

BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX
REGULAR MEETING – APRIL 4, 2023

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, April 4, 2023, and was called to order by Mayor Foster at 7:01 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 Hale, Hersh, Kim-Chohan, Postelnik; Substitute Borough Attorney Bishop; Borough Administrator Jover; Borough Clerk Santiago.

Absent: Canavera, George.

Flag salute led by Lt. Soden.

Mayor Foster administered the Oath of Office to the following new Police Officers: Justin Samson, Ryan Vanaman, Nicholas Sica.

Mayor Foster administered the Oath of Office promoting Sgt. Soden to Lieutenant.

On motion made by Council President Hersh, seconded by, Councilman Hale the minutes of the Regular and Executive Session Meeting held April 5, 2022 and Regular meeting held on April 19, 2022, were approved, as distributed, by the following roll call vote, to wit:

Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik.

Opposed: None.

Absent: Canavera, George.

Abstain: None.

Mayor Foster asked the Council members to present their reports.

Councilman Postelnik reported reiterated some of the food shopping assistance that is available through the Department of Community Service. There will be regular scheduled trips on many weekdays throughout April to various grocery stores. In addition trips may be requested at other times on weekdays as well some weeknights and weekends. The Community Center membership is required, on-line food shopping support is available, assistance on either of these two items or to make a reservation for a trip call 732-819-0052. The transportation schedule is also available on the Highland Park website. Community Service highlights: Tuesday April 18th there will be a Spring luncheon at 12 pm at the Community Center with musical entertainment provided by Gordon James; Monday April 17th a trip to the Wind Creek Casino open to all. Summer camp registration remains open for Day Camp Sports and Theater Camps for any information on these or any other events that are happening in April, please visit the Highland Park website or Facebook page, or call or stop by the Community Center. There are a couple of updates on the arts. There will be an early May Yarn Heart Art Installation on the Albany Street Bridge, little Yarn Hearts installed on the fencing on the Albany Street Bridge and once that's all up and running, the community will be invited to stop by and check it out. He stopped by the library to check it out the Beta Fish Art Exhibit that the Highland Park Art Commission's Gorilla Art Club put together so it's got adorable little clay Beta Fish in bowls, the sad side is that these bowls with a little clay fish in it are designed to raise awareness about how these bowls that the fish are commonly placed in are just too small for them..

Councilwoman Kim-Chohan reported as we move forward and wrapping up the revaluation process, if you need to go through any appeals you will have to appeal with the County Tax Board since we are in a reval reassess municipality this year the filing deadline is May 1st at 4:15 pm, and if the last day the appeal falls on a Saturday Sunday or legal holiday the last day should be extended to the first succeeding business day but she believes the first is on a Monday. The appeal must be physically received by the board office to be considered timely filed anything received after the set the deadline will be considered untimely filed and will be stamped with the date the tax board received and will be returned along with the Judgment stating untimely filed. Also the appeal applications cannot be faxed or emailed and must be postmarked prior to the first. You can receive more information at www.middlesexcountynj.gov/government/departments/departmentoffinance/departmentoftaxation. You can still make appointments with

our tax assessor, Thomas Mancuso before you even go through the process therefore he would be aware when your file comes over. On the agenda we do have the resolution for the introduction of the 2023 Municipal Budget to schedule our public hearing for May 2nd, the Borough Administrator has some last minute details from the County regarding the budget. Representatives Frank Pallone and Ted Liu are hosting the East Asian Community Roundtable tomorrow, April 5th 2023 at 5 p.m. at the Edison Senior Center, 2963 Woodbridge Avenue and in Edison. The purpose of the event is for attendees to have an opportunity to hear from both members of Congress about the work they are doing to support the East Asian community and have an opportunity for you to join in on the conversation with them hope to see you there and wishing our residents celebrating a peaceful Passover and Easter.

