

BOROUGH OF HIGHLAND PARK

REGULAR MEETING  
December 5, 2023 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, December 5, 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 July 6, 2023 and was posted on the Borough website at [www.hpboro.com](http://www.hpboro.com) and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ on January 4, 2023, and has remained continuously posted as required by law. In addition, notice of this meeting via Zoom was emailed to the Home News Tribune, The Star Ledger and the Highland Park Planet on August 3, 2023 and was posted on the Borough website at [www.hpboro.com](http://www.hpboro.com) and on the bulletin board at Borough Hall, 221 So. Fifth Avenue, Highland Park, NJ on May 12, 2023 and has remained continuously posted as required by law

**Pledge of Allegiance.**

Flag salute led by Michael Klaser.

**Roll Call.**

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

**Agenda Questions by Council Members.** - None

**Honors and Awards.** - None.

**Approval of Minutes.** - None

**Council Reports.**

Councilman George wished a blessed and safe Chanukah, He also reminded everyone about porch pirates. The Library is planning now that we have the grant, they will upgrade the media room.

Councilman Postelnik reported there are no updates concerning finance. He reminded everyone that the Borough offers grocery store transportation, online food shopping assistance and it's available through the Department of Community Services. For more information call 732-819-0052. The Community Center highlights start with the Holiday Lunch on Tuesday, December 12<sup>th</sup> from 11:30am to 2:00pm. There is a Holiday party co-sponsored by the Lions Club on Saturday, December 16<sup>th</sup> starting at 11:30 am and there is a Winter Concert on Friday, December 29<sup>th</sup> at 11:00am. The winter programs available for registration are youth basketball, indoor soccer, youth winter Tract, dance Classes, table tennis, adult fitness including tai chi and fitness for all programs, adult men's and women's basketball, adult indoor soccer, and adult volleyball. The Arts Commission will be sponsoring a Book Art Workshop on Monday, December 11<sup>th</sup> from 6:30pm to 9:00pm at the Community Center. All materials will be provided. Sign up by emailing Amy Pollack at [apollack139@gmail.com](mailto:apollack139@gmail.com). He wished everyone a Happy Chanukah.

Councilman Hale gave a brief explanation of Ordinances #2079 and Ordinance #2080. On the Consent Agenda there are two Resolutions that are extending the conditional developer agreements with Garden Homes and Tantleff/Fidelco. We're making progress with the various developers for Tract A and Tract C. There are two days left for the Farmer's Market, December 8, 2023 and December 15, 2023. R&J Farm Fresh are selling Christmas Trees at 212 Raritan Avenue. They'll be there December 2<sup>nd</sup>, 3<sup>rd</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup>. The Night Owl Markets are on December 9<sup>th</sup> and December 10<sup>th</sup>. Thursday, December 7<sup>th</sup> from 5:30 to 6:30 is the downtown Chanukah Menorah Lighting.

Council President Hersh reported on Wednesday, December 13<sup>th</sup> at 6:30pm in the Community Center will be the Highland Park River Greenway Community Meeting. We received a Grant from the State for \$250,000.00 to conduct a feasibility study exploring doing a connector trail between Donaldson Park and Johnson Park. He spoke about the Fossil Fuel Industry. There is a First Reading of an Ordinance for road improvements to North 4<sup>th</sup>, Dennison and Harper Street appropriating \$609, 980.00. The Environmental commission will meet tomorrow night, December 6<sup>th</sup> at 8:00pm on Zoom; [www.hpboro.com](http://www.hpboro.com) for more information.

**Borough Administrator** – no report.

**Borough Attorney's Report** – no report.

**Mayor's Report.**

Mayor Foster reported that Super Fresh Supermarket is coming in and hoping the opening date will be within 5 to 6 months. She said she had promised this year that we were going to share the development that's coming in our downtown but unfortunately was not able to live up to having that done this year as promised. We will be having our downtown display at the high school cafeteria, everyone will have an opportunity to make comments to see what it is that we're proposing. As we go through our holiday season, she wished everyone peace and asked to keep in mind those who are less fortunate than us at this particular time of year.

**Public Participation.**

Francesca Moresca, 216 So. 3<sup>rd</sup> Ave. asked when the Borough will make the promised annual contributions to the Highland Park Public Schools from the annual service charge they're collecting from the Frederick Pilot and how will it be determined? Francesca also asked when will the Borough pass a resolution that ensures it will make contributions annually from the Frederick Pilot and any potential future pilot agreements that we may enter into as we pursue the Redevelopment of downtown?

