

HIGHLAND PARK BOROUGH
COUNTY OF MIDDLESEX
REGULAR MEETING – FEBRUARY 21, 2023

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, February 21, 2023, and was called to order by Mayor Foster 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 4, 2023, and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ on January 4, 2023, and has remained continuously posted as required by law.

Present: Mayor Foster; Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan; Borough Attorney Schmierer; Borough Administrator Jover, Borough Clerk Santiago.

Absent: None.

Councilman George nominated Jason Postelnik to fill the Council vacancy. The nomination was seconded by Councilman Hersh.

Councilwoman Kim-Chohan nominated Norma Vargas to fill the Council vacancy. The nomination was seconded by Councilwoman Canavera.

Mayor Foster asked the Borough Clerk to take a roll call vote on the nomination of Jason Postelnik to fill the vacancy of Councilperson for an unexpired term ending December 31, 2023.

The nomination of Jason Postelnik for Councilperson was confirmed by the following roll call vote, to wit:

Ayes: Councilpersons Canavera, George, Hale, Hersh.

Opposed: Councilperson Kim-Chohan.

Abstained: None.

Mayor Foster administered the Oath of Office and Allegiance to new Councilperson Jason Postelnik.

Reverend Wanda Burrell appeared to give presentation on Black History Month. She noted that black history is not just 28 days in the month of February. Black history is 365 days of the year, 12 months, 24/7, seven days a week. Black history is a lifetime. She doesn't get excited about when black history comes in the month of February, because every day when she looks in the mirror, she sees a black woman and I'm a part of the American history. It has been recorded that Africans came to America in August, 1619. There were 20 that came to Jamestown, Virginia who were not slaves. They came by way of the Viva Cape Coffey as indentured servants. They were here long before Christopher Columbus got here. They had settled centuries before him. Black Americans have contributed many things toward America. We always hear about George Washington Carver for peanut butter. We hear about Marion Anderson. We hear about Sojourner Truth and Harriet Tubman. All of them paved the way and we all stand on those shoulders. However, there were many. Elma Lucille Allen was the first African-American chemist employed by Brown Foreman. Just recently, in 2023, Justina Miles was the first deaf, black woman to perform as a sign language interpreter during the 2023 super bowl for Rihanna. You had James McCune Smith, the first black American to earn a medical degree. He was also the first one that started the nation's first pharmacy before CVS, Walgreens and Rite Aid and the rest. We had Lilia Fenwick, who was the first African-American to graduate from Harvard's Law School in 1956. You had Hiram Rhodes Revels who was sworn in as the first black U.S. Senator in 1870. Guion Bluford became the first black person in space in 1983 after the black ladies laid the foundation. Hip-hop's first godmother, Sylvia Robinson produced the Rapper's Delight by the Sugarhill Gang. She co-owned the first hip-hop label, Sugar Hill Records. Sidney Poitier became the first black man to win an Oscar. In 1996, Cheryl Swoops the first female player to sign for the WNBA. In 1908, you had the first black female sorority, Alpha Kappa Alpha that was founded in 1908 at Howard University. In 1906, Alpha Phi Alpha fraternity incorporated the first male black Greek organization. Black people have been the foundation of the growth of America in this economy. Enslaved people built the country's early infrastructure and produced lucrative commodities for things that we still use today such as cotton and tobacco. We created the gas masks, blood banks, peanut butter, potato chips, the GPS system that we use in our phones, the ironing board, home security, refrigerator trucks, automatic elevated doors, tissue holders, the super soaker, the laser that removes cataracts from the eyes, the clothes dryer, the automatic gear shifter, golf tees, and folding chairs. In 2023 we are still building, but most of all she wanted to leave with them about black history month is that all of us are all the same. The only thing different is our DNA and the color of our skin. We are all part of this great community, one face, one nation and one job to do, and that is to love one another.

Tax Assessor Tom Mancuso appeared to give an update on the revaluation process. He noted that the revaluation is more or less complete. They've done their inspections and they've done everything they could do. This Friday, they have to turn it over to the County Tax Board. That's the date they've given us to turn the information over to them. They've had the informal hearings, they've gone well, some residents were very prepared and very knowledgeable about their real estate and brought up some very good points and there are some changes being made based on what they brought to the table. One part of the process is done and the other portion begins, because now the data becomes his. He gets to look at it and review it and what has been done. If residents have a questions, he recommends that they email him. Normally,

April 1st is the deadline for filing tax appeals with the County Tax Board. Because it's a revaluation year, Highland Park will get until May 1st. We do have a lot of time to look at this stuff, so if you have questions, contact him. He cannot make any changes at this point because it will have to be done through the appeal process. But obviously the appeal process would be a lot easier if he agrees that there's something we need to make a change on. If not, the County Tax Board, that's their job, they oversee this entire process. They will look at the data we put forth and that the property owner would put forth and they'll come up with a number. After that process, once they've been doing judgments, the homeowner's still have 40 days after the judgment is issued to file a further appeal with the Tax Court. The review he has gotten so far has been pretty positive. He has not gotten a lot of bad feedback. A lot of it might be around inspections, some people don't want us in their homes and he understands that. Unfortunately, we did not set up this property tax system where it's done on the value of the home. An inspection is important when it comes to the value of the home. You're not required to allow us do it, but if you don't it hinders your ability to challenge your value when we can't discuss what's inside the house and what the condition is. Generally, what he finds when they get into the house, the issue of the field goes away because then we get the exact data on what's inside the house and we reach some type of agreement with the property owner. He thanked the Governing Body for helping to get this program out there. We had a pretty good response from our residents and considering the short time frame we had to get this all done, it's pretty decent. He is happy with it and he'll spend the next year or so fine-tuning and making it nice and tight. He thinks the numbers are going to be good from what he's seen so far on askings or recent sales. We're either a little low, a little high or right in the middle. It's exactly where they would expect it to be. Revaluation is scary, especially since we have not done one since 1990.

Councilwoman Kim-Chohan thanked the Tax Assessor for coming tonight and providing an update on the revaluation process. The CDBG Committee will be meeting Monday, February 27th at 6:00 p.m. to have their hearing for the grants for 2023. She welcomed the new Councilmember to the Council and told him to get ready for all of the tomato throwing from our residents. If you cannot get in touch with the Assessor, you can contact Professional Property Appraisers at 1-800-410-5815. The anchor rebate deadline is February 28th and you can apply online and get more information at nj.gov/treasury/taxation/anchor. Last night, she attended the first round of the state championship for the HP Varsity Boys basketball game. They did a phenomenal job on making it this far and she is rooting for them. Lastly, for those who are celebrating, it's Pisces season. She wished a happy birthday to all the fellow Pisces in the room.

Councilman Hale reported that next Tuesday, February 28th at 7:00 p.m. they is going to be a community meeting about Stop and Shop. At this meeting we're going to talk about the variety of different things that the Borough has been doing. We're going to talk some big picture items about a coming redevelopment plan. It's an opportunity for us to sort of share all of the things that we've been working on about Stop and Shop, but also to have a series of breakout spaces where we can look at different aspects of the project, different things that we're going to need when Stop and Shop closes and how we're addressing those. The meeting is on February 28th at 7:00 p.m. at the community center. He thinks it is a great opportunity for us to explain all of the various things that we've been doing, but also to listen to the community about the things that they are concerned about, that they are worried about, and the things they would like to see. This is a community-wide event and we'll be posting it. He encouraged residents to attend and bring their ideas and thoughts and they will do their best to have a conversation about what we're doing with the property.

Councilwoman Canavera reported that the Board of Health wanted to remind everyone that while Covid, flu and RSV levels are low at the moment, it's still important that you protect yourself or anybody that may need protection. If you feel sick, please wear a mask and get tested. If you haven't been vaccinated, get vaccinated. The Mental Health Commission is have an event on February 28th at 7:00 p.m. at the community center. It is Nami's and the silence program and is geared for middle school and high school students and their families. It talks about the warning signs of mental illness, what to look for and taking the stigma away from mental illness. They would also like to remind you that if you are in crisis, the local hotlines are Rutgers University Behavioral Health hotline at 855-515-5700; the Raritan Bay hotline at 732-442-3794 or you can text h-o-m-e to 741-741.