Councilman Hale thanked and welcomed the new officers, Justin Samson, Rayn Vanaman, Nicholas Sica and congratulated Lieutenant Soden on his promotion as well deserved. The Municipal Budget will be introduced tonight but we're also introducing the proposed budget for Main Street Highland Park. He thanked the Borough Administrator and her team for work on the budget and Councilwoman Kim Chohan for her leadership on all of the budget processes. He mentioned in regards to the Main Street budget, that it was important every year the Borough makes an additional contribution to Main Street above and beyond the bid tax. This year for the first time in a very long time there will be an increase in the annual contribution from \$25,000.00 to \$35,000.00. The reason for this is that the Main Street staff has really stepped up with their efforts to make sure that the farmers market is accessible to people receiving SNAP and other food benefits. They have a program that effectively doubles the value of food vouchers at the Farmers Market and these efforts are really important and crucial at a time until we get our Supermarket. He thanked Rebecca Hersh, for helping meet the needs of vulnerable people in our community through these efforts. Also on the agenda tonight we're introducing the proposed Redevelopment Plan for supermarket store lot for those of you who came to the public meeting a while back you'll remember that this Redevelopment Plan allows us to work with the landlord and potential developers to come up with a collaborative plan for a new supermarket in Highland Park. The plan is flexible in many respects except one, that we need a supermarket on that site. After tonight after introduction it goes to the Planning Board for a public discussion and hearing to see that is consistent with master plan and then it comes back to us for another public hearing and ideally an adoption. Tonight we have we have two items concerning water meters, a program for Shabbat compliant water meters after we had ordered our water meters we learned from Josh Pruzanski that there was an issue and how these worked and I just wanted to thank Josh for bringing this to our attention, and Council President Hersh as the Public Works chair and again Borough Administrator for finding Shabbat compliant alternatives that we'll be able to install for those who needed it a little more expensive than regular ones but I wanted to thank everybody who's responsible for making this happen. For those who celebrate have a very happy Passover and again all who celebrate have a very happy Easter

Council President Hersh reported special congratulations to all the officers who are sworn in today. Lieutenant Soden and he worked closely at Safe Walking and Cycling Committee for several years. He stated that he has really shown himself to be a truly committed public servant and law enforcement officer who's really looking out for the needs of our community, particularly when it comes to bicycle and pedestrian safety. Just a few updates from Public Works. Offices will be closed on Friday, April 7th in observance of Good Friday, and the garbage collection schedule is as follows: Wednesday, April 5th there will be a collection in the business district on the South Side, Thursday April 6th, we'll have South Side recycling collection and Friday April 7th, there is no recycling or garbage collection so please take note. Hametz drop-off service is offered for any resident to drop off garbage and recycling materials the morning before Passover. April 5th, hametz disposal will be offered during the hours of 6:30 am to 1:00 pm at the Department of Public Works, 444 Valentine Street. For additional information you can call 732-247-9379 or visit www.hpboro.com. The Borough will also start bulk trash collections which are scheduled by appointment, available in April, May, June, September and October. HP Library in conjunction with Sustainable Highland Park will address storm water runoff issues in Highland Park, held at the Highland Park Public Library. Sustainable Highland Park teamed up with Rutgers Cooperative Extension Water Resources Program to create Rain Gardens in Highland Park, this initiative is expected to address storm water runoff issues in our town and the Highland Park Public Library is proud to be part of this effort. The team at the Water Resources Program has custom designed a rain garden for the library property which will promote water infiltration as well as beautify the library's exterior. We're seeking adult volunteers to help with the actual planting of native plants in the garden. The site will be prepped in the preceding days. All you have to do is show up and plant the plants with guidance from representatives from the Rutgers Cooperative Extension. All materials will be supplied but please come dressed for dirty work and bring your own gloves, drinking water and sun protection. This planting day is Saturday May 6th, 9 am to 1 pm at 31 North 5th Avenue, subject to change, so please check for updates. Space is