Borough Administrator Jover replied the format that our Attorney has advised us to use in order to give the funds to the schools on an annual basis is we have to draft an agreement. We collect it quarterly and we haven't gotten our last payment from them for 2023. Subject to final version we will approve it this year. It gets budgeted in the temporary budget next calendar year and paid out in the first quarter 2024.

Mayor Foster added the Resolution mentioned by Francesca will be based on further discussion. We have not had an opportunity to share all of the information with the Council. Once we do at the December 19<sup>th</sup> meeting then we'll make a decision, we will share it with the public.

Francesca asked if we had an idea what the percentage would be. Mayor Foster replied for this model it will be 60%, but we will look at other models going forward. Borough Administrator Jover clarified what she just discussed was related to the Frederick. Our attorneys advised us we should take each Pilot separate.

Jacob Moffet, 4C Lincoln Avenue, said he was curious about the conditional developer agreement with Tract C. and questioned if it was still confidential. Borough Administrator Jover answered the negotiations are confidential so that we don't share our discussions with the developer. It's not to be secretive from the general public.

Jacob Moffet said at least bring up the idea that if there is open requirements, what the developer would need to have if they are to purchase a property? If there are other developers in town as well presumably they'll be required to compete and offer the best possible offer for the space rather than negotiating with a single developer. Borough Administrator replied we entered into this conditional agreement which is being continued tonight so that they post escrow to pay for all of our due diligence work and that it gives them some security. A lot of what we've asked them to do is already in that plan. We can get into that further once we're out of this condition and if there's going to be financial agreements. It will be subject to public review and discussion.

Councilman Hale added that as the Mayor just said we've entered into those contracts. We have made a commitment to a particular level, we will have open meetings where people will be able to see and talk about various aspects of the plan.

Jacob Moffet spoke about the possibility of closing South 3<sup>rd</sup> Street permanently through the Department of Transportation application and ask to get an update on the progress of that. Mayor Foster replied there has been progress we have completed and submitted required reports that were requested. Our engineer is working on a couple of things that they requested too. Borough Administrator Jover and I have been in contact with them weekly.

Gerald Pomper, 348 South 3<sup>rd</sup> Avenue, was happy about moving ahead with the redevelopment and the supermarket and asked the status with Highland Park Pizza. Mayor Foster answered she did have a conversation with the owner they are doing a number of internal improvements and they want to open up again next year.

Lois Lebbing, North 2<sup>nd</sup> Avenue, referred to items 14c and 14k on the agenda regarding the Shared Service with Freehold with IT services. Lois asked if there as any way for the Clerk Typist to keep up with the Planning Board minutes? She asked for a definition of extending the designation of Tract A and then Tract C.

Borough Administrator replied we filled the vacant position and we're catching up and she should see those minutes soon. We are doing an extension of both Tract A and Tract C.

Mayor Foster answered Borough Administrator Jover explained earlier why the extension needs to be done.

Borough Administrator answered it is an extension of the time frame, for about six (6) months. From June 30<sup>th</sup> of 2024 to the middle of next year.

There being no one further, Mayor Foster closed public participation.

**Ordinances Requiring a Second Reading**

**Ordinance No. 23-2079**

**Ordinance No. 23-2079** An Ordinance by the Borough of Highland Park, Middlesex County, New Jersey Amending Chapter 230, Land Development Concerning New Construction of Non-Conforming- and Two-Family Residential Lots has been duly advertised for consideration of passage on Final reading by title and Affidavit of publication are on file

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

On motion made by Councilman Hale seconded by Councilman George, Ordinance No. 23-2079 entitled as above, was duly adopted by the following roll call vote, to wit:

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

**Ordinance No. 23-2080** An Ordinance by the Borough of Highland Park, Middlesex County, New Jersey Amending Chapter 230, Land Development Concerning Residential Density in Central Business District has been duly advertised for consideration of passage on Final reading by title and Affidavit of publication are on file

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

On motion made by Councilman Hale seconded by Councilman George, Ordinance No. 23-2080 entitled as above, was duly adopted by the following roll call vote, to wit:

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

**Ordinances Requiring a First Reading**

**Ordinance No. 23-2081** Capital Ordinance Providing for Improvements to North Fourth Ave, Denison Street and Harper Street Project, in the County of Middlesex, State of New Jersey, Appropriating \$609,980.00 from the Department of Transportation Municipal Aid Program to Pay the Cost thereof has been duly introduced by the Finance Committee for consideration of passage on first reading by title publication as required by law public hearing for December 19<sup>th</sup>.

