

BOROUGH OF HIGHLAND PARK

REGULAR MEETING  
January 16, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, January 16, 2024, 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 5, 2024 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 and has remained continuously posted as required by law.

**Pledge of Allegiance.**

Flag salute led by Chief Richard Abrams.

Mayor Foster requested a motion to appoint Teri Jover as the Acting Clerk for the January 16, 2024 Council meeting.

There was a motion made by Council President Hersh and seconded by Councilwoman Canavera.

Roll Call: Ayes – Canavera, Hale, Hersh, Postelnik  
Nays – None  
Abstain – None  
Absent – George, Kim-Chohan

**Roll Call:**

Present: Mayor Foster, Councilpersons, Canavera, Hale, Hersh, Postelnik; Borough Administrator Jover, Borough Attorney Schmierer.

Absent: Councilwoman Kim-Chohan, Councilman George, and Borough Clerk Santiago.

**Approval of Minutes.**

It was MOVED by Councilwoman Canavera and seconded by Councilman Postelnik the following minutes, November 21, 2023 Regular Meeting, November 28, 2023 Redevelopment Entity Regular and Executive Meetings and December 5, 2023 Regular Meeting were approved, as distributed, by the following roll call vote:

**Roll Call:** Ayes: Councilpersons Canavera, Hale, Hersh, Postelnik  
Opposed: None.  
Absent: Kim-Chohan. George  
Abstain: None.

**Council Reports.**

Councilman Postelnik gave a reminder that online food assistance is still available through the Department of Community Services will be featuring a String Orchestra performing Sunday, January 21<sup>st</sup> at 2:00pm and it is free. On January 23<sup>rd</sup> at 12pm for the members of the Community Center will be a winter lunch with musical entertainment by DJ Johnny Ray. On Tuesday February 6 at 12pm in celebration of the Chinese New Year there will be a special Dragon Dance performance. Please visit our website to register for all the winter and upcoming spring programming, including the Indoor Table Tennis Program. The Guerilla Arts Club are part of the Arts Commission. There was an event at the Edison Animal Shelter where the kids were able to interact with the animals and take photographs. They will be making art with the photographs, which will eventually become a fundraiser for the animal shelter. The Grill Arts Club will be hosting a yoga and art series, the first class is Wednesday, January 24<sup>th</sup> from 6pm – 7:15 pm at the Community Center.

Councilman Hale reported if ever a time to shop local, this is the time. He mentioned one of the items on the agenda is an agreement with the Board of Education Schools on sharing pilot money from 31 River Road. He added he it is important for us to always contribute to school needs.

Councilwoman Canavera reminded everybody that RVS, Covid, Flu and the stomach virus are high right now. We're at a medium level for the State, please make sure that all of your vaccines are up to date and wear a mask if you are immune compromised. The Commission for Universal Access would like to remind people to please keep your sidewalks clear especially in this type of weather, so that people with any kind of disability will be able to safely walk around Highland Park. The Mental Health Commission is looking for new members, anyone who is interested can email her at [tcanavera@hpboro.com](mailto:tcanavera@hpboro.com) and she will put you in touch with who you will need to speak to.

Council President Hersh thanked DPW Director Mike Wieczorkiewicz and the Department of Public Works for efficiently clearing our 31 miles of roadways, while handling the North Side recycling collection today. Crews were out treating the road as soon as the snow began to fall. He thanked all the residents and retailers who removed snow from their walkways. If residents want to know more about our snow removal process to look at the 2022 snow removal available at [www.hpboro.com](http://www.hpboro.com), click on departments in the drop down menu, click on public works and then snow removal. If you need assistance clearing your private walkways the Borough has provided a snow removal referrals list. Some of the individuals may charge a small fee. You can find that list by going to [www.hpboro.com](http://www.hpboro.com). He will post the information on his Council Facebook page as well. He added tomorrow is Wednesday so the garbage collection schedule was amended this week. Tomorrow January 17<sup>th</sup> garbage collection will be in business district North side and triangle The South side recycling collection, will be Friday January 19<sup>th</sup> as usual business district and Southside garbage collection. Please make sure to get your recycling bins and garbage out there tonight. He mentioned Highland Park's overnight shelter will be open for anyone in need of a warm place to sleep and due to the limited space, individuals should call the Highland Park Police Department's non-emergency line at 732-572-3800 to reserve a spot. Please check on your neighbors and please don't leave your pets outside. Sustainable Highland Park is discussing how to better leverage their advocacy and what they want to work on in 2024. You can sign up for Community cleanups, you can enter their adopt a drain program which you can be responsible for taking care of that storm drain on your street. Their next meeting is a Zoom meeting on Wednesday, January 24<sup>th</sup> at 7pm. As the second chair of Finance in Councilwoman Kim-Chohan's absence he reported there will be a Rent Control Board meeting on January 25, 2024 at 5:30pm at Borough Hall in Council Chambers, Martin Luther King's day and everyday's purpose is for justice and not just a day of service. Regarding the reorganization meeting that occurred on January 2<sup>nd</sup> he offered congratulations to Councilman Postelnik on his swearing in. He thanked his family who was in attendance that night. He thanked the Council and Assembly members, the County Commissioner and Mayor Foster for reaching out to Representative Bonnie Watson Coleman who conducted the swearing in.

#### **Borough Administrator.**

Administrator Jover thanked the residents for hearing the call to get your meter replaced. You would have gotten a letter from me saying second and final notice. We need you to follow through on the replacement. Information on how to schedule your appointments is on our website and you should have a letter if this applies to you. Hopefully we'll have this wrapped up in the first quarter of the year.