limited if you have questions you can reach out directly to Jennifer at 732-572-2750 extension 11022 or email her at jsmith@hpplnj.org, to register. I'm sure some of you are aware of the concerns of Resolution 4-23-104, authorizing billing adjustment for unbilled usage following meter replacement. It basically illustrates and codifies a proactive billing practice that the Borough had already and now is being memorialized because of the completion of our Water Meter Replacement Program. Some key projects under 2022 capital expenditure like our lead service line replacement program and our one million dollar meter replacement program. As meters have been replaced the Business Administrator and the Water Department have been dealing with unexpected bills on a case-by-case basis. This has not been frequent or widespread but it does happen. We have been able to resolve each issue as it arises but with the 3000 meter replacements under our belt, the Borough needs to pass this Resolution which codifies the Borough's existing payment plan options. We understand that while high bills do come in, it remains rare and we will continue handling them on a case-by-case basis. As we have 3,000 meters installed, we're seeing more accurate readings across the board to promote fair billing, better readings, and we can do more remote readings. We will monitor any activity when it comes to billing abnormalities and will revise our policy accordingly. The tax office has to have consistent guidance on this which is why we have to take this action. Finally this Resolution allows us to better anticipate our budget every year and represents the reason we want the meters fixed. Any residents who do have an undue hardship can reach out to us directly through our Utility Assistant Programs. You can also work out a payment plan with the Borough to make sure that you don't fall behind on your water payment. Our personal lives and through our various occupations, we're aware that small changes with fees here and there, combined with rising costs everywhere puts the hurt on families across the board, we understand that. Water rates have continued to rise, and it's really a result of cleaning up a big years-long mess and hopefully we're finally clearing that major hurdle. The Public Works Committee did meet on March 23rd to review this policy and we endorsed it for passage. We really look forward to hearing from you on all matters so thank you so much

Borough Administrator Jover – No Report.

Borough Attorney Bishop- No Report.

Mayor Foster reported that she too was confused about the water replacement, once it was explained I understood it better. One of the things that was explained to me was when they come to replace your meter it's checked for what the reading is at that time. When the meter is installed it's recorded what the afterwards meter reading is. Mayor Foster attended the Human Relations Commission last month and they were talking about the Hametz and they had to explain exactly what this disposal system was and it was another opportunity for us to learn a lot about our fellow Jewish brothers and sisters in our community. Tonight is a solemn night in many ways because Dr. Martin Luther King was assassinated on April 4th 1968, that day that lives with us and pains us. We cannot begin to thank Dr. King for all the good will that he spread and the changes he made in this world, so can we take a moment of silence. Hybrid meetings, she promised everyone last month that we would have hybrid meeting in April, however, she mentioned that they came upon some technical difficulties with the system going down and some other challenges but it should be up and running in May so stay tuned. It's been a few weeks now since Stop and Shop has closed and while we mourn the loss of a beloved supermarket in town, she will and has continuously worked to make sure that we have a supermarket in that space. It has been her number one priority. She has reached out to many group organizations including members of New Jersey Senate and Assembly such as Assemblymen Stanley and Karabenchak, Senator Diegnan, Senators Wicker and Senator Poe and Assemblywoman Hunter, to see how they can help get a supermarket here. She has spoken with representation from Wakefern, which is Stop and Shop as you know, Aldi's and Trader Joes and many other developers that have expressed interest. The property is not owned by the Borough of Highland Park, it is privately owned, and there is a lot of talk and details that have to be worked out. She said she will continue to search and this will be her number one priority to bring a supermarket to our town, it will take some time but the work is ongoing. She thanked everyone for their understanding as she stays focused on this goal. She wished everyone a happy and prosperous and healthy holiday season for those who worship as you go through this religious holiday season.

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.

Mary Forsberg, 317 Denison Street, indicated that she hoped that the Council would not vote on the CAP Ordinance tonight she wanted to see if this was needed. She wanted to know when the new tax numbers are going to be posted, what did the Revaluation actually cost and what was the total cost of the separate 44 properties.