On motion made by Councilman George seconded by Councilman Hale George, Ordinance No. 23-2081 the ordinance entitled as above was approved on introduction, authorized publication as required by law and set public hearing for December 19, 2023, by the following roll call vote, to wit:

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

**Consent Agenda Items - Resolutions.**

Resolution Nos. 12-23-258 through 12-23-270 and Resolution were duly adopted on a motion made by Councilman George seconded by Councilman Hale and carried by the following roll call vote, to wit:

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

Borough Administrator noted there was a typo on the salary resolution. It should have read the library position \$37,973.00. There's a transposition and she wanted the record to be reflected

**Resolution 12-23-258**

**WHEREAS**, N.J.S.A. 52:34-6.2 authorizes contracting units, including the Borough of Highland Park, to make purchases and contract for services through the use of nationally recognized and accepted cooperative purchasing agreements that have been developed using a competitive bidding process by another contracting unit within the state of New Jersey or within any other state; and

**WHEREAS**, by Resolution 5-09-166, adopted May 5, 2009, the Borough of Highland Park entered into an agreement with a local cooperative called Educational Services Commission of New Jersey (ESCNJ) which enters into contracts for a wide variety of goods and services; and

**WHEREAS**, the purpose of entering the contract with ESCNJ was to obtain better prices than the Borough would be able to obtain individually, and to save the Borough the expense of bidding; and

**WHEREAS**, the Borough desires to continue utilizing Xtel Communications for its VOIP and switching services; and

**WHEREAS**, the Borough desires to enter into a contract to purchase said goods under ESCNJ #19/20-30, from Xtel Communications Inc., 10 Lake Center Executive Park, Suite 106, Marlton, NJ 08053, at ESCNJ contract prices; and

**WHEREAS**, funds for this purpose are available in Current Account No. 4-01-31-440-235, in an amount not to exceed \$37,500.00, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-78.

**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 Borough of Highland Park is hereby authorized to enter into a 36-month contract with Xtel Communications Inc., 10 Lake Center Executive Park, Suite 106, Marlton, NJ 08053 for an annual amount not to exceed \$37,500.
2. Certified copies of this resolution be forwarded to the Borough Administrator and the Chief Financial Officer.

**Resolution 12-23-259**

**BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that the Reorganization Meeting of the Borough Council for the Year 2024 will be held in-person at the Highland Park Community Center, 220 South 6th Avenue, Highland Park, NJ on Tuesday, January 2, 2024 at 7:00 PM.

**Resolution 12-23-260**

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

**WHEREAS**, the Borough of Highland Park has a need for Information Technology (IT) consulting services; and

**WHEREAS**, the Township of Freehold offers IT consulting services to public entities; and

**WHEREAS**, a cooperative agreement between municipalities to share services would be beneficial to the taxpayers in both municipalities; and

**WHEREAS**, an agreement entitled "Shared Services Agreement between Freehold Township and Borough of Highland Park for Information Technology Services" has been proposed and found acceptable and is attached to this Resolution; and

**WHEREAS**, funds for this purpose are available in Current Fund Account No. 4-01-42-403-235, in an amount not to exceed \$67,920.00, 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. 2023-79.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that:

1. The Mayor and Borough Clerk are hereby authorized to execute the aforementioned Agreement;
2. Pursuant to NJSA 40A:65-1, a certified copy of the within Resolution shall be forwarded to New Jersey Department of Community Affairs, Division of Local Government Services;
3. A certified copy of the Resolution and a fully executed copy of the Agreement be forwarded to the Highland Park Borough Administrator and Highland Park Chief Financial Officer as well as the Freehold Township Administrator.

**Resolution 12-23-261**

**WHEREAS**, the Borough of Highland Park has concluded negotiations with Teamsters Local 97 (Teamsters), on a Collective Bargaining Agreement for Calendar Years 2024 thru 2026;

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

1. The Mayor and Borough Council hereby approve the Memorandum of Agreement between the Borough and the Teamsters, which is attached hereto;
2. The Mayor and Borough Clerk are authorized and directed to execute and attest the Collective Bargaining Agreement with Teamsters, said Agreement in a form having been approved by the Borough Labor Attorney;
3. The Borough Finance Department is authorized and directed to make salary adjustments to members of the Teamsters, effective January 1, 2024, upon receipt and approval of a signed Collective Bargaining Agreement, and adoption of the appropriate salary ordinance amendments, if necessary.

