

REGULAR MEETING – SEPTEMBER 20, 2022

A Regular Meeting of the Highland Park Mayor and Council was held via Zoom, on Tuesday, September 20, 2022, and was called to order by Mayor Brill Mittler at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 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 September 16, 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 September 16, 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; Borough Administrator Jover, Borough Clerk Santiago.

Absent: None.

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

Councilman Hale reported that he wanted to say thank you and give a shout out to Main Street Highland Park and particularly Rebecca Hersh and Javier Zaletta. Not only is Arts in the Park back but so is the town wide garage sale. He also thanked Ballard Hutkin. They were able to pull these events back together after some time off and they did these events on back-to-back weekends. He thanked everyone who was involved with both of these events. They are already planning next year's events.

Councilwoman Canavera reported that September is National Suicide Prevention month. Every year mental health organizations and individuals across the United States and around the world raise awareness of suicide prevention during September. The Mental Health Commission wants to remind everyone that if you have a mental health crisis to please reach out for help. You can call the National Suicide Prevention line at 988. 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. 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.

Councilwoman Kim-Chohan commented that she wanted to thank the residents that have been cooperating with the professional assessors that have been making their way around town. Tonight on the agenda they have the water and sewer increases that were discussed at the beginning of the year. Middlesex Water was approved for their increase at the State level. The rate increase will be effective for the fourth quarter and is approximately 16%.

Councilman Hersh reported that there will be a flu shot clinic on Tuesday, October 11<sup>th</sup> from 9:00 a.m. to 12:00 p.m. Pre-registration is required for the flu shot clinic. The Community Center will host its annual Halloween Party and Costume Parade on Sunday, October 30<sup>th</sup> from 1:00 p.m. to 4:00 p.m. in the community center parking lot. He urged residents to continue to follow the Recreation Department and the Department on Aging on social media or on the Borough website or stop by to pick up information for all the upcoming events, luncheons and trips planned for the fall. We launched our Street Smart Campaign a few weeks ago, which is a pedestrian and driver awareness program that dovetails with other infrastructural improvements that the Borough has planned. We have a lot of plans for safe routes to school crosswalk improvements as well as implementing our bike and pedestrian stream plan. Today is national registered vote day. If you're not registered to vote, please do so by going to [www.state.nj.us/elections](http://www.state.nj.us/elections).

Councilwoman Foster reported that Councilman Hersh talked about the program that we launched the other day between the Safe Walking and Cycling Committee and the Police Department and it was very informative. She is proud to say that many Highland Parkers took the time to do the survey and they had a huge results. They said that our town is one of the towns that really took this seriously and really gave input. We had a 92% response rate. They will continue to work on keeping our town safe. She asked residents to do their best to follow all the things that they are putting in place to keep each and every one of us safe. School is back in session and we need to utilize the sidewalks and make sure that we are slowing down in town. She noted that Jersey City dropped their speed limit to 20 miles per hour and she hopes that we might be able to do something similar. Middlesex County is doing some construction work on River Road so you're definitely going to be incurring some inconveniences. There is also ongoing construction throughout town so leave yourself extra time to get to where you need to go as we try to get our roads fixed before the bad weather starts. Lastly, the Blood Bank is still looking for people to donate blood as their supplies are very low.

Councilman George congratulated Councilman Hale and Main Street for the somewhat rainy Arts in the Park event. The Shade Tree Advisory Committee received a grant from NJDEP Forestry for \$145,000 for plantings along Woodbridge Avenue. This is bulk trash week following the town wide yard sale weekend. There is no recycling this week as the Department of Public Works is concentrating on bulk trash pickup. The paving projects continue and they will be working on Johnson Street. They will start with curb repairs and then do the street grinding and paving at the end of the week. Councilwoman Kim-Chohan mentioned the water and sewer rate increases. Middlesex Water's last increase was in 2014. At that time, the Borough was having problems managing and we had to surcharge for a short while to make up that difference. We are still doing meter replacements and if you have a fire hydrant in front of your house you may have noticed that the crews were coming by and replacing the leaking fire hydrants which are a rather substantial source of leakage. We pay a flat rate for a certain amount of water that is decreed to be supplied to allow for emergency overrides by the DEP. The Middlesex Water rate increase for this year is for replacement of their aged infrastructure. We have been paying for engineering and other studies for the Water Quality Assessment Act and some other state requirements imposed upon us with regard to water and water