Councilman George reported that the Highland Park Police Department welcomed new officers Ryan Vanaman and Nicholas Sica to the town this month. They are new to the town, but they have experience in other departments and both are in field training right now. They're very well informed in community policing based on the public safety interviews. They're looking forward to becoming familiar with all of us and looking forward to all of us becoming familiar with them. Another Coffee with a Cop session is scheduled. It was actually scheduled for tonight before we knew that there would be extra sessions to the meeting. The pandemic squeezed out these meetings for a while and are back to holding these events on a regular basis now. There are no agendas for these meetings. It's simply a time to engage with the officers to discuss what's on your mind and hear what's on their mind. The Highland Park Police Department wants everyone to be aware that there's been a continuing rash of catalytic converter thefts going on. If you have an old Ford Ranger like he does, there is plenty of room to roll underneath. They tend to want to hit SUV's and pickup trucks because they're easy to get underneath. Catalytic converters are stolen and people can make money on them by selling them surreptitiously. Also, cars that are open are being picked through. It doesn't look like much is taken or much damage is done, but he encouraged residents to keep their cars locked at all times. If you have a key fob, keep it with you when you leave the car because it's so easy to gain access. In addition, the department asks that you keep your key fobs in a secure place inside your home. There are now search devices on your cell phone where they can actually key your key fob, start your car and drive away. Keep an eye on your cars and keep an eye on the keys.

There is also an uptick in porch pirates lately; they are stealing packages. If you're the victim of one of these thieves and you happen to have surveillance footage, please contact the Police Department. Every lead that we get, every video that we get can help us locate and hopefully stop these issues. Lastly, the Board of Trustees at the Library met last night and discussed the process for selecting the new Executive Director. Sherry Johnson, our Acting Director, is continuing the excellent programming at the library. There's been no interruption with that, however, the trustees have selected a consultant to aid them in selecting a full-time director. There are already a few candidates waiting to be referred to the board for consideration. The Personnel Committee at the library met after the regular meeting last night to review the process plan for the interview process and get moving on that as soon as possible. He wished everyone a happy fat Tuesday.

Councilman Postelnik thanked his fellow members of the Democratic Committee of Highland Park for passing him along to the first round and he thanked the Governing Body for giving him this really humbling opportunity to be a member of this Council. He looks forward to working with all of them. He thanked all the people out there who spoke with you and put in some kind words, he really appreciated that. Last, but certainly not least, most importantly, he thanked his family, his two little girls and his wife. Their support means the world to him. He is really happy to be here.

Council President Hersh welcomed Councilmember Postelnik. They are really happy to have you here with us. As Councilwoman Kim-Chohan mentioned, we have a lot in front of us, but he doesn't think people throw tomatoes. Up until tonight, he chaired the borough's Arts and Recreation Committee. Now, he's happy to assume fully the Public Works and Public Utilities Committee as Chair. Councilmember Postelnik will adopt the Arts and Recreation Committee which is a great portfolio where a lot of the quality of life happens. Last week, Windows of Understanding hosted the Liberation social event celebrating BYPAC and LGBTQIA+ communities at the Zimmerli Museum. The galleries and museum were open and there were guided tours available. The crowd was fascinated by the immersive exhibit of contemporary art by Komar and Malamed. They came to the United States from the USSR in 1977 with a powerful and sometimes humorous perspective on society. The sponsoring organization were represented at the party with volunteers answering questions about activities and resources and music and food helped make the party festive and fantastic. It was a dark and stormy night, just to add 243 words, and a great story to enter the Highland Park Arts Commission's writing contest when the clock strikes 11:59 p.m. on Saturday, March 4th. You'll get an assignment emailed to you. You'll get a genre, an action or even just a word and you'll have 24 hours to return a story of 250 words or less. This is open to all ages and to sign up or request details, email HPACwritingcontest@gmail.com before Saturday, March 4th. Please include your name, email, age and address. He missed out on the first one. We should all challenge ourselves to do this one because it's a very cool assignment and the Arts Commission is operating on all cylinders. Park Stock is gearing up for season two. Its four days and four rain dates of peace, love and music in July and August. We don't have the final date set, but there is planning going on. We have Sheila Shukla, Gary Kaplan, Teri Jover and Kim McGraw who have helped facilitate this. He thanked Mayor Foster for helping to facilitate this too. It was an incredibly successful program last year and we really look forward to having another four amazing performances. It brings life to the pavilion in the park and an area that we really want to showcase for public performing arts. Hopefully in the long term, we get additional investment down there. He also reported that the Municipal Alliance will once again provide funds for Project Graduation for the Highland Park High School class of 2023. Last year, the Municipal Alliance helped support Project Graduation. We're proud that they will again contribute to this annual event that gives our graduating seniors an opportunity to celebrate without alcohol or drugs or driving with lots of fun activities.

Borough Administrator Jover reported that the deadline for application to the Park Partners grant program is March 6th. The instructions for how to apply are on the website. You can also email our Public Information Officer Harry Glazer at hglazer@hpboro.com. It's an innovative program that's won awards in the State. Residents can suggest projects that get implemented in the Borough. They receive \$2,000 each and it's a great opportunity to get a little seed project going and it can snowball into something bigger. Lastly, she reminded residents on the North Side that garbage pickup is tomorrow due to the holiday.

Borough Attorney Schmierer – No Report.

Mayor Foster reported that many of you have written many emails and have come to this meeting and requested that we go hybrid. We're actually working on it, so stay tuned. Next month they should be moving in that direction, so just give them a little bit of time to get this going. We celebrated at the Senior Center Valentine's Day for the seniors. It was an awesome event, and for the first time since Covid, they had over 120 people in attendance. They had a great time and it was very festive. She thanked the staff that made it happen and she thanked those who came out and participated. They look forward to doing more events such as this with our senior group and making sure that we are creating a harmonious community and a harmonious environment. The Teen Advisory Council met last week and they are very spirited. They are working on some really good initiatives for Highland Park. They are working on a project and they will be calling a number of Councilmembers for some assistance. There are a number of vacancies on the boards and commissions and we are asking people to please come out and support our many boards and commissions because together we can make Highland Park a much more vibrant community when we all volunteer to chip in. She spoke last week at St. Peter's Hospital for their Black History Month and it was an awesome event. The Black Alliance at St. Peter's invited her to talk about where we were, where we are and where we're going. It was a very spirited event and she was happy to represent, not only as a black person, but also to represent our town of Highland Park. Highland Park needs a supermarket and it's the number one priority on all our minds. She is going to be in Trenton again to talk

about our need for a supermarket and some collaborative corroborations that we can put together to make sure Highland Park does not become a food desert. Two weeks ago, she attended a program called Arrive Together and that was an initiative that was done to help people with mental illness. It's for people who are going through a behavioral health crisis. Governor Murphy and Attorney Plankin announced this major expansion of mental health crisis response and it's called Arrive Safely. In May the program will roll out in Highland Park, Edison and Woodbridge. If there's an emotional disturbed call that comes in, along with an Officer responding, there will be a social worker going with them to aid that person who's in need of help. It's long overdue. We've all heard stories where persons who are mentally disturbed and it hasn't worked out so well for them. She is happy that the Governor has put \$10 million dollars into this project to make sure across the State that this can expand out to aid people who are suffering from mental illness.

Mayor Foster 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.

Jill Medinets, 242 South 6th Avenue, commented about the gentleman that made the presentation and wanted to understand what it was about and what is job was.