**Resolution 12-23-262**

**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:

Nicholas Hubbard, Part Time Fire Fighter, \$22.23 Hourly, Effective 11/01/2023

Joseph Oriti, Library Asst., \$37,397.00 Salary, Effective 11/01/2023

**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 12-23-263**

**WHEREAS**, GVK Taxi No. 5 LLC has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2024; and

**WHEREAS**, the Chief of Police and/or his designee has investigated said applicant and has reported favorably upon said applications;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that

1. Applicant is qualified and that public necessity and convenience would be served by the issuance of said Licenses.
2. The Borough Clerk be and is hereby authorized and directed to issue an Owners Licenses to the aforesaid applicants.

**Resolution 12-23-264**

**WHEREAS**, Venkateswara Reddy Chinthala has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2024; and

**WHEREAS**, the Chief of Police and/or his designee has investigated said applicants and has reported favorably upon said applications;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that

1. Applicant is qualified and that public necessity and convenience would be served by the issuance of said Licenses.
2. The Borough Clerk be and is hereby authorized and directed to issue Operator Licenses to the aforesaid applicants.

**Resolution 12-23-265**

**WHEREAS**, Doolittle Motor Car/Dependable Motors, Guaranteed Motor Towing Service, Inc., Rich's Towing Service, Inc., Oasis Towing, Car Guys Auto Repair LLC, have filed with the Clerk of this Borough for a 2024 Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

**WHEREAS**, the Chief of Police has investigated said applicant and has reported favorably upon said application;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council, of the Borough of Highland Park, County of Middlesex, State of New Jersey,

1. Said applicants are qualified and that public necessity and convenience would be served by the issuance of such License.
2. The Borough Clerk be and is hereby authorized and directed to issue Heavy Duty Wrecker/Towing Licenses to the aforesaid applicant.

**Resolution 12-23-266**

**WHEREAS**, the Borough of Highland Park is desirous of contracting with the County of Middlesex for the provision of various public health services for the period beginning January 1, 2022 and ending December 31, 2023; and

**WHEREAS**, pursuant to N.J.S.A. 40:8-1 *et seq.*, a municipality may enter into a contract with the County for the provision of such services without public bidding; and

**WHEREAS**, the County of Middlesex has agreed to contract with the Borough of Highland Park for said public health services in the amount of \$50,044.82 for the year 2024 and in the amount of \$51,045.72 for 2025; and

**WHEREAS**, funds for said 2024 contract shall be made available in Current Fund Account No. 4-01-27-333-235 in an amount not to exceed \$50,044.82, and will be provided for in the 2024 Municipal Budget as adopted and funds for said 2025 contract shall be made available in Current Fund Account No. 5-01-27-333-235 in an amount not to exceed \$51,045.72, and will be provided for in the 2025 Municipal Budget as adopted as reflected by the Chief Financial Officer Certification of Funds No. 2023-80.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that

1. The Mayor and Borough Clerk shall be and are hereby authorized and directed to execute and attest on behalf of the Borough a contract with the County of Middlesex for the provision of public health services, in the amount of \$50,044.82, for the period January 1, 2024 through December 31, 2024, and \$51,045.72, for the period January 1, 2025 through December 31, 2025, said contract to be in a form approved by the Borough Attorney.

That a certified copy of this Resolution be forwarded to Finance Department, the Highland Park Board of Health, and the County of Middlesex forthwith.

**Resolution 12-23-267**

**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 Current Fund Account No. 4-01-20-130-235, in an amount not to exceed \$2,000.00, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-81.

**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 12-23-268**

**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 Tantum Fidelco HP LLC (the "**Conditional Redeveloper**"), for Tract A 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 authorized the extension of the conditional designation on May 16, 2023; and

**WHEREAS**, the Borough wishes to extend such conditional designation and such Conditional Redeveloper’s Agreement for a term ending on June 30, 2024.

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

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

**Section 2.** Execution of Agreement. The Borough Council hereby authorizes the Borough Administrator to execute an amendment to the Conditional Redeveloper’s Agreement to extend such agreement for a term ending on June 30, 2024.

**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 12-23-269**

**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 authorized the extension of the conditional designation on February 21, 2023 and September 19, 2023; and

**WHEREAS**, the Borough wishes to extend such conditional designation and such Conditional Redeveloper’s Agreement for a term ending on June 30, 2024.