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

#### **Mayor's Report.**

Mayor Foster thanked everyone for having faith and confidence in us to come back and to do the work that we need to do. She started off by saying that yesterday we had a most successful Martin Luther King celebration at the high school. She thanked Ashton Burrell from Zone 6, for all the work he did to organize that event. He was fortunate enough to get the Attorney General to come and speak. He took a lot of pictures, he answered questions, he talked about how policing has changed and it was really refreshing to see the new direction that they're working on. One of the new direction that they're looking at is how does food's insecurity affect poverty and affect crime and violence. With that in mind their new track is to address the situations of poverty which is a lot of times food insecurity. They started doing a Food Distribution Drive here along with Ashton Burrell. There was one particular person that came and sang. She thanked him, Ashton informed her that the gentleman was in the hospital and he took his IV out and came to Highland Park. The Mayor was bowled over. She could not believe that one of our local residents who receiving treatment left the hospital just to honor his promise to be at the Martin Luther King event. It shows the extent of the extraordinary residents we have in Highland Park. She will keep him in her prayers and gave him a million thanks. The Mayor thanked DPW for clearing our roads during the snowstorm and gave a reminder to everyone to clear their sidewalks. Also she mentioned if you clean your car off do not dump the snow in the street because it just creates a problem. Earlier in the month she spoke about wanting a supermarket committee group. We have a date and a number of names of people who want to volunteer. Our first meeting will be January 24<sup>th</sup>, to talk about what they'd like to see in the new Super Fresh Supermarket, so we can inform the owners. If you would like to become a part of this group please reach out to Harry Glazer, our public information officer and its [hglazer@hpboro.com](mailto:hglazer@hpboro.com). The Mayors Advisory is had a bunch of question for me, Borough Administrator Jover, and the Police Department. They are going to be meeting with a lot of other leaders in our community to ask questions to see how they can help various charities, groups and organizations in need. They're going to be raising funds for the Highland Park Fire Department and also for the cancer treatment and education center at Rutgers University and a program for seniors. We are asking everyone to sign up for the nixel so you can get alerts from Borough and be in tuned to what's going on in the Borough. Again you can contact Harry Glazer at [hglazer@hpboro.com](mailto:hglazer@hpboro.com).

#### **Public Participation.**

Mary Forsberg, 317 Denison Street asked how much the pilot is from 31 River Road and how much is going to the schools and if the town had not set up a pilot for that, how much would be collected in property taxes for the apartment building at 31 River Road.

Borough Administrator Jover replied the Resolution sets aside 60% of the Borough's share of the pilot's payment. There's a portion that has to go to the County by Statue. The 2023 collection is paid in the first quarter of 2024. The 2023 Boroughs share was \$94,919. That is approximately \$55,150.00. As to the tax is without a pilot she advised Mary to email her and she will get her that information.

Colleen Tyler, 142 North 6<sup>th</sup> Avenue, Highland Park stated she was not in favor of the six marijuana dispensaries coming into town. She asked how is the public able to input opinions?

Councilman Hale added the process deciding on the number of dispensaries and the distribution of licenses happened about two years ago. There were a number of public meeting and a number of hearings. There were many discussions about the appropriate amount of dispensaries in Highland Park. We have a process where applicants came in to apply for the cannabis licenses. They've been waiting for the State licenses and many of them who have conditional approval from Highland Park are still waiting for State licenses.

Mayor Foster added, this was approved three years ago and it was also one of the ballot questions and 70% of the residents voted for them to be legalized. We went through a vetting process and it was narrowed down to five licenses that were issued. As of today one shop has been opened.

Mary Botteon, 709 Madison stated her objection to the marijuana licenses and referred to several resolutions and federal and state laws. She added a license was issued to a pot shop without any Council resolution being publically introduced and voted on.

Borough Attorney Schmierer replied the ordinance was put together before the final CRC regulations that were promulgated and adopted by the state and when the state adopted those 220 pages worth of regulations, they gave very little direction to the municipality about how and when it should or shouldn't act on a business license. It's silent on that whole issue. When the operator came to the Clerk, she called me and asked what do we have to do in order to license them and allow them to open. The steps were the Code Enforcement officer had to make sure that all of the code enforcement issues were addressed. The C.O. was in place, there was an inspection done by his office to make sure that it was in order. Other items that had to be cleared in order to allow that property to open were cleared here in the Borough. We looked at the CRC regulations to see what the issuance of a state license for retail cannabis said. It simply said that once the license was issued and in this case he believes it was issued on December 20<sup>th</sup> of last year. We took the position that the retailer is authorizes and allowed to open. We took the position of this retailer who had waited for this final approval from the State was allowed to open as long as they were in compliance with all the regulations of the Borough. We took the position that we adopt that business license which is normally issued by the Clerk's Office without any involvement of the governing body. Look at our Chapter 247. All the business licenses are just administratively handled, in this case we had put it into the ordinance to say that the Council would issue a resolution but we determined that they should be allowed to open under the state law and we would bring the resolution to the Council this evening retroactive to the 9<sup>th</sup> when the license was issued. He said he thought whatever steps they took they tried taking a look at the State law which probably trumps our local law. We issued the license when they were ready to receive it.

Mayor Foster added the Mayor and entire Council read exactly what the Attorney put into place, what we have in place and what we were advised by the attorney. The State law trumps our local laws. So we were locked into what the State law said. The State law supersedes what we do so based on what we were advised by our attorney we followed the appropriate steps.

Mary Botteon asked Mayor Foster if she intended to issue all Highland Park marijuana licenses without publically introducing and voting on a resolution first and if so why or why not.

Mayor Foster answered that she would be following the advice of our Counsel.

Borough Attorney Schmierer responded the answer might that the section of the ordinance could be repealed because these business licenses as opposed to a marijuana license are different and normally the business licenses are handled administratively by the Clerk's Office. It's in the ordinance. We didn't break the law because we interpreted the State law as indicating that once an operator got their license from the State and they were told they could open a retail shop we had the obligation to move forward and allow them to do that. They've been waiting two years to get to this point and they were to the point where we believe that they were entitled to get their operation open. That's why the business license was issued and it will be ratified tonight. As he previously stated we believe that language has probably been trumped or suspended by the CRC State regulations.

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

**Ordinances Requiring a First Reading**

**Ordinance No. 24-2081**

**Ordinance No. 23-2079** Capital Ordinance Providing for Improvements to N. Fourth Avenue, Denison Street and Harper Street project, in the County of Middlesex, State of New Jersey, Appropriating \$609,980 from the Department of Transportation Municipal Aid Program Therefor to Pay the Cost Thereof.

Clerk reported that Ordinance 23-2079 Capital Ordinance Providing for Improvements to N. Fourth Avenue, Denison Street and Harper Street project, in the County of Middlesex, State of New Jersey, Appropriating \$609,980 from the Department of Transportation Municipal Aid Program Therefor to Pay the Cost Thereof has been duly introduced by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilwoman Canavera seconded by Council President Hersh, Ordinance No. 24-2079 the ordinance entitled as above was approved on introduction, authorized publication as required by law and set public hearing for February 6, 2024, by the following roll call vote:

**Roll Call:** Ayes: Councilpersons Canavera, Hale, Hersh, Postelnik  
Opposed: None.  
Absent: Kim-Chohan. George  
Abstain: None.

**Consent Agenda Items - Resolutions.**

Resolution Nos. 1-24-17 through 1-24-46, Resolutions were duly adopted on a motion made by Councilman Hale seconded by Councilwoman Canavera and carried by the following roll call vote:

**Roll Call:** Ayes: Councilpersons Canavera, Hale, Hersh, Postelnik  
Opposed: None.  
Absent: Kim-Chohan. George  
Abstain: None.

**Resolution 1-24-17**

**WHEREAS**, the Borough Tax Collector is appointed pursuant to NJSA 40A:9-141, which permits a municipality to provide for the appointment of a municipal tax collector; and

**WHEREAS**, N.J.S.A. 40A:9-145.7 requires that any person appointed or reappointed as a municipal tax collector must hold a tax collector certificate issued pursuant to NJSA 40A:9-141, Section 2 of P.L. 1979, c. 384 (C. 40A:9-145.2) and Section 6 of P.L. 1993, c. 25 (C 40A:9-145.3a); and

**WHEREAS**, the Borough's Tax Collector term of office is designated pursuant to NJSA 40A:9-142, which states that "every municipal tax collector shall hold their office for a term of four years from the first day of January next following their appointment. Vacancies other than due to expiration of term shall be filled by appointments for the unexpired term; and

**WHEREAS**, Mildred Ramos Certified Tax Collector No. T-8606 was appointed Tax Collector by Resolution 21-265 to serve the unexpired term as Tax Collector from October 19, 2021 and expiring January 1, 2024; and

**WHEREAS**, the Borough Administrator recommends the re-appointment of Mildred Ramos as Tax Collector for the Borough of Highland Park; and

**WHEREAS**, the appointment of Mildred Ramos as Borough Tax Collector shall be effective January 1, 2024 and shall end December 31, 2027, pursuant to and accordance with the appointment time frame set forth in NJSA 40A:9-142.

**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. Mildred Ramos (License No. T-8606) is hereby appointed to the position of Tax Collector, effective January 1, 2024 and ending on December 31, 2027, pursuant to and in accordance with the appointment time from set forth in NJSA 40A:9-142.
2. In accordance with NJSA 40A:9-145.3b., the appointed Tax Collector shall renew their certification every two (2) years and shall complete the required course hours during that time to qualify for renewal of said certification.

**Resolution 1-24-18**

**WHEREAS**, on May 17, 2010, Overlook at Highland Park, Pulte Homes , heretofore posted with the Borough of Highland Park a Surety Performance Bond, No. 1034844, issued by Lexon Insurance Company in the amount of \$2,865,330.18 and a cash surety bond (check #0080224340) in the amount of \$318,370.02, for a total amount of \$3,183,700.20, in connection with a site plan application on the

property known as Block 190, Lots 4 and 4.01, also known as the Cenacle Property, in the Borough of Highland Park; and

**WHEREAS**, on March 15, 2011, by Resolution No. 3-11-91, the Borough Council authorized reduction of Performance Bond No. 1034844, issued by Lexon Insurance Company from \$2,865,330.18 to \$1,829,704.20 and cash bond from \$318,370.02 to \$182,970.02; and

**WHEREAS**, on June 6, 2012, by Resolution No. 6-12-194, the Borough Council authorized reduction of Performance Bond No. 1034844, issued by Lexon Insurance Company from \$1,829,704.20 to \$955,110.06 and cash bond from \$182,970.42 to \$95,511.00; and

**WHEREAS**, the developer for the referenced project has requested that the release of performance bonds; and

**WHEREAS**, the Borough Engineer has conducted a site inspection of this project and filed report dated December 4, 2023 recommending the release of Performance Bond No. 1034844 issued by Lexon Insurance Company in the amount of \$955,110.06 and a cash bond in the amount of \$318,370.02; and

**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 Performance Bond posted by Overlook @ Highland Park (Pulte Homes) in the amount of \$955,110.06 and cash bond in the amount of \$95,511.00, shall be and is hereby released subject to the following:

- Payment of any outstanding engineering inspection fees.
  - Payment of any outstanding Borough fees.
2. Certified copies of this Resolution be forwarded to the Finance Department, Borough Engineer, Construction Official, and Overlook @ Highland Park (Pulte Homes).

#### **Resolution 1-24-19**

**WHEREAS**, on November 3, 2020, 31 River Road Urban Renewal LLC, heretofore posted with the Borough of Highland Park a Performance Bond, No. FP0025035, issued by First Indemnity of America Insurance Company in the amount of \$71,188.20 and a cash surety bond (check #00008253) in the amount of \$7,909.80, for a total amount of \$79,098.00, in connection with a site plan application on the property known as Block 183, Lot 24; and

**WHEREAS**, the developer for the referenced project has requested release of performance bonds; and

**WHEREAS**, the Borough Engineer has conducted a site inspection of this project and filed report dated December 4, 2023 recommending the release of Performance Bond, No. FP0025035, issued by First Indemnity of America Insurance Company in the amount of \$71,188.20 and a cash surety bond (check #00008253) in the amount of \$7,909.80.

**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 Performance Bond posted by 31 River Road Renewal LLC in the amount of \$71,188.20 and cash bond in the amount of \$7,909.80, shall be and is hereby released subject to the following:

- Posting of a two (2) year Maintenance Bond in the amount of \$11,864.70
- Payment of any outstanding engineering inspection fees.
- Payment of any outstanding Borough fees.

2. Certified copies of this Resolution be forwarded to the Finance Department, Borough Engineer, Construction Official, and 31 River Road Renewal LLC.

#### **Resolution 1-24-20**

**WHEREAS**, pursuant to Resolution No. 10-23-216, adopted October 10, 2023, the Borough Council authorized execution of a contract with Top Line Construction Corp. for Improvements to Riverview Avenue, Washington Avenue and Exeter Street and various roads, in an amount not to exceed \$738,868.15, without further resolution of Council; and

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

**WHEREAS**, it appears from Pay Estimate No. 1, filed by CME Associates dated December 14, 2023, that certain work under said contract has been completed and approved, and there is due to Top Line Construction Corp. the sum of \$360,604.22 in accordance with said Pay Estimate for work performed from November 27, 2023 to December 14, 2023; and

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-832-001, in an amount not to exceed \$360,604.22, as reflected by the Certification of Funds Available by the Chief Financial Officer Certification No. 2024-01.

**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 Chief Financial Officer be and is hereby authorized and directed to pay Top Line Construction Corp. the sum of \$360,604.22, as certified by the Engineer in Pay Estimate No. 1, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary;

2. That certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Top Line Construction Corp.

**Resolution 1-24-22**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted by the Borough Council on April 18, 2023, a contract was awarded to Molba Carpentry, Inc. t/a Molba Construction of Little Ferry, NJ, for the Highland Park Public Library Interior renovations; and

**WHEREAS**, it appears from Pay Estimate No. 5 certified by Arcari + Iovino Architects PC, that certain work under said contract has been completed and approved and there is due to Molba Carpentry, Inc. t/a Molba Construction. the sum of \$52,264.50 in accordance with said Pay Estimate No. 5 for work performed through November 30, 2023; and

**WHEREAS**, funds for this purpose are available in Capital Fund Account No. C-04-55-831-001 in an amount not to exceed \$52,264.50, as reflected by the Certification of Funds Available by Chief Financial Officer Certification No. 2024-03.

**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 Chief Financial Officer be and is hereby authorized and directed to pay Molba Carpentry, Inc. t/a Molba Construction the sum of \$52,264.50, as certified by the Architects certification of Pay Estimate No. 5, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports; and
2. Certified copies of this resolution be forwarded to Chief Financial Officer and the Arcari + Iovino Architects PC.

**Resolution 1-24-23**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted April 18, 2023, the Borough Council authorized execution of a contract with Molba Carpentry, Inc. t/a Molba Construction for Highland Park Public Library Interior Renovations, in an amount not to exceed \$697,300.00; and

**WHEREAS**, by Resolution No. 10-23-229, adopted on October 24, 2023, the Borough Council authorized Change Order No. 1, in an amount not to exceed \$4,960.80, for a total contract amount of \$702,260.80; and

**WHEREAS**, by Resolution No. 10-23-230, adopted on October 24, 2023, the Borough Council authorized Change Order No. 2 in an amount not to exceed \$15,000.00, for a total contract amount of \$717,260.80; and

**WHEREAS**, by Resolution No. 10-23-231, adopted on October 24, 2023, the Borough Council authorized Change Order No. 3 in an amount not to exceed \$6,405.75, for a total contract amount of \$723,666.55; and

**WHEREAS**, the Architect, Arcari + Iovino Architects, P.C. has prepared the attached Change Order No. 4 to the said contract to create an opening in CMU wall for new ductwork, for an increase of \$1,659.33 in the contract amount and is less than 20% of the original contract, for a total contract amount of \$725,324.88; and

**WHEREAS**, Council has reviewed the proposed Change Order No. 4 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-831-001, in an amount not to exceed \$1,659.33, for a total contract amount of \$725,324.88, as reflected by the Certification of Funds Available by the Chief Financial Officer certification no. 2024-04.

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

1. Mayor Elsie Foster is hereby authorized and directed to execute Change Order No. 4, dated October 12, 2023, to the contract of Molba Carpentry, Inc. t/a Molba Construction upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Architect; and
2. Certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Molba Carpentry, Inc. t/a Molba Construction.

**Resolution 1-24-24**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted April 18, 2023, the Borough Council authorized execution of a contract with Molba Carpentry, Inc. t/a Molba Construction for Highland Park Public Library Interior Renovations, in an amount not to exceed \$697,300.00; and

**WHEREAS**, by Resolution No. 10-23-229, adopted on October 24, 2023, the Borough Council authorized Change Order No. 1, in an amount not to exceed \$4,960.80, for a total contract amount of \$702,260.80; and

**WHEREAS**, by Resolution No. 10-23-230, adopted on October 24, 2023, the Borough Council authorized Change Order No. 2 in an amount not to exceed \$15,000.00, for a total contract amount of \$717,260.80; and

**WHEREAS**, by Resolution No. 10-23-231, adopted on October 24, 2023, the Borough Council authorized Change Order No. 3 in an amount not to exceed \$6,405.75, for a total contract amount of \$723,666.55; and

**WHEREAS**, by Resolution No. 1-24-23, adopted on January 16, 2024, the Borough Council authorized Change Order No. 4, in an amount not to exceed \$1,659.33, for a total contract amount of \$726,765.29; and

**WHEREAS**, the Architect, Arcari + Iovino Architects, P.C. has prepared the attached Change Order No. 5 to the said contract to furnish and install one (1) door and frame for door 111A, for an increase of \$1,439.41 in the contract amount and is less than 20% of the original contract, for a total contract amount of \$726,765.29; and

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

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-831-001, in an amount not to exceed \$1,439.41, for a total contract amount of \$726,765.29, as reflected by the Certification of Funds Available by the Chief Financial Officer certification no. 2024-05.

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

1. Mayor Elsie Foster is hereby authorized and directed to execute Change Order No. 5, dated November 15, 2023, to the contract of Molba Carpentry, Inc. t/a Molba Construction upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Architect; and
2. Certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Molba Carpentry, Inc. t/a Molba Construction.

#### **Resolution 1-24-25**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted April 18, 2023, the Borough Council authorized execution of a contract with Molba Carpentry, Inc. t/a Molba Construction for Highland Park Public Library Interior Renovations, in an amount not to exceed \$697,300.00; and

**WHEREAS**, by Resolution No. 10-23-229, adopted on October 24, 2023, the Borough Council authorized Change Order No. 1, in an amount not to exceed \$4,960.80, for a total contract amount of \$702,260.80; and

**WHEREAS**, by Resolution No. 10-23-230, adopted on October 24, 2023, the Borough Council authorized Change Order No. 2 in an amount not to exceed \$15,000.00, for a total contract amount of \$717,260.80; and

**WHEREAS**, by Resolution No. 10-23-231, adopted on October 24, 2023, the Borough Council authorized Change Order No. 3 in an amount not to exceed \$6,405.75, for a total contract amount of \$723,666.55; and

**WHEREAS**, by Resolution No. 1-24-23, adopted on January 16, 2024, the Borough Council authorized Change Order No. 4, in an amount not to exceed \$1,659.33, for a total contract amount of \$726,765.29; and

**WHEREAS**, by Resolution No. 1-24-24, adopted on January 16, 2024, the Borough Council authorized Change Order No. 5, in an amount not to exceed \$1,439.41, for a total contract amount of \$726,765.29; and

**WHEREAS**, the Architect, Arcari + Iovino Architects, P.C. has prepared the attached Change Order No. 6 to the said contract to furnish and install new mud bed, for an increase of \$4,112.50 in the contract amount and is less than 20% of the original contract, for a total contract amount of \$730,877.79; and

**WHEREAS**, Council has reviewed the proposed Change Order No. 6 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders;

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-831-001, in an amount not to exceed \$4,112.50, for a total contract amount of \$730,877.79, as reflected by the Certification of Funds Available by the Chief Financial Officer certification no. 2024-06.

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

1. Mayor Elsie Foster is hereby authorized and directed to execute Change Order No. 5, dated November 15, 2023, to the contract of Molba Carpentry, Inc. t/a Molba Construction upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Architect; and
2. Certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Molba Carpentry, Inc. t/a Molba Construction.

#### **Resolution 1-24-26**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted April 18, 2023, the Borough Council authorized execution of a contract with Molba Carpentry, Inc. t/a Molba Construction for Highland Park Public Library Interior Renovations, in an amount not to exceed \$697,300.00; and

**WHEREAS**, by Resolution No. 10-23-229, adopted on October 24, 2023, the Borough Council authorized Change Order No. 1, in an amount not to exceed \$4,960.80, for a total contract amount of \$702,260.80; and

**WHEREAS**, by Resolution No. 10-23-230, adopted on October 24, 2023, the Borough Council authorized Change Order No. 2 in an amount not to exceed \$15,000.00, for a total contract amount of \$717,260.80; and

**WHEREAS**, by Resolution No. 10-23-231, adopted on October 24, 2023, the Borough Council authorized Change Order No. 3 in an amount not to exceed \$6,405.75, for a total contract amount of \$723,666.55; and

**WHEREAS**, by Resolution No. 1-24-23, adopted on January 16, 2024, the Borough Council authorized Change Order No. 4, in an amount not to exceed \$1,659.33, for a total contract amount of \$726,765.29; and

**WHEREAS**, by Resolution No. 1-24-24, adopted on January 16, 2024, the Borough Council authorized Change Order No. 5, in an amount not to exceed \$1,439.41, for a total contract amount of \$726,765.29; and

**WHEREAS**, by Resolution No. 1-24-25, adopted on January 16, 2024, the Borough Council authorized Change Order No. 6, in an amount not to exceed \$4,112.50, for a total contract amount of \$730,877.79; and

**WHEREAS**, the Architect, Arcari + Iovino Architects, P.C. has prepared the attached Change Order No. 7 to the said contract to furnish and install new mud bed, for an increase of \$3,393.00 in the contract amount and is less than 20% of the original contract, for a total contract amount of \$734,270.79; and

**WHEREAS**, Council has reviewed the proposed Change Order No. 7 for this contract and has approved the same subject to satisfaction of N.J.A.C. 5:30-11.9 relating to change orders; and

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-831-001, in an amount not to exceed \$3,393.00, for a total contract amount of \$734,270.79, as reflected by the Certification of Funds Available by the Chief Financial Officer certification no. 2024-07.

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

1. Mayor Elsie Foster is hereby authorized and directed to execute Change Order No. 5, dated December 13, 2023, to the contract of Molba Carpentry, Inc. t/a Molba Construction upon satisfaction of N.J.A.C. 5:30-11.9 relating to the submission of a certification relating to the change orders to date, to the satisfaction of the Borough Attorney and Architect; and
2. Certified copies of this resolution be forwarded to the Borough Administrator, Chief Financial Officer and Molba Carpentry, Inc. t/a Molba Construction.

#### **Resolution 1-24-27**

**WHEREAS**, the Food Pantry has provided food support services in partnership with the Borough for more than 20 years; and

**WHEREAS**, on December 18, 2018, the Food Pantry was re-established Borough Ordinance No. 18-1976 and since that time operated as a committee of the Borough pursuant to Section 9-52 of the "Code of the Borough of Highland Park" with the responsibility for staffing and running a food bank from the Highland Park Community Center; and

**WHEREAS**, in order to enhance its programming and to qualify for a substantial donation, the Food Pantry was incorporated as a nonprofit corporation of the State of New Jersey on April 21, 2023; and

**WHEREAS**, the Borough and Food Pantry wish to set forth in a cooperation agreement the very in-kind services that will continue to be provided by the Borough to the Food Pantry following their becoming a fully-operational nonprofit corporation as well as setting forth the continued duties and responsibilities of the Food Pantry.

**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 a cooperation agreement between the Borough of Highland Park and the Highland Park Community Food Pantry, a copy of which is attached to this resolution.

#### **Resolution 1-24-28**

**WHEREAS**, HP Gives a Hoot as a Borough committee provides support for various programs for the well-being of Highland Park students in need with an emphasis on addressing food insecurity; and

**WHEREAS**, on December 18, 2018, HP Gives a Hoot was established by the adoption of Borough Ordinance 18-1976 and since that time has operated as a committee of the Borough pursuant to Section 9-73 of the "Code of the Borough of Highland Park"; and

**WHEREAS**, in order to enhance its programming and the providing of services to the students which it serves and to also qualify for a substantial donation, the HP Gives a Hoot was incorporated as a nonprofit corporation of the State of New Jersey on April 21, 2023; and

**WHEREAS**, the Borough and HP Gives a Hoot wishes to set forth in a cooperation agreement the in-kind services that will continue to be provided by the Borough to HP Gives a Hoot following their becoming a fully-operational nonprofit corporation as well as setting forth the continued duties and responsibilities for HP Gives a Hoot.

**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 a cooperation agreement between the Borough of Highland Park and HP Gives a Hoot, a copy of which is attached to this resolution.

**Resolution 1-24-29**

**WHEREAS**, in order to address the persistent leaks experienced at the library, on August 8, 2023 the Borough Council passed Resolution No. 8-23-183, authorizing a professional services agreement with Arcari + Iovino Architects PC to design preliminary plans for the replacement of the 3,000 sf flat roof section of the library roof and to prepare related construction documents; and

**WHEREAS**, on October 10, 2023 the Borough Council passed Resolution No. 10-23-218 authorizing an amendment to the professional services agreement to engage the services of a mechanical engineering consultant to assist with the redesign of the rooftop ductwork in conjunction with the roof replacement; and

**WHEREAS**, having completed the roof design and construction documents the Borough is now in need of assistance with bid preparation and construction administration services in order to implement the improvements; and

**WHEREAS**, according to the Arcari + Iovino proposal dated July 27, 2023 the costs for public bidding and construction administration services is \$8,500; 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**, Anthony Iovino is a registered architect (License #21AI01172000) and Professional Planner in New Jersey qualified to complete this scope of work; and

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-835-001 for a total amount not to exceed \$10,000.00, as reflected by the Certification of Funds Available by Chief Financial Officer Certification no. 2024-08.

**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 are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services for architectural design and construction documents to replace the flat roof portion of the library building with Arcari + Iovino Architects PC, One Katherine Street, Little Ferry, NJ 07643, a copy of which is attached to the original of this resolution,
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 1-24-30**

**WHEREAS**, on December 20, 2016 the Borough Council of the Borough (the "Borough Council"), pursuant to and in accordance with the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* as amended and supplemented (the "Redevelopment Law"), designated the entirety of the area within the municipal boundaries of the Borough as "an area in need of rehabilitation" including property known as 31 River Road and identified as Block 183, Lot 24 on the official tax map of the Borough (the "Property"); and

**WHEREAS**, on December 4, 2018, the Borough Council adopted a resolution designating the Property as a "non-condemnation area in need of redevelopment" in accordance with the Redevelopment Law (the "Redevelopment Area"); and

**WHEREAS**, on December 18, 2018, the Borough Council adopted an ordinance adopting a redevelopment plan entitled the "*31 River Road Redevelopment Plan*" (the "Redevelopment Plan") dated December 4, 2018 and prepared by LRK Inc. for the Redevelopment Area; and

**WHEREAS**, on April 16, 2019, 31 River Road Urban Renewal, LLC (the "Redeveloper") and the Borough executed a redevelopment agreement with the Borough pursuant to which the Redeveloper is constructing a project consisting of 40 residential units including 34 market rate units and 6 affordable units and certain infrastructure improvements, as defined herein (the "Project"); and

**WHEREAS**, on May 21, 2019 the Redeveloper and the Borough executed a financial agreement (the "Financial Agreement") whereby the Redeveloper agreed to make certain payments in lieu of taxes (the "Annual Service Charges" as defined in the Financial Agreement) to the Borough; and

**WHEREAS**, Section 22(m) of the Redevelopment Law (*N.J.S.A.* 40A:12A-22(m)) provides that a municipality may, among other things, contract with a board of education to cause school services to be rendered for the benefit of the occupants of any redevelopment area; and

**WHEREAS**, in consideration for the provision of school services to the occupants of the Project within the Redevelopment Area, the Borough has agreed to provide an amount equal to 60% of the Annual Service Charge (excluding the Administrative Fee as such terms is defined in the Financial Agreement) received from January 1, 2023 thru December 31, 2023 to the Board of Education (the "Board") and annually thereafter as described in the Agreement between the Borough and the Board (the "Agreement") attached hereto as *Exhibit A*; and

**WHEREAS**, the Agreement is reflective of the Borough Council's commitment to public education in the Borough; and

**WHEREAS**, the Agreement demonstrates the spirit of cooperation between the Borough Council and the Board to provide the best possible education for the Borough's students.

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

- Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.  
Section 2. The Mayor is authorized to execute the Agreement 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 3. This Resolution shall take effect immediately

**Resolution 1-24-31**

**WHEREAS**, the Highland Park Recreation Department offers opportunities for kids and teens to participate in full-length theater productions; and

**WHEREAS**, the Recreation Department does not have staff that specializes in theater production; and

**WHEREAS**, the Recreation Department solicited three competitive quotes from production companies and Fresh Theater Arts was the only company interested in a production of this scale; and

**WHEREAS**, funds are available for this purpose in Trust Account Number R-19-56-850-001 in the amount not to exceed \$40,000.00, as reflected by the Certification of Funds by the Chief Financial Officer No. 2024-09.

**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 Borough Administrator is hereby authorized to enter into a contract with Fresh Theater Arts, 232 South 4<sup>th</sup> Avenue, Highland Park NJ 08904 for the production services for the year 2024.
2. That certified copies of this Resolution be forwarded to the Finance Department and the Recreation Department.

**Resolution 1-24-32**

**WHEREAS**, there is a need for the installation of an 8" cured in place pipeliner on Braun Avenue between Donaldson and Valentine Streets; and

**WHEREAS**, three quotes were solicited and two quotes were received as follows:

Sewer & Water Evaluation & Rehabilitation Procedures \$17,940.00

EnTech Infrastructure \$24,900.00

Vortex no quote provide; and

**WHEREAS**, Utility Service Affiliates, Inc. (Highland Park) a subsidiary of Middlesex Water Company has recommended that said services be purchased from Sewer & Water Evaluation & Rehabilitation Procedures, Bristol, PA based on their quote for same; and

**WHEREAS**, funds shall be available in the 2024 Temporary Budget, Current Fund Account No. U-06-55-603-001 in an amount not to exceed \$17,940.00, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Finance Director No. 2024-10.

**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 Utility Service Affiliates, Inc. (Highland Park) a subsidiary of Middlesex Water Company is hereby authorized and directed to accept the quote for the installation of 8" cured in place pipeliner on Braun Avenue between Donaldson and Valentine Streets from Sewer & Water Evaluation & Rehabilitation Procedures, (SWERP, Inc.), 1237 Hayes Boulevard, Bristol, PA 19007, at a total cost of \$17,940.00.
2. That a certified copy of this resolution be forwarded to the Superintendent of the Water and Sewer Department and the Chief Financial Officer forthwith.

**Resolution 1-24-33**

**WHEREAS** the Borough of Highland Park is in need of janitorial services for six of their buildings, as more fully described on the attached quote; and

**WHEREAS**, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

**WHEREAS**, the Borough desires to purchase said maintenance contract under State Contract No. T-1480/77110, from Association for Choices in Community Supports and Employment Services – NJ (ACCSES), 150 West State Street, Suite 120, Trenton, NJ 08608, at the State contract prices for a period from January 1, 2024 through December 31, 2024; and

**WHEREAS**, funds for this purpose are available in 2024 Temporary Budget, Current Fund Account No. 4-01-26-310-235, and will be provided for in the 2024 Municipal Budget in an amount not to exceed \$110,000.00 as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2024-11.

**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 Administrator is hereby authorized and directed to execute said maintenance contract for janitorial services under State Contract No. T-1480/77110, from Association for Choices in Community Supports and Employment Services – NJ (ACCSES), 150 West State Street, Suite 120, Trenton, NJ 08608, for a total amount not to exceed \$110,000.00, in accordance with the attached quote.

2. Certified copies of this resolution be forwarded to the Borough Administrator, Superintendent of Public Works, and the Chief Financial Officer.

**Resolution 1-24-34**

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

Padraic Millet                      December 31, 2026

**Resolution 1-24-35**

**WHEREAS**, the Highland Park Athletic Teams Boosters, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Off-Premises Raffle for merchandise in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on March 1, 2024; 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 Form 5A of the Legalized Games of Chance Control Commission.

**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 Borough Clerk is hereby authorized and directed to issue a license to the Highland Park Educational Foundation, Inc., 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 1-24-36**

**WHEREAS**, the Highland Park Athletic Teams Boosters, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a Arm Chair Raffle for merchandise in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on April 13, 2024; 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 Form 5A of the Legalized Games of Chance Control Commission.

**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 Borough Clerk is hereby authorized and directed to issue a license to the Highland Park Educational Foundation, Inc., 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 1-24-37**

**WHEREAS**, the Highland Park Highland Park Athletic Teams Boosters, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct games of chance commonly known as Bingo in accordance with the Bingo Licensing Law (NSJA 5:8-24 to 49), on March 1, 2024; 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 Bingo in accordance with the requirements of the Bingo Licensing Law and the findings set forth in Form 5A of the Legalized Games of Chance Control Commission;

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

1. The Borough Clerk shall be and is hereby authorized and directed to issue a license to the Highland Park Educational Foundation for the holding, operation and conduct of games of chance commonly known as Bingo upon payment of a license fee, subject to the provisions of said Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

**Resolution 1-24-38**

**WHEREAS**, the Borough of Highland Park is the owner of 101 Raritan Avenue, Block 1704, Lot 48; and

**WHEREAS**, said property was acquired to advance the Borough's redevelopment plans and the Mayor and Borough Council of the Borough of Highland Park desire to utilize this resource and put it to beneficial use until such plans are ready for implementation; and

**WHEREAS**, on April 5, 2022 the Borough Council of the Borough of Highland Park adopted Ordinance No. 22-2047 authorizing a lease agreement with the Lower Raritan Watershed Partnership for use of 101 Raritan Avenue; and

**WHEREAS**, by Resolution 1-23-42, adopted on February 7, 2023, the Borough Council authorized the execution of a lease agreement with Lower Raritan Watershed Partnership for 101 Raritan Avenue; and

**WHEREAS**, the lease agreement with Lower Raritan Watershed Partnership ended on December 31, 2023; and

**WHEREAS**, the Borough and the Lower Raritan Watershed Partnership wish to renew the lease agreement for another year, or until such time the Borough needs the property to advance its redevelopment plans or the Lower Raritan Watershed Partnership no longer has use for the facility.

**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 are hereby authorized to execute the attached lease agreement with the Lower Raritan Watershed Partnership for 101 Raritan Avenue for term expiring on December 31, 2024.

#### **Resolution 1-24-39**

**WHEREAS**, the Borough of Highland Park is the owner of 127-133 Raritan Avenue, Block 1704, Lots 41 and 42, also formerly known as the Rutgers Gun and Boat Shop; and

**WHEREAS**, said property was acquired to advance the Borough's redevelopment plans and the Mayor and Borough Council of the Borough of Highland Park desire to utilize this resource and put it to beneficial use until such plans are ready for implementation; and

**WHEREAS**, on November 9, 2021 the Borough Council of the Borough of Highland Park adopted Ordinance No. 21-2037 authorizing lease agreements with the Reformed Church of Highland Park-Affordable Housing Corporation (RCHP-AHC) for use of the first floor storefront and garage and the second floor apartment at 127-133 Raritan Avenue; and

**WHEREAS**, by Resolution No. 1-23-44, adopted on February 7, 2023, the Borough Council authorized a lease agreement with the Reformed Church of Highland Park Affordable Housing Corporation for 127-133 Raritan Avenue for a term expiring December 31, 2023.

**WHEREAS**, the Borough and the RCHP-AHC wish to renew the lease agreements for a one-year term, or until such time the Borough needs the property to advance its redevelopment plans or the RCHP-AHC no longer has use for the facility.

**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 are hereby authorized to execute the attached lease renewal agreements with the Reformed Church of Highland Park-Affordable Housing Corporation for 127-133 Raritan Avenue for a term expiring December 31, 2024.

#### **Resolution 1-24-40**

**WHEREAS**, the Borough of Highland Park is the owner of 212 Raritan Avenue, Block 2202, Lot 4; and

**WHEREAS**, said property was acquired to advance the Borough's redevelopment plans and the Mayor and Borough Council of the Borough of Highland Park desire to utilize this resource and put it to beneficial use until such plans are ready for implementation; and

**WHEREAS**, on April 5, 2022 the Borough Council of the Borough of Highland Park adopted Ordinance No. 22-2047 authorizing lease agreements with Main Street Highland Park for use of the first floor of 212 Raritan Avenue as its primary office; and

**WHEREAS**, by Resolution 1-23-43 adopted on February 7, 2023 the Borough Council authorized the execution a lease agreement with Main Street Highland Park. Said lease agreement ended on December 31, 2023; and

**WHEREAS**, the Borough and Main Street Highland Park wish to renew the lease agreement for a one-year term, or until such time the Borough needs the property to advance its redevelopment plans.

**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 are hereby authorized to execute the attached lease renewal agreements with Main Street Highland Park for 212 Raritan Avenue for term expiring December 31, 2024.

#### **Resolution 1-24-41**

**WHEREAS**, the Borough of Highland Park is the owner of 212 Raritan Avenue, Block 2202, Lot 4; and

**WHEREAS**, said property was acquired to advance the Borough's redevelopment plans and the Mayor and Borough Council of the Borough of Highland Park desire to utilize this resource and put it to beneficial use until such plans are ready for implementation; and

**WHEREAS**, Ordinance No. 22-2047 authorized a lease agreement with the Reformed Church of Highland Park-Affordable Housing Corporation (RCHP-AHC) for use of the second floor of 212 Raritan Avenue as a year-round emergency shelter for residents on an as-needed basis, including Code Blue emergencies and storm events; and

**WHEREAS**, by Resolution 1-23-43, adopted on February 7, 2023, the Borough Council authorized the execution of a lease agreement with the Reformed Church of Highland Park-Affordable Housing Corporation for 212 Raritan said lease agreement ended on December 31, 2023; and

**WHEREAS**, the Borough and the RCHP-AHC wish to renew the lease agreements for a one-year term, or until such time the Borough needs the property to advance its redevelopment plans or the RCHP-AHC no longer has use for the facility.

**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 are hereby authorized to execute the attached lease renewal agreements with the Reformed Church of Highland Park-Affordable Housing Corporation for 212 Raritan Avenue for term expiring December 31, 2024.

**Resolution 1-24-42**

**WHEREAS**, the Borough of Highland Park is the owner of Block 502, Lot 6 on the Borough tax maps, located at 20-40 River Road, Highland Park New Jersey 08904, commonly known as the “The Eugene Young Environmental Education Center” (the “**Property**”); and

**WHEREAS**, the Property, which was acquired for the Borough’s conservation and recreation district, is currently underutilized and the Mayor and Council desire to put the Property to beneficial use; and

**WHEREAS**, on June 20, 2023 the Borough Council of the Borough of Highland Park adopted Ordinance No. 23-2072 authorizing a lease agreement with Raices Cultural Center for use of 20-40 River Road; and

**WHEREAS**, the lease agreement with Raices Cultural Center ended on December 31, 2023; and

**WHEREAS**, the Borough and Raices Cultural Center wish to renew the lease agreement for another year; and

**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 are hereby authorized to execute the attached lease agreement with Raices Cultural Center for a term expiring on December 31, 2024.

**Resolution 1-24-43**

**BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that the annual Salary Resolution No. 1-24-12, which was adopted on January 2, 2024, showing the names, titles and salaries of the officers and employees of the Borough of Highland Park, is amended as follows:

Shawn Wang, Seasonal Help (Recreation), \$16.00 hourly, effective 1/01/2024

Michael Cedarbaum, Seasonal Help (Recreation), \$16.00 hourly, effective 1/01/2024

Roie Cedarbaum, Seasonal Help (Recreation), \$16.00 hourly, effective 1/01/2024

Luke Cheslock, Seasonal Help (Recreation), \$16.00 hourly, effective 1/01/2024

Edward Corson, Driver (pre-94), \$39.83 hourly, effective 1/01/2024

Maureen Pampinto, Deputy Registrar, \$2,000.00 annually, effective 1/16/2024

**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 1-24-44**

**WHEREAS**, the Mayor and Council of the Borough of Highland Park have adopted Chapter 136 of the “Code of the Borough of Highland Park” which authorizes the operation of adult personal-use cannabis businesses within the Borough; and

**WHEREAS**, ANJA Life, LLC has applied for the issuance of a business license to operate an adult personal-use cannabis business at 225 Woodbridge Avenue within the Borough; and

**WHEREAS**, ANJA Life, LLC has received permission from the New Jersey Cannabis Regulatory Commission (“CRC”) to operate an adult personal-use cannabis business and has been issued a State License Number RE000312 for the operation of said business; and

**WHEREAS**, ANJA Life, LLC has satisfied all of the licensing requirements of Chapter 136 in order to obtain a business license from the Borough to operate an adult personal-use cannabis business.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Section 136-7.F of the “Code of the Borough of Highland Park”, the Clerk of the Borough of Highland Park is hereby authorized and directed to issue a business license to ANJA Life, LLC in order to operate at 225 Woodbridge Avenue an adult personal-use cannabis business.

The authorization contained herein shall be retroactive to January 9, 2024.

A certified true copy of this Resolution together with the authorized business license shall be provided to ANJA Life, LLC on the adoption of this Resolution.

**Resolution 1-24-45**

**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:   1. Litigation – JSM at Highland Park v. Highland Park  
                                  2. Redeveloper Negotiations – Tract A
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.

**Resolution 1-24-46**

**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 1/16/2024 can be found in the Bills List Journal Book No. 44.

**Resolutions requiring a Separate Reading.**

**Resolution 1-24-47**

**BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that transfers of 2023 budget appropriation balances shall be made as follows:

Budget Transfer #2

Description	From	To
<b>CURRENT FUND</b>		
Mayor & Council OE	3,000.00	
	0	
Street Lighting		3,000.00
		3,000.00
	3,000.00	
	0	
		0.00
 <b>WATER/SEWER UTILITY</b>		
Water Sewer OE	7,000.00	
	0	
Purchase of Water		7,000.00
		7,000.00
	0	
		0

Resolution No. 1-24-47 was duly adopted on a motion made by Councilman Postelnik and seconded by Councilwoman Canavera, and carried by the following roll call vote:

**Roll Call:**   Ayes: Councilpersons Canavera, Hale, Hersh, Postelnik  
                  Opposed: None.  
                  Absent: Kim-Chohan. George  
                  Abstain: None.

**Second Public Participation.**

Mayor Foster opened the floor for public discussion

Mary Forsberg, 317 Denison Street asked where will the money from the marijuana shops show up in the budget? How will the money that was given by the former Policeman of Highland Park be incorporated

into the new vehicles and how does the money for the library show up? How will that money be administered?

Mayor Foster started off with the Kushner Grant. One of the requirements of the grant was that each group that received funding had to be a 501c3. The Borough could not be involved in any of the issuance of controlling the money. We will provide them with the space. As part of the 501c3, each Department has to set up a Board. The money will be administered through a fund to these groups. The Borough of Highland Park does not oversee any of the funds.

Mary Forsberg also asked are we going to see budget reductions as a result of this money being made available.

Mayor Foster replied if we didn't buy a fire engine truck and we're getting one for free then we would not see a budget reduction. The library very much needed all the upgrades. With the Kushner Grant the Borough, has allocated to put in such as the roof and other areas. Mr. Bobish the Library Director, would be able to answer your questions. To get information on the various 501c3's, I would suggest reach out to them. We can provide you a list of the organizations that will be receiving the Kushner Grant Fund.

Councilman Hale added non-profit organizations file a 1099 with the State, the Kushner Grant will file as well. It is a public document for anyone wants to see where the funds are going. They have to file with the Federal Government as well.

There being no further business, on motion made by Councilman Hale, seconded by Councilwoman Canavera and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:53 PM.

Respectfully submitted,

Teri Jover  
Acting Borough Clerk