Jackie Zinberg, 239 South 6th Avenue, commented about newly repaired street between Rite Aid and Stop and Shop. She noted that last year she fell and fractured bones and has had three surgeries so far. She commented about the borough spending money on twinkly lights on Raritan Avenue instead of fixing roads.

Mary Forsberg, 317 Denison Street, commented that she has major issues about the revaluation that has taken place in Highland Park. She received her letter and they estimated the value of her house at \$553,000. The house next door to her sold in September for \$400,000. She talked to PPA, and that house was not part of the five comparables they gave her. The comparables they gave her were on the North side in strictly residential areas, not on Denison Street which is now zoned commercial. They did reduce the assessment on her house, but it's still inappropriate. She asked what kind of instructions were given to them by the Borough Council in terms of what they should look at. She submitted a request for a complete list of all of the comparable sales that were used almost two weeks ago, but she has not gotten that list.

Mary Botteon, 709 Madison Avenue, commented that she is one of the residents who continues to object to their intentions to make Highland Park a pot city destination and who also objects to resolutions for letters of support for any of these businesses. If anyone feels the same way, they can reach her at mbotteon@verizon.net. She commented about the five pot shop applications that they want to issue letters of support for and asked whether any of them indicated yes for a marijuana consumption lounge. If so, which ones? She commented that false information is being given to the Highland Park public regarding the pot ordinances that were approved. The language in each of these ordinances is false. She commented that the cannabis application memo on the Borough website is wrong or the resolution language is wrong if there are conflicting dates as to when you opened your RFP process. Lastly, she commented about the application and resolution for 176 Woodbridge Avenue to host a pot shop. The applicant is the son of former Mayor Brill Mittler. She spent a large portion of her Administration orchestrating and facilitating pot shops to come into Highland Park. She feels issuing support for this pot shop location is unethical and a huge conflict of interest and they should not issue a letter of support.

Lois Lebbing, North 2nd Avenue, asked if there was a collar to prevent the cutting of catalytic converters from the rest of the muffler system. She asked about agenda item 15q and whether someone could name the actual physical addresses for tract C. She asked what they have done to the sewer and water system that's 110 years old. She still has a leak down the end of Denison Street. She asked what has been done with the sewer system, they got sewage in the basement of a neighbor's house on her block. She asked what is being done to prevent another catastrophe especially after adding more and more developments.

Dominic Cerminaro, 244 Harrison Avenue, asked what criteria was used to select those five locations. He also asked what investigation was done by the Borough either by the Police Department or the Planner about these locations as the impact is going to be tremendous upon the Borough.

Riva Kaufman, 123 South Adelaide Avenue, commented that she has lived here all her life and she is totally against any pot shops in Highland Park. She runs a family doctor's office and has person experience of what it does to the community and to our children who live very close to these shops that you've designated.

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

The Clerk reported that an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF HIGHLAND PARK," CHAPTER 380 TAXICABS, "FARES", had been introduced in writing by the Public Safety Committee for consideration of passage on first reading by title.

On a motion made by Councilman Hale, 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, George, Hale, Hersh, Kim-Chohan.

Opposed: None.
Absent: None.
Abstained: Councilperson Postelnik

Resolution Nos. 2-23-55 through 2-23-74 were duly adopted on a motion made by Councilman George, seconded by Councilman Hersh, and carried by the following roll call vote, to wit:
Ayes: Councilpersons Canavera, George, Hale, Hersh, Kim-Chohan.
Opposed: None.
Absent: None.
Abstain: Councilpersons Kim-Chohan (Resolution #2-23-60), Postelnik.

Resolution No. 2-23-55

WHEREAS, the Borough of Highland Park has need of the services of a Public Defender for the calendar year of 2023 pursuant to the provisions of N.J.S.A. 2B:12-28; 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, Roselli & Roselli, are Attorneys at Law in the State of New Jersey with experience as Public Defenders and have heretofore been appointed as the Public Defender for 2023; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Public Defender; and

WHEREAS, funds are available for this purpose and are not to exceed the amount of \$10,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-43-495-235 and T-12-56-500-006, in an amount not to exceed \$10,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-11.

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

1. 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 Roselli & Roselli, 11 Stephen Street, South River, NJ 08882, a proposed copy of which is attached hereto.
2. 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.

Resolution No. 2-23-56

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Prosecutor for the calendar year of 2023 pursuant to the provisions of N.J.S.A. 2B:12-27; 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, Robert Janzekovich, Esq., is an Attorney at Law of the State of New Jersey with experience as a Municipal Prosecutor and has heretofore been appointed as the Municipal Prosecutor for 2023; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Municipal Prosecutor; and

WHEREAS, funds are available for this purpose and are not to exceed the amount of \$40,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-25-275-235 in an amount not to exceed \$40,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-12.

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

1. 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 Robert J. Janzekovich, LLC, 6 Julia Drive, Monroe Township, NJ 08831, a proposed copy of which is attached hereto.
2. 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.

Resolution No. 2-23-57

WHEREAS, the Borough of Highland Park desires to use Balken Risk Management Consulting Services, LLC for risk management consulting services; 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, the municipality authorizes the Garden State Municipal Joint Insurance Fund (Fund) to pay its Risk Management Consultant a fee as compensation for services rendered, an amount equal to 7% of the Borough's annual assessment as promulgated by the Fund. Said fee shall be paid to the Consultant within thirty (30) days of payment of the Municipality's assessment.

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

1. 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 David L. Balken of Balken Risk Management Consulting Services LLC, 4 Walter E. Foran Blvd, Suite 105B, Flemington, NJ 08822, a proposed copy of which is attached hereto.

2. 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.
3. That certified copies of this Resolution be forwarded to the Borough Administrator, the Garden State Municipal Joint Insurance Fund and Balken Risk Management Services, LLC.

Resolution No. 2-23-58

WHEREAS, the Borough of Highland Park has need of the services of a Tax Appeal Counsel for the calendar year 2023; 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, Martin Allen, Esq. of the Law firm of Di Francesco, Bateman, Kunzman, Davis, Lehrer & Flaum is an Attorney at Law of the State of New Jersey with extensive experience in tax appeal matters and has heretofore been appointed as Tax Appeal Counsel for 2023; and

WHEREAS, the Mayor and Council desire to provide compensation for the Tax Appeal Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$25,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-20-155-245 in an amount not to exceed \$25,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-13.

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. 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 Martin Allen, Esq., DeFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Warren, NJ 07059, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-59

WHEREAS, the Borough of Highland Park has need of the services of a Labor Consultant for the calendar year of 2022; 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, Arthur Thibault, Esq., is an Attorney at Law of the State of New Jersey with extensive experience in labor relations matters and has heretofore been appointed as Labor Consultant for 2023; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of said Labor Consultant; and

WHEREAS, funds for this purpose are not to exceed the amount of \$35,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-20-155-234 in an amount not to exceed \$35,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-14.

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with Arthur Thibault, Esq., Apruzzese, McDermott, Mastro & Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938, a proposed copy of which is attached hereto.
2. Notice of this contract shall be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

Resolution No. 2-23-60

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Engineer for the calendar year of 2023; 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, David J. Samuel, of CME Associates, is a licensed engineer of the State of New Jersey with extensive experience in municipal engineering and has heretofore been appointed Borough Engineer for 2023; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Engineer; and

WHEREAS, funds for this purpose are not to exceed \$350,000.00 or the amount specified in agreements for specific projects; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 2-01-20-165-233 in an amount not to exceed \$350,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-15.

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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, an Agreement for professional services with David J. Samuel, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-61

WHEREAS, the Borough of Highland Park has need of the services of a Planning Consultant for the calendar year of 2023; 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, James Constantine, PP of LRK, Inc. is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Borough Planner for 2023; and

WHEREAS, the Mayor and Council desire to provide compensation for the Planning Consultant; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account Nos. 3-01-21-180-233, 3-01-20-170-233, in an amount not to exceed \$175,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-16, and in various escrow accounts now or hereafter established pursuant to Chapter 17-10.12 of the Revised General Ordinances of the Borough of Highland Park.