**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 June 30, 2024.

**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 12-23-270**

**WHEREAS**, the Neighborhood Preservation Program (NPP) desires to make Woodbridge Avenue a more welcoming corridor for residents, businesses, and visitors; and

**WHEREAS**, the Stakeholder Team desires to purchase additional trash and recycling receptacles to enhance the pedestrian experience; and

**WHEREAS**, two (2) quotes were solicited and were received as follows:

Landscape Forms \$15,050.00

Keystone Ridge \$15,315.60; and

**WHEREAS**, the NPP Coordinator has recommended that said items be purchased from Landscape Forms, Kalamazoo, MI based on their quote for same; and

**WHEREAS**, funds for this purpose are available Grant Fund Account No. G-02-41-768-200, in an amount not to exceed \$16,000.00, as reflected by the certification of funds by the Chief Financial Officer No. 2023-82.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park, County of Middlesex, State of Jersey, that

1. The NPP Coordinator is hereby authorized and directed to purchase trash and recycling receptacles from Landscape Forms, 7800 E. Michigan Avenue, Kalamazoo, MI 49048-9543 at a cost not to exceed of \$16,000.00.
2. Certified copy of this resolution be forwarded to the NPP Coordinator and the Chief Financial Officer.

**Resolution 12-23-271**

**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 12/05/2023 can be found in the Bills List Journal Book No. 43.

**Second Public Participation.**

Mayor Foster opened the floor for public discussion

Scott Pazanski, North Avenue, said he was concerned about the annual Chanukah candle lighting on Thursday Evening between 5:30pm and 6:30pm. He saw an email that the ADL the Anti-Israel Jewish Group will be having their own party at the same exact spot 30 minutes later 7:00pm. He does not feel safe going, there will also be women and children coming and feels that this is a danger to the community. He is going to bring it up to the Rabbis of the town tonight to discuss whether we should even attempt to attend the candle lighting. He said these people should be told to move their night.

Mayor Foster responded the Chanukah candle light service is sponsored by Main Street Highland Park. She mentioned that she just saw that notice about 30 minutes before she came into the meeting. She said it is not sponsored by any of the borough entities here in town. She said, I would say to you and our community do not let anyone bully you into being afraid and not coming out and supporting borough sanction events. We should use our voice peacefully and we should not cower away from doing what we know is right and is supported by the governing body. We will have officers available at our event and I'm not expecting any kind of uprising. I can't guarantee anything, but officers will be there to ensure there will be no interruptions, but we cannot guarantee that there will not be interruptions. We are trying to be as proactive as possible to protect the members of our town. We don't know this group.

Chief Abrams added we found out about this event today. I looked into what the group is, who they are and what they stand for. It's not sanctioned by the borough, but people are allowed to come out in public and stand for their beliefs whether we agree with them or not. To keep people safe we're going to be there. I can't guarantee people won't disrupt the event, but it is our job as police to make sure that everyone stays safe regardless.



Councilman Hale added as soon as we found out about this event, we jumped into action. We need to figure out exactly what it is, how it happened and what our response will be and the needs of our police officers will be.

Ira Mintz, 143 North 5<sup>th</sup> Avenue said he has some information about the event that he would be happy to answer any questions. He noted that it was scheduled after the Main Street if not now event to begin at 7pm so there is no overlap. Mayor Foster asked if they had a permit for that event.

Ira Mintz answered he doesn't know why they would need a permit to have an event on public property. Councilman Hale asked if they could move that event to a different day. He said he was not making judgment on either side but does think there's potential for conflict and if the date was moved the potential for conflict would decrease.

Mr. Mintz said he didn't know if it could be moved but was very disturbed because there is no intention of causing any conflict. He finds it concerning that the Council thinks that the people who would be opposed to what they are doing would be prone to conflict or attacking us for calling a cease fire. The date was selected because it was the first day of Chanukah. If Not now, is having Chanukah cease fire candle lightings all around the country on that date. I am not in a position to answer if the date can be changed. I can raise the question to the organization. Councilman Hale and Mayor Foster asked if he could raise the questions and thank him.

Abby Stern Cardinale, Harper Street, said she was really upset that instead of talking and having conversations about what everyone's intentions are, there's assumptions of conflict being made publically. She doesn't think this is the way to encourage the community to go to an event. The tension is making her question if she should go. Mayor Foster stated that for the past 15 years we've been having this event free of any political conflict, and that's the way we intend for the event to be tomorrow. People should not be afraid to come out and enjoy the Chanukah celebration. She hopes everyone does come out tomorrow and enjoys the celebration.

Council President Hersh added that we have no anticipation of conflict of any violence or any threat of danger. The Police Department is plugged in to watching signs for violence and antisemitism. Mr. Pazanski replied the community has come out and enjoyed the celebration, it was never a political event. What bothers him is, it is a religious holiday and should be celebrated as such. If someone wants to do something political on a religious holiday don't do it 30 minutes after the celebration. They should pick a different day.

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 8:08 PM.

Respectfully submitted,

Jennifer Santiago  
Borough Clerk