Borough is committed to preserving the health of its new street trees planted in spring 2021 and 2022 and the street trees benefit from consistent watering and health check-ups to get them to two-year maturity; and

WHEREAS, the Borough solicited three (3) quotes and awarded a contract with a do not exceed amount of \$15,000.00 to Bartlett Tree Experts on June 14, 2022; and

WHEREAS, historically high temperatures and record-low rainfalls have resulted in more frequent waterings than anticipated to protect the Borough's investment; and

WHEREAS, the Shade Tree Advisory Committee has recommended that the contract amount be increased by \$15,000.00 to \$30,000.00; and

WHEREAS, funds are available for this purpose in Account No. T-12-56-500-001, in an amount not to exceed an additional \$15,000.00, as reflected by the certification of funds available by the Chief Financial Officer, certification no. 2022-17.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized and directed to increase the do not exceed value for the watering contract with Bartlett Tree Experts, 2 Lakeview Avenue, Suite 206, Piscataway, NJ 08854, to \$30,000.00.

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

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

No. 8-22-197

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 and hourly basis, there have been the following changes, to wit:

Oz Duncan, Seasonal Recreation, at an hourly rate of \$16.00, effective 6/1/2022

Dovie Fine, Seasonal Recreation, at an hourly rate of \$16.00, effective 6/1/2022

Akili Tulloch, Seasonal Recreation, at an hourly rate of \$16.00, effective 7/5/2022

Abbey-Gayle Spencer, Library Assistant, at an hourly rate of \$14.00, effective 8/1/2022

Jennifer Raymondi, P/T Library Assistant, at an hourly rate of \$14.00, effective 8/1/2022

Bradley Batcha, Building Maintenance, at an hourly rate of \$22.94, effective 8/15/2022

Karen Aarons, Crossing Guard, at an hourly rate of \$19.75, effective 9/6/2022

Catherine Ciociari, Crossing Guard, at an annual salary of \$12,016.00, effective 9/6/2022

Carol Gordon, Crossing Guard, at an hourly rate of \$19.75, effective 9/6/2022

Terence Milne, Crossing Guard, at an hourly rate of \$19.75, effective 9/6/2022

Lucille Morris, Crossing Guard, at an annual salary of \$12,016.00, effective 9/6/2022

Charlene Rayside, Crossing Guard, at an annual salary of \$12,016.00, effective 9/6/2022

Jacqueline Rhein, Crossing Guard, at an annual salary of \$11,506.00, effective 9/6/2022

Deborah Riddick Smith, Crossing Guard, at an annual salary of \$12,016.00, effective 9/6/2022

Elizabeth Roesener, Crossing Guard, at an annual salary of \$11,506.00, effective 9/6/2022

Shirley Rousseau, Crossing Guard, at an hourly rate of \$19.75, effective 9/6/2022

Fania Tsakalakos, Crossing Guard, at an hourly rate of \$19.75, effective 9/6/2022

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 Council as a Whole, was duly adopted as above:

No. 8-22-198

WHEREAS, the Borough of Highland Park was the recipient of a \$10,000 grant from Sustainable Jersey and PSEG to install a rain garden at the Highland Park Public Library to mitigate stormwater runoff issues at the building; and

WHEREAS, the Borough of Highland Park has a need for engineering services related to the design of the proposed rain garden; and

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

WHEREAS, Dr. Christopher Obropta of Rutgers Water Resources is a licensed professional engineer in New Jersey; and

WHEREAS, funds for this purpose are available in Grant Account No. G-02-41-762-200 in an amount not to exceed \$4,000.00, as reflected by the Certification of Funds Available by Chief Financial Officer Certification no. 2022-18.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Rutgers Water Resources, 14 College Farm Road, New Brunswick, NJ 08901, a copy of which is attached to the original of this resolution, and that notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.