supply. They also have the same problems magnified by the fact that they are a very large water company with a number of municipalities that they supply water too. The original proposal from Middlesex Water was for approximately .67 cents per day for the average residential user or \$61 a quarter. 24% was approved by the BPU. The ordinance asks for a rate increase of 9.5% that would go into effect in the fourth quarter. Unfortunately it is necessary in order to keep the water supply running and it is passed down as a user-based fee. We have been undertaking for the last three years during our contract with Middlesex Water as our water operator to undergo substantial capital repairs, some of which are built into the actual contract that Middlesex Water is responsible for. They do do some of the capital repairs which are trying to control the water loss which we pay for regardless of whether we use it. If it goes through our main meters, we have to pay for it. They have had a lot of discussions on the bids for replacement water meters. Most of the aged out meters, even the early ones that are remote reading, are running too slow. We also have issues with the larger commercial meters that haven't been replaced in quite a long time. We've been replacing the fire hydrants which we know are our major source of leakage. Those controls allow us to go back to BPU at the next rate increase and say we've done all this to control it.

Borough Administrator Jover reported that the Recreation Complex will be closed from September 24<sup>th</sup> through the 27<sup>th</sup> to install the final striping on the track. She asked that residents please refrain from using this facility so that the work can be completed.

Borough Attorney Schmierer – No Report.

Councilman Hersh added to his report by noting that his children all walk to school. He urged drivers to be extra cautious in the morning as students are walking and biking to school.

Councilwoman Canavera added to her report by noting that her son wanted her to thank the Council for the new field. He said it's awesome and he called Councilman Hersh personally to thank him.

Mayor Brill Mittler reported that on the agenda you'll see an ordinance on first reading regarding the closing of South 3<sup>rd</sup> Avenue. As you know, there's been a trend in downtown areas to provide more public gathering spaces and less car traffic activity on side streets and non-DOT-owned streets. You can see this in New Brunswick and Somerville and in so many other municipalities who value pedestrian traffic. The permanent closure of South 3<sup>rd</sup> Avenue at Raritan Avenue requires the NJDOT's approval and this is done via permit with the Major Access Bureau, which is its street intersection permit team. The Borough Council authorized CME Associates to do this detailed engineering work and they anticipate being ready to submit the permit application in October. The ordinance being introduced this week is required by the DOT as part of the permit review process. When the DOT permit is issued, we will then have to install Phase One of the physical improvements which will include closing the roadway with bollards and plastic planters as we have done before and a traffic signal upgrade and some changes in the signage. At the same time, or shortly thereafter, we'll engage in Phase Two design work by hiring a landscape architect to help us design the space so it meets the needs of the public, Main Street Highland Park and the immediate neighbors in the vicinity. They will be coordinating closely with Main Street Highland Park to avoid any disruption of the market or their regular events. There has been some discussion about the water system and she wanted to add a couple of thoughts. Most of you are aware of the fact that the municipality actually owns its own infrastructure system, better known as the pipes and everything that goes underground, to allow the water to come to your home. We purchase our water from Middlesex Water Company. The cost of maintaining our system continues to rise at higher than acceptable rates. We have nothing to do with this and all of the rates are approved by the BPU. Otherwise, we wouldn't be seeing these kinds of increases. The Highland Park Water Department must raise rates to keep up with the increases that we're incurring from the water company for operating costs and these include a 20% increase from our water supplier, Middlesex Water Company. These increase were approved by the Board of Public Utilities to be passed on to Middlesex Water's users. The annual rate increase from the Middlesex County Utility Authority for sewage processing have also gone up and we are required to work with them in alleviating or taking care of the materials from our sewage system. The emergency repairs, which nearly doubled in 2021, are also adding to the increases that we are all seeing in our water costs. She has asked Council President George to work with the Borough Administrator to review the situation and to work on a plan for the most efficient and safe way for Highland Park to move forward in terms of water access. Finally, she wanted to give a big thank you to Main Street Highland Park for another stellar Arts in the Park event earlier this month. While the street fair is always fun and a wonderful event, the Arts in the Park event truly exemplifies the creativity of our residents and local artists and musicians and the type of municipality we are.

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, commented about the ordinance for the pedestrian mall on South 3<sup>rd</sup> Avenue and the fact that it claims the redevelopment plan states that South 3<sup>rd</sup> Avenue is the preferred location for a public space. The ordinance lists the portions of state regulations that permit this but there is no proof that any of these conditions are being met. He thinks the residents of the town deserve to see that evidence in writing before this ordinance is passed.