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. 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 Jim Constantine, PP of LRK, Inc., Public Ledger Building, Suite 756, 150 S. Independence Mall West, Philadelphia, PA 19106, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-62

WHEREAS, the Borough of Highland Park has need of the services of a Special Counsel for Affordable Housing for 2023; 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, Surenian, Edwards Buzak & Nolan, LLC, is an Attorney at Law Firm of the State of New Jersey with experience in municipal law and has heretofore been appointed as Special Counsel for the above mentioned period; and

WHEREAS, the Mayor and Council desire to provide compensation for the Special Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$15,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-20-155-250, in an amount not to exceed \$15,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-17.

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. 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 Jeffrey Surenian, Esq., Surenian, Edwards Buzak & Nolan, LLC, 311 Broadway, Suite A, Point Pleasant Beach, NJ 08742, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-63

WHEREAS, the Borough of Highland Park has need of the services of a Municipal Auditor for the annual audit for years ending December 31, 2022 and December 31, 2023; 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, Gerard Stankiewicz of Samuel Klein and Company, LLP, is a certified Public Accountant and Registered Municipal Accountant of the State of New Jersey with extensive experience in municipal auditing and has heretofore been appointed Borough Auditor for 2023; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation for the Borough Auditor; and

WHEREAS, funds for this purpose are not to exceed the amount of \$55,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account Nos. 3-01-20-135-249 and Account No. 3-05-55-500-275 in an amount not to exceed \$55,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-18.

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. 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 Gerard Stankiewicz of Samuel Klein and Company LLP, 36 West Main Street, Suite 303, Freehold NJ 07728, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-64

WHEREAS, the Borough of Highland Park has need of the services of a Special Counsel for Redevelopment for 2023; 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, McManimon, Scotland & Baumann, LLC, is an Attorney at Law Firm of the State of New Jersey with experience in municipal law and has heretofore been appointed as Special Counsel for Redevelopment for the above mentioned period; and

WHEREAS, the Mayor and Council desire to provide for the method of compensation of the Special Counsel; and

WHEREAS, funds for this purpose are not to exceed the amount of \$150,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3 -01-20-170-233, in an amount not to exceed \$150,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-19.

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. 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 Joseph Baumann, Esq., McManimon, Scotland, Baumann, LLC, 75 Livingston Avenue, Roseland, NJ 07068, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-65

WHEREAS, the Borough of Highland Park has need of the services of a Special Planning Consultant for the calendar year of 2023; 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, Brian M. Slaugh, PP, AICP is a licensed professional planner of the State of New Jersey with extensive experience in municipal land use and planning matters and has heretofore been appointed as Special Planner for 2023; and

WHEREAS, the Mayor and Council desire to provide a written agreement providing for the compensation of Special Planner; and

WHEREAS, funds for this purpose are not to exceed the amount of \$10,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 2 -01-20-155-233 in an amount not to exceed \$10,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-20.

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 Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, an Agreement for professional services with Brian M. Slaugh, PP, AICP, Clarke Caton Hintz, 100 Barrack Street, Trenton, NJ 08608, a copy of which is attached hereto.
2. 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.

Resolution No. 2-23-66

WHEREAS, the Borough of Highland Park has a need for Special Environmental Counsel services to assist the Borough in its representation in the matter known as JSM at Highland Park, LLC v. the Borough of Highland Park, Docket No. MID-L-4958-17; 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, McManimon, Scotland & Baumann, LLC is an Attorney at Law firm of the State of New Jersey with experience in municipal law and has heretofore been appointed as Special Counsel for matters related to the matter known as JSM at Highland Park, LLC v. the Borough of Highland Park, Docket No. MID-L-4958-17; and

WHEREAS, funds for this purpose are not to exceed the amount of \$90,000.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3 -01-20-170-233, in an amount not to exceed \$90,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-21.

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. 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 McManimon, Scotland, & Baumann, LLC, 75 Livingston Avenue, Roseland, NJ 07068.
2. 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.

Resolution No. 2-23-67

WHEREAS, the Borough of Highland Park has need for a Financial Advisor and continuing disclosure services in connection with upcoming bond sales; 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, Phoenix Advisors LLC, is qualified to perform such professional services for 2023; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-26-315-232, in an amount not to exceed \$2,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-22.

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

1. That the Mayor and Borough Administrator are hereby directed to execute and attest on behalf of the Borough the Agreement for Financial Advisor services with Phoenix Advisors, LLC, 4 West Park Street, Bordentown, NJ 08505 for the amount of \$2,000.00.
2. 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.
3. Certified copies of this resolution be forward to the Chief Financial Officer, Borough Administrator and Phoenix Advisors upon passage.

Resolution No. 2-23-68

WHEREAS the criteria for eligible census tracts where Community Development Block Grant (CDBG) funding is permitted to be used was changed in 2019 by the Department of Housing and Urban Development (HUD); and

WHEREAS the Borough desires to reallocate \$7,199.19 of funding from CDBG program years 2015 and 2018 originally intended for use along Raritan Avenue for façade improvement but no longer eligible for use in that census tract; and

WHEREAS, the Borough Administrator has determined that this funding should be reclassified for use along Woodbridge Avenue for façade improvement, an eligible census tract; and

WHEREAS, the reclassification of these funds has been reviewed by the Middlesex County Housing and Community Development Office and they support the proposed use of funds; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey, that the use of \$7,199.19 in CDBG funds are hereby reclassified in accordance with the recommendation of the Borough Administrator, and supported by the Middlesex County Housing and Community Development Office, as follows:

CD1591 (\$ 800.00)	Woodbridge Avenue Façade Improvement
CD1592 (\$ 2.71)	Woodbridge Avenue Façade Improvement
CD1593 (\$4,445.00)	Woodbridge Avenue Façade Improvement
CD1816 (\$1,951.48)	Woodbridge Avenue Façade Improvement

Resolution No. 2-23-69

WHEREAS, the Highland Park Public Works Department had a need to make emergency repairs to the Garbage Truck 10; and

WHEREAS, pursuant to Local Public Contracts Law NJSA 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, Atlantic Detroit Diesel - Allison is qualified and able to make said emergency repairs and has been authorized to proceed with the work in an amount not to exceed \$22,594.38; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. 3-01-26-315-232, in an amount not to exceed \$22,594.38, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-23.

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

1. That the Chief Financial Officer is hereby authorized and directed to issue payment in the amount not to exceed \$22,594.38 to Atlantic Detroit Diesel – Allison, 169 Old New Brunswick Road, Piscataway NJ 08854, for the repairs to Garbage Truck 10.
2. Copies of this Resolution shall be forwarded to the Chief Financial Officer, the Department of Public Works and Borough Administrator.

Resolution No. 2-23-70

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

WHEREAS the Highland Park Police Department is in need of a New Jersey State Police approved alcohol breath-testing system; and

WHEREAS, under State Contract No. T-3031, the Borough may purchase said system from Drager Inc., 3135 Quarry Road, Telford, PA 18969, at the State contract prices; and

WHEREAS, funds for this purpose are available in the Capital Fund Account No. C-04-55-812-003, in an amount not to exceed \$19,305.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-24.

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

1. The Chief of Police is hereby authorized and directed to purchase said system from Drager, Inc., 3135 Quarry Road, Telford, PA 18969, for a total amount not to exceed \$19,305.00.
2. Certified copies of this resolution be forwarded to the Chief of Police and Chief Financial Officer.