Josh Pruzansky, 141 North 10th Avenue, wanted to thank the Mayor and Council, Borough Administrator Teri Jover and Harry Glazer for the water meter in the Sabbath community. He also thanked them for the Hametz disposal. He thanked Lt. Soden who helped get a different schedule for stopping at a crosswalk at Route 27 by the NJDOT.

Lori Mariano 416 So. 7th Avenue, wanted clarification on the water meter replacements and range of costs, as well as the percentage of the number of houses with discrepancies and failures in equipment. She wants to know what the Borough is going to do to help with payments.

Borough Administrator Jover stated that there have been price discrepancies and they take the final readings from internal readings from the basement. This has become more of routine that a town-wide replacement program. She mentioned that we have five to seven hundred done we are on our way to three thousand.

Mayor Foster added that if equipment failure should happen, we have looked at many different methods and how to remedy the situation. There are Grant programs out there that are programs, there are programs with the State that we would tap into to help with this. We will be exploring all options,

Eric Lipton, 123 South Adelaide wanted clarification of the Resolution regarding the water meters and worries of residents.

Borough Administrator Jover explained that there is a time period of how the program rolls out. We get as many installed and then we have to go read for that quarter. They will suspend it then we'll import all the reading from the meter exchange plus any additional usage between the date of exchange and the reading. Then the bills will be calculated. As of yet the billing has not been done. We can't assume it's due to the meter exchange. They could have had a significant leak. We have to bill, we have to collect our revenues. We won't know if someone's increases due to their own usage or a catch-up from the internal reading and that is one of the challenges. We did run this past the auditor, the CFO, and the Finance Director. They were the ones who crafted this based on their experiences, but ultimately it is a policy decision.

Council President Hersh added that we are comfortable taking the recommendation of the Borough Administrator and professionals to remain at that threshold is the consistency of the billing that has come in has fallen well below that. At this instance right now, were taking the recommendation that 750 is a reasonable threshold.

Mary Forsberg stated she wants to know what the new property taxes are and what the new sales were and who pays the EIG for Main Street Highland Park. Councilman Hale replied that it's the landlords on the bid District on Main Street.

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

ORDINANCES REQUIRING A SECOND READING:

Ordinance No. 23-2068

The Clerk reported that Ordinance No 23-2069 entitled, CAPITAL YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14), was duly advertised for consideration of passage on final reading by title and affidavits of publication are on file. The ordinance was also posted and made available for public inspection as required by law.

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

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

On motion made by Councilman Hale, seconded by Councilman Postelnik, Ordinance No. 23-2068 entitled as above, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik

Opposed: None.
Absent: Canavera, George
Abstain: None.

Ordinance No. 23-2069

The Clerk reported that Ordinance No 23-2069 entitled, AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 7 TRAFFIC, “SCHEDULE X, STOP INTERSECTIONS” was duly advertised for consideration of passage on final reading by title and affidavits of publication are on file. The ordinance was also posted and made available for public inspection as required by law.

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

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

On motion made by Councilman Postelnik, seconded by Council President Hersh, Ordinance No. 23-2069 entitled as above, was duly adopted by the following roll call vote, to wit:

ROLL CALL” Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
Opposed: None.
Absent: Canavera, George
Abstain: None.

ORDINANCES REQUIRING A FIRST READING:

Ordinance No. 23-2070

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY AMENDING CHAPTER 9 CONCERNING THE EXPIRATION OF TERMS FOR MEMBERS OF VARIOUS BOARDS, COMMITTEES AND COMMISSION.” has been introduced in writing by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On a motion made by Council President Hersh, seconded by Councilwoman Kim-Chohan, the ordinance entitled as above was duly adopted on first reading by title authorize publication as required by law and set public hearing for April 18, 2023, by the following roll call vote, to wit:

ROLL CALL” Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
Opposed: None.
Absent: Canavera, George
Abstain: None.

