

BOROUGH OF HIGHLAND PARK  
REGULAR MEETING  
APRIL 2, 2024 – 7:00 PM

To attend the meeting electronically, please follow the instructions below:

By phone:  
1-929-205-6099  
Webinar: 920 9574 9666

By computer, smartphone or tablet:  
<https://zoom.us/j/92095749666>

**MISSION STATEMENT OF THE BOROUGH OF HIGHLAND PARK:**

The Mission of the Highland Park Borough Council is to establish a government based upon the principles of good government: ethics, efficiency and the effective provision of services.

The Borough Council is committed to creating a thriving community, which is sustainable economically, environmentally and socially.

The Borough Council is further committed to creating a community which values its unique and diverse populations and encourages direct public participation in the governing process.

**AGENDA**

\* Denotes Consent Agenda Posted Items. Ordinarily, consent agenda items, pursuant to Ordinance No. 920, are not read nor debated unless there is a request by a member of Council or the public. Furthermore, unless requested by a member of Council for a separate vote, all consent agenda items, as per Council's Rules of Order, Article IV, shall be considered in the form of one **MOTION**.

1. Call to Order and Open Public Meetings Statement.
2. Pledge of Allegiance.
3. Roll Call.
4. Honors, Awards and Presentations.
5. Approval of Minutes.
  - 5.a **MOTION** to approve minutes as distributed:
    - February 20, 2024 Regular Mtg.
    - March 5, 2024 Regular Mtg.

**ROLL CALL VOTE**

6. Council Reports.

7. Borough Administrator's Report.
8. Borough Attorney's Report.
9. Mayor's Report.
10. Public Participation.  
*(21 minutes total; 3 minutes per speaker limited to items on this Agenda. Comments from members of the public attending the meeting in-person will be heard first, followed by members of the public attending the meeting via Zoom.)*
11. Ordinances Requiring a Second Reading.
  - 11.a **Ordinance No. 24-2083** Ordinance Approving the Application for a Long-Term Tax Exemption and Authorizing the Execution of a Financial Agreement with DL Urban Renewal (Grocery Store)
    - a. Public Hearing *(to be carried to the April 16, 2024 Council Mtg.)*
    - b. **MOTION** to adopt/reject Ordinance 24-2083 *(to be carried to the April 16, 2024 Council Mtg.)*

**ROLL CALL VOTE**
12. Consent Agenda Items - Resolutions.
 

**MOTION** to adopt/reject **ROLL CALL VOTE**

  - 12.a \*4-24-115 Resolution Authorizing Renewal of Peak Agenda Software Contract with Granicus
  - 12.b \*4-24-116 Resolution Authorizing Creation of Duplicate Tax Sale Certificate
  - 12.c \*4-24-117 Resolution Authorizing Contribution to Blue Cares Program Utilizing Opioid Settlement Funds
  - 12.d \*4-24-118 Resolution Authorizing Amendment to Commissioner and Alternate Commissioner Appointments to the Garden State Municipal Joint Insurance Fund
  - 12.e \*4-24-119 Resolution to Adopt Community Energy Plan
  - 12.f \*4-24-120 Resolution to Approve Bills List
13. Resolutions requiring a Separate Reading.
  - 13.a 4-24-121 Resolution to Amend 2024 Municipal Temporary Budget  
**MOTION** adopt/reject **ROLL CALL VOTE**
14. Appointments.

Council On Aging

Frances Burke

Shade Tree Advisory Committee

Kenneth Kressel

**MOTION TO CONFIRM**

**ROLL CALL VOTE**

15. Second Public Participation.  
*(3 minutes per speaker on any topic; subject to 9 PM conclusion prior to Work Session. Comments from members of the public attending the meeting in-person will be heard first, followed by members of the public attending the meeting via Zoom.)*
16. Recess (5 minutes).
17. MOTION to adjourn.
18. **Next Scheduled Meeting:** April 16, 2024 @ 7 PM

**ORDINANCE NO. 24-2083**  
**BOROUGH OF HIGHLAND PARK**  
**COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF HIGHLAND PARK, COUNTY OF  
MIDDLESEX, NEW JERSEY, APPROVING THE  
APPLICATION FOR A LONG-TERM TAX EXEMPTION  
AND AUTHORIZING THE EXECUTION OF A FINANCIAL  
AGREEMENT WITH DL URBAN RENEWAL LLC  
(GROCERY STORE)**

**WHEREAS**, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the “**Borough**”) is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**Redevelopment Law**”) to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation; and

**WHEREAS**, on September 6, 2022, the Borough Council of the Borough (the “**Borough Council**”) adopted Resolution No. 9-22-221 authorizing the Borough Planning Board (the “**Planning Board**”) to conduct a preliminary investigation of Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35 and 37 (the “**Study Area**”) to determine whether the Study Area met the statutory criteria for designation as a non-condemnation area in need of redevelopment pursuant to the requirements and criteria set forth by the Redevelopment Law; and

**WHEREAS**, the Planning Board received a report from LRK, Inc., (“**LRK**”), the Borough’s planning consultant, setting forth the basis for the investigation, entitled, “Preliminary Investigation of a Non-Condemnation Area in Need of Redevelopment Stop & Shop Site” dated November 2022, concerning the determination of the Study Area, as an area in need of redevelopment (the “**Study**”); and

**WHEREAS**, on December 8, 2022, the Planning Board reviewed the Study, heard testimony, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine representatives from LRK, and to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and

**WHEREAS**, the Planning Board voted to adopt and accept the recommendation contained in the Study, and recommended that the Study Area be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law for the reasons set forth in the Study; and

**WHEREAS**, on December 20, 2022, the Borough Council adopted Resolution No. 12-22-289, accepting the findings and recommendations of the Planning Board, and formally designated the Study Area as a “non-condemnation area in need of redevelopment”, including Block 3002, Lot 36 (the “**Redevelopment Area**”); and

**WHEREAS**, pursuant to Resolution No. 9-22-222, LRK was authorized to prepare a

redevelopment plan for the Study Area, entitled the “420-424 Raritan Avenue Redevelopment Plan” (the “**Redevelopment Plan**”); and

**WHEREAS**, the Borough Council referred the Redevelopment Plan to the Planning Board for its review and recommendation pursuant to the Redevelopment Law; and

**WHEREAS**, on May 16, 2023, the Borough Council adopted Ordinance No. 23-2071, formally adopting the Redevelopment Plan; and

**WHEREAS**, on September 19, 2023, the Borough Council adopted Resolution No. 9-23-207, authorizing LRK to amend the Redevelopment Plan to include Block 3002, Lots 1, 2, and 7; and

**WHEREAS**, DL Urban Renewal, LLC (the “**Entity**”) shall undertake to redevelop a portion of the Redevelopment Area, specifically Block 3002, Lots 3, 4, 5, 6, 8, 30 and 37 (the “**Project Site**”) by gutting and reconstructing an approximately 24,875 square foot single story supermarket including a dairy cooler, meat cooler, meat freezer, produce cooler, produce preparation area, butcher preparation area, delicatesses section freezers, shelving, and additional improvements (the “**Project**”); and

**WHEREAS**, despite the Entity’s investment of equity and borrowed funds, such amounts are insufficient to feasibly pay for all of the costs associated with the development and construction of the Project; and

**WHEREAS**, the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* (the “**Long Term Tax Exemption Law**”) authorize the Borough to accept, in lieu of real property taxes, an annual service charge with respect to the Project; and

**WHEREAS**, the Entity submitted to the Mayor an application (the “**Application**”), which is on file with the Borough Clerk, for approval of a long term tax exemption for the Project; and

**WHEREAS**, the Entity also submitted to the Mayor a form of financial agreement (the “**Financial Agreement**”), a copy of which is attached as an exhibit to the Application, establishing the rights, responsibilities and obligations of the Entity; and

**WHEREAS**, the Financial Agreement shall also be the redevelopment agreement for the Project as described in the Redevelopment Law; and

**WHEREAS**, pursuant to the terms of the Financial Agreement, in lieu of real property taxes on the Project, the Entity will pay an annual service charge (the “**Annual Service Charge**”) to the Borough; and

**WHEREAS**, the Mayor submitted the Application and Financial Agreement to the Borough Council along with his recommendation for approval, a copy of which recommendation is on file with the Borough Clerk; and

**WHEREAS**, the Borough Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law, and hereby finds that the relative benefits of the Project justify the long term tax exemption requested in the Application; and

**WHEREAS**, the Borough has made the following findings with respect to the Project:

- A. Relative benefits of the Project when compared to the costs:
  - i. Relative benefits of the Project to the area greatly outweigh cost of tax exemption through the (a) benefit to the overall community, (b) achievement of certain goals and objectives of the Redevelopment Plan, (c) revitalization of the Redevelopment Area, (d) improvement of the quality of life for the community, (e) enhancement of the economic development of the Borough, and (f) anticipation that the development of the Project will create approximately 20 construction jobs over the duration of the construction of the Project, as well as create approximately 35 full time positions, 15 part time positions, and sales tax revenue of approximately six hundred and eighty thousand dollars (\$680,000.00) per annum.
  
- B. Assessment of the importance of the tax exemption in obtaining development of the Project:
  - i. The relative stability and predictability of the Annual Service Charge associated with the Project will make it more attractive to financial institutions whose participation is necessary in order to finance the Project;
  - ii. The Annual Service Charge improves the economic viability of the Project and allows the Project to compete on equal footing with comparable projects of the same size and scope; and
  - iii. The Project provides the Borough with a competitive alternative to the other locations being considered by the operators/owners of the Project without which the Project would not be undertaken. This Agreement is critical to the decision of the owner/operator of the Project to place such facility in the Borough.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK AS FOLLOWS:**

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

**Section 2.** The Application and form of Financial Agreement are hereby approved.

**Section 3.** The Mayor is hereby authorized and directed to execute the Financial Agreement with the Entity in substantially the same form as that contained within the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

**Section 4.** Executed copies of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk. The Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough, the County Counsel and the Chief Financial Officer of Middlesex County within 10 days of the execution of the Financial Agreement.

**Section 5.** If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

**Section 6.** This ordinance shall take effect in accordance with law.

Introduced on first reading by title: March 19, 2024

ADOPTED:

ATTEST:

APPROVED:

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

\_\_\_\_\_  
Elsie Foster, Mayor

**THIS AGREEMENT AND THE ORDINANCE ATTACHED HERETO AS EXHIBIT C SECURE BONDS OR OTHER OBLIGATIONS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THE “REDEVELOPMENT AREA BOND FINANCING LAW” AND THE LIEN HEREOF IN FAVOR OF THE OWNERS OF SUCH BONDS OR OTHER OBLIGATIONS IS A MUNICIPAL LIEN SUPERIOR TO ALL OTHER NON-MUNICIPAL LIENS HEREAFTER RECORDED**

Record and Return to:

Joseph P. Baumann, Jr., Esq.  
McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue, 2nd Floor  
Roseland, New Jersey 07068

**FINANCIAL AGREEMENT**

**THIS FINANCIAL AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2024 (the “**Agreement**”) between **DL URBAN RENEWAL LLC** (the “**Entity**”) a New York limited liability company having its principal office at 450 West Merrick Road, Suite 4, Valley Stream, New York 11580 and the **BOROUGH OF HIGHLAND PARK**, a municipal corporation of the State of New Jersey with an address at 221 South 5<sup>th</sup> Avenue, Highland Park, New Jersey 08904 (the “**Borough**” and together with the Entity, the “**Parties**” or a “**Party**”).

**WITNESSETH:**

**WHEREAS**, the Borough is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**Redevelopment Law**”) to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation; and

**WHEREAS**, on September 6, 2022, the Borough Council of the Borough (the “**Borough Council**”) adopted Resolution No. 9-22-221 authorizing the Borough Planning Board (the “**Planning Board**”) to conduct a preliminary investigation of Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35 and 37 (the “**Study Area**”) to determine whether the Study Area met the statutory criteria for designation as a non-condemnation area in need of redevelopment pursuant to the requirements and criteria set forth by the Redevelopment Law; and

**WHEREAS**, the Planning Board received a report from LRK, Inc., (“**LRK**”), the Borough’s planning consultant, setting forth the basis for the investigation, entitled, “Preliminary Investigation of a Non-Condemnation Area in Need of Redevelopment Stop & Shop Site” dated November 2022, concerning the determination of the Study Area, as an area in need of redevelopment (the “**Study**”); and

**WHEREAS**, on December 8, 2022, the Planning Board reviewed the Study, heard testimony, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine representatives from LRK, and to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and



**WHEREAS**, after the conclusion of the public hearing described above, the Planning Board voted to adopt and accept the recommendation contained in the Study, and to recommend that the Study Area be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, and for the reasons set forth in the Study; and

**WHEREAS**, upon favorable review of the Study by the Planning Board, on December 20, 2022, the Borough Council adopted Resolution No. 12-22-289, accepting the findings and recommendations of the Planning Board, and formally designated the Study Area as a “non-condemnation area in need of redevelopment”, including Block 3002, Lot 36 (the “**Redevelopment Area**”); and

**WHEREAS**, pursuant to Resolution No. 9-22-222, LRK was authorized to prepare a redevelopment plan for the Study Area, entitled the “420-424 Raritan Avenue Redevelopment Plan” (the “**Redevelopment Plan**”); and

**WHEREAS**, the Borough Council referred the Redevelopment Plan to the Planning Board for its review and recommendation pursuant to the Redevelopment Law; and

**WHEREAS**, following the Planning Board’s recommendation and pursuant to Ordinance No. 23-2071, the Borough Council adopted the Redevelopment Plan; and

**WHEREAS**, pursuant to Resolution No. 9-23-207, the Borough Council authorized LRK to amend the Redevelopment Plan to include Block 3002, Lots 1, 2, and 7; and

**WHEREAS**, the Entity shall undertake to redevelop a portion of the Redevelopment Area, specifically Block 3002, Lots 3, 4, 5, 6, 8, 30 and 37 (the “**Project Site**” as more particularly described on **Exhibit A** hereto) by constructing an approximately 24,875 square foot single story supermarket including a dairy cooler, meat cooler, meat freezer, produce cooler, produce preparation area, butcher preparation area, delicatesses section freezers, shelving, and additional improvements to the remainder of the Project Site including the parking lot and the exterior of the supermarket (the “**Project**”); and

**WHEREAS**, in order to improve the feasibility of the Project, the Entity has submitted an Application to the Borough Council for a long term tax exemption pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**Exemption Law**”) pursuant to the application annexed hereto as **Exhibit B** (the “**Application**”); and