Resolution No. 2-23-71

WHEREAS, the Local Redevelopment and Housing Law (the “LRHL”), N.J.S.A. 40A:12A-1 et seq., as amended and supplemented authorizes municipalities to determine whether certain parcels of land within the municipality constitute an area in need of redevelopment; and

WHEREAS, the Borough Council has determined to authorize the Highland Park Planning Board (the “Planning Board”) to conduct a preliminary investigation of parcels identified on the Borough Tax Maps as Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39, along with all streets and rights of way appurtenant thereto (collectively, the “Study Area”) to determine whether all or a portion of the Study Area meets the criteria set forth in the LRHL, and whether all or a portion of said Study Area should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes Borough Council to use all those powers provided by the LRHL for use in a redevelopment area except the power of eminent domain (a “Non-Condemnation Redevelopment Area”); and

WHEREAS, the Borough Council therefore authorizes and directs the Planning Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council all in accordance with the LRHL; and

WHEREAS, Looney Ricks Kiss (“LRK”) provided the Borough with a proposal attached hereto as *Exhibit A* (the “Proposal”) setting forth the manner and costs of performing the area in need study of the Study Area, a copy of which is on file with the Borough; and

WHEREAS, the Borough wishes to enter into an agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon completion of the area in need study for the Study Area, whichever is earlier, and for a contract amount not to exceed Sixteen Thousand Dollars (\$16,000.00), to be paid in accordance with the rates set forth in the Proposal; and

WHEREAS, the Borough hereby certifies that it has funds available to compensate LRK for the area in need study for the Study Area; and

WHEREAS, funds for this purpose are available in the Capital Fund Account No. C-04-55-814-001, in an amount not to exceed \$16,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-25.

WHEREAS, said services are of a professional nature as to come within the purview of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as being a contract for rendition of professional services that do not require competitive bidding; and

WHEREAS, notice of the award of this contract shall be published in a newspaper of general circulation in accordance with N.J.S.A. 40A:11-5(1)(a)(i),

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to the LRHL to determine if the Study Area satisfies the criteria set forth in the LRHL and should be designated a “Non-Condemnation Redevelopment Area.”

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the LRHL, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area shall be an area in need of redevelopment.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment and evidence in support of those objection shall be received and considered by the Planning Board and shall be made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as a Non-Condemnation Redevelopment Area.

Section 7. The Borough Council hereby authorizes a professional services agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of the area in need study for the Study Area, whichever is earlier, and for a contract amount not to exceed \$16,000, to be paid in accordance with the rates set forth in the Proposal, all subject to the terms and conditions of the Borough’s form professional services agreement.

Section 8. The Mayor is hereby authorized and directed to execute a professional services agreement in the form of the Proposal attached hereto as *Exhibit A*, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough’s counsel and professionals.

Section 9. The Borough Clerk is hereby authorized and directed, upon execution of the Proposal in accordance with Section 8 hereof, to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Borough upon such documents.

Section 10. 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 11. A copy of this resolution shall be filed in the Office of the Borough Clerk.

Resolution No. 2-23-72

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 authorized and entered into an interim cost and conditional redeveloper’s agreement with the Conditional Redeveloper (the “Conditional Redeveloper’s Agreement”) 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; and

WHEREAS, the Borough wishes to extend such conditional designation and such Conditional Redeveloper’s Agreement for a term ending on August 31, 2023;

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 an amendment to the Conditional Redeveloper’s Agreement to extend such agreement for a term ending on August 31, 2023.

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.

Resolution No. 2-23-73

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the annual Salary Resolution No. 01-23-20, which was adopted on January 21, 2023, showing the names, titles and salaries of the officers and employees of the Borough of Highland Park, is amended as follows:

Roland Sams, Police Officer, \$69,625.00 annually, effective 3/16/2023

Nicolas Sica, Police Officer, \$44,449.00 annually, effective 2/15/2023

Ryan Vanaman, Police Officer, \$44,449.00 annually, effective 2/15/2023

BE IT FURTHER RESOLVED that the Chief Financial Officer 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.

Resolution No. 2-23-74

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which

have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

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

The bills approved for payment at this meeting, Bills List 2/21/2023 can be found in the Bills List Journal Book No. 43.

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

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

Opposed: None.

Absent: None.

Abstained: Councilperson Postelnik.

Resolution No. 2-23-75

WHEREAS, N.J.S.A. 40A:4-19 allows for a municipality to adopt a temporary budget within the first 30 days of its budget year when contracts, commitments or payments need to be made prior to the adoption of the regular budget, and

WHEREAS, the Borough of Highland Park requires additional appropriations to maintain operations until such time that the Borough Budget is adopted.

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

2023 TEMPORARY OPERATING BUDGET

DESCRIPTION	ACCOUNT NUMBER	2023 TEMPORAR Y BUDGET
GENERAL GOVERNMENT FUNCTIONS		
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	25,000.00
Other Expenses	20-100-2	8,000.00
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	7,500.00
Other Expenses	20-110-2	3,000.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	25,000.00
Other Expenses	20-120-2	4,000.00
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	40,000.00
Other Expenses	20-130-2	13,000.00
ANNUAL AUDIT		
Other Expenses	20-135-2	10,000.00
TAX COLLECTION		
Salaries & Wages	20-145-1	15,000.00
Other Expenses	20-145-2	4,000.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	15,000.00
Other Expenses	20-150-2	1,500.00
LEGAL SERVICES		
Other Expenses	20-155-2	95,000.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	5,000.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Salaries & Wages	20-170-1	3,000.00
Other Expenses	20-170-2	20,000.00
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	25,000.00
CENTRAL SERVICES		
Other Expenses	20-316-2	15,000.00
LAND USE ADMINISTRATION		
PLANNING BOARD		
Salaries & Wages	21-180-1	2,000.00
Other Expenses	21-180-2	5,000.00
ZONING BOARD OF ADJUSTMENT		
Salaries & Wages	21-185-1	5,000.00
Other Expenses	21-185-2	-
HUMAN RIGHTS COMMISSION		
Other Expenses	21-195-2	-
INSURANCE		

REGULAR MEETING – FEBRUARY 21, 2023

GENERAL LIABILITY/WORKERS COMPENSATION		
Other Expenses	23-211-2	-
EMPLOYEE GROUP HEALTH		
Other Expenses	23-220-2	200,000.00
PUBLIC SAFETY FUNCTIONS		
POLICE		
Salaries & Wages	25-240-1	700,000.00
Other Expenses	25-240-2	40,000.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	-
Other Expenses	25-250-2	-
OFFICE OF EMERGENCY MANAGEMENT		
Salaries & Wages	25-252-1	-
Other Expenses	25-252-2	-
FIRST AID CONTRIBUTION		
Other Expenses	25-260-2	-
FIRE		
Salaries & Wages	25-265-1	75,000.00
Other Expenses	25-265-2	20,000.00
LOSAP		
Other Expenses	25-265-2	-
MUNICIPAL PROSECUTOR		
Other Expenses	25-275-2	9,000.00
PUBLIC WORKS FUNCTIONS		
STREETS & ROADS		
Salaries & Wages	26-290-1	250,000.00
Other Expenses	26-290-2	15,000.00
STORMWATER MAINTENANCE		
Other Expenses	26-297-2	-
APARTMENT COLLECTION		
Other Expenses	26-305-2	-
PUBLIC BUILDINGS & GROUNDS		
Salaries & Wages	26-310-1	10,000.00
Other Expenses	26-310-2	40,000.00
MOTOR POOL		
Salaries & Wages	26-315-1	10,000.00
Other Expenses	26-315-2	35,000.00
HEALTH & HUMAN SERVICES FUNCTIONS		
BOARD OF HEALTH		
Other Expenses	27-330-2	-
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	-
COMMISSION ON IMMIGRANT & REFUGEE AFFAIRS		
Other Expenses	27-336-2	-
SAFE WALKING & CYCLING COMMITTEE		
Other Expenses	27-337-2	-
SUSTAINABLE HIGHLAND PARK		
Other Expenses	27-338-2	-
HISTORICAL COMMISSION		
Other Expenses	27-339-2	-
PARKS & RECREATION FUNCTIONS		
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	30,000.00
Other Expenses	28-370-2	2,500.00
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	50,000.00
Other Expenses	28-371-2	7,500.00
ARTS COMMISSION		
Other Expenses	28-374-2	-
SHADE TREE ADVISORY COMMITTEE		
Other Expenses	28-375-2	-
TEEN CENTER		
Salaries & Wages	28-373-1	10,000.00
Other Expenses	28-373-2	-
UTILITY EXPENSES & BULK PURCHASING		
ELECTRICITY		
Other Expenses	31-430-2	20,000.00
STREET LIGHTING		