Ordinance No. 23-2071

The Clerk reported that an ordinance entitled, An ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE ADOPTION OF THE “420-424 RARITAN AVENUE REDEVELOPMENT PLAN” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq. has been introduced in writing by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On a motion made by Councilman Hale, seconded by Councilman Postelnik, the ordinance entitled as above was duly adopted on first reading by title authorize publication as required by law and set public hearing for May 16, 2023, by the following roll call vote, to wit:

ROLL CALL” Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
Opposed: None.
Absent: Canavera, George
Abstain: None.

RESOLUTIONS REQUIRING A SEPARATE READING:

Resolution 4-23-98 Resolution Authorizing Introduction of 2023 Municipal Budget by title and Schedule Public Hearing for May 2, 2023.

Municipal Budget of the Borough of Highland Park, County of Middlesex for the Fiscal Year 2023 – Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023, Be it Further resolved, that said Budget be published in the Homes News Tribune in the issue of April 11, 2023. The Governing Body of the Borough of Highland Park does hereby approve the following as the Budget for the year 2023, Notice is hereby given that the Budget and Tax Resolution was approved by the Council Members of the Borough of Highland Park, County of Middlesex on April 4, 2023. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on May 2, 2023 at 7PM at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested parties.

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET
YEAR 2023

	YEAR 2023
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)	XXXXXXXXXXXXXX
1. Appropriations within "CAPS" -	XXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S.A. 40A:4-45.2)}	15,515,336.00
2. Appropriations excluded from "CAPS" -	XXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S.A. 40A:4-53.3 as amended)}	3,702,033.31
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)	-
Total General Appropriations excluded from "CAPS" (Item 0, Sheet 29)	3,702,033.31
3. Reserve for Uncollected Taxes (Item M, Sheet 29) Based on Estimated 99.61% I Percent of Tax Collections	200,000.00
Building Aid Allowance 2023 -\$	
4. Total General Appropriations (Item 9, Sheet 29) for Schools-State Aid 2022 -\$	19,417,369.31
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	4,767,832.59
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)	XXXXXXXXXXXXXX
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)	14,121,335.22
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	.
(c) Minimum Library Tax	528,201.50

Borough Administrator Jover presented the 2023 Municipal Budget.

On motion made by Councilwoman Kim-Chohan, seconded by Council President Hersh, the 2023 Municipal Budget and Tax Resolution were duly adopted on first reading schedule public hearing for May 2, 2023 by the following roll call vote, to

ROLL CALL” Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
Opposed: None.
Absent: Canavera, George
Abstain: None.

Resolution No. 4-23-99 Resolution Authorizing Introduction of the 2023 Main Street Highland Park Budget by Title and Set Public Hearing for May 2, 2023

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following statements of revenues and appropriations shall constitute the Main Street Highland Park Budget for the year 2023;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Asbury Park, NJ, in the issue of April 11, 2023.

The Governing Body of the Borough of Highland Park does hereby approve the following as the Main Street Highland Park Budget for the year 2023:

Income	
Government Grants	53,700.00
Special Assessment (BID)	171,470.00
Fees/Sponsorships	65,000.00
Reserves	41,330.00
<u>Total Income</u>	<u>\$ 331,500.00</u>
Expense	
Administration and General	\$ 204,000.00
Program Expense	127,500.00
<u>Total Expense</u>	<u>\$ 331,500.00</u>
<u>Budget Surplus/(Deficit)</u>	<u>\$ 00.00</u>

Notice is hereby given that the Main Street Highland Park Budget and Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on April 4, 2023.

A hearing on the Main Street Highland Park/Business Improvement District Budget will be held at the Tuesday, May 2, 2023 Council Meeting in Borough Hall, 221 So. 5th Avenue, Highland Park, NJ 08904 at which time and place objections to said Budget and Resolution for the year 2023 may be presented.