The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 8-22-199

WHEREAS, on July 11, 2022 the Highland Park Fire Department had to take Fire Engine No. 2 out of service due to several necessary repairs discovered during routine maintenance; and

WHEREAS, pursuant to Local Public Contracts Law NJSA 40A:11-6 et seq, provides that public bidding and quotes are not necessary in an emergency situation that affects the public health, safety or welfare; and

WHEREAS, Emergency Equipment Sales & Service LLC is qualified and able to make said emergency repairs and has been authorized to proceed with the work in an amount not to exceed \$23,000.00; and

WHEREAS, funds for this purpose are available for this purpose in Account No. 2-01-26-315-232, in an amount not to exceed \$23,000.00, as reflected by the certification of funds by the Chief Financial Officer certification no. 2022-19.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized and directed to issue payment in the amount not to exceed \$23,000.00 to Emergency Equipment Sales, 119 Winterwood Ave, Ewing, NJ 08638, for services in connection with repairs to Fire Engine No. 2.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 8-22-200

WHEREAS, under the terms and conditions of the Public Contracts Law of the State of New Jersey, a municipality may purchase and/or rent items without competitive bidding from a firm or corporation currently under contract with the State of New Jersey; and

WHEREAS, the Borough of Highland Park is in need of replacing photocopiers in the Municipal Building, Municipal Court, the Police Department and the Public Works Department, said equipment as more fully described on the proposal; and

WHEREAS, under State Contract No. 40467, the Borough may lease seven (7) Ricoh Copiers; one (1) Ricoh IMC3500G in the Communications Dept.; one (1) Ricoh MP4055SPG in the Code Enforcement Dept.; One (1) MP2555SPG for the Public Works Department; One (1) Ricoh MPMP23555spg for the Police Department; One (1) MP2555SPG for Municipal Court; One (1) IM600SRFG for the Tax Office; One (1) IMC6000G for the Copy Room, for a 48 month rental contract, at the State contract prices; and

WHEREAS, funds for this purpose shall be made available in Account No. 2-01-20-121-208 in a monthly amount of \$1,241.60 excluding any possible overage charges, as reflected by the certification of funds by the Chief Financial Officer, no. 2022-20.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator and Borough Clerk are hereby authorized and directed to arrange for the lease of the aforesaid photocopying equipment from Ricoh USA, PO Box 9115, Macon, GA 31208.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Borough Administrator, Chief Financial Officer, Police Chief, Community Services and Borough Clerk.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:  
No. 8-22-201

WHEREAS, by Resolution adopted on July 5, 2022, the Borough Council approved Change Order #1 which increased the amount for the "Emergency Repairs to the Water & Collection System" Contract with J. Fletcher Creamer & Son, Inc. by an additional \$153,118.31 for the initial one-year term (2021-2022); and

WHEREAS, it has come to the Borough Administrator's attention that Change Order #1 mistakenly failed to include all amounts which were necessary to expend during the initial one-year term of the Contract; and

WHEREAS, the Finance Department has confirmed that the original amount of increase was \$153,118.31 but should have been \$571,500.10, based on the actual emergency repairs which were required during the Contract term; and

WHEREAS, as a result of the foregoing, the Borough Administrator and Finance Department request that the Borough Council amend the original resolution approving Change Order #1 to increase the foregoing contract amount for year one to a total of \$746,291.03; and

WHEREAS, funds are available for this purpose in Water & Sewer Operating Account No. 1-05-55-500-423 in the amount of \$42,796.80, Utility Account No. U-06-55-603-001 in the amount of \$664,310.21 and Utility Account No. U-06-55-602-001 in the amount of \$39,184.02, for a total amount not to exceed of \$746,291.03, as reflected by the certification of funds available by the Chief Financial Officer, no. 2022-24.

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

1. The "Whereas" clauses are hereby incorporated herein as if fully restated.



2. Change Order #1 for the “Emergency Repairs to the Water & Collection System” Contract with J. Fletcher Creamer & Son, Inc. is hereby amended by increasing the contract amount for the first year of said contract by \$569,045.03, for a new not to exceed amount for 2021-2022 of \$746,291.03.
3. This Resolution, when counter-signed by Fletcher Creamer & Son, Inc., shall serve as a second contract amendment to the original contract for the purpose of confirming the increase in the contract price by \$569,045.03, the amount of Change Order No. 1, as amended.
4. The Borough Clerk is hereby directed to cause to be printed once in the official newspaper a brief notice indicating the additional amount to be expended, the original contract price, the nature of the original and additional work, and why it is necessary to expend the additional funds. The Borough Clerk shall keep a copy of the advertisement on file, where it shall remain available for public inspection.
5. The Borough Clerk shall report to the Division of Local Government Services on an appendix to the Borough’s annual budget all change orders from the previous fiscal year which exceeded the 20 percent limitation. This report shall be made on a form provided by the Director. A summary of the report shall be included as supplemental material in the annual audit of the Borough.