REGULAR MEETING – FEBRUARY 21, 2023

Other Expenses	31-435-2	40,000.00
TELEPHONE		
Other Expenses	31-440-2	13,000.00
FUEL OIL/GASOLINE/NATURAL GAS		
Other Expenses	31-460-2	-
SANITARY LANFILL		
Other Expenses	32-465-2	85,000.00
UNIFORM CONSTRUCTION CODE		
Salaries & Wages	22-195-1	70,000.00
Other Expenses	22-195-2	1,500.00
UNCLASSIFIED		
CABLE TELEVISION		
Other Expenses	30-411-2	-
ACCUMULATED SICK LEAVE		
Salaries & Wages	30-415-1	-
COMMUNICATIONS		
Salaries & Wages	20-105-1	25,000.00
Other Expenses	20-105-2	8,000.00
MUNICIPAL COURT FUNCTIONS		
MUNICIPAL COURT		
Salaries & Wages	43-490-1	40,000.00
Other Expenses	43-490-2	2,000.00
PUBLIC DEFENDER		
Other Expenses	43-495-2	1,500.00
LIBRARY		
Salaries & Wages	29-390-1	115,000.00
Other Expenses	29-390-2	90,000.00
INTERLOCAL MUNICIPAL SERVICE AGREEMENTS		
COUNTY HEALTH SERVICES		
Other Expenses	42-401-2	12,000.00
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	-
TOWNSHIP OF FREEHOLD IT SERVICES		
Other Expenses	42-403-2	16,500.00
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	2,000.00
PUBLIC AND PRIVATE PROGRAMS		
2022 NJUCF Stewardship		-
STATUTORY EXPENDITURES		
SOCIAL SECURITY SYSTEM		
Other Expenses	36-472-2	35,000.00
UNEMPLOYMENT COMPENSATION INSURANCE		
Other Expenses	23-225	-
PUBLIC EMPLOYEES RETIREMENT SYSTEM		
Other Expenses	36-471-2	566,641.00
POLICE AND FIREMAN'S RETIREMENT SYSTEM		
Other Expenses	36-475-2	1,052,747.00
DCRP		
Other Expenses	36-476-2	4,000.00
	SUBTOTAL	4,049,888.00
DEBT SERVICE		
BOND PRINCIPAL		
Other Expenses	45-920-2	-
INTEREST ON BONDS		
Other Expenses	45-930-2	-
M.C.I.A. LEASE/LOAN		
Other Expenses - Loans		-
Other Expenses - Leases	45-950-2	-
DBIZ LOAN		
Other Expenses	45-925-2	-
	SUBTOTAL	-
	GRAND TOTAL	4,049,888.00

2023 TEMPORARY WATER AND SEWER BUDGET

DESCRIPTION	2023 TEMP
OPERATING	
Salaries & Wages	-
Other Expenses	-
Middlesex County Utilities Authority	300,000.00

Purchase of Water		400,000.00
STATUTORY EXPENDITURES		
Public Employee Retirement System		-
Social Security System		-
DEFERRED CHARGES		
Overexpenditure Budget Appropriation		-
	SUBTOTAL	700,000.00
DEBT SERVICE		
Payment of Bond Principal		-
Interest on Bonds		-
	SUBTOTAL	-
	GRAND TOTAL	700,000.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Chief Financial Officer of the Borough.

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

Ayes: Councilpersons Canavera, George, Hale, Hersh.

Opposed: None.

Absent: None.

Abstained: Councilpersons Kim-Chohan, Postelnik.

Resolution No. 2-23-76

WHEREAS, on August 17, 2021, the Mayor and Council of the Borough of Highland Park, Middlesex County, New Jersey, adopted Ordinance No. 21-2027 to permit up to five (5) Class 5 retail cannabis businesses to operate in certain zones within said Borough and defining the process and criteria for municipal local approval for said businesses; and

WHEREAS, on March 15, 2022, the Council adopted Ordinance 22-2044 to further refine the process and the criteria for evaluation of potential Class 5 cannabis retail business owners within said Borough; and

WHEREAS, in accordance with said Ordinances, the Borough issued a formal Request for Cannabis Application on May 9, 2022, soliciting applications from interested Class 5 cannabis retail businesses for the Borough’s local support to pursue a license from the State of New Jersey for a Class 5 cannabis business, with applications due on or before June 3, 2022; and

WHEREAS, the Borough received 10 applications for local support to operate a Class 5 retail cannabis business within said Borough; and

WHEREAS, in accordance with the requirements referenced hereinabove, BLKBRN, LLC submitted a timely application for local approval of a Class 5 cannabis retail business, said application having been deemed complete and responsive to the request for cannabis application; and

WHEREAS, as provided for in the above-referenced ordinances, the Borough Administrator has completed her review, evaluation and scoring of the applications timely received to operate a Class 5 cannabis retail business within the Borough; and

WHEREAS, pursuant to the above-referenced ordinances, at this time the Council is authorized and directed to issue local approval by virtue of this Resolution for a Class 5 cannabis retail business local approval; and

WHEREAS, based upon the Borough Administrator’s evaluation and recommendation of the application materials submitted by BLKBRN, LLC and the Council’s review and analysis of same, the Council wishes to issue local support for the BLKBRN, LLC application to operate a Class 5 cannabis retail business within the Borough of Highland Park.

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

1. The recitals in the above “Whereas” clauses are hereby incorporated herein as if more fully restated.
2. In accordance with the Borough of Highland Park Ordinances 21-2027 and 22-2044, the Council hereby issues this Resolution of local support to BLKBRN, LLC for the operation of a Class 5 cannabis retail business at property located at 176 Woodbridge Avenue in the Borough of Highland Park.
3. In accordance with the above-referenced ordinances, the Borough’s local support of BLKBRN, LLC shall enable and require it to pursue in good faith a license from the State of New Jersey, Cannabis Regulatory Commission, for a Class 5 cannabis retail license.
4. A certified true copy of this Resolution of Local Support shall be provided by the Borough Clerk to BLKBRN, LLC upon its adoption.

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

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

Opposed: None.

Absent: None.

Abstained: Councilperson Postelnik.

Resolution No. 2-23-77

WHEREAS, on August 17, 2021, the Mayor and Council of the Borough of Highland Park, Middlesex County, New Jersey, adopted Ordinance No. 21-2027 to permit up to five (5) Class 5 retail cannabis businesses to operate in certain zones within said Borough and defining the process and criteria for municipal local approval for said businesses; and

WHEREAS, on March 15, 2022, the Council adopted Ordinance 22-2044 to further refine the process and the criteria for evaluation of potential Class 5 cannabis retail business owners within said Borough; and

WHEREAS, in accordance with said Ordinances, the Borough issued a formal Request for Cannabis Application on May 9, 2022, soliciting applications from interested Class 5 cannabis retail businesses for the Borough's local support to pursue a license from the State of New Jersey for a Class 5 cannabis business, with applications due on or before June 3, 2022; and

WHEREAS, the Borough received 10 applications for local support to operate a Class 5 retail cannabis business within said Borough; and

WHEREAS, in accordance with the requirements referenced hereinabove, ANJA LIFE, LLC submitted a timely application for local approval of a Class 5 cannabis retail business, said application having been deemed complete and responsive to the request for cannabis application; and

WHEREAS, as provided for in the above-referenced ordinances, the Borough Administrator has completed her review, evaluation and scoring of the applications timely received to operate a Class 5 cannabis retail business within the Borough; and

WHEREAS, pursuant to the above-referenced ordinances, at this time the Council is authorized and directed to issue local approval by virtue of this Resolution for a Class 5 cannabis retail business local approval; and

WHEREAS, based upon the Borough Administrator's evaluation and recommendation of the application materials submitted by ANJA LIFE, LLC and the Council's review and analysis of same, the Council wishes to issue local support for the ANJA LIFE, LLC application to operate a Class 5 cannabis retail business within the Borough of Highland Park.