Lois Lebbing, North 2<sup>nd</sup> Avenue, commented about pedestrian safety and the fact that cars still turn left onto Raritan Avenue from North 4<sup>th</sup> Avenue. She commented that she thinks it is a conflict of interest to have your water supplier also be your repair people because the leak at the dead end of Denison Street has not ceased. She commented that when referencing the recreation complex they should identify where it is.

Mary Forsberg, 317 Denison Street, commented that she is opposed to closing South 3<sup>rd</sup> Avenue and wanted to know what other small towns have closed a residential street that has virtually no shops and

businesses on it. She noted that the Friends of the Library had a large book sale this weekend that provides funding for a lot of the excellent programs that the library provides. She wondered why this is not mentioned in Council reports. Lastly, she commented that she is against going totally to in-person meetings and suggested that they do hybrid meetings.

Alan Silver, South 3<sup>rd</sup> Avenue, commented that he is opposed to the closing of South 3<sup>rd</sup> Avenue and believes it will exacerbate the traffic problems in the Borough and he thinks it will hurt the parking situation. He is concerned about safety for people who live on South 3<sup>rd</sup> Avenue and on the cross streets and he is concerned about access for emergency services to respond. He is concerned about quality of life issues and with noise and litter. He asked when the public will have an opportunity to question the traffic engineer, the redevelopment planner and other experts and the developer that was chosen to put up the apartments on Tract C. He asked when the traffic study was done for the application to the DOT and what data was used for the traffic counts. Lastly, he asked if anyone on the Governing Body or any government official had a financial interest in the redevelopment project.

Terri Rosenberg, Skyview Terrace, commented that she is not in favor of closing South 3<sup>rd</sup> Avenue and wanted to hear the answers to Mr. Silver's questions. She asked if the town had surveyed the residents or property owners on South 3<sup>rd</sup> Avenue. She asked if the town discussed moving the farmer's market with the vendors who are at the market to see if that area is an adequate space. Lastly, she commented about issues on Raritan Avenue and finding parking during busy times.

Mary Botteon, 709 Madison Avenue, commented that she has six questions and she would like to hear answers to her questions during this session instead of just getting back to her personally. She asked the council to table the resolution for the ordinance for South 3<sup>rd</sup> Avenue. She asked for a copy of the traffic study referenced in the ordinance. She asked why South 3<sup>rd</sup> Avenue would constitute a hazard if we do not put a mall there. She asked if that is how they described the situation to the DOT if they did not provide a mall. She asked about the anticipated litigation on tract C and if it is related to the fact that the Planning Board identified inconsistencies with the master plan. Lastly, she asked if they could a hybrid format going forward in November because she feels it would be a great way to provide an opportunity for as many residents to participate as possible.

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

The Clerk reported that an ordinance entitled, ORDINANCE NO. 2060: "AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER", 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. 9-22-224

WHEREAS, an Ordinance entitled, ORDINANCE NO. 2060: "AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 328, "SEWER AND WATER", 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 Wednesday, October 19, 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, AVENUE PURSUANT TO N.J.S.A. 40:56-65 ET SEQ. IN THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY", had been introduced in writing by the Economic Development and Planning Committee 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 Economic Development and Planning Committee, was duly adopted on motion made by Councilman Hale, seconded by Councilwoman Canavera, and carried by unanimous affirmative voice vote:

No. 9-22-225

WHEREAS, an Ordinance entitled, ORDINANCE NO. 2061: "AN ORDINANCE ESTABLISHING A PEDESTRIAN MALL ON SO. 3RD AVENUE PURSUANT TO N.J.S.A. 40:56-65 ET SEQ. IN THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY", 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 Wednesday, October 19, 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. 9-22-226 through 9-22-230 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 Finance Committee, was duly adopted as above:  
No. 9-22-226

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highland Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution, and the required

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:  
No. 9-22-227

WHEREAS, Coppa's Service Center & Towing Inc., has 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 Safety Committee, was duly adopted as above:  
No. 9-22-228

WHEREAS, the Borough of Highland Park Fire Department is in need communications equipment, specifically a desktop base station for the firehouse dispatch office, mobile radio units for vehicles capable of multiband talk groups, and 30 portable radios; and

WHEREAS, the Borough of Highland Park Police Department has 30 portable radios available for use by the Fire Department pending reprogramming; and

WHEREAS, under State Contract No. 83932, the Borough may contract with Tactical Public Safety for the purchase and installation of a Harris desktop station, purchase and installation of four (4) Harris mobile radio units, and reprogramming services for 30 Borough-owned Harris portable radios; and