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

No. 8-22-202

WHEREAS, the Borough of Highland Park received a grant in the amount of \$250,000 from the State of New Jersey for a feasibility study of a bicycle and pedestrian River Trail that would connect Donaldson and Johnson Parks along the Raritan River; and

WHEREAS, the Borough of Highland Park is in need of professional landscape architectural services to conduct the feasibility study and develop a concept plan for the proposed Raritan River Trail; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A.:11-1 et seq. and the Borough intends to award a contract to the successful firm through the provisions governing licensed professional services, N.J.S.A.:11-5(1)(a)(i); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to issue a Request for Proposals (RFP) for landscape architectural services in support of a feasibility study and concept plan for the proposed Raritan River Trail. The proposals will be received and evaluated in accordance with the instructions and methodology provided in the forthcoming RFP documentation.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 8-22-203

WHEREAS, on July 5, 2022, the Borough Council of the Borough of Highland Park approved Resolution No. 7-22-173 authorizing a Professional Services Agreement with Jonathan Perse of Cornerstone Environmental Group – A Tetra Tech Company for Environmental Consulting Services related to ongoing litigation entitled JSM at Highland Park, LLC v. The Borough of Highland Park, Docket No. MID-L-4958-17; and

WHEREAS, Special Environmental Counsel has informed the Borough Administrator that additional Licensed Site Remediation Professional (LSRP) expert services will be needed from Mr. Perse to support upcoming depositions; and

WHEREAS, the work authorized on July 5, 2022 was approved at a cost not to exceed \$10,000 and the additional work is estimated not to exceed \$5,500;

WHEREAS, the Borough Administrator requests that the Borough Council amend the Resolution 7-22-173 approving the Professional Services Agreement with Cornerstone Environmental Group to include the additional work as articulated in the proposal from Mr. Perse dated July 22, 2022 for the amount of \$5,500.00 for a total contract amount to exceed \$15,500; and

WHEREAS, funds for this purpose shall be made available in Account No. 2-01-20-155-235 for an additional amount not to exceed \$5,500.00, as reflected by the certification of funds by the Chief Financial Officer, no. 2022-21.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Highland Park hereby approve the additional work articulated in the July 5, 2022 proposal from Cornerstone Environmental Group – A Tetra Tech Company for an amount not to exceed \$5,500.

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

No. 8-22-204

WHEREAS, the Highland Park Department of Public Works has a need to purchase leaf bags; and

WHEREAS, the Borough desires to purchase leaf bags; and

WHEREAS, quotes for said purchase were received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
Pabco Industries, LLC (18,000 bags)	\$11,412.00
Uline (18,000 bags)	\$15,300.00
Grainger (18,000 bags)	\$23,688.00

WHEREAS, the Recycling Coordinator has recommended the purchase of said leaf bags from Pabco Industries, LLC at an amount not to exceed \$11,412.00; and

WHEREAS, funds are available for this purpose in Account No. G-02-41-746-001 in the amount of \$6,647.63 and Account No. G-02-41-763-200 in the amount of \$4,764.37, for a total amount of \$11,412.00, as reflected by the certification of funds available by the Chief Financial Officer, no. 2022-22.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works and Public Utilities is hereby authorized and directed to purchase of leaf bags from Pabco Industries, LLC, 166 Frelinghuysen Avenue, Newark NJ 07114, for a total price of \$11,412.00.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Superintendent of Public Works and Public Utilities and the Finance Department.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:  
No. 8-22-205

WHEREAS, pursuant to Resolution 2-22-65, the Council of the Borough of Highland Park authorized the solicitation of proposals through the competitive contracting provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-4.1 *et seq.*, for purposes of selecting a qualified revaluation firm to complete a municipal-wide revaluation of the Borough of Highland Park; and

WHEREAS, on July 14, 2022, and consistent with the Request for Proposals Documentation issued by the Borough, the Borough received one proposal from BRB Valuation and Consulting Services, LLC to complete revaluation of 44 complex commercial properties for the price of \$88,000.00; and

WHEREAS, the Tax Assessor, Administrator and Assistant Borough Attorney have evaluated BRB Valuation and Consulting Services, LLC’s proposal and based thereon have determined that it is consistent with the Borough’s Request for Proposals Documentation and is most advantageous to the Borough, price and other factors considered; and

WHEREAS, the Administrator recommends that the Council awards a contract to BRB Valuation and Consulting Services, LLC for the reasons set forth above and the reasons set forth in the report recommending an award to BRB Valuation and Consulting Services, LLC; and

WHEREAS, funds are available for this purpose in the General Ledger Fund Account No. 2-01-300-60-002-010, in an amount not to exceed \$88,000.00, as reflected by the certification of funds available by the Chief Financial Officer, certification no. 2022-23.