By the Borough Council of the Borough of Highland Park the following statements of revenues and appropriations shall constitute the Main Street Highland Park Budget for the year 2023; said Budget shall be published in the Home News Tribune, Asbury Park, NJ, in the issue of April 11, 2023. The Governing Body of the Borough of Highland Park does hereby approve the Main Street Highland Park Budget for the year 2023: Notice is hereby given that the Main Street Highland Park Budget and Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on April 4, 2023. A hearing on the Main Street Highland Park/Business Improvement District Budget will be held on the Tuesday, May 2, 2023 Council Meeting in Borough Hall, 221 So. 5th Avenue, Highland Park, NJ 08904 at which time and place objections to said Budget and Resolution for the year 2023 may be presented.

On motion made by Councilman Hale, seconded by Councilwomen Kim-Chohan, the 2023 Main Street Highland Park Budget was duly adopted on first reading and schedule public hearing for May 2, 2023 by the following roll call vote, to

ROLL CALL” Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
 Opposed: None.
 Absent: Canavera, George
 Abstain: None.

CONSENT AGENDA ITEMS – RESOLUTIONS.

Resolution Nos. 4-23-100 through 4-23-112 were duly adopted on a motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, and carried by the following roll call vote, to wit:

ROLL CALL Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
 Opposed: None.
 Absent: Canavera, George
 Abstain: Postelnik (Resolution 4-23-109).

Resolution No. 4-23-100

WHEREAS, the Borough of Highland Park’s Neighborhood Preservation Program (NPP) earmarked more than \$20,000 in its Year II Implementation Plan (IP) for grants for property and business owners along Woodbridge Avenue, funded through the Community Development Block Grant (CDBG) program administered by Middlesex County and the NPP; and

WHEREAS, 106 Woodbridge Avenue, LLC has made significant improvements to the façade of their building and has applied for a grant of \$10,000 through the NPP’s Commercial Façade Rehabilitation Grant program; and

WHEREAS, funds are available for this purpose in the following accounts and amounts;
and

G-02-41-703-001 (CDBG 2015)	\$ 2.71
G-02-41-703-002 (CDBG 2015)	\$4,445.00
G-02-41-703-003 (CDBG 2015)	\$ 800.00
G-02-41-715-002 (CDBG 2018)	\$1,951.48
G-02-41-733-003 (CDBG 2020)	\$2,800.81

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the application from 106 Woodbridge Avenue, LLC be approved for funding under the NPP Commercial Façade Rehabilitation Grant program in the amount of \$10,000.

NOW, THEREFORE, BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the applicant, Finance Department, and NPP Coordinator forthwith.

Resolution No. 4-23-101

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk shall be and is hereby authorized and directed to advertise for receipt of bids for the following contract items:

1. Tree Watering Contract for Newly Planted Trees; and

BE IT FURTHER RESOLVED that said bids will be received at a date and time to be determined by the Borough Clerk and the Borough Administrator, said bids to be in accordance with specifications prepared by the Public Works Department.

Resolution No. 4-23-102

WHEREAS the Highland Park Clerk’s Office is in need of a maintenance contract for the peak agenda software and hardware for 2023; and

WHEREAS, the Borough may purchase said maintenance contract from Granicus, Dept. CH-Box 19634, Palatine, IL 60055-9634 for an \$8,747.25; and

WHEREAS, funds for this purpose are available in Current Fund Account No. 3-01-20-120-235, in an amount not to exceed \$8,747.25, 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. 2023-31.

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

1. The Borough Administrator is hereby authorized and directed to execute said maintenance contract for the peak agenda software and hardware from Granicus, Dept. CH-Box 19634, Palatine, IL 60055-9634, for a total amount not to exceed \$8,747.25.
2. Certified copies of this resolution be forwarded to the Finance Department.

Resolution No. 4-23-103

WHEREAS, the Borough of Highland Park is in the process of replacing all Borough-owned meters within the Borough with Sensus iPERL meters; and

WHEREAS, the Borough was informed by the Vaad HaRabbonim, a consortium of all the Orthodox Jewish Congregations in Highland Park and Edison, that the selected meter, as configured, presents a problem for many of its Sabbath-observant members; and

WHEREAS, Sensus offers an LCD Off version of the iPERL meter that is Sabbath compliant and the additional cost for this meter is ten dollars (\$10.00); and

WHEREAS, the Mayor and Borough Council of the Borough of Highland Park wish to make the LCD Off meter available to customers, provided that the customer pays for the difference in cost.