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

1. The recitals in the above "Whereas" clauses are hereby incorporated herein as if more fully restated.
2. In accordance with the Borough of Highland Park Ordinances 21-2027 and 22-2044, the Council hereby issues this Resolution of local support to ANJA LIFE, LLC for the operation of a Class 5 cannabis retail business at property located at 225 Woodbridge Avenue in the Borough of Highland Park.
3. In accordance with the above-referenced ordinances, the Borough's local support of ANJA LIFE, LLC shall enable and require it to pursue in good faith a license from the State of New Jersey, Cannabis Regulatory Commission, for a Class 5 cannabis retail license.
4. A certified true copy of this Resolution of Local Support shall be provided by the Borough Clerk to ANJA LIFE, LLC upon its adoption.

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

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

Opposed: None.

Absent: None.

Abstained: Councilperson Postelnik.

Resolution No. 2-23-78

WHEREAS, on August 17, 2021, the Mayor and Council of the Borough of Highland Park, Middlesex County, New Jersey, adopted Ordinance No. 21-2027 to permit up to five (5) Class 5 retail cannabis businesses to operate in certain zones within said Borough and defining the process and criteria for municipal local approval for said businesses; and

WHEREAS, on March 15, 2022, the Council adopted Ordinance 22-2044 to further refine the process and the criteria for evaluation of potential Class 5 cannabis retail business owners within said Borough; and

WHEREAS, in accordance with said Ordinances, the Borough issued a formal Request for Cannabis Application on May 9, 2022, soliciting applications from interested Class 5 cannabis retail businesses for the Borough's local support to pursue a license from the State of New Jersey for a Class 5 cannabis business, with applications due on or before June 3, 2022; and

WHEREAS, the Borough received 10 applications for local support to operate a Class 5 retail cannabis business within said Borough; and

WHEREAS, in accordance with the requirements referenced hereinabove, HERBALICITY, LLC submitted a timely application for local approval of a Class 5 cannabis retail business, said application having been deemed complete and responsive to the request for cannabis application; and

WHEREAS, as provided for in the above-referenced ordinances, the Borough Administrator has completed her review, evaluation and scoring of the applications timely received to operate a Class 5 cannabis retail business within the Borough; and

WHEREAS, pursuant to the above-referenced ordinances, at this time the Council is authorized and directed to issue local approval by virtue of this Resolution for a Class 5 cannabis retail business local approval; and

WHEREAS, based upon the Borough Administrator's evaluation and recommendation of the application materials submitted by HERBALICITY, LLC and the Council's review and analysis of same,

the Council wishes to issue local support for the HERBALICITY, LLC application to operate a Class 5 cannabis retail business within the Borough of Highland Park.

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

1. The recitals in the above “Whereas” clauses are hereby incorporated herein as if more fully restated.
2. In accordance with the Borough of Highland Park Ordinances 21-2027 and 22-2044, the Council hereby issues this Resolution of local support to HERBALICITY, LLC for the operation of a Class 5 cannabis retail business at property located at 246 Raritan Avenue in the Borough of Highland Park.
3. In accordance with the above-referenced ordinances, the Borough’s local support of HERBALICITY, LLC shall enable and require it to pursue in good faith a license from the State of New Jersey, Cannabis Regulatory Commission, for a Class 5 cannabis retail license.
4. A certified true copy of this Resolution of Local Support shall be provided by the Borough Clerk to HERBALICITY, LLC upon its adoption.

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

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

Opposed: None.

Absent: None.

Abstained: Councilperson Postelnik.

Resolution No. 2-23-79

WHEREAS, on August 17, 2021, the Mayor and Council of the Borough of Highland Park, Middlesex County, New Jersey, adopted Ordinance No. 21-2027 to permit up to five (5) Class 5 retail cannabis businesses to operate in certain zones within said Borough and defining the process and criteria for municipal local approval for said businesses; and

WHEREAS, on March 15, 2022, the Council adopted Ordinance 22-2044 to further refine the process and the criteria for evaluation of potential Class 5 cannabis retail business owners within said Borough; and

WHEREAS, in accordance with said Ordinances, the Borough issued a formal Request for Cannabis Application on May 9, 2022, soliciting applications from interested Class 5 cannabis retail businesses for the Borough’s local support to pursue a license from the State of New Jersey for a Class 5 cannabis business, with applications due on or before June 3, 2022; and

WHEREAS, the Borough received 10 applications for local support to operate a Class 5 retail cannabis business within said Borough; and

WHEREAS, in accordance with the requirements referenced hereinabove, FLORO HIGHLAND PARK, LLC submitted a timely application for local approval of a Class 5 cannabis retail business, said application having been deemed complete and responsive to the request for cannabis application; and

WHEREAS, as provided for in the above-referenced ordinances, the Borough Administrator has completed her review, evaluation and scoring of the applications timely received to operate a Class 5 cannabis retail business within the Borough; and

WHEREAS, pursuant to the above-referenced ordinances, at this time the Council is authorized and directed to issue local approval by virtue of this Resolution for a Class 5 cannabis retail business local approval; and

WHEREAS, based upon the Borough Administrator’s evaluation and recommendation of the application materials submitted by FLORO HIGHLAND PARK, LLC and the Council’s review and analysis of same, the Council wishes to issue local support for the FLORO HIGHLAND PARK, LLC application to operate a Class 5 cannabis retail business within the Borough of Highland Park.

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

1. The recitals in the above “Whereas” clauses are hereby incorporated herein as if more fully restated.
2. In accordance with the Borough of Highland Park Ordinances 21-2027 and 22-2044, the Council hereby issues this Resolution of local support to FLORO HIGHLAND PARK, LLC for the operation of a Class 5 cannabis retail business at property located at 85 Raritan Avenue in the Borough of Highland Park.
3. In accordance with the above-referenced ordinances, the Borough’s local support of FLORO HIGHLAND PARK, LLC shall enable and require it to pursue in good faith a license from the State of New Jersey, Cannabis Regulatory Commission, for a Class 5 cannabis retail license.
4. A certified true copy of this Resolution of Local Support shall be provided by the Borough Clerk to FLORO HIGHLAND PARK, LLC upon its adoption.

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

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

Opposed: None.

Absent: None.

Abstained: Councilpersons Hale, Postelnik.

Resolution No. 2-23-80

WHEREAS, on August 17, 2021, the Mayor and Council of the Borough of Highland Park, Middlesex County, New Jersey, adopted Ordinance No. 21-2027 to permit up to five (5) Class 5 retail

cannabis businesses to operate in certain zones within said Borough and defining the process and criteria for municipal local approval for said businesses; and

WHEREAS, on March 15, 2022, the Council adopted Ordinance 22-2044 to further refine the process and the criteria for evaluation of potential Class 5 cannabis retail business owners within said Borough; and

WHEREAS, in accordance with said Ordinances, the Borough issued a formal Request for Cannabis Application on May 9, 2022, soliciting applications from interested Class 5 cannabis retail businesses for the Borough's local support to pursue a license from the State of New Jersey for a Class 5 cannabis business, with applications due on or before June 3, 2022; and

WHEREAS, the Borough received 10 applications for local support to operate a Class 5 retail cannabis business within said Borough; and

WHEREAS, in accordance with the requirements referenced hereinabove, MAIN STREET DISPENSARY, LLC submitted a timely application for local approval of a Class 5 cannabis retail business, said application having been deemed complete and responsive to the request for cannabis application; and

WHEREAS, as provided for in the above-referenced ordinances, the Borough Administrator has completed her review, evaluation and scoring of the applications timely received to operate a Class 5 cannabis retail business within the Borough; and

WHEREAS, pursuant to the above-referenced ordinances, at this time the Council is authorized and directed to issue local approval by virtue of this Resolution for a Class 5 cannabis retail business local approval; and

WHEREAS, based upon the Borough Administrator's evaluation and recommendation of the application materials submitted by MAIN STREET DISPENSARY, LLC and the Council's review and analysis of same, the Council wishes to issue local support for the MAIN STREET DISPENSARY, LLC application to operate a Class 5 cannabis retail business within the Borough of Highland Park.