WHEREAS, on September 6, 2022, Borough Council approved Resolution No. 9-22-219 authorizing the purchase, programming and installation of the aforementioned communications equipment under state contract for an amount not to exceed \$30,721.82; and

WHEREAS, it has come to the Borough Administrator's attention that additional funds are required to purchase and install the four (4) Harris mobile radio units and the total amount for those items is \$39,675.44, which is an additional \$14,711.72; and

WHEREAS, funds in the amount of \$14,711.72 for this purpose are available in Account No. 2-01-25-265-227 as reflected by the certification of funds by the Chief Financial Officer, no. 2022-35.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Department is hereby authorized and directed to amend and increase Purchase Order No. 22-01576 by \$14,711.72 to a total amount not to exceed \$45,433.54.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Borough Administrator, Chief Financial Officer and Fire Supervisor.

The following resolution, introduced by the Council as a Whole, was duly adopted as above:  
No. 9-22-229

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and are hereby appointed to serve as members of the Highland Park Housing Authority for a term to expire as indicated:

Gail Chonoles

term expiring September 1, 2027

The following resolution, introduced by the Finance Committee, was duly adopted as above:  
No. 9-22-230

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 9/20/2022 can be found in the Bills List Journal Book No. 42.

Mayor Brill Mittler appointed Christopher Perez to Sustainable Highland Park.

The above appointment was confirmed on 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.

Abstain: None.

Opposed: None.

Absent: None.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. Speakers are limited to 3 minutes and the discussion to end at 9:00 PM.

Peter Spool, 146 Graham Street, requested that the answers to all of the questions about the closing of South 3<sup>rd</sup> Avenue and associated questions about the redevelopment plan be provided in writing and posted on the Borough's website so all residents can see them and to publicize that there's additional information there for people to see.

Ruth Solomon, South 1<sup>st</sup> Avenue, asked if there was a referendum or some kind of vote that the town could take on whether or not to shut down South 3<sup>rd</sup> Avenue. She wondered whether the space would work and thought it might create more problems than we already have with regard to traffic. The residents in that area would be subjected to a lot of noise and a lot of commotion on farmer's market days.

Lois Lebbing, North 2<sup>nd</sup> Avenue, asked if the potential litigant a resident of the Borough. She asked how many properties in town have the pilots, those discounted taxes that should not be given out.

Mary Forsberg, 317 Denison Street, commented that at a previous meeting information was promised and that information should be in writing and posted. She asked about financial information on redevelopment and the Mayor indicated that there was no reason the information could not be shared. At the last Council meeting Councilman George said that there was a concept plan for the Borough Square and she would like to see that. She asked at the last meeting why the Zoning Board of Adjustment has not met in several years and why they were not involved in making comments on the redevelopment plan. Lastly, she reiterated that she believes a hybrid plan should be used for future council meetings.

Mary Botteon, 709 Madison Avenue, asked for answers to the questions she posed earlier and asked about the pedestrian mall and whether the municipality would somehow get taxed and if so, does that mean the residents would be subsidizing it somehow.

Michael Rosenberg, 32 Skyview Terrace, reported that the Middlesex Water Company finally was able to locate the leak of drinking water. We had a large leak of water from under South Adelaide Avenue and they finally found the location and they were able to remediate it and the wet spot at the bottom of the hill has now dried up and we're saving a lot of water now that we were previously losing into the ground.

Peter Spool, 146 Graham Street, commented that he sent email to them listing all of his questions that he would like a response to.

Beverly Spool, 146 Graham Street, commented that she is concerned about the questions that have been asked because she feels that many of the questions haven't been answered. South 3<sup>rd</sup> Avenue is a very important issue and she feels that the answers should be made publicly and not only given to the person asking the question. She feels strongly that a referendum about whether or not this market should be held on South 3<sup>rd</sup> Avenue would be the way to go so that we really know how many people in town are for or against it.

Dan Stern Cardinale, 221 Harper Street, commented that he lives a couple of blocks from South 3<sup>rd</sup> Avenue and has driven on South 3<sup>rd</sup> and has walked on South 3<sup>rd</sup> many times and utilized the space when it was closed off. He thought it was a great asset to the town and he looks forward to having it back. He commented that nobody is talking about closing the farmer's market and that it is his understanding that the proposal is to move the farmer's market to a permanent pedestrian plaza half a block to the east of where it currently sits.