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 above preamble is incorporated herein as if set forth at length.
2. The Council hereby awards the Agreement for Revaluation of 44 Complex Commercial Properties in the Borough of Highland Park to the firm of BRB Valuation and Consulting Services, LLC for the contract amount of \$88,000.00. This authorization is subject to the approval of the Director of the Division of Taxation, in the Department of Treasury.
3. The Mayor and Clerk shall be authorized and directed to execute an Agreement with BRB Valuation and Consulting Services, LLC consistent therewith, a copy of which fully executed Agreement shall be forwarded to the Director for review and approval as required by law.
4. A copy of this Resolution, and the executed Agreement, shall be placed on file in the office of the Municipal Clerk.
5. The Clerk shall publish a notice in the official newspaper of the Borough summarizing the award of the Agreement, including but not limited to the nature, duration, and amount of the Agreement, the name of the vendor and a statement that the Resolution and Agreement are on file and available for public inspection of the Office of the Borough Clerk.

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

No. 8-22-206

WHEREAS, USA-Highland Park – a subsidiary of Middlesex Water Company (USA-HP) is responsible for operations and maintenance of the Borough’s water system; and

WHEREAS, USA-HP has recommended that an above-grade water sampling station be installed near 1701 Parker Road next to the existing Exeter Street sampling pit to allow for safer access for personnel charged with the bi-weekly sampling; and

WHEREAS, quotes for said work were received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
J.F. Kiely Construction	\$ 9,350.00
Schilke Construction	\$10,690.00
J. Fletcher Creamer	\$14,060.00
B&W Construction	\$17,185.00

WHEREAS, the Borough Administrator recommends engaging J.F. Kiely Construction to install the above-grade sampling station near 1701 Parker Road for a price not-to-exceed \$10,000; and

WHEREAS, funds are available for this purpose in Account No. U-06-55-603-001 in the amount of \$10,000, as reflected by the certification of funds available by the Chief Financial Officer, no. 2022-25.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to proceed with the installation of the above-grade sampling station and contract with J.F. Kiely Construction Co., 1 Radar Way, Tinton Falls, NJ 07724 for a total price not to exceed \$10,000.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Borough Administrator and the Finance Department.

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

No. 8-22-207

WHEREAS, USA-Highland Park – a subsidiary of Middlesex Water Company (USA-HP) is responsible for operations and maintenance of the Borough’s water system; and

WHEREAS, USA-HP performed an inspection of all fire hydrants within the Borough and has recommended two fire hydrants for replacement, one located near 502 Raritan and So. 5<sup>th</sup> Avenues and the other located near the intersection of Johnson Street and So. 2<sup>nd</sup> Avenue; and

WHEREAS, replacement of the hydrants is critical to the public health safety and welfare; and

WHEREAS, quotes for said purchase were received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
J.F. Kiely Construction	\$25,670.00
Schilke Construction	\$28,672.78

B&W Construction	\$30,200.00
J. Fletcher Creamer	\$35,970.00

WHEREAS, the Borough Administrator recommends engaging J.F. Kiely Construction to perform the two fire hydrant replacements at an amount not to exceed \$27,000; and

WHEREAS, funds are available for this purpose in Account No. U-06-55-603-001 in the amount of \$27,000, as reflected by the certification of funds available by the Chief Financial Officer, no. 2022-26.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized to proceed with the hydrant replacements and contract with J.F. Kiely Construction Co., 1 Radar Way, Tinton Falls, NJ 07724 for a total price not to exceed \$27,000.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Borough Administrator and the Finance Department.

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 8-22-208

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 8/2/2022 can be found in the Bills List Journal Book No. 42.

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

Opposed: None.

Abstain: None.

Absent: None.