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

1. The recitals in the above "Whereas" clauses are hereby incorporated herein as if more fully restated.
2. In accordance with the Borough of Highland Park Ordinances 21-2027 and 22-2044, the Council hereby issues this Resolution of local support to MAIN STREET DISPENSARY, LLC for the operation of a Class 5 cannabis retail business at property located at 311 Raritan Avenue in the Borough of Highland Park.
3. In accordance with the above-referenced ordinances, the Borough's local support of MAIN STREET DISPENSARY, LLC shall enable and require it to pursue in good faith a license from the State of New Jersey, Cannabis Regulatory Commission, for a Class 5 cannabis retail license.
4. A certified true copy of this Resolution of Local Support shall be provided by the Borough Clerk to MAIN STREET DISPENSARY, LLC upon its adoption.

Mayor Foster appointed Chris Woodward as the Board of Education representative to the Board of Health.

Mayor Foster appointed Laurel Kornfeld and Jesse Crosson to the Board of Health.

Mayor Foster appointed Diane Feldman to the Commission for Universal Access.

Mayor Foster appointed Scott Brescher as the ADA Coordinator to the Commission for Universal Access.

Mayor Foster appointed Lt. John Sachau as the Police Department representative to the Commission for Universal Access.

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

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

Abstain: Councilperson Postelnik.

Opposed: None.

Absent: None.

Mayor Foster 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.

Lois Lebbing, North 2nd Avenue, asked how much the Borough would be selling Tract C for.

Mary Forsberg, 317 Denison Street, commented about the three person committee that selected five out of the ten pot shops. She asked who was on that committee. She also asked about the professional service contracts that were awarded and whether there were other people to select from.

Alyssa Kaplan, 323 Harrison Avenue, commented about a problem she had with the sewer system in town after hurricane Ida. They had three feet of sewage in their basement and it took a year to take care of cleaning it up and putting in infrastructure so that it doesn't happen again. It took thousands of dollars and they lost a lot of their property. It was not the first time it happened. They had 17 inches of sewage 15 years earlier.

Jill Medinets, 242 South 6th Avenue, commented about the sewer system and whether they could get a Boy Scout troop to clean the sewer drains of debris and trash. The Department of Public Works is supposed to do it, but they are busy doing other things.

Alyssa Kaplan, 323 Harrison Avenue, commented that she is glad to hear that they are going to be including the Fire Department in dealing with the problems around sewage. She suggested that they provide them with hip waders.

Lois Lebbing, North 2nd Avenue, commented about sewer floods back in the later 1980's. She commented about the jet vac and the fact that more cleaning needs to be done. She also commented that the Department of Public Works needs more help.

Robert Savage, 123 Magnolia Street, commented about the vacant property ordinance. He would like to see enforcement and that they make it stronger to that they can do something about all the vacant properties on Raritan Avenue.

Mary Botteon, 709 Madison Avenue, commented about the approval of the pot shops and the fact that this is not a cost effective approach for Highland Park. The revenue Highland Park would get from these establishments will not be enough to hire a Police Officer to handle the petty crime and nuisances and loitering.

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

Work Session:

Vacant Properties Ordinance – Mayor Foster noted that she had reached out to the Borough Administrator to talk about this ordinance. They wanted to take a second look at this ordinance because we have a lot of properties that have been sitting for years in total blight. We need to look and see how we can try to address some of the vacant properties directly that just sit there and there's no movement on them. Councilman George noted that he thinks it's a great idea. The State recently amended the vacant properties ordinances with regard to foreclosures and our new Councilman is familiar with that. That addresses foreclosures and many towns have gone ahead and revised their regular ordinances to line up with the new state law so that they match and there's no challenge. One of the things they did was, they reduced the amount that we could charge. Section 303 of our ordinance says if it's vacant for three years, it's \$5,000. They did adjust those numbers downward. The new laws covers vacant residential properties that are in foreclosure. The State says you have to pass an ordinance and then use that as a pattern for vacant residential, non-foreclosure, what we call the abandoned houses. Borough Attorney Schmierer noted that there was a revision to the state law that should be incorporated. We have Chapter 303 right now and we can certainly add commercial to that. We started to draft that ordinance when you had this initial conversation about this some time ago. With that direction, we can go ahead and make the necessary changes to Chapter 303. Councilman Hale asked if there were also changes that allow the procedures by which we can move forward with fines or move forward with some sort of incentive for them to rent their places. He asked if there is a change in state law that allows us to streamline that process so that there can be a quicker resolution to abandoned properties rather than waiting for a foreclosures. Borough Attorney Schmierer noted that they can take a look at that. The main focus was to address the issues of foreclosed properties. You have to go through various steps to give the opportunity to the property owner, commercial or residential, to address the problems so you can't hit them with the summons one day and then take them to court the second day. There has to be a period of time where you give them a reasonable period of time to respond. We can take a look to see if there's a way to tighten up what we currently have because we have process in terms of how the enforcement would work. He does not believe that has been accelerated in the new law. Councilman Hale asked if there are provisions in the new law or provisions in our ordinance that would allow for differentiation of commercial properties based on square feet of frontage so the bigger properties, the ones that could cause a bigger issue, would face higher fines. He asked if there is anything in the existing ordinance or anything in the change of law that would allow us to do something like that. Borough Attorney Schmierer noted that right now, the current ordinance would have to be amended to pull commercial because the beginning of this ordinance talks about residential properties. Councilman George noted that for the foreclosure section, it has to be registered within so many days of the filing of a foreclosure. For the vacant and abandoned, which is not foreclosure, they are using the same guideline of \$500 registration and then it's a \$1,000 the first year and \$2,000 for the second year and forever until something happens with the building. They eliminated the \$5,000 dollar version, which was the popular version some 10 years ago when everybody was drafting ordinances. They reduced that to \$2,000, but you don't wait three years for the clock to start. The fees were reduced by litigation and in part by the state law. We do have to adopt the new ordinance on foreclosures and as the Borough Attorney said, you can use it as a model for vacant and abandoned properties as well. Borough Attorney Schmierer noted that the Borough has the old fee schedule and we would have to adjust that in addition to bringing in the commercial piece. If Code Enforcement had given a notice to one of these properties which we want to enroll, he agreed with Councilman George that we could stat the clock running from that notice, but we'd have to see how many and who got notices. Borough Administrator Jover noted that she thinks the current ordinance does include commercial, but it's kind of vague how we would approach it. We were surprised to find that in there because it was our understanding that it wasn't. She asked what could be done with the existing ordinance and what recommendations to our current ordinance could be made based on input from Main Street and from other stakeholders to try to address the problem properties that we're all concerned about. Our program has focused, and was initially focused, on the residential properties, especially when the foreclosure crisis was at its peak. We were having some real problems in some of the neighborhoods that were real detriments to those areas. She thinks it's been somewhat effective and they still maintain and work through the residential component acknowledging we need to update based on the new state law.

REGULAR MEETING – FEBRUARY 21, 2023

Councilman Hersh asked if they want to take this to the Economic Development Committee. Borough Attorney Schmierer agreed, but felt that they should draft something first.

There being no further business, on motion made by Councilman George, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:49 p.m.

Respectfully submitted,

Jennifer Santiago
Borough Clerk