Lois Lebbing, North 2<sup>nd</sup> Avenue, commented about the leak on South Adelaide Avenue that was repaired and not the leak on the dead end of Denison Street that has been leaking for two years. She asked how many more leaks there are in the Borough.

Mary Forsberg, 317 Denison Street, commented that the Council has decided to move ahead on closing South 3<sup>rd</sup> Avenue, but the community has not decided that as they haven't done a referendum nor sent out a survey.

Mary Botteon, 709 Madison Avenue, asked for more details about conversations that were had with the DOT regarding the closure of South 3<sup>rd</sup> Avenue. She commented that the fact that an ordinance is being passed before DOT permission is given comes across as totally backwards.

Zev Strapinski, South 3<sup>rd</sup> Avenue, commented that he is personally opposed to the closing of South 3<sup>rd</sup> Avenue and he echoed other comments that the Council should talk to the residents of that area about what they want.

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

#### Work Session:

Lead Based Paint Inspections – Borough Administrator Jover noted that there was a new law put into place at the State level regarding lead remediation and one of the outcomes of that is a requirement that there are inspections of rental units for lead-based paint hazards. That puts an obligation upon the municipality to facilitate those inspections which we can do through our Code Enforcement office as part of our ongoing inspections of rental properties. It made sense to put an ordinance on the books that clarifies this obligation and establishes fees for this additional inspection. Highland Park was determined to be a visual inspection community by the State of New Jersey as opposed to a physical inspection where you do a swab test. We will be able to make those visual inspections upon our regular inspections of rental properties. If the visual inspection gives us concern, we can then return and do a swab test to verify a composition and determine whether or not the presence of lead paint is there. The Code Enforcement Director is reviewing the fee to bring it more in line with what is charged to CO inspections and the draft ordinance will be circulated to Council. The hope is that it can be introduced and adopted to start in January. The software we use to track our inspections is developing a module for towns to help track this requirement by the State. Borough Attorney Schmierer noted that the State kind of jumped the gun and passed the law and now we're waiting for administrative regulation so Code Enforcement offices that have to do these inspections know exactly what the guidelines are. We've drafted an ordinance, and these inspections won't start until after the first of year, when we get some more direction from the State. Councilwoman Canavera asked how reliable visual inspections are. Councilwoman Kim-Chohan asked about a deadline to complete these inspections. Borough Attorney Schmierer noted that the deadline was June when they passed the law. The law does call for regulations to be given by the Department of Community Affairs or the Department of Health and the Borough is still waiting on those. There are few, if no other municipalities that are actually doing these inspections until they get some better direction. Borough Administrator Jover noted that she believes that inspections are every three years at a minimum or upon tenant turnovers. Councilwoman Foster asked whether visual inspection is sufficient. Borough Administrator Jover to look more into the matter and report back. Mayor Brill Mittler noted that with 60% of Highland Park being rental properties she asked if they were aware that this is going to happen. Borough Administrator Jover noted that the larger complexes are probably aware of the State law that has been passed. Councilman Hersh noted that there is visual inspections training offered by the State. Councilwoman Kim-Chohan asked if these inspections include residential rental units as well. Councilwoman Canavera asked whether residents could request a swab test. Councilman Hersh noted that the bill applies to single family, two family and multiple dwelling buildings.

NPP – Benner Street Traffic Calming Art – Councilman Hale noted that as part of the NPP grant one of the things we're able to fund is public art projects and beautification projects. We had originally wanted to do a number of crosswalk projects up on Woodbridge Avenue but it is a little more difficult working with the County than we anticipated, but we can do art projects on bump outs in our own streets. With the help of John Marron and the NPP Committee, we've identified about six spaces on Benner Street that would work for street art. We are identifying artists and they will give drafts of what they intend to do to NPP and

the Council prior to them being painted. We have insured that they would use non-slippery paint and have gone over this with the Police Department Traffic Unit. We're going to add some additional signs to make sure people are not parking on those particular areas. It will be a fun project and they will be notifying residents along the way. Mayor Brill Mittler asked that they share the names of the streets involved. Councilman Hale asked that the Borough Administrator share the GPS thing she put together with the Governing Body. Borough Administrator Jover clarified that they are basically coloring in the no parking boxes where you are approaching an intersection. Councilman Hale noted that one of the major concerns of the Police Department was that there would be adequate signage to make sure that people understood that this was a no parking zone.

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

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

Opposed: None.

Absent: None.

No. 9-22-231

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

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

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

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

There being no further business, on motion made by Councilman George, seconded by Councilwoman Foster, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Jennifer Santiago  
Borough Clerk