No. 8-22-209

WHEREAS, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the "Borough"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (as same may be amended from time to time) (the "Redevelopment Law") to act as a redevelopment entity and to implement redevelopment plans and carry out redevelopment projects in the Borough; and

WHEREAS, pursuant to the Redevelopment Law, the Borough Council caused a redevelopment plan to be prepared for certain property located within the Borough, entitled the "Downtown Redevelopment Plan for Tracts A-D" (the "Redevelopment Plan"); and

WHEREAS, on September 14, 2021, the Borough Council approved Ordinance No. 21-2030 adopting the Redevelopment Plan; and

WHEREAS, as described in the Redevelopment Plan, the properties identified as Tract A: Block 1704 [173], Lots 41-49 & Portion of Lot 20 ("Tract A"); Tract B: Block 2201 [13], Lots 6 & 9 ("Tract B"); Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01 ("Tract C"); and Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 & Portion of Lot 47, and Block 1603 [162], Lots 36-38 ("Tract D") on the Official Tax Map of the Borough (collectively, the "Properties") have been designated as an "area in need of rehabilitation", "area in need of redevelopment" and/or a "condemnation area in need of redevelopment"; and

WHEREAS, on December 7, 2021, the Borough Council approved Resolution 12-21-299, authorizing the issuance of a Request for Proposals (the "RFP") related to the redevelopment of Tracts A, C, and D; and

WHEREAS, the Borough received a proposal from Garden Homes, doing business as 232 Raritan Avenue, LLC (the "Conditional Redeveloper"), for Tract C and the Borough and the Conditional Redeveloper intend to pursue pre-development activities, including but not limited to review of the Conditional Redeveloper's proposal, negotiation in good faith and preparation of a redevelopment agreement and other related actions (the "Pre-Development Activities"); and

WHEREAS, the Conditional Redeveloper recognizes that the Borough will incur costs and expenses in connection with the Pre-Development Activities, and the Borough is willing to defray those costs and expenses, with no assurance of a particular result for the Conditional Redeveloper from the Borough; and

WHEREAS, the Borough wishes to enter into an interim cost and conditional redeveloper's agreement with the Conditional Redeveloper (the "Conditional Redeveloper's Agreement"), substantially in the form attached, to effectuate the funding of an escrow account and procedures for the payment therefrom of moneys to pay the Borough's costs and expenses incurred in undertaking the Pre-Development Activities,

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

Section 1. Generally. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Execution of Agreement. The Borough Council hereby authorizes the Borough Administrator to execute the Conditional Redeveloper's Agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effectuate the transaction contemplated by this Resolution. However, neither the adoption of this Resolution, nor the execution of the Conditional Redeveloper's Agreement authorized hereby, shall be construed in any way to bind the Borough to execute one or more definitive agreements with respect to the Project.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this Resolution shall be available for public inspection at the office of the Borough Clerk.

Section 5. Effective Date. This Resolution shall take effect immediately.

Mayor Brill Mittler appointed Mark Lesko to Sustainable Highland Park, Duane Harry to the Council on Aging and Margaret Ingate to the Shade Tree Advisory Committee.

Mayor Brill Mittler appointed the following to serve as Crossing Guards:

Karen Arons	Catherine Ciociari	Carol Gordon
Terence Milne	Lucille Morris	Charlene Rayside
Jacqueline Rhein	Deborah Riddick Smith	Elizabeth Roesener
Shirley Rousseau	Fania Tsakalacos	

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

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

Abstain: None.

Opposed: None.

Absent: None.

Mayor Brill Mittler appointed Paul Lanaris and Scott Brescher to serve as members of the Planning Board.

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.

Mary Forsberg, 317 Denison Street, asked about resolution no. 822-205 that awarded contract for the revaluation of 44 complex commercial properties to BRB Valuation and Consulting Services, LLC. She wondered how the properties were selected.

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

Work Session:

Sustainable Highland Park's Adopt-a-Drain Program – Councilman George noted that the adopt-a-drain program is fairly widespread nationwide over the last 10 years. People in the neighborhood will adopt a storm drain and keep it clean and report any maintenance issues. This will get the citizenry to understand the importance of storm water, especially now that the State is really pressing storm water management regulations. There is a program that keeps track of it so that it eventually builds up a database of all the points in town. We have a lot of them located on GIS, but it will assist in that process which assists us in the water/sewer utility as well as a little bit of help to the Department of Public Works. They are picking up a few members every week and he adopted the drain at the corner of Jackson and South 2<sup>nd</sup> Avenue. Councilwoman Canavera noted that she had a few residents ask if drains can be adopted in the apartment complexes. Councilman George to double check with Sustainable Highland Park. Councilman Hale asked how much it costs to adopt a drain. Councilman George noted that it doesn't cost anything, just work gloves and a garbage bag every once in a while. It's voluntary and it's an effort to get residents to voluntarily clean up. Sustainable Highland Park keeps track of the information.

There being no further business, on motion made by Councilman Hale, seconded by Councilwoman Canavera, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:53 p.m.

Respectfully submitted,

Jennifer Santiago  
Borough Clerk