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

1. The Highland Park Water Department and Tax & Utility Collector are hereby directed and authorized to offer the Sabbath-compliant Sensus iPERL LCD Off meter to Borough customers for an additional charge of \$10.00, to be incorporated into the customer’s next quarterly water bill.

Resolution No. 4-23-104

WHEREAS, the Borough of Highland Park is in the process of replacing all Borough-owned meters within the Borough; and

WHEREAS, at the time of installation the Highland Park Water Department records the usage on the old meter prior replacement; and

WHEREAS, in some instances there can be unbilled water usage found on the meter that did not display on the exterior remote that is read by the utility workers as part of the quarterly billing cycle, which may have accumulated over a period of several months or even years; and

WHEREAS, the Highland Park Water Department must bill for that usage; and

WHEREAS, the Mayor and Borough Council would like to provide payment plan option for utility customers where the amount of unbilled usage exceeds \$750.00 in order to assist them with repaying the charges.

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

- 1) The Highland Park Water Department and the Tax & Utility Collector is hereby directed and authorized to establish a payment plan for customers with unbilled usage charges that exceed \$750.00; and
- 2) The rate used to calculate unbilled usage shall be the 1,000-3,499 cubic foot quarterly rate; and
- 3) The payment plan shall not exceed six (6) months; and
- 4) During the payment plan period the customer must keep up with payments on current charges to their account.

Resolution No. 4-23-105

WHEREAS, the Borough’s Meadows Trail and surrounding natural area has become an important recreational and environmental resource for Borough residents and visitors; and

WHEREAS, the Highland Park Environmental Commission would like to continue its maintenance and improvement of the Meadows Trail and natural area would like to submit a grant proposal in the amount of \$1,050.00 to ANJEC’s Open Space Stewardship Program to support these efforts.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Environmental Commission, with the support of the Borough Administrator and Borough Clerk, is hereby authorized and directed to execute and submit a grant application to ANJEC for \$1,050.00 to support maintenance and improvements in the Meadows Trail area.

Resolution No. 4-23-106

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that the Highland Park Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2023 to December 31, 2023.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Highland Park that:

- 1) The Highland Park Police Department is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include but not be limited to office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Highland Park Police Department, without restriction; and
- 2) The Highland Park Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and
- 3) This resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be

made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2023 to December 31, 2023.

Resolution No. 4-23-107

WHEREAS, the Borough of Highland Park has need of the services of Administrative Agent 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, the Mayor and Council desire to provide a written agreement providing for the compensation of an Administrative Agent for Affordable Housing and Housing Rehabilitation Services; and

WHEREAS, funds for this purpose are not to exceed the amount of \$2,500.00 without further resolution of Council; and

WHEREAS, funds for this purpose are available in the 2023 Temporary Budget, Current Fund Account No. H-03-56-500-001 in an amount not to exceed \$2,500.00, 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. 2023-32.

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 with Community Grants, Planning & Housing (CGP&H), 1249 South River Road, Suite 301, Cranbury, NJ 08512-3633, 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. 4-23-108

WHEREAS, pursuant to Resolution No. 8-22-191, adopted August 2, 2022, the Borough Council authorized execution of a contract with Top Line Construction Corp. for Improvements to South 4th Avenue, Johnson Street and Montgomery Street, in an amount not to exceed \$499,500.06, without further resolution of Council; and

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

WHEREAS, it appears from Final Pay Estimate No. 3 and Closeout Change Order filed by CME Associates dated March 15, 2023, that certain work under said contract has been completed and approved, resulting in an overall decrease in the original contract in the amount of \$65,316.85, and there is due to Top Line Construction Corp. the sum of \$80,747.67 in accordance with said Pay Estimate No. 3 for work performed from October 27, 2022 to December 19, 2022; and

WHEREAS, funds for this purpose are available in Capital Account No. C-04-55-829-001 as reflected by the Certification of Funds Available by the Temporary Chief Financial Officer Nerea Champion, certification no. 2023-33; and

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

1. The Chief Financial Officer be and is hereby authorized and directed to pay Top Line Construction Corp. the sum of \$80,747.67, as certified by the Engineer in Final Pay Estimate No. 3 and Closeout Change Order, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports, a posting of a one-year maintenance bond in the amount of \$65,127.48, and additional documents as necessary;
2. Certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Top Line Construction Corp.

Resolution No. 4-23-109

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:

Ely Estevez, Sub-Driver, \$26.00 Hourly, Effective 4/01/2023

David Soden, Lieutenant, \$152,133 Salary, Effective 4/01/2023

Henry Carle, Crossing Guard, \$20.14 Hourly, Effective 3/27/2023

Jason Postelnik, Councilman, \$4,239.00 Salary, Effective 2/21/2023

Robert Fitzgerald, Part-Time Recreational Staff, \$14.13 Hourly, Effective 4/06/2023

Theresa Nguyen, Science Activity Leader – Summer Camp, \$18.50 Hourly, Effective 6/01/2023

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. 4-23-110

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.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation; and

WHEREAS, upon recommendation by the Planning Board, on December 20, 2022, the Borough Council adopted Resolution No. 12-22-289, accepting the findings and recommendations of the Planning Board, and formally designated Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36 and 37 as a “non-condemnation area in need of redevelopment”; and

WHEREAS, pursuant to the Redevelopment Law the Borough Council caused a redevelopment plan, to be prepared for the Property, entitled the “420-424 Raritan Avenue Redevelopment Plan” (the “**Redevelopment Plan**”), attached hereto as *Exhibit A*; and

WHEREAS, the Borough Council, has determined to refer the Redevelopment Plan to the Borough Planning Board for its review and recommendation pursuant to *N.J.S.A.* 40A:12A-7(e); and

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

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

Section 2. The Planning Board is hereby requested to review the Redevelopment Plan and provide the Borough Council with a report and recommendations recommendation pursuant to *N.J.S.A.* 40A:12A-7(e).

Section 3. This Resolution shall take effect immediately.

Resolution No. 4-23-111

WHEREAS, Congregation Ahavas Achim has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Casino Night Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on April 30, 2023; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the Congregation Ahavas Achim, for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefor, subject to the provisions of the Raffles Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

Resolution No. 4-23-112

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

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

The bills approved for payment at this meeting, Bills List 4/4/2023 can be found in the Bills List Journal Book No. 43.

APPOINTMENTS:

Mayor Foster appointed the following to the Human Relations Commission: Wenjun Wang and Anastasiya Chernitska. No confirmation needed.

SECOND PUBLIC PARTICIPATION:

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.

Abby Stern Cardinal, stated that everyone should take their oaths seriously. She supports monies for the Libraries.

Mary Forsberg asked why it is important for Highland Park to establish a CAP and add one percent to our budget.

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

Work Session: - None

EXECUTIVE SESSION:

Resolution No. 4-23-113 Executive Session: Litigation: Botteon v Borough of Highland Park

Resolution Nos. 4-23-113 was duly adopted on a motion made by Council President Hersh and seconded by Councilman Hale, and carried by the following roll call vote, to wit:

ROLL CALL Ayes: Councilpersons Hale, Hersh, Kim-Chohan, Postelnik
 Opposed: None.
 Absent: Canavera, George
 Abstain: None.

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

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

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

1. The public shall be excluded from the closed session at close of tonight’s open session.
2. The general nature of the subject matter to be discussed is as follows:
Executive Session: Litigation: Botteon v Borough of Highland Park
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

There being no further business, on motion made by Council President Hersh, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:48 PM.

Respectfully submitted,

Jennifer Santiago
Borough Clerk