**WHEREAS**, pursuant to and in accordance with the provisions of the Exemption Law and the New Jersey Redevelopment Area Bond Financing Law, constituting Chapter 310 of the Pamphlet Laws of 2001 of the State, and the acts amendatory thereof and supplemental thereto (the “**RAB Law**”, as codified in N.J.S.A. 40A:12A-64 et seq., and together with the Redevelopment Law and the Exemption Law, the “**Acts**”), the Borough is authorized to provide for and accept, in lieu of real property taxes, an annual service charge paid by the Entity to the Borough; and

**WHEREAS**, the Mayor transmitted the Application to the Borough Council together with her recommendations on \_\_\_\_\_, 2024; and

**WHEREAS**, by Ordinance \_\_\_\_\_ adopted by the Borough Council on \_\_\_\_\_, 2024, a copy of which is annexed hereto as **Exhibit C** (the “**Ordinance**”), the Borough Council approved the long term tax exemption and execution of this Agreement; and

**WHEREAS**, pursuant to the RAB Law, specifically N.J.S.A. 40A:12A-68, the Annual Service Charge (as such term is defined herein) shall, upon the recordation of this Agreement and the Ordinance, constitute a municipal lien on the Project Site and the Project within the meaning of Applicable Law; and

**WHEREAS**, pursuant to and in accordance with the provisions of the RAB Law, specifically N.J.S.A. 40A:12A-65 and 67(a), the Borough may issue Bonds (as defined herein) in order to finance certain costs in the Project Site in accordance with the terms and provisions of a resolution authorizing the issuance of the Bonds (the “**Bond Resolution**”), to be adopted by the Borough Council; and

**WHEREAS**, pursuant to the terms of this Agreement, the Annual Service Charge (as defined herein), as such term is defined herein, shall be pledged to the payment of the principal of and redemption premium, if any, on the Bonds; and

**WHEREAS**, prior to, and as conditions precedent to, the issuance of any and all of the Bonds and in accordance with all applicable law, including without limitation, N.J.S.A. 40A:12A-29(a)(3) and N.J.S.A. 40A:12A-67(g), (i) the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs (the “**Local Finance Board**”) will have issued all necessary statutory findings and approvals, pursuant to a resolution duly adopted at a meeting of the Local Finance Board, and (ii) the Borough Council will have adopted the Bond Resolution; and

**WHEREAS**, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charge and desire to execute this Agreement; and

**WHEREAS**, this Agreement shall also be a redevelopment agreement as such term is described in the Redevelopment Law; and

**WHEREAS**, the Entity has represented to the Borough that the assistance provided to the Project pursuant to this Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance; and

**WHEREAS**, pursuant to this Agreement, the Borough, and the Entity desire to set forth in detail their mutual rights and obligations with respect to the Long Term Tax Exemption, payment of the Annual Service Charge by the Entity, and the issuance of the Bonds and provision for repayment thereof through the Annual Service Charge; and

**WHEREAS**, the Borough Council has reviewed the Application and has made the

following findings:

**Benefits of Project v. Costs.**

(i) The development and construction of the Project as set forth in the Application and Redevelopment Plan will (a) be beneficial to the overall community, (b) achieve certain of the goals and objectives of the Redevelopment Plan, (c) help revitalize the Redevelopment Area, (d) improve the quality of life for the community, and (e) enhance the economic development of the Borough.

(ii) It is anticipated that the development of the Project will create approximately 20 construction jobs over the duration of the construction of the Project, as well as create approximately thirty-five (35) full time positions, fifteen (15) part time positions, and sales tax revenue of approximately six hundred and eighty thousand dollars (\$680,000.00) per annum.

**Importance of Long Term Tax Exemption.**

The Borough Council's approval of the Long Term Tax Exemption set forth herein is essential to the success of this Project because:

(i) The relative stability and predictability of the Annual Service Charge associated with the Project will make it more attractive to financial institutions whose participation is necessary in order to finance the Project.

(ii) The Annual Service Charge improves the economic viability of the Project and allows the Project to compete on equal footing with comparable projects of the same size and scope.

(iii) The Project provides the Borough with a competitive alternative to the other locations being considered by the operators/owners of the Project without which the Project would not be undertaken. This Agreement is critical to the decision of the owner/operator of the Project to place such facility in the Borough.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the Parties to this Agreement mutually covenant and agree as follows:

**ARTICLE I - GENERAL PROVISIONS**

**Section 1.1 Governing Law**

This Agreement shall be governed by the provisions of the Exemption Law, the Redevelopment Law, the Ordinance, the RAB Law, and all other Applicable Laws, as defined below. It is expressly understood and agreed that the Borough relied upon the facts, data, and

representations contained in the Application in its granting of the Long Term Tax Exemption and the Application is hereby incorporated into this Agreement by reference.

## **Section 1.2 General Definitions and Construction**

The recitals and Exhibits to this Agreement are hereby incorporated by reference herein as if set forth at length. Unless specifically provided otherwise or the context otherwise requires, when used in this Agreement, the following terms and phrases shall have the following respective meanings:

**Acts** – Shall have the meaning specified in the recitals.

**Administrative Fee** – Shall have the meaning specified in Section 4.8 hereof.

**Agreement** – Shall have the meaning specified in the preamble.

**Allowable Net Profit (also referred to as “ANP”)** – The amount arrived at by applying the Allowable Profit Rate pursuant to the Exemption Law.

**Allowable Profit Rate (also referred to as “APR”)** – The allowable profit rate as defined in N.J.S.A. 40A:20-3(b).

**Annual Audited Statement** – A complete financial statement outlining the financial status of the Project, which shall also include a computation of Net Profit, Allowable Net Profit, and Annual Gross Revenue, prepared annually by the Entity’s certified public accountant. The Annual Audit Statement shall also include a statement as to the Project Debt as of the last day of the period of time that is the subject of such Annual Audit Statement. The contents of each Annual Audited Statement shall be prepared in conformity with Generally Accepted Accounting Principles, the Exemption Law, and this Agreement.

**Annual Gross Revenue** – Annual gross revenue of the Entity as defined as Gross Revenue in N.J.S.A. 40A:20-3(a) but specifically excluding, without limitation, the proceeds of any condemnation or casualty awards, insurance proceeds, any gain realized by the Entity on the sale, transfer, or other assignment or assumption of the Project or portion thereof, reimbursement of expenses by any tenant under any lease or rental agreement (including, without limitation, reimbursement of expense items such as Annual Service Charges, land taxes, utilities, sewer and water charges and other CAM charges), proceeds of any financing or refinancing, or proceeds from any disposition of a partner or a partner’s interest in the Entity or any successor entity.

**Annual Service Charge** – An amount equal to FIFTY THOUSAND DOLLARS (\$50,000.00), increasing by two percent (2%) per year.

**Applicable Law** – Any and all federal, state, and local laws, rules, regulations,

rulings, court orders, statutes, and ordinances applicable to the Project, the Redevelopment Area, the Long Term Tax Exemption, the Annual Service Charge, or the Bonds.

**Application** – Shall have the meaning specified in the recitals.

**ASC Commencement Date** – The date that the Project is eligible for a Certificate of Occupancy, on which date the Entity shall commence payment of the Annual Service Charge, as more fully set forth herein.

**Bond Resolution** – Shall have the meaning specified in the recitals.

**Bonds** – Shall mean a Ninety Thousand (\$90,000.00) principal amount of thirty (30) year, non-recourse redevelopment area bonds bearing interest at zero percent (0%) per annum issued by the Borough pursuant to the RAB Law and Bond Resolution, of which Ninety Thousand (\$90,000.00) shall be paid to the Borough for public improvements or other Borough expenses.

**Borough** – Shall have the meaning specified in the preamble.

**Borough Council** – Shall have the meaning specified in the preamble.

**Certificate of Occupancy** – A temporary or permanent certificate of occupancy issued by the appropriate Borough official, pursuant to N.J.S.A. 52:27D-133, authorizing the occupancy of a building or any portion thereof.

**Commencement of Construction** – The date upon which the construction force and machinery are mobilized on the Project Site for construction of the Project, as applicable in accordance with Governmental Approvals, not including customary site preparation work or demolition.

**County Share** – Five percent (5%) of the Annual Service Charge collected by the Borough, which the Borough shall remit to the County of Middlesex in accordance with N.J.S.A. 40A:20-12(b)(2)(e).

**Days** – Whenever the word “Days” is used to denote time, it shall mean calendar days.

**Debt Service Charges** – \$3,000.00, plus any fees, if any, due under the Bond Resolution, per year payable semiannually as set forth in the Bond Resolution.

**Default** – A breach or failure of the Borough or the Entity to perform any obligation imposed by the terms hereof, or under the Exemption Law, beyond any applicable grace or cure periods set forth in this Agreement.

**Effective Date** – The date that this Agreement has been executed and delivered by

both Parties and the Project Site has been acquired by the Entity.

**Entity** – The entity specified in the preamble, which shall be qualified as an urban renewal entity under the Exemption Law. Unless the context provides otherwise, it shall also include any permitted Transferee, which shall also be qualified as an urban renewal entity under the Exemption Law, as set forth in Section 9.1 hereof.

**Excess Net Profits** – The amount of Net Profits that exceeds the Allowable Net Profits for the applicable accounting period as determined in accordance with the Exemption Law.

**Exemption Law** – Shall have the meaning specified in the recitals.

**Exemption Term** – The period beginning on the ASC Commencement Date and ending on the Termination Date.

**Governmental Approvals** - Any approvals, authorizations, permits, licenses, and certificates needed from governmental authorities having jurisdiction, whether federal, State, county or local, to the extent necessary to implement the Project in accordance with the Redevelopment Plan and this Agreement.

**Improvements** – Any building, structure, improvement, addition, or fixture permanently affixed to the Project Site existing or to be constructed and exempt under this Agreement. The Improvements shall consist of the Project.

**Land Tax Credit** – Shall have the meaning specified in Section 4.4 hereof.

**Land Taxes** – The amount of real estate taxes levied on the Project Site, exclusive of any Improvements related thereto.

**Local Finance Board** – Shall have the meaning specified in the recitals.

**Long Term Tax Exemption** – The long term tax exemption granted in accordance with the Exemption Law and the RAB Law pursuant to the Ordinance and this Agreement.

**Maturity Date** – Shall have the meaning specified in the Section 3.1(iii) hereof.

**Net Profit** – Annual Gross Revenue less all operating and non-operating expenses and costs of the Entity, all determined in accordance with Generally Accepted Accounting Principles and the provisions of the Exemption Law. Without limiting the foregoing, included in expenses shall be all expenses permitted under the provisions of N.J.S.A. 40A:20-3(c).

**Ordinance** – Shall have the meaning specified in the recitals.

**Party or Parties** – Shall have the meaning specified in the preamble.

**Payment Default** – Shall have the meaning specified in the Section 6.3 hereof.

**Project** – Shall have the meaning specified in the recitals.

**Project Site** – Shall have the meaning specified in the recitals.

**RAB Law** – Shall have the meaning specified in the recitals.

**Redeveloper** – Shall have the meaning specified in the recitals.

**Redevelopment Agreement** – Shall have the meaning specified in the recitals.

**Redevelopment Area** – Shall have the meaning specified in the recitals.

**Redevelopment Law** – Shall have the meaning defined in the recitals.

**Redevelopment Plan** – Shall have the meaning defined in the recitals.

**Secured Party or Secured Parties** – Shall have the meaning defined in Section 9.3(i) hereof.

**Security Arrangements** – Shall have the meaning defined in Section 9.3(i) hereof.

**Termination Date** – The earlier to occur of: (i) 35<sup>th</sup> anniversary of the execution hereof by both Parties; (ii) the 30<sup>th</sup> anniversary date of the ASC Commencement Date; or (iii) such other date as this Agreement may terminate pursuant to the terms of this Agreement or pursuant to Applicable Law.

**Total Project Cost** – The total cost of developing the Project, as calculated in accordance with N.J.S.A. 40A:20-3(h).

**Transfer** – Shall have the meaning specified in Article IX hereof.

**Transferee** – Shall have the meaning specified in Article IX hereof.

## **ARTICLE II –PROJECT AND PROJECT SITE**

### **Section 2.1 Borough's Findings**

Pursuant to the Exemption Law, the Borough finds that, in addition to the findings and determinations set forth in the recitals to this Agreement and incorporated by reference herein, the Long Term Tax Exemption granted pursuant to the Ordinance and this Agreement will benefit the Borough and the community by assuring the success of the redevelopment of the Project Site, which exhibits the statutorily recognized redevelopment criteria. The benefits of granting the Long

Term Tax Exemption will substantially outweigh the costs, if any, associated with the Long Term Tax Exemption. The Long Term Tax Exemption is important to the Borough and the Entity because without the incentive of the Long Term Tax Exemption, it is unlikely that the Project would be undertaken. The Long Term Tax Exemption is expected to attract future occupants to the Project which occupants otherwise have alternative opportunities in other jurisdictions that include substantial incentives such as sales tax relief. The high costs associated with the development and construction of the Project and the real estate taxes that would otherwise be levied upon the Project would operate as a disincentive to the redevelopment of the Project Site and would therefore frustrate the objectives and goals of the Redevelopment Plan and would make the Project materially less competitive in the marketplace.

## **Section 2.2 Approval of Agreement**

The Borough hereby approves a Long Term Tax Exemption for Improvements which are to be constructed and maintained on the Project Site in accordance with the terms and conditions set forth herein, the provisions of the Exemption Law, the Redevelopment Law, and other Applicable Law. The Project Site shall not be exempt.

## **Section 2.3 Approval of the Entity**

The Borough hereby approves of the Entity in reliance upon the Entity's representation that its Certificate of Formation attached to the Application contains all the requisite provisions of law, has been reviewed and approved by the Commissioner of the Department of Community Affairs, and has been filed with, as appropriate, the Department of Treasury, all in accordance with N.J.S.A. 40A:20-5.

## **Section 2.4 Redevelopment of the Project Site**

The Entity represents and covenants that it will develop and construct the Project in accordance with the terms of the Redevelopment Plan. Commencement of Construction shall take place no later than July 1, 2024, in accordance with the terms of the Redevelopment Plan, all Governmental Approvals, and Applicable Law.

## **Section 2.5 Entity's Relationship to Project Site**

The Entity represents that it will be the long term ground lessee and redeveloper of the Project.

## **Section 2.6 Certificate of Occupancy and Certificate of Completion**

Upon completion of the construction of the Project in accordance with the Governmental Approvals, the Entity shall be responsible for applying for and securing a Certificate of Occupancy in a timely manner. In amplification and not limitation of the foregoing, the Entity will not seek such Certificate of Occupancy until the Project is complete. For purposes of releasing the restrictions referenced in this Agreement, upon i) completion of the Project and receipt of a Certificate of Occupancy, ii) the Entity's submission to the Borough of a certification by a duly authorized representative of the Entity stating that the Entity has fully performed its obligations



under this Agreement, and iii) the Borough's confirmation (which the Borough shall not unreasonably deny or withhold) that the Entity has fully performed its obligations under this Agreement, the Borough agrees to issue a Certificate of Completion, in proper form for recording, which shall acknowledge that the Entity has performed all of its duties and obligations under this Agreement and has completed construction of the Project in accordance with the requirements of this Agreement. The Certificate of Completion shall constitute a recordable conclusive determination of the satisfaction and termination of the agreements and covenants in this Agreement and in the Redevelopment Plan with respect to the Entity's obligation to construct the Project, or applicable, within the dates for the commencement and completion of same. Upon issuance of a Certificate of Completion, the conditions determined to exist at the time the Project Site was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements constituting the Project shall no longer be subject to eminent domain. If the Borough shall fail or refuse to provide the Certificate of Completion within thirty (30) days after written request by the Entity, the Borough shall provide to the Entity a written statement setting forth in detail the reasons why it believes that the Entity has failed to complete the Project in accordance with the provisions of this Agreement or is otherwise in default under this Agreement.

### **ARTICLE III – OWNERSHIP, MANAGEMENT AND CONTROL**

#### **Section 3.1 Entity's Representations, Warranties and Covenants**

(i) To the extent not otherwise set forth herein, those items required by N.J.S.A. 40A:20-9 to be included in this Agreement are set forth in the Application attached hereto as **Exhibit B**, which is incorporated herein as if set forth at length, and the Entity represents and warrants as to the accuracy of the contents thereof; however, to the extent that a conflict between the Application and this Agreement exists, the language in this Agreement shall govern and prevail.

(ii) After the Termination Date, all restrictions and limitations set forth in this Agreement imposed upon the Entity, the Project Site, and the Project, excluding (a) the requirement to make payment of any Annual Service Charge then due and owing hereunder, (b) the requirement to make payment to the Borough of any then due and owing reserves or Excess Net Profit, if applicable, in accordance with Section 7.1 hereof, and (c) any and all related and available remedies of the Borough, shall terminate upon the end of the fiscal year of the Entity in which the expiration of the Long Term Tax Exemption provided for herein occurs, in accordance with N.J.S.A. 40A:20-13, provided however, that the Entity has rendered the Entity's final accounting in accordance with N.J.S.A. 40A:20A-12.

(iii) Notwithstanding the provision of Section 8.1 hereof, in accordance with the RAB Law, specifically N.J.S.A. 40A:12A-66(a), prior to the final maturity of the Bonds as set forth in the Award Certificate as defined in the Bond Resolution (the "**Maturity Date**"), the provisions of the Exemption Law permitting the Entity to relinquish its status as an Urban Renewal Entity, specifically N.J.S.A. 40A:20-9(g) and N.J.S.A. 40A:20-13, shall be inapplicable, and the Entity shall not relinquish its status as an Urban Renewal Entity during such time period. In addition, the Entity shall have no right to terminate, and shall not terminate, this Agreement prior to the Maturity Date of the Bonds.

## ARTICLE IV – TAX EXEMPTION

### **Section 4.1 Duration of Tax Exemption**

The Project (excluding the Project Site) shall be exempt from taxation during the Exemption Term. In the event the Project is no longer utilized as a grocery store, the Agreement and the Long Term Tax Exemption shall be terminated.

### **Section 4.2 Annual Service Charge**

In consideration of the Borough granting the Entity the exemption set forth in Section 4.1 hereof, during the Exemption Term, the Entity shall pay an Annual Service Charge commencing on the first day of the month immediately following the ASC Commencement Date. The Entity expressly acknowledges, understands, and agrees that in accordance with the RAB Law, specifically N.J.S.A. 40A:12A-66(a), the Annual Service Charge shall not be restricted or limited by, or otherwise subject to, the minimum, maximum or staged increase provisions of the Exemption Law.

### **Section 4.3 Payment of the Annual Service Charge**

The Entity hereby agrees to pay to the Borough the Annual Service Charge.

### **Section 4.4 Land Taxes**

From and after the Entity's acquisition of the Project Site, the Entity (and any Transferee, as applicable) shall be obligated to make timely payments of the Land Taxes at all times during the Term of this Agreement. From and after the ASC Commencement Date, the Entity shall be entitled to a credit for the amount, without interest, of the Land Tax payments made in the last four preceding quarterly installments (the "**Land Tax Credit**") against the next due Annual Service Charge. In any year that the Entity fails to make any Land Tax payments, if and when due and owing, such delinquency shall render the Entity ineligible for any Land Tax Credits against the Annual Service Charge for that year. In addition, the Borough shall have, among this remedy and other remedies, the right to proceed against the Project Site pursuant to the Tax Sale Law and/or to declare a Default.

(i) If there has been a subdivision, the Land Tax Credit shall be equal to the amount of the Land Taxes payments with respect to the subdivided parcel on which the Project has been completed. If there has not been a subdivision, as the Project will become exempt on different dates, the Land Tax Credit will be based upon the proportionate share of Land Taxes attributable to the Project improvements have been completed based on the size of the portion of the Project with respect to which a Certificate of Occupancy has issued.

(ii) Land Taxes shall be assessed only on the Project Site portion of the Property without regard to any Project improvements or increase in value to the land because of the Project improvements or because of Governmental Approvals (including land use approvals) related thereto. The Borough agrees it shall not impose an added assessment, omitted added assessment

or similar assessment on the value of the Project improvements relating to any period prior to the ASC Commencement Date.

#### **Section 4.5 Tax Appeal.**

The Entity shall have the right to file a tax appeal against the assessed value of the Project Site.

#### **Section 4.6 Quarterly Installments**

The Annual Service Charge shall be paid in quarterly installments on those dates when ad valorem real estate tax payments on other properties within the Borough are due, subject to adjustment for over payment or underpayment within thirty (30) Days after the close of each calendar year.

#### **Section 4.7 Rights and Obligations Related to Long Term Tax Exemption**

(i) All Annual Service Charge payments, as the case may be, made pursuant to this Agreement shall be in lieu of taxes and the Borough shall have the rights and remedies of tax enforcement granted to a municipality by Applicable Law, including those of in rem tax foreclosure pursuant to N.J.S.A. 54:5-1, just as if said payments constituted regular real estate tax obligations on other real properties within the Borough.

(ii) If the ASC Commencement Date occurs on a date other than the first day of a quarter, the amount of the Annual Service Charge for such period shall be based on the per diem assessment for such quarter.

#### **Section 4.8 Remittance to County**

The Borough shall remit the County Share to the County of Middlesex in accordance with N.J.S.A. 40A:20-12(b)(2)(e).

#### **Section 4.9 Administrative Fee**

The Entity (and/or any Transferee, as may be applicable from time to time) shall pay to the Borough no later than December 31 of each year an administrative fee in an amount equal to two percent (2%) of the Annual Service Charge due for that year (the “**Administrative Fee**”), which is permitted by N.J.S.A. 40A:20-9.

#### **Section 4.10 Payments During Construction**

Subject to the terms hereof, the Parties agree that conventional property taxes are due from time to time in accordance with Applicable Law prior to the ASC Commencement Date.

#### **Section 4.11 Payments to Borough**

At all times during the Term hereof, the Entity (and/or any Transferee, as may be applicable from time to time) shall pay (i) the Administrative Fee to the Borough and (ii) all Land Taxes and Annual Service Charges due to the Borough for application in accordance with this Agreement and the Bond Resolution.

## **ARTICLE V – PLEDGE OF ANNUAL SERVICE CHARGE TO BONDS**

### **Section 5.1 Entity’s Consent**

The Entity hereby acknowledges, consents, and agrees (i) to the amount of the Annual Service Charge and to the liens established in this Agreement, (ii) that it shall not contest the validity or amount of any such lien, and (iii) that its remedies shall be limited to those specifically set forth herein and otherwise provided by Applicable Law.

If any installment of the Annual Service Charge is not paid in accordance with this Agreement on the date and in the full amount scheduled to be paid, the Entity hereby expressly waives any objection or right to challenge the use by the Borough of the enforcement of remedies to collect such installment of the Annual Service Charge as are afforded the Borough by law, including the Tax Sale Law, provided however, that in no event shall there be any acceleration of any amounts due and owing to repay the Bonds, and such remedies shall be limited solely to the collection of delinquent and unpaid amounts past due for payment, including interest, penalties and costs of collection provided for by the Tax Sale Law.

### **Section 5.2 Security for the Bonds**

(i) Pursuant to the RAB Law, specifically N.J.S.A. 40A:12A-67(c), and as security for the Bonds, the Annual Service Charge shall be pledged to the repayment of the Bonds, in accordance with and as further set forth in the Bond Resolution.

(ii) Pursuant to the RAB Law, specifically N.J.S.A. 40A:12A-67(c), and other applicable law, the Annual Service Charge shall not be included within the general funds of the Borough. The Borough’s pledge of the Annual Service Charge shall be a limited obligation of the Borough payable to the extent of payments received from the Entity and shall not constitute a general obligation of the Borough. The Borough has no obligation whatsoever to make any payments of the Annual Service Charge to the extent that the Annual Service Charge or any portion thereof is not paid by the Entity.

(iii) It is hereby expressly understood by the Parties that under no circumstances shall the Borough be required to (a) purchase, or otherwise fund, any tax lien, tax sale certificate, or other mechanism for the enforcement of the Annual Service Charge, the sole obligation of the Borough being to undertake the sale of the tax liens in the same manner, and at the same time, as generally applicable for unpaid taxes due and owing to the Borough, subject to all applicable laws (including bankruptcy laws) or (b) make payment of any unpaid Annual Service Charge.

## ARTICLE VI – DISPUTE RESOLUTION

### **Section 6.1 Agreement to Arbitrate**

If the Borough or the Entity breaches this Agreement, or a dispute arises between the Parties regarding the terms and provisions set forth herein, then the Parties shall submit the dispute to the American Arbitration Association in the State of New Jersey, to be resolved in accordance with its rules and regulations in such fashion as to accomplish the purposes of the Exemption Law and this Agreement. The costs of arbitration shall be borne equally by the Parties involved in the arbitration. The award rendered by the arbitrator(s) shall be final, and judgment may be entered upon it in accordance with Applicable Law in any court having jurisdiction. Notwithstanding anything to the contrary set forth in this Agreement, and in accordance with Section 4.6(i), above, the Borough shall be entitled to collect any overdue payments of Annual Service Charge in the same manner as it collects overdue payments of generally applicable real estate taxes and shall not be required to submit such matters to arbitration.

### **Section 6.2 Covenant to Make Payments**

The Entity agrees that the timely payment of the Land Taxes, the Administrative Fee, and the Annual Service Charge to the Borough, all as described herein, as well as continued compliance with the Applicable Laws, are material conditions of this Agreement. The failure to make any of the aforesaid payments in timely fashion shall constitute both a breach of this Agreement and a tax payment delinquency under Applicable Law.

### **Section 6.3 Notification of Breach Required**

With respect to the non-payment or late payment of all or a portion of the Land Taxes, the Administrative Fee, or Annual Service Charge (any of the foregoing a “**Payment Default**”) or any other breach under this Agreement, the Borough shall notify the Entity in writing of any breach relating to the terms of this Agreement. If the Entity fails to cure a Payment Default within ten (10) Days or any other breach identified within thirty (30) Days after the actual delivery of such notice by the Borough, or within any additional periods to which the Parties may agree to, in writing, the Borough may move to invalidate the Long Term Tax Exemption upon thirty (30) Days’ final written notice to the Entity, which shall inform the Entity that the Long Term Tax Exemption shall terminate due to the breach of the terms of this Agreement. With respect to defaults other than Payment Defaults, the Borough shall not unreasonably refuse to grant a reasonable extension of the cure period, not to exceed ninety (90) Days after the Notice unless the Borough in its sole discretion shall agree to a longer cure period.

### **Section 6.4 Borough’s Remedies Upon Default**

The Borough’s remedies upon its declaration of default shall be cumulative and concurrent. No determination under this Agreement shall deprive the Borough of its right to proceed against the Entity for the nonpayment of all or a portion of the Land Taxes, Administrative Fee, or Annual Service Charge, as the case may be, including any arrearage that would accrue in the absence of such determination.

## **Section 6.5 Force Majeure**

Neither Party shall be liable to the other for failure to perform its obligations under this Agreement due to causes that are beyond the reasonable control and not substantially due to the fault or negligence of the Party seeking to excuse delay or failure of performance of an obligation hereunder by reason thereof, including, but not limited to, declarations of public emergency; acts of nature (as to weather-related events, limited to severe and unusual events or natural occurrences such as hurricanes, tornadoes, earthquakes, and floods); acts of the public enemy; acts of terrorism; acts of war; fire; epidemics; quarantine restrictions; blackouts, power failures, or energy shortages; governmental embargoes; strikes or similar labor action by equipment or material suppliers or transporters, or unavailability of necessary building materials. Notwithstanding the foregoing, the payment of the Land Taxes, Administrative Fee, or Annual Service Charge, as the case may be, are material conditions of this Agreement which shall not be excused by the occurrence of a Force Majeure event.

## **ARTICLE VII – LIMITATION ON PROFITS**

### **Section 7.1 Entity’s Covenant of Limitation on Profits**

During the Exemption Term, the Entity’s profits shall be limited, according to the provisions of the Exemption Law and the definitions set forth therein. In accordance with N.J.S.A. 40A:20-15, for any period, taken as one accounting period, commencing on the ASC Commencement Date, and terminating at the end of the last full fiscal year of the Exemption Term, in which the Entity’s Net Profits exceed the Allowable Net Profit, the Excess Net Profits shall be paid to the Borough as an additional Annual Service Charge within one hundred twenty (120) Days of the close of the Entity’s fiscal year; provided, however, that the Entity may maintain a reserve as determined pursuant to Section 7.2.

For the purpose of determining compliance with N.J.S.A. 40A:20-15, there is expressly excluded from the calculation of Annual Gross Revenue and from Net Profit any gain realized by the Entity on the sale of all or a portion of the Project, whether or not taxable under Applicable Law.

For the purpose of determining compliance with N.J.S.A. 40A:20-15, the calculation of an Entity’s “excess net profits” shall include those project costs directly attributable to site remediation and cleanup expenses and any other costs excluded in the financial agreement as provided for in N.J.S.A. 40A:20-3(h).

Pursuant thereto, the calculation of Net Profit shall be cumulative for the period commencing on the date on which the construction of the unit or project is completed, and terminating at the close of the fiscal year of the entity preceding the date on which the computation is made, with any negative amounts of profit from prior years being carried forward and included in the accumulated excess profit calculation consistent with City of Newark vs. First Newark Gateway Urban Renewal Association, Docket No. ESX-L-1160-91 (NJ Super. Law Div. August

8, 1994).

## **Section 7.2 Reserves Against Vacancies and Unpaid Rentals**

Notwithstanding the foregoing and as permitted by Section 15 of the Exemption Law (N.J.S.A. 40A:20-15), during the Exemption Term, the Entity may maintain a reserve against vacancies, unpaid rentals, and contingencies in an amount of ten percent (10%) of Annual Gross Revenues for the last full fiscal year of the Project and may retain such part of those Excess Net Profits as is necessary to eliminate a deficiency in that reserve. Upon termination of this Agreement, the amount of such reserve shall be paid to the Borough.

## **ARTICLE VIII – TERMINATION OF AGREEMENT AND INSPECTIONS**

### **Section 8.1 Voluntary Termination of the Agreement by Entity**

**NEITHER THE ENTITY NOR ANY OTHER TRANSFEREE OR PURCHASER MAY TERMINATE THIS AGREEMENT AT ANY TIME PRIOR TO THE MATURITY DATE OF THE BONDS.** Following the Maturity Date of the Bonds, the Entity or any Transferee may at any time after the expiration of one (1) year from the ASC Commencement Date, notify the Borough that, as of a certain date designated in the notice, it relinquishes its status as an urban renewal entity under the Exemption Law and that the Entity, or Transferee, has obtained the consent of the Commissioner of the Department of Community Affairs, if required by Applicable Law. As of that date, all of the obligations and requirements contained in this Agreement shall terminate with respect to the Entity or Transferee. Notwithstanding the foregoing, such relinquishment shall not impact the obligation of the Entity or the Transferee, as applicable, to make payment Land Taxes, Administrative Fee or Annual Service Charge, as the case may be, that has accrued up to and including the date of Termination, or the obligation of the Entity or the Transferee, as applicable, to perform the final accounting required by the Exemption Law and Section 8.2 hereof.

### **Section 8.2 Termination and Final Accounting**

Within ninety (90) Days after the Termination Date, whether by affirmative action of the Entity or by virtue of the provisions of the Applicable Law or pursuant to the terms of this Agreement, the Entity shall provide a final accounting and pay to the Borough the reserve, if any, pursuant to N.J.S.A. 40A:20-15, as well as any Excess Net Profits, if any payable as of that date. For purposes of rendering a final accounting, the termination of the Agreement shall be deemed to be the end of the fiscal year for the Entity.

### **Section 8.3 Taxes After Termination Date**

After the Termination Date, the Long Term Tax Exemption shall expire, and the Project Site and the Improvements constructed thereupon shall thereafter be assessed and conventionally taxed according to Applicable Law as other real property in the Borough.

### **Section 8.4 Rights of Inspection**

Pursuant to a written request, the Entity shall authorize the Borough or its representatives to examine the Entity's contracts, records, and documents, related to the Project. Such examination shall be made during reasonable business hours, in the presence of a member or agent of the Entity. The Parties agree that ten (10) Days' written notice shall constitute a reasonable request for inspection. Notwithstanding the foregoing, the Entity may request an extension of time for such examination, up to ten (10) Days. Except to the extent required by Applicable Law, all information and documentation provided hereunder shall remain confidential and not subject to public disclosure.

## **ARTICLE IX – TRANSFERS**

### **Section 9.1 Conveyance of Project**

The Entity may, upon written notice to the Borough, and upon the written consent of the Borough, sell the Project Site or Project in its entirety or any portion thereof to another urban renewal entity, qualified and organized under the Exemption Law (hereinafter referred to as a “**Transferee**”), provided that: (a) in the event that the Project shall not have been completed, the Transferee shall have demonstrated to the reasonable satisfaction of the Borough that such Transferee possesses the experience and capitalization to complete the Project; (b) such Transferee owns no other project subject to the Exemption Law at the time of the transfer, (c) the Entity is not then in Default of this Agreement or Applicable Law, and (d) the Transferee assumes the Entity's obligations under this Agreement. Upon a Transferee's assumption of the Entity's obligations under this Agreement, the Long Term Tax Exemption shall continue to the benefit of the Transferee and any of its Transferees.

In the event that the transfer contemplated in this Section is for less than the whole of the Project, the Annual Service Charge to be paid each by the Entity and the transferee entity after the transfer shall be pro-rated based on the square footage of the building within the portion of the Project being transferred compared to the total square footage of all buildings comprising the Project.

The Entity shall be permitted to transfer any ownership interest in the Entity, provided that, if the transfer is for an interest greater than 10 percent (10%), such transfer shall be disclosed to the Borough Council in the next Auditor's Report or in correspondence sent to the Borough Clerk in advance of the next Auditor's Report.

### **Section 9.2 Obligations of Entity and Transferee After Conveyance**

If the Entity Transfers the Project in its entirety to a Transferee pursuant to and in accordance with Section 9.1 hereof, then the Entity shall be absolutely discharged from any further obligations regarding the Project and shall be qualified to undertake another project pursuant to the Exemption Law. Within ninety (90) Days after the date of a Transfer of the Project in its entirety, the Entity shall pay to the Borough any Excess Net Profits payable to the Borough pursuant to this Agreement and the Exemption Law.

### **Section 9.3 Collateral Assignment**



It is expressly understood and agreed that the Entity has the right, to the extent permitted by the Exemption Law, to encumber and/or assign the fee title to the Project Site and/or Improvements for purposes of financing the design, development and construction of the Project and permanent mortgage financing relating to the Project.

(i) The Borough acknowledges that the Entity and/or its affiliates intend to obtain secured financing in connection with the acquisition, development, and construction of the Project. The Borough agrees that the Entity and or its affiliates may, subject to compliance with the Exemption Law, assign, pledge, hypothecate or otherwise transfer its rights under this Agreement and/or its interest in the Project to one or more secured parties or any agents therefor (each, a “**Secured Party**” and collectively, the “**Secured Parties**”) as security for obligations of the Entity, and/or its affiliates, incurred in connection with such secured financing (collectively, the “**Security Arrangements**”). The Entity shall give the Borough written notice of any such Security Arrangements, together with the name and address of the Secured Party or Secured Parties. Failure to provide such Notice waives any requirement of the Borough hereunder to provide any notice of Default or notice of intent to enforce its remedies under this Agreement.

(ii) If the Entity shall Default in any of its obligations hereunder, the Borough shall give written notice of such Default to the Secured Parties and the Borough agrees that, in the event such Default is not waived by the Borough or cured by the Entity, its assignee, designee or successor, within the period provided for herein, before exercising any remedy against the Entity hereunder, the Borough will provide the Secured Parties not less than fifteen (15) Days from the date of such written notice to the Secured Parties with regard to a Payment Default by the Entity, and ninety (90) Days from the date the Entity was required to cure any other Default.

(iii) To the extent permitted by the Exemption Law, in the absence of a Default by the Entity, the Borough agrees to consent to any collateral assignment by the Entity to any Secured Party or Secured Parties of its interests in this Agreement and to permit each Secured Party to enforce its rights hereunder and under the applicable Security Arrangement and shall, upon request of the Secured Party, execute such documents as are typically requested by secured parties to acknowledge such consent. This provision shall not be construed to limit the Borough’s right to payment from the Entity, nor shall the priority of such payments be affected by the Secured Party exercising its rights under any applicable Security Arrangement.

Notwithstanding anything to the contrary contained herein, and in addition to all other rights and remedies of Secured Parties set forth in this Agreement, the provisions of N.J.S.A. 55:17-1 to -11 shall apply to this Agreement to protect the interests of any Secured Party.

## **ARTICLE X – ENTITY’S COVENANTS AND REPRESENTATIONS**

### **Section 10.1 Management and Operation**

Subject to its rights to Transfer pursuant to Section 9.1 hereof, the Entity represents and

covenants that it will own the Project.

### **Section 10.2 Computation of Gross Revenue**

The Entity shall calculate the Annual Gross Revenue in accordance with the Exemption Law and this Agreement and the computation of Annual Gross Revenue shall be shown on the Entity's Annual Audit Statement.

### **Section 10.3 Annual Audit Report**

For so long as the Entity owns the Project and within ninety (90) Days after the close of each fiscal or calendar year (depending on the Entity's accounting basis) that this Agreement shall continue in effect, the Entity shall submit to the Mayor of the Borough, the Borough Council and the Borough Clerk, its Annual Audited Statement for the preceding fiscal or calendar year in accordance with the Exemption Law. The report shall clearly identify and calculate the Net Profit for the Entity during the previous fiscal year. The Entity assumes all costs associated with preparation of the Annual Audited Statements. If there has been a change in more than 10% of direct ownership of the Entity the Entity shall submit a disclosure statement together with the annual audit.

### **Section 10.4 Total Project Cost Audit**

Within ninety (90) Days after a final Certificate of Occupancy is issued for the Project, the Entity shall submit to the Mayor and Borough Council, an audit of Total Project Cost, certified as to actual construction costs by the Entity's architect.

## **ARTICLE XI – MISCELLANEOUS PROVISIONS**

### **Section 11.1 Governing Law**

This Agreement shall be governed by the provisions of Applicable Law including, but not limited, to the Exemption Law.

### **Section 11.2 Oral Representation**

Neither Party hereto has made any oral representation that is not contained in this Agreement. This Agreement and the Application, including all of the Exhibits attached and annexed thereto, constitute the entire Agreement by and between the Parties.

### **Section 11.3 Modification**

This Agreement shall not be amended, changed, modified, altered, or terminated, other than as may be set forth herein, without the written consent of both of the Parties hereto.

### **Section 11.4 Notices**

A notice, demand or other communication under this Agreement by any Party to the other shall be in writing and shall be hand delivered by messenger (with receipt acknowledged in writing), delivered by overnight delivery service (guaranteeing overnight delivery, with receipt acknowledged in writing), delivered personally, or delivered by electronic transmittal or by facsimile transmission (evidenced by printed confirmation of receipt specifying the receiving telephone number or electronic mail address) to the Parties at their respective addresses (or facsimile numbers, at the case may be) set forth herein, except that notice of (a) an Event of Default and (b) the institution of legal proceedings may not be delivered by facsimile::

i) When sent by the Borough to the Entity:

DL Urban Renewal, LLC  
450 West Merrick Road, Suite 4  
Valley Stream, New York 11580  
Attention: Hi Jong Lee

With a copy to:

Allen Perlstein, Esq.  
Harfenist, Kraut & Perlstein LLP  
3000 Marcus Avenue, Suite 2E1  
Lake Success, New York 11042

ii) When sent by the Entity to the Borough:

Borough of Highland Park  
221 South 5<sup>th</sup> Avenue  
Highland Park, New Jersey 08904  
Attention: Teri Jover, Business Administrator

With a copy to:

Joseph P. Baumann, Esq.  
McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue, 2<sup>nd</sup> Floor  
Roseland, NJ 07068

In addition, if the Entity delivers formal written notice to the Borough in accordance with this Agreement, of the name and address of Entity's mortgagee, then the Borough shall provide such mortgagee with a copy of any notice required to be sent to the Entity. Any notice given by an attorney for a party shall be effective for all purposes.

### **Section 11.5 Severability**

If any term, covenant, or condition of this Agreement shall be judicially declared to be

invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by Applicable Law.

If any portion of this Agreement shall be judicially declared to be invalid and unenforceable and provided that a default has not been declared pursuant to this Agreement, the Parties shall cooperate with each other to take the actions reasonably required to restore the Agreement in a manner contemplated by the Parties, including, but not limited to the authorization and amendment of this Agreement in a form reasonably drafted to effectuate the original intent of the Parties.

### **Section 11.6 Good Faith**

The Entity and the Borough agree to act in good faith in all of their dealings with each other.

### **Section 11.7 Certification**

The Borough Clerk shall certify to the Borough Tax Assessor, pursuant to the Exemption Law, that this Agreement entered into by the Borough and the Entity has been entered into and is in effect pursuant to the Exemption Law. The delivery by the Borough Clerk to the Borough Tax Assessor of a certified copy of the Ordinance shall constitute the required certification. Upon the delivery of the certification as required hereunder, the Borough Tax Assessor shall implement the Long Term Tax Exemption and continue to enforce the Long Term Tax Exemption without further certification by the Borough Clerk until the Termination Date. Further, within ten (10) Days of the execution of this Agreement, the Borough Clerk shall provide a copy of the Agreement and the Ordinance authorizing the same to the Middlesex County Counsel and the Middlesex County Director of Finance for informational purposes in accordance with N.J.S.A. 40A:20-12.

### **Section 11.8 Exhibits**

This Agreement in its proposed form appears as an attachment to the Application. This Agreement along with each Exhibit attached and annexed hereto is incorporated into the Application.

### **Section 11.9 Recording**

Upon the Effective Date, this entire Agreement and the Ordinance shall be filed and recorded with the Middlesex County Clerk by the Borough, at the Entity's expense, such that this Agreement and the Ordinances shall be reflected upon the land records of the County of Middlesex as a municipal lien upon and a covenant running with the Project Site, including any Improvements related thereto, and same may be discharged by the Entity or the Borough upon the Termination Date.

### **Section 11.10 Counterparts**

This Agreement may be simultaneously executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

### **Section 11.11 Estoppel Certificate**

Within thirty (30) Days following written request therefor by the Entity, or any mortgagee or other party having an interest in the Project, the Borough shall issue a signed estoppel certificate in reasonable form stating that (i) this Agreement is in full force and effect, (ii) to the best of the Borough's knowledge, no default has occurred under this Agreement (nor any event which, with the passage of time and/or the giving of notice would result in the occurrence of a default) or stating the nature of any default and (iii) stating any such other reasonable information as may be requested.

*[Signature Page Follows]*

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be executed the day and year first above written.

**DL URBAN RENEWAL, LLC**

By: \_\_\_\_\_  
Name:  
Title: Authorized Signatory

**ACKNOWLEDGMENT**

**STATE OF NEW JERSEY :**  
  :  
**COUNTY OF \_\_\_\_\_ :**  **ss:**

**BE IT REMEMBERED**, that on this \_\_\_ day of \_\_\_\_\_, 2024, before me, the subscriber, a Notary Public or Attorney at Law of New Jersey, personally appeared \_\_\_\_\_, who being by me duly sworn on his/her oath, deposes and makes proof to my satisfaction that s/he is the designated authorized signatory of DL URBAN RENEWAL, LLC the entity named in the within Instrument; that the execution, as well as the making of this Instrument, have been duly authorized by the entity and said Instrument was signed and delivered by said designated authorized signatory as and for the voluntary act and deed of said entity.

\_\_\_\_\_  
Notary or Attorney at Law  
The State of New Jersey

**ATTEST:**

**BOROUGH OF HIGHLAND PARK**

\_\_\_\_\_  
JENNIFER SANTIAGO  
BOROUGH CLERK

By: \_\_\_\_\_  
ELSIE FOSTER  
MAYOR

STATE OF NEW JERSEY    )  
  )    SS.:  
COUNTY OF MIDDLESEX)

I CERTIFY that on \_\_\_\_\_, 2024, JENNIFER SANTIAGO, personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Borough Clerk of the Borough of Highland Park, the municipal corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is MAYOR ELSIE FOSTER;
- (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Borough Council;
- (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

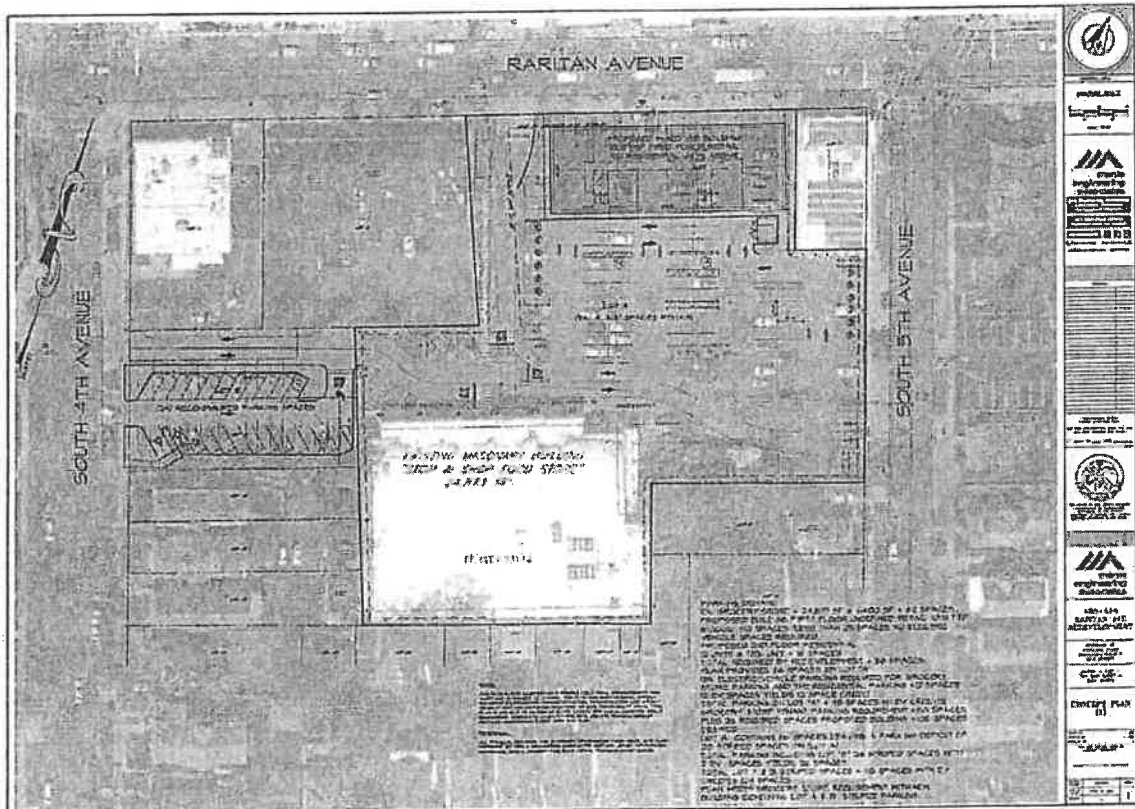
Signed and sworn to before  
me on \_\_\_\_\_, 2024.

\_\_\_\_\_  
JENNIFER SANTIAGO  
BOROUGH CLERK

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public or Attorney at Law  
The State of New Jersey

**EXHIBIT A – TO AGREEMENT**  
**PROJECT SITE DESCRIPTION**





**EXHIBIT B – TO AGREEMENT**  
**APPLICATION**

***Not Recorded***

**Copy on File with the Borough Clerk of the Borough of Highland Park**

**EXHIBIT C – TO AGREEMENT**  
**ORDINANCE**

**RESOLUTION NO. 4-24-115  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPROVE 2024 PEAK AGENDA SOFTWARE CONTRACT  
WITH GRANICUS**

**WHEREAS** the Highland Park Clerk’s Office is in need of a maintenance contract for the peak agenda software and hardware for 2024; and

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

**WHEREAS**, funds for this purpose are available in the 2024 Temporary Budget Current Fund Account No. 4-01-20-120-235, in an amount not to exceed \$9,534.50, 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. 2024-47.

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

1. The Borough Administrator is hereby authorized and directed to execute said maintenance contract for the peak agenda software and hardware from Granicus, Dept. CH-Box 19634, Palatine, IL 60055-9634, for a total amount not to exceed \$9,534.50.
2. Certified copies of this resolution be forwarded to the Finance Department.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				



# Invoice

<b>Date</b>	03/16/2024	<b>Invoice #</b>	180935
<b>Terms</b>	Net 30	<b>Due Date</b>	04/15/2024
<b>P.O. Number:</b>			

Please remit via ACH to:  
 Routing #: 022000020  
 Acct #: 269099115

Please Send Checks to:  
 Granicus  
 Dept CH – Box 19634  
 Palatine, IL 60055 - 9634

Bill To	Sold To
Highland Park, NJ 221 S 5Th Ave Highland Park NJ 08904 United States	Highland Park, NJ 221 S 5Th Ave Highland Park NJ 08904 United States

Description	Term Start Date	Term End Date	Tax Rate	Tax Amount	Amount
Peak Agenda Management	04/16/2024	04/15/2025	0.00%	\$0.00	\$9,534.50

<b>Subtotal</b>	\$9,534.50
<b>Tax Total</b>	\$0.00
<b>Total</b>	\$9,534.50
<b>Amount Due</b>	\$9,534.50

For any questions about your invoice, please contact us at AR@granicus.com or 1-800-314-0147

Thank you for your business

4-01-20-120-235

**RESOLUTION NO. 4-24-116  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING CREATION OF DUPLICATE TAX SALE  
CERTIFICATE**

**WHEREAS**, the Tax Collector of this municipality has previously issued a tax sale certificate to (Christina T C/F CE1/FIRSTTRUST) which certificates dated 12/19/24 covering premises commonly known and referred to as:

Block	Lot	Qualifier	Certificate
1903	10	C0503	23-00044
3407	22		23-00077

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplace the original tax sale certificate and have duly filed the a affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

**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 Tax Collector is hereby authorized and directed upon receipt of the Loss Affidavit and the payment \$100 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser.
2. That a copy of this resolution and the loss affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate be stamped or otherwise have imprinted upon it the word “ Duplicate” as required by law.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on April 2, 2024.

---

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 4-24-117  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING CONTRIBUTION TO BLUE CARES PROGRAM  
UTILIZING OPIOID SETTLEMENT FUNDS**

**WHEREAS**, the New Jersey Office of the Attorney General developed the Blue Cares program in 2019 to assist individuals suffering from with substance use disorder/addiction by working with community partners to treat and prevent drug addiction; and

**WHEREAS**, Blue Cares provides a 24-hour hotline number for individuals or family members in need of information, guidance, and recovery support that is staffed by certified peer recovery coaches that can assist with referrals to treatment; and

**WHEREAS**, the Blue Cares program is facing a financial challenge and the Middlesex County Commissioner Director, in a letter dated March 4, 2024, requested that all municipalities in the county consider contributing \$2,000.00 annually toward this program; and

**WHEREAS**, the Borough of Highland Park has received opioid settlement funds and support for the Blue Cares program is an eligible expense; and

**WHEREAS**, funds for this purpose are available in Grant Account No. G-02-41-776-200 for a total amount not to exceed \$2,000.00, as reflected by the certification of funds by the Chief Financial Officer no. 2024-48.

**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 shall make payment to the County of Middlesex in the amount of \$2,000.00 in support of the Blue Cares program and it shall be sent to the Middlesex County Prosecutor’s Office at 25 Kirkpatrick Street, 3<sup>rd</sup> Floor, New Brunswick, NJ 08901.
2. Copies of this Resolution shall be forwarded to the Chief Financial Officer and Borough Administrator.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

Ronald G. Rios  
County Commissioner Director

Shanti Narra  
County Commissioner Deputy Director

Claribel A. Azcona-Barber  
Charles Kenny  
Leslie Koppel  
Chanelle Scott McCullum  
Charles E. Tomaro  
County Commissioners



John A. Pulomena  
County Administrator

Amy R. Petrocelli, RMC  
Clerk of the Board

## BOARD OF COUNTY COMMISSIONERS

March 4, 2024

### RE: Blue Cares Program Support Request

Dear Middlesex County Mayor:

I am writing to bring to your attention an important initiative in our community, and to ask for your support.

As you may know, drug addiction has been a major health concern in the United States for numerous years, and most prevalent in urban areas. In 2019, the State of New Jersey Office of the Attorney General developed an innovative alliance between law enforcement and the recovery community that assists with drug addiction recovery. Its sole purpose is to assist individuals suffering with substance use disorder/addiction by working with community partners to treat and prevent drug addiction, while also promoting long-term recovery and effectively combating perceived stigma.

Blue Cares provides a 24-hour hotline number for individuals or family members in need of information, guidance, and recovery support, and saves lives by linking individuals to medication assisted treatment, withdrawal management, counseling, aftercare, and community resources. The hotline is answered by certified peer recovery coaches who can assist callers with referrals to treatment, regardless of insurance coverage. Coaches are available 24/7 for immediate help.

Regrettably, Blue Cares is currently facing a critical financial challenge due to a recent cut in federal funding placing the entire initiative in jeopardy. At their November 28, 2023, meeting, the Middlesex County Opioid Settlement Advisory & Implementation Council (MOSAIC) voted unanimously to provide \$100,000 in Opioid Settlement funds to support Blue Cares and secure long-term funding.

However, additional support is essential for the program to continue seamlessly. Programs like these operate best when we collaboratively work together. Participating Municipalities are encouraged to contribute \$2000 annually to bridge the funding gap and ensure that Blue Cares continues its vital work without interruptions. To learn more about the Blue Cares Program, or to arrange your municipalities contribution to the program, please contact Kristen Dougherty, Blue Cares Administrator with the Middlesex County Prosecutor's Office at [kristen.dougherty@co.middlesex.nj.us](mailto:kristen.dougherty@co.middlesex.nj.us), or 732-745-3286.





Your support is paramount in maintaining this crucial initiative that directly impacts the well-being of your local community, neighbors, and friends. We urge you to consider contributing to Blue Cares, securing its future, and reinforcing our collective commitment to addressing behavioral health challenges, including substance abuse disorder/addiction in our community.

Thank you for your time and consideration.

Sincerely,



Ronald G. Rios  
County Commissioner Director

CC:

Shanti Narra, Deputy Director, Chair, Public Safety & Health  
Claribel A. Azcona Barber, Chair, Community Services Committee  
Yolanda Ciccone, County Prosecutor  
John A. Pulomena, County Administrator  
Meghan Davey, Department Head, Community Services  
Melyssa Lewis, Director, Human Services  
John Carroll, Director, Public & Government Affairs  
Kristen Dougherty, Blue Cares Administrator, Middlesex County Prosecutor's Office



**RESOLUTION NO. 4-24-118  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPOINT ALTERNATE FUND COMMISSIONER TO  
GARDEN STATE MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Borough of Highland Park is a member of the Garden State Municipal Joint Insurance Fund; and

**WHEREAS**, it is required for the Borough of Highland Park to have representation on the Board of Commissioners; and

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

1. Teri Jover, Borough Administrator, shall continue to serve as Fund Commissioner to the Garden State Municipal Joint Insurance Fund.
2. Jacklyn Vasquez, Payroll and Benefits Coordinator, is hereby appointed as Alternate Fund Commissioner to the Garden State Municipal Joint Insurance Fund, effective April 1, 2024, replacing the position previously held by Emma Von Thun.
3. Nerea Champion, Chief Financial Officer, shall continue to serve as Alternate Fund Commissioner to the Garden State Municipal Joint Insurance Fund.
4. The Borough Clerk shall provide a copy of this resolution to the Borough Administrator and Chief Financial Officer.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 4-24-119  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION TO ADOPT COMMUNITY ENERGY PLAN**

**WHEREAS**, the Borough of Highland Park has a long-standing commitment to sustainability, seeking to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, New Jersey’s Energy Master Plan: Pathway to 2050 (“EMP”) established that community-level action is necessary to achieve the state’s goal of 100% clean energy by 2050; and

**WHEREAS**, the Borough was awarded a grant by the New Jersey Board of Public Utilities to develop a Community Energy Plan to help meet the goals of the state’s Energy Master Plan; and

**WHEREAS**, the Borough of Highland Park has prepared a Community Energy Plan utilizing the technical support and resources provided by the New Jersey Board of Public Utilities and Sustainable Jersey that will help guide investments in renewable energy and work towards a better environment for all resident.

**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 Council hereby adopt the Highland Park Community Energy Plan dated April 2024, a copy of which is attached hereto.
2. The Borough Administrator is authorized and directed to submit the plan to the New Jersey Board of Public Utilities in order to close out the Community Energy Planning Grant and qualify for implementation funds.
3. The Borough Administrator is authorized and directed to convene an ad hoc committee comprised of members of Sustainable Highland Park, the Environmental Commission and the Board of Health to review the plan on an annual basis and set priorities for the coming year.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				



BOROUGH OF  
HIGHLAND PARK

# Community Energy Plan

APRIL 2024

# Acknowledgments

## **AUTHOR**

Tarun Reddy Arasu

BPU Energy Fellow, Rutgers Center for Urban Policy Research,  
MPP/MPI - EJB School of Planning and Public Policy

## **BOROUGH COUNCIL**

- Mayor Elsie Foster
- Council President Matthew Hersh
- Councilmember Tara Canavera
- Councilmember Phil George
- Councilmember Matthew Hale
- Councilmember Stephany Kim-Chohan
- Councilmember Jason Postelnik

## **COMMUNITY ENERGY PLAN AD HOC REVIEW COMMITTEE**

- Jesse Crossen, Board of Health Representative
- Tina Weishaus, Sustainable Highland Park Representative
- Allan Williams, Environmental Commission Representative

## **GRANT FUNDING PROVIDED BY:**

New Jersey Board of Public Utilities, Clean Energy Program  
Community Energy Planning Grant

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## Introduction

Highland Park's Community Energy Plan (CEP) is funded by the New Jersey Board of Public Utility's Community Energy Plan Grant Program with technical support provided by Sustainable Jersey. The purpose of this document is to serve as an action plan for the Borough to promote and adopt cleaner and less expensive energy sources and advance the objectives of the State of New Jersey's Energy Master Plan, which aims to generate 100% of the State's energy through renewable sources and reduce greenhouse-gas emissions to 80% of 2006 levels by 2050.

The CEP Grant program tasks municipalities to select from 38 initiatives to reduce local energy usage, including initiatives related to clean vehicles, solar energy, energy efficiency of buildings, green building practices, accessibility of clean energy for low- and moderate-income communities, and energy storage. Highland Park's CEP identifies 25 initiatives across six strategy areas that the Borough desires to pursue over the next three to five years to reduce the Borough's climate impact, energy consumption, and energy costs. Those initiatives are detailed in this report and in Appendix A, the Community Energy Plan Workbook.



# Community Energy Profile

Highland Park, New Jersey has a population of 14,968 with a density of 7,801.84 persons per square mile, making it the third most densely populated municipality in Middlesex County. It is situated northeast of New Brunswick and is bordered by the Raritan River.

According to the U.S. Census Bureau's Longitudinal Employer-Household Data (LEHD) "On the Map" data tool, there were 8,825 residents of Highland Park in the workforce in 2021. The top five employment destinations for these workers were New Brunswick, NJ (12%), New York City (6%), Highland Park, NJ (4.6%), Trenton, NJ (2.3%), and Newark, NJ (1.9%).

Highland Park is rich with transportation options. It has easy access to both the New Brunswick and Edison train stations on New Jersey Transit's Northeast Corridor Line, providing convenient access to destinations

such Newark and New York City. Additionally, the area is served by several major roadways, including Route 27 and Route 18, facilitating commuting by personal automobile and several NJ Transit bus routes.

Approximately 8.5% of the population is living at or below the poverty level, which is lower than the statewide average of 10.2%. Most housing units in Highland Park are renter-occupied, accounting for 59% of occupied units compared to 64% statewide. Owners make up the remaining 41% of households. The high percentage of renter-occupied units limits their ability to independently pursue environmentally-friendly initiatives such as installing solar panels or electric vehicle (EV) charging equipment. Despite challenges, there are still opportunities for renters to access energy-efficient alternatives and many of these are outlined in the strategies selected later on in the report.



Figure 1: Land Use Patterns - Highland Park Borough



Figure 2: Base Zoning - Highland Park Borough

## LAND USE AND RESIDENTIAL COMPOSITION

Highland Park is primarily a residential community; more than 55% of its land area is dedicated to residential dwellings of various shapes and sizes (from single-family to multi-family garden apartments). The remaining 45% of the land a combination of light industrial, commercial, and conservation and recreation uses. Highland Park's commercial businesses are mostly located along Raritan Avenue (State Route 27) and Woodbridge Avenue (Middlesex County Route 514) corridors. Areas that fall under the conservation and recreation category include Molimock-Graff Park, Felton Avenue Tot Lot, Highland Park Recreational Complex, Middlesex County's Donaldson and Johnson Parks, and the Meadows Trail.

## VEHICLE-MILES-TRAVELED (VMT) PATTERNS

Vehicle Miles Traveled (VMT) is a metric used in traffic engineering and transportation planning. It refers to the total number of miles traveled by motor vehicles in a specific area over a certain period, usually a year. It measures all vehicle travel within a certain area, encompassing both local and transit traffic. Highland Park's land composition significantly influences vehicle-miles-traveled (VMT) generation. In 2019, VMT data for Highland Park indicated that passenger cars accounted for a total of 56.12 million miles, while trucks of all types covered 16.42 million miles and buses covered 21.52 million miles. Notably, truck VMT associated with Highland Park exhibited a substantial increase of nearly 12 million miles compared to measurements taken in 2017. Personal automobile VMT experienced was stable during this same period. Despite the uptick in truck VMT, Highland Park had the 7th lowest VMT in 2019 out of 25 municipalities in Middlesex County. It is important to acknowledge that the COVID-19 pandemic in 2020 and 2021 likely resulted in a further reduction in car usage, as fewer people commuted to work or engaged in public activities. Consequently, the data from these

years is expected to exhibit a more significant decline in passenger car usage but possibly an increase in truck usage based on shipping and online shopping trends.

## ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE

There are eight EV charging stations located within 5 miles of Highland Park. The majority of these stations are Level 2 chargers, which are slower than DC fast chargers but can still be used to charge an EV in a reasonable amount of time. There are two DC fast chargers located within the same 5-mile radius. Public EV charging sites play a crucial role in reducing greenhouse gas (GHG) emissions, making them an important component of sustainable transportation infrastructure. 2.75% of households in Highland Park own electric vehicles (EVs) as of 2023 and, based on historic trends, it is estimated that 85% of light duty vehicles registered in Highland Park will be electric by 2043. Wide availability of public EV charging stations will be essential to support the growing EV market. By providing convenient access to charging infrastructure, these sites encourage more residents to adopt EVs and alleviate range anxiety, leading to increased EV usage. This, in turn, reduces the need for gasoline-powered vehicles and lowers VMT as EV owners have the means to charge their vehicles while going about their daily routines.

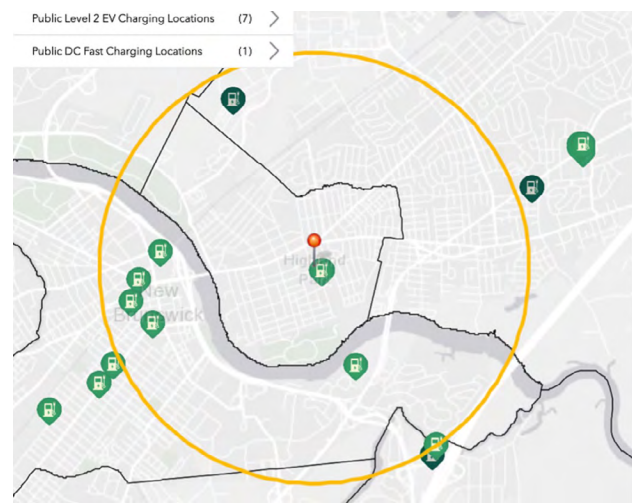


Figure 3: EV Infrastructure within 2 miles of New Jersey

### ENERGY CONSUMPTION TRENDS

The estimated 2015 GHG for Highland Park were primarily attributed to residential natural gas usage (22%) and general vehicle use (38%). Other contributors included residential electric consumption (11%), commercial electric and natural gas consumption (22%). In 2020, vehicles accounted for 48% of GHG emissions which is a drastic increase, while residential natural gas and electricity contributed 18% and 10%, respectively, which remained relatively stable compared to 2015.

Over a five-year period from 2015 to 2020, emissions associated with electricity and natural gas consumption displayed a consistent decline across all sectors and fuel types. However, despite this reduction, total emissions in the Borough increased by 5,017 metric tons of CO<sub>2</sub>, primarily driven by vehicle emissions, which increased by 11,104 metric tons of CO<sub>2</sub>.

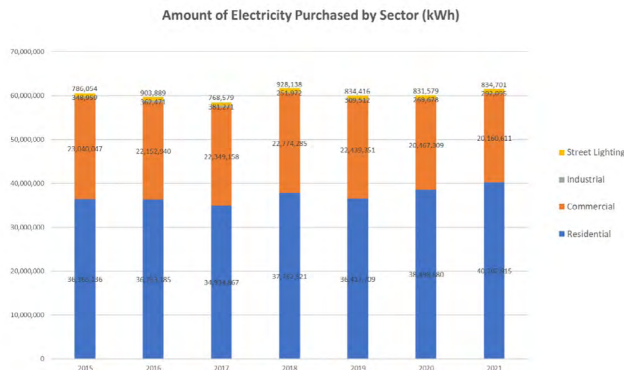


Figure 4: GHG Emissions by Sector and Energy Type (MT CO<sub>2</sub>e)

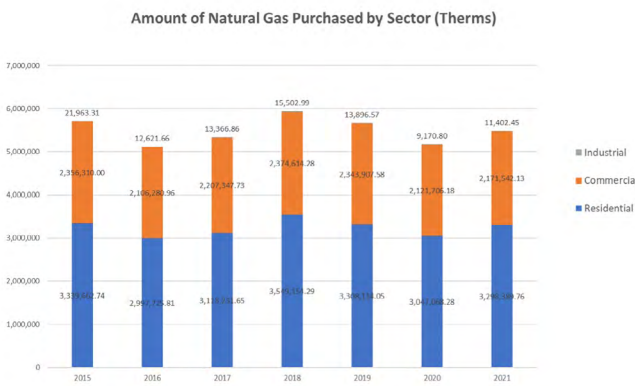


Figure 6: Amount of Natural Gas Purchased by Sector (Therms) – Highland Park Borough

2020 Community-Scale Energy-Related GHG Emissions by Sector and Energy Type (MT CO<sub>2</sub>e)

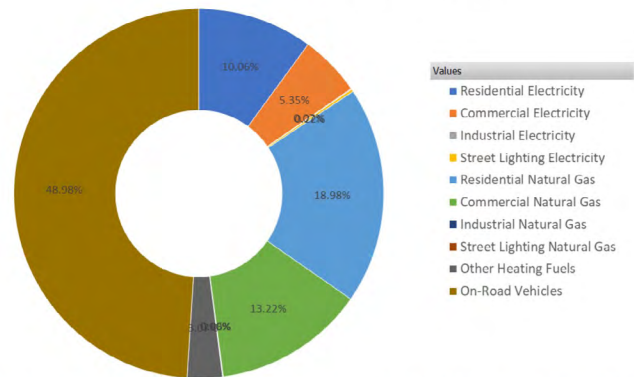


Figure 5: Amount of Electricity Purchased by Sector (kWh) - Highland Park Borough

Electric consumption in Highland Park witnessed a modest increase of 1.58% between 2015 and 2020, with gross electric consumption rising from 60.5 million kWh to 61.5 million kWh. Conversely, total natural gas consumption observed a 4.14% decrease, dropping from 5.7 million Therms to 5.4 million Therms. During this same period, residential electricity usage increased by just under 3.8 million kWh, commercial electricity decreased 2.8 million kWh, and industrial electricity usage decreased by 56,864 kWh. Street lighting electricity usage remained steady. Among energy users, the industrial sector experienced the most significant decline in natural gas consumption (48%), while the residential sector exhibited the smallest decrease (1.2%).

## HEAT ISLAND EFFECT

According to the 2021 American Community Survey data, 4,673 out of 6,502 (71.87%) occupied housing units in Highland Park rely on utility gas (natural gas) for heating, explaining the prevalence of natural gas usage within the Borough. The heat island map of Highland Park shows the areas of the city that are most likely to experience higher temperatures than the surrounding areas. The map is color-coded, with red areas indicating the highest temperatures and blue areas indicating the lowest temperatures.

The areas with the highest temperatures are generally those that are most densely built up with concrete, asphalt, and other heat-absorbing materials. These areas also tend to have less vegetation, which can help to cool the air. The areas with the lowest temperatures are generally those that are near water or that have a lot of vegetation.

The heat island effect can have a number of negative consequences for a community, including increased energy costs for cooling, heat-related illnesses, and decreased air quality. There are a number of things that can be done to mitigate the heat island effect, such as increasing vegetation, planting trees, and using cool roofing materials.

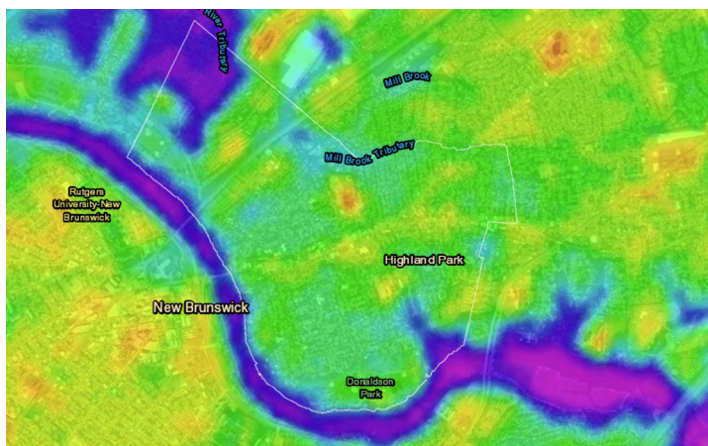


Figure 7: Highland Park Borough Heat Island Map

## WALKABILITY

Highland Park benefits from a high level of walkability, with the New Jersey Department of Community Affairs’ Walkability Score map rating the residential neighborhoods at an impressive 60% to 100%. This rating is based on key factors such as population density, job density, and the percentage of the population that reported walking as their mode of transportation to work. A community’s walkability contributes to reduced reliance on vehicles for daily activities, laying a significant foundation for lowering and maintaining low VMT.

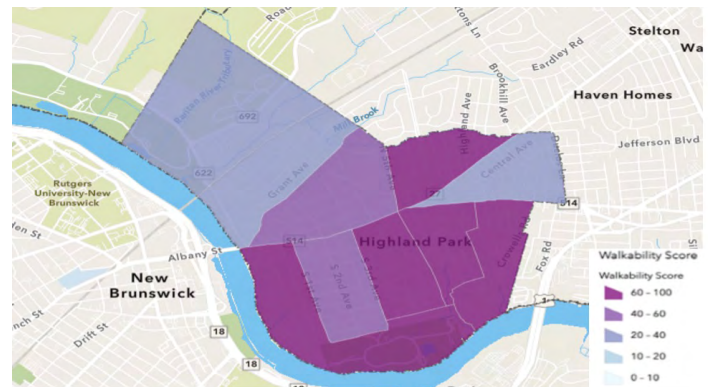
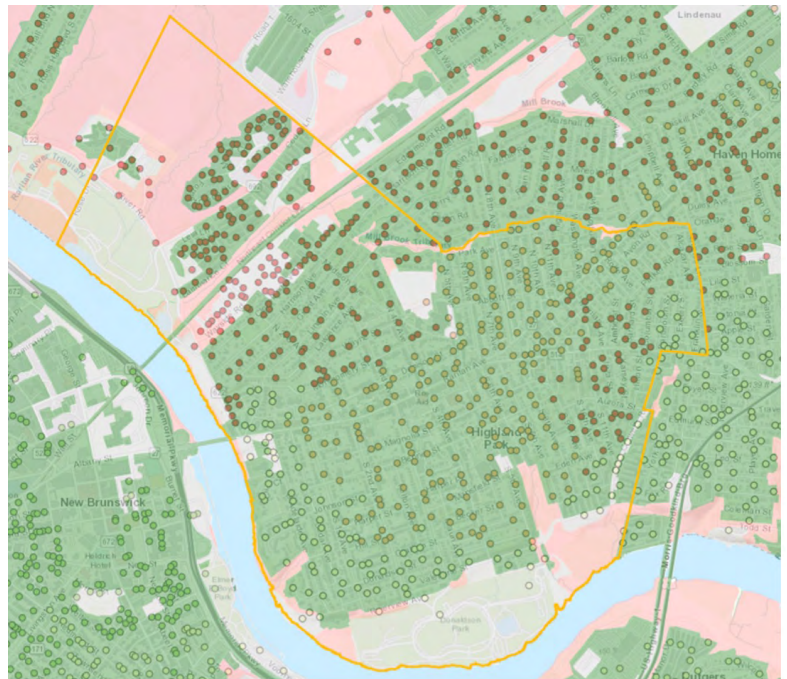


Figure 8: Highland Park Borough Walkability Score Map

Through the support of a New Jersey Department of Transportation (NJDOT) planning grant, the Borough worked with NJDOT consultant WSP to develop a plan to improve its walkability and bikeability. The Planning Board at their August 6, 2019 meeting adopted the final Bicycle and Pedestrian Plan. Many short and long-term recommendations from it were incorporated into the Borough’s 2019 Master Plan Reexamination Report.

## SOLAR GENERATION POTENTIAL

The New Jersey Department of Environmental Protection (NJDEP)'s Solar Generation Potential mapping tool indicates that much of the Borough possesses desirable or appropriate conditions for solar infrastructure, indicated by the red dots on the map below. This highlights the potential for solar energy utilization and underscores the role renewable energy sources can play in the Borough's sustainable energy future. By understanding the energy and vehicle usage patterns in Highland Park, stakeholders and policymakers can make informed decisions and develop effective strategies to promote energy efficiency, reduce GHG emissions, and enhance sustainable transportation options. The Borough has issued 169 solar permits since 2019, which is a great sign of progress in the right direction.



*Figure 9: Highland Park Borough Solar Generation Potential*



# Opportunities for Energy Impact

In alignment with New Jersey's Energy Master Plan, which sets the state on the path to 100% clean energy by 2050, the Borough has selected 25 clean energy initiatives to undertake in the coming years. In the following pages, you will find synopses of each of these energy initiatives along with their assigned priority level, project lead, timeline, and available funding sources.

## **CORE STRATEGIES:**

- Strategy 1. Reduce Energy Consumption and Emissions from the Transportation Sector
- Strategy 2. Accelerate Deployment of Renewable Energy and Distributed Energy Resources
- Strategy 3. Maximize Energy Efficiency and Conservation and Reduce Peak Demand
- Strategy 4. Reduce Energy Consumption and Emissions from the Building Sector
- Strategy 6. Support Community Energy Planning and Action with an Emphasis on Encouraging and Supporting Participation by LMI and Environmental Justice Communities
- Strategy 7. Advance the Clean Energy Economy

# Strategy 1:

## **REDUCE ENERGY CONSUMPTION AND EMISSIONS FROM THE TRANSPORTATION SECTOR**

Highland Park stands at a critical juncture in addressing its transportation challenges and environmental concerns, as underscored by recent vehicle-miles-traveled (VMT) data. Highland Park's population density of 7801.84 persons per square mile is higher than the state average of 1200 and is the third highest in Middlesex County, behind New Brunswick and Perth Amboy. In 2019, passenger cars contributed 56.12 million miles to the town's total VMT, while trucks and buses collectively accounted for 21.52 million miles. Notably, the data revealed a concerning trend - a substantial increase of almost 12 million miles in truck VMT compared to measurements taken in 2017. Meanwhile, personal automobile VMT remained relatively stable during this period.

Reducing energy consumption and emissions from the transportation sector is a critical imperative in today's world, and New Jersey stands at the forefront of this challenge. To comprehend the significance of this mission, one need only glance at the statistics provided by the U.S. Department of Transportation. In 2018, New Jersey witnessed an astonishing 42.3 billion vehicle miles traveled (VMT), surpassing the national average of 36.1 billion VMT. This statistic is a stark reminder that New Jersey residents were driving more than the average American, with far-reaching implications for the environment, public health, and the state's economy.

The urgency to curtail VMT becomes evident when considering its multifaceted impact. First and foremost, reducing VMT is a pivotal step in mitigating the GHG emissions and air pollutants. These emissions are major contributors to climate change and are directly linked to health issues such as asthma, lung and heart diseases, and even cancer. Secondly, trimming VMT can alleviate the ever-growing menace of traffic congestion, a predicament that not only consumes time and financial resources but also escalates stress levels and diminishes overall productivity. Moreover, this endeavor can enhance accessibility to employment opportunities and vital services for those without personal vehicles, thus fostering local economic development and social equity.

In the context of this transportation and environmental imperative, Highland Park is poised to implement a series of strategic initiatives aimed at reducing VMT and fostering sustainability.

## 1.1 ADOPT SUPPORTIVE ZONING AND REGULATIONS FOR EV INFRASTRUCTURE

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	July 2024	6 months	NJBPU Community Energy Plan Implementation Grant

Highland Park will codify supportive zoning and permitting regulations to encourage the installation of EV infrastructure. These regulations will be designed to reduce unnecessary barriers, such as added costs and outdated technological standards, while prioritizing public health, safety, and welfare.

To create a supportive zoning ordinance for EV infrastructure, the Borough will adhere to best practices outlined in guidance documents, including those provided by Sustainable Jersey. These guidelines emphasize the following key points:

- **Avoid Technological Specifics:** The ordinance will refrain from specifying particular types of technology, models, or electrical standards to ensure flexibility and adaptability to evolving EV technologies.
- **Streamlined Approval Processes:** The Borough will simplify the permitting process for EV infrastructure installations, minimizing requirements such as site plan approval and conditional use designations.
- **Reasonable Permitting Fees:** Permitting fees for EV installations will be set at minimal levels, complying with established state regulations.
- **Clear Definitions:** The ordinance will include clear and concise definitions related to EV infrastructure to minimize confusion.
- **Visual Impact Considerations:** While addressing visual impact concerns, the ordinance will avoid overly abstract language, ensuring it is practical and effective.

The adoption of a supportive ordinance for EV infrastructure is a cost-effective and efficient action that Highland Park can take following the approval of this plan. This initiative aligns with the Borough's commitment to sustainable transportation and contributes to reducing GHG emissions.

### NEXT STEPS

1. Highland Park will engage its Planner to assess the existing Master Plan to identify and rectify any sections that may inadvertently hinder the implementation of EV infrastructure. The Planner will adhere to guidelines provided by Sustainable Jersey and trusted sources to formulate an ordinance that fosters a conducive environment for EV infrastructure development.
2. The proposed EV permitting ordinance will undergo a comprehensive evaluation process. This includes a thorough examination by the Highland Park Planning Board to ensure strict alignment with the Master Plan's objectives. Following this scrutiny, the ordinance will be presented to the Mayor and Council for the final phase of adoption. This collaborative approach will serve to promote the expansion of EV infrastructure while upholding the Borough's commitment to sustainability.



**1.2 TRAIN FIRST RESPONDERS ON EVS AND EVSE**

**1.3 TRAIN NON-EMERGENCY STAFF ON EVS AND EVSE**

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Fire Department/ Code Enforcement	July 2024	1 year	NJDCA Assistance to Firefighter Grant

Highland Park’s personnel, including emergency responders such as firefighters, police officers, and paramedics, may lack familiarity with electric vehicles (EVs) and electric vehicle supply equipment (EVSE), which is the charging infrastructure.. Various institutions offer training programs tailored to municipal staff in different roles, providing essential knowledge and skills to address EV technology and ensure its safe operation within the community. Sustainable Jersey has identified two providers for training courses for municipalities to consider:

- National Fire Protection Association - Alternative Fuel Vehicles Safety Training Program
- New Jersey Division of Fire Safety & Kean University Fire Safety Training

**NEXT STEPS:**

1. Borough Administration will work with department heads and volunteer emergency responder leadership to identify the most suitable training program based on their specific needs and capabilities.
2. Department heads will ensure that their staff undergo relevant training courses every one to three years.



### 1.4 PURCHASE ALTERNATIVE FUEL VEHICLES

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	June 2020	Ongoing	NJBPU Clean Fleets Electric Vehicle Incentive Program, NJEDA Zero-Emission Incentive Program

The Borough has made consistent efforts to improve the fuel efficiency of its municipal vehicles. In 2020 we procured two plug-in electric vehicles, a Kia Niro and a Nissan Leaf, for the Department of Code Enforcement. These electric vehicles replaced less efficient vehicles that were handed down to Code Enforcement from the Police Department. Additionally, the Borough has six pursuit-grade Ford Hybrid Utility Interceptors for the Police Department along with a hybrid vehicle for the Police Chief.

With the installation of two EV chargers funded by an NJDEP grant, we estimate that we can support up to four full-electric vehicles before requiring an additional charger. Currently, over 10% of the fleet consists of hybrid or electric vehicles, and the Borough plans to continue replacing aging vehicles with plug-in hybrid or electric alternatives as suitable options become available.

One challenge to this ongoing effort has been the availability of EVs (or lack thereof) as well as finding EVs that meet the needs of police department, specifically patrol vehicles. In addition, the added cost of heavy duty EVs, such as garbage trucks and dump trucks, makes the choice to electrify more difficult. The Borough has applied for grant funding, but to date has not been successful in securing significant funds to offset those costs.



#### NEXT STEPS:

1. Borough Administration to explore opportunities to collaborate with other municipalities to secure EV vehicles.
2. As vehicles need to be replaced, the Borough Administration will ask department heads to identify EV alternatives.

### 1.5 IMPROVE MUNICIPAL FLEET EFFICIENCY

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	June 2020	Ongoing	NJBPU Clean Fleets Electric Vehicle Incentive Program, NJEDA Zero-Emission Incentive Program

The Borough will continue to maintain its fleet inventory, which includes the age of vehicle, annual mileage, and fuel consumption. We will use this inventory to coordinate the strategic replacement (or retirement) of vehicles, scheduling of preventative maintenance, and improvement of driver efficiency to reduce the GHG footprint of all municipal fleets – public works, police, fire, etc.

#### NEXT STEPS:

1. Borough Administration to utilize the Electrification Coalition’s DRVE Tool to evaluate which vehicles may be the best fit for EV deployment.
2. Borough Administration to develop a vehicle replacement/retirement schedule that prioritizes EV deployment as much as practicable.



### 1.6 INSTALL PUBLIC EV CHARGING INFRASTRUCTURE

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	September 2020	Ongoing	NJDEP It Pays to Plug In Program, NJDEP Fast Charger, PSEG Make Ready Program

In 2021, the Borough of Highland Park installed two single-port, Level 2 ChargePoint charging stations in its Community Center lot. These charging stations are publicly accessible and can be easily located through the ChargePoint app and Google search. Each charging station hosts more than 50 charging sessions a month, serving a diverse range of nearly 30 individuals rather than a limited group of users. The Borough owns the charging stations, which were purchased with grant funding from NJDEP’s “It Pays to Plug In” program. The Code Enforcement Department utilize the charging stations to charge the Borough’s two plug-in electric vehicles at no cost. For public use, the chargers are available at a rate of \$1 per hour for the first five hours and \$5 per hour thereafter, with the pricing structure based on the average charging time of approximately 4 hours. To ensure accessibility and awareness, designated EV-only spots are clearly marked near the charging stations, and the Borough actively promoted the activation of the chargers through its Facebook page.

According to charging station statistics, there was a significant increase in the utilization rate of the existing EV charging station in Highland Park, from 26% over the past year to 29% in the month of August 2023. This underscores the growing demand for EV charging infrastructure within the community. This spike in usage is a clear indicator of a rapidly expanding base of EV owners and their increasing reliance on the available charging facilities. The surge in August suggests seasonal patterns or potentially heightened tourism, both of which accentuate the need for additional EV infrastructure to accommodate the rising interest in electric vehicles.



## NEXT STEPS

1. **Stakeholder Engagement:** Begin by engaging with the Green Team and key governing body members to assess their interest and support for the EV charging station project. This initial step is crucial to determine if there is enthusiasm to move forward.
2. **Funding Strategy:** Explore various funding options to cover the costs of purchasing and installing charging equipment. Consider partnerships, sponsorships, or third-party ownership structures to make the project financially viable.
3. **Partner Collaboration:** If considering collaboration with private or not-for-profit entities, involve Green Team members or volunteers who have existing relationships with potential partners. Collaborate with these partners to advance the project.
4. **Location Selection:** Based on the feasibility study results and community input, select suitable charging station locations. Factors such as accessibility, visibility, and proximity to high-traffic areas should be considered to ensure convenience for users.
5. **Applying for Funding:** If needed, consider creative funding solutions like sponsorships, advertising revenue from the charging station, partnerships, or phasing the project over multiple grants.
6. **Design and Implementation:** Develop a detailed plan for the design and installation of charging stations. Ensure that technical specifications are met and that any required infrastructure upgrades are planned and executed effectively.
7. **Municipal Support:** Seek formal support from municipal officials and staff for the construction of EV charging stations. This support can include publicizing the project, expediting permitting processes, and providing necessary resources.

By embarking on this initiative, Highland Park can encourage sustainable transportation choices, reduce VMT, and align with its commitment to combat climate change and improve air quality for its residents. These strategies, rooted in data-driven decision-making, will not only address the transportation challenges but also pave the way for a more environmentally conscious and sustainable future.



## Strategy 2:

### **ACCELERATE DEPLOYMENT OF RENEWABLE ENERGY AND DISTRIBUTED ENERGY RESOURCES**

The objective of Strategy 2 within Highland Park's Community Energy Plan is to promote the widespread adoption of solar-generated electricity and other microgeneration methods among both the Borough itself and its residents and businesses. This includes the establishment of ordinances aimed at eliminating barriers hindering private solar projects. Additionally, the Borough aims to enhance sustainability by installing solar energy systems on its own properties while ensuring that clean energy sources are easily accessible, particularly for residents with low to moderate incomes.

Private solar installations, such as rooftop panels on homes or warehouses, generate electricity primarily for on-site use, with any surplus energy fed back into the grid, thereby earning credits on the property owner's utility bill. Utility providers, such as PSE&G, also play a role in bolstering solar energy production, which contributes to the overall grid's electricity generation.

## 2.1 ADOPT SUPPORTIVE ZONING AND PERMITTING FOR PRIVATE SOLAR

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	October 2024	6 months	NJBPU Community Energy Plan Implementation Grant

Highland Park is dedicated to advancing sustainable energy practices by promoting the adoption of private solar installations within the community. To achieve this, the Borough is committed to establishing a supportive zoning ordinance that facilitates private solar use, minimizes regulatory obstacles, and embraces technological advancements. This proactive approach aligns with Sustainable Jersey’s guidelines for creating solar-friendly zoning ordinances. We would strive to adopt the supportive zoning model ordinance provided by Sustainable Jersey as a guiding document. Here are the key points guiding our strategy based on the guidelines provided:

- **Technology Neutrality:** Avoid specifying types of technology, models, standards, or electrical sizes to remain adaptable to evolving solar technologies.
- **Reduced Burden:** Eliminate excessive burdens, such as mandatory site plan approval, streamlining the approval process.
- **Minimal Permitting Fees:** Keep permitting fees minimal, in line with established limits, to encourage widespread solar adoption.
- **Clear Definitions:** Incorporate clear and user-friendly definitions to minimize confusion and support solar proliferation.
- **Distinct Standards:** Establish separate standards for ground-mounted/freestanding and roof-mounted solar installations.

- **Visual Impact Considerations:** Avoid vague language and provide clear regulations regarding the visual impact of solar installations.

### NEXT STEPS

1. **Master Plan Review:** Authorize a review of the Master Plan to identify language that may discourage solar installations.
2. **Solar Permitting Ordinance Drafting:** Draft a solar-supportive ordinance following Sustainable Jersey’s guidelines.
3. **Planning Board Assessment:** Seek assessment by the Planning Board to ensure alignment with the Master Plan’s goals.
4. **Mayoral and Council Approval:** Present the ordinance for approval by the Mayor and Council, marking a crucial step toward facilitating private solar access in Highland Park.

Highland Park’s commitment to sustainable energy practices and private solar adoption is underscored by the proactive approach to establish a supportive zoning ordinance. By embracing technology neutrality, reducing burdens, and ensuring minimal permitting fees, we aim to create a welcoming environment for solar proliferation. These actions, aligned with Sustainable Jersey’s guidelines, will help Highland Park realize its vision for a cleaner and more sustainable energy future.

## 2.2 CREATE & PUBLICIZE SOLAR PERMITTING CHECKLIST ONLINE

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Dept. of Code Enforcement	October 2024	3 months	-

Permitting checklists are a valuable tool for both developers and municipal authorities responsible for reviewing development applications. These checklists serve as a roadmap, ensuring that all major requirements outlined in municipal ordinances and policy documents are met. Specifically, in the context of solar installations, such checklists play a pivotal role in simplifying the process for residents and other applicants who may not be familiar with the intricacies of development procedures.

- Guidance for Application Checklists: When developing application checklists, Highland Park is guided by the Interstate Renewable Energy Council’s best practices:
- List Required Forms: Clearly enumerate the necessary forms, such as building permit applications, and provide information on where applicants can access them.
- Describe Diagrams and Plans: Detail the required diagrams or plans, specifying the number of copies required for submission.
- Documentation and Approvals: List any additional documents, signatures, or approvals that applicants must provide.
- Fee Structure: Explain the fee structure, outlining payment options for applicants’ convenience.
- Application Submission: Offer clear instructions for submitting applications, whether online or in person.
- Office Hours and Contacts: Provide information about office hours and contact details for appropriate staff members.
- Citations to Relevant Codes: Enhance transparency by including citations to relevant codes or sources for applicants to reference.

- Guidance for Review-Side Checklists
- For review-side checklists, Highland Park takes into account the following considerations:
- Information Requirements: Specify the information required in advance of inspections.
- On-Site Inspection: Clearly outline what inspectors will assess on-site and the expectations regarding compliance with requirements.
- Structured Sections: Consider dividing the checklist into appropriate sections, such as utility service/ AC power source, inverter, arrays/modules, and grounding/bonding.
- Expectations During Inspection: Explain who needs to be present during inspections and what applicants can anticipate during the process.
- Office Hours and Contacts: Offer information on office hours and provide contacts for relevant staff members.
- Citations to Relevant Codes: Maintain transparency by including citations to relevant codes or sources for applicant reference.

### NEXT STEPS

1. Checklist Development: Highland Park will empower its Planner to collaborate with construction and zoning officials in crafting a comprehensive checklist aligned with the solar ordinance and other pertinent Borough codes. These checklists will adhere to guidelines set forth by Sustainable Jersey and other reputable sources.
2. Public Accessibility: Once finalized, the checklist will be adopted through appropriate means and made readily accessible to the public. It will be prominently displayed in a public location and made available on the Borough’s website, ensuring transparency and ease of access for all stakeholders.



**2.4 TRAIN FIRST RESPONDERS ON SOLAR**

**2.5 TRAIN NON-EMERGENCY STAFF ON SOLAR**

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Fire Department/ Dept. of Code Enforcement	July 2024	1 year	NJDCA Assistance to Firefighter Grant

Highland Park recognizes the importance of ensuring the safety of its residents and workers, especially in emergency response situations and during the inspection and permitting of solar installations. It has come to our attention that some of our personnel may not possess the necessary knowledge about solar energy systems. To address this concern, the Borough is committed to implementing a comprehensive training program to familiarize our staff with this technology.

To overcome potential obstacles and barriers, department heads will play a crucial role in identifying the most suitable training program based on their specific needs and requirements.



**NEXT STEPS**

1. Collaboration with the Green Team or Borough Administrator: The Green Team or Borough Administrator will collaborate closely with department heads to assess the unique needs and capabilities of each department. This collaborative effort will help identify the most appropriate training program tailored to the specific requirements of each department.
2. Training Course Requirement: Department heads will be responsible for ensuring that their staff members complete relevant training courses. These courses will be required to be taken once every one to three years to maintain up-to-date knowledge.

Highland Park is committed to enhancing the knowledge and expertise of its personnel, ultimately leading to a safer and more efficient approach to dealing with solar energy systems. By investing in training and education, we are dedicated to ensuring the well-being of our community and the responsible management of solar installations within our jurisdiction.

## 2.6 INSTALLATION OF ON-SITE MUNICIPAL SOLAR GENERATION

Priority	Lead	Start Date	Anticipated Length	Funding Sources
High	Administration	October 2006	1 year	NJBPU CEP Implementation Grant

Highland Park leveraged financial incentives from the New Jersey Board of Public Utilities to install solar panels on the roof of Borough Hall in 2006. These panels generated 3.97% of the building’s energy needs prior to major energy upgrades in May 2019 and closer to 6% of the building’s energy needs following the upgrades, based on 2022 and 2023 solar readings.

Highland Park’s public safety building, constructed in 2014, features a carport that doubles as solar panels, producing 32,000 kWh of electricity in 2022. This surplus electricity is filtered into the grid and sold for Renewable Energy Credits (REC) on the SREC trade market.

The Borough is exploring opportunities for solar on other Borough buildings, including the Community Center and the Department of Public Works.

### NEXT STEPS:

1. Borough Administration to work with consultant to evaluate performance of existing solar infrastructure on Borough Hall and the array in the public safety parking lot.
2. Borough Administrator to evaluate solar potential at Community Center and Department of Public Works.
3. Based on findings, Borough Administration to solicit proposals from solar providers for upgrades and new installations on Borough buildings.



## 2.7 BUY RENEWABLE ENERGY FOR MUNICIPAL FACILITIES

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Administration	July 2025	1 year	NJBPU CEP Implementation Grant

Municipalities, like private property owners, can buy renewable electricity for municipal facilities directly from a green energy supplier or participate in a buying pool that supplies electricity with high renewable content. To do so, the Borough would likely need the assistance of an energy consultant to proceed with the procurement and/or to join an energy buying pool with other public entities.

### NEXT STEPS:

1. Borough Administration to evaluate how purchasing renewable energy for the Borough's operations fits into the other energy efforts already underway, such as Renewable Government Energy Aggregation and Community Solar.
2. Administration will need to evaluate whether or not switching to a third-party provider may disqualify the Borough from incentive programs offered by PSE&G.
3. If Borough determines that purchasing renewable energy fits its objectives, the Borough Administration will work with an energy consultant to identify third-party energy suppliers or aggregate energy buying pools that provide the best and most stable program for the Borough.

## 2.10 RENEWABLE GOVERNMENT ENERGY AGGREGATION (RGEA)

Priority	Lead	Start Date	Anticipated Length	Funding Sources
High	Administration	June 2020	Ongoing/Underway	N/A

In 2020, Highland Park Borough Council adopted an ordinance establishing a Renewable Government Energy Aggregation (RGEA) program. The goals of an RGEA program are to achieve cost savings while increasing the percentage of renewable energy in every resident's electric bill. The Borough released an RFQ that same year for a third-party supplier for all residential utility accounts. Highland Park was unsuccessful in obtaining favorable pricing at that time, and subsequently, in 2021, 2022 and 2023, energy market prices skyrocketed.

Highland Park's energy consultant has continued to monitor market conditions on our behalf. As of February 2024, energy market conditions have improved and steps are being taken to begin a new competitive bidding process for a third party energy supplier for Highland Park's residential energy accounts

## 2.11 COMMUNITY SOLAR

Priority	Lead	Start Date	Anticipated Length	Funding Sources
High	Administration	February 2021	Ongoing/Underway	-

Community Solar enables utility customers to participate in a solar energy project that is not located on their property. The Borough submitted an application to the New Jersey Board of Public Utilities (NJBPU) in 2021 as part of the second round of its Community Solar Pilot Program. Through a competitive RFP process, the Borough selected a solar developer to be its co-applicant.

While Highland Park was not selected to participate in the pilot program, we are now in the process of soliciting proposals from qualified solar developers in order to prepare an application to the NJBPU's newest community solar program.

## 2.12 SUPPORT COMMUNITY SOLAR AS OUTREACH COORDINATOR

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Sustainable Highland Park	October 2024	Ongoing	Sustainable Jersey Grant Program

The Borough, in partnership with Sustainable Highland Park, will use its municipal resources and networks (mailing lists, websites, etc.) to educate the community about community solar in general and the details of local projects (e.g., subscription rates and requirements).

As the Borough is in the process of applying to the NJBPU to establish its own Community Solar, work on this outreach program may take a "back burner" until the outcome of that effort is known. From there, we can build a campaign around all of the Community Solar opportunities available to Highland Park residents.

### NEXT STEPS:

1. Borough Administration to meet with Sustainable Highland Park to build out a communications plan to promote Community Solar.

## Strategy 3:

### **MAXIMIZE ENERGY EFFICIENCY AND CONSERVATION AND REDUCE PEAK DEMAND**

The objective of Strategy 3 is to proactively engage in activities that fall within the purview of the Borough, with the aim of mitigating energy consumption by both the municipal government as well as its residents and local businesses. In a landscape where technological advancements continually enhance the energy efficiency of appliances, equipment, and construction materials, the Borough has the opportunity to take direct measures to enhance the energy efficiency of its own facilities. Additionally, the Borough can undertake initiatives aimed at raising awareness among the public regarding available services and resources, both from the state and PSE&G, which can help defray the expenses associated with improving building energy efficiency.

### 3.1 ENERGY EFFICIENCY FOR MUNICIPAL FACILITIES

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Administration/DPW	May 2019	Ongoing	NJBPU Local Government Energy Audit Program

In May 2019, the Borough enrolled in the PSE&G Direct Install Program to implement energy upgrades in seven of the Borough’s eight buildings. Projections from PSE&G indicated that the Borough could anticipate annual savings of 153,933 kWh and 5,370 therms, resulting in cost savings of \$28,298 per year (equivalent to \$2,358.16 per month). Utilizing data from the PSE&G Direct Install reports and the Sustainable Jersey EUI calculator, a substantial reduction in energy usage of approximately 33.55% across all seven buildings was anticipated. These energy upgrades not only contributed to cost savings but also align with Highland Park’s commitment to sustainable practices and energy efficiency. The upgrade work was completed in 2019.

The Borough of Highland Park initiated the use of the Energy Star Portfolio Manager in April 2016 to monitor and track energy consumption across eight buildings. These buildings include the Community Center, Environmental Education Center, Fire Station, Police Station, Highland Park Public Library, Public Works building, Teen Center, and Borough Hall. Electricity and natural gas usage data are collected on a monthly basis and Borough Administration enters the data from PSE&G bills into Energy Star.

Additionally, solar meter readings from the panels on top of Borough Hall and the Public Safety Carport are collected by the DPW and provided to Borough Administration for inclusion in Energy Star. This systematic approach ensures accurate monitoring of energy usage and supports the Borough’s commitment to sustainability and energy management.

As technologies change, the Borough will periodically revisit the available incentive programs from NJBPU and PSE&G to see if it qualifies for additional upgrades.

#### NEXT STEPS:

1. Borough Administration to reach out to NJBPU and PSE&G to determine eligibility for additional energy efficiency upgrade programs.



### 3.3 COMMERCIAL ENERGY EFFICIENCY OUTREACH CAMPAIGN

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Sustainable Highland Park	June 2025	1 year	Sustainable Jersey and PSEG Partners in Energy Efficiency Program

Highland Park will leverage its outreach tools to encourage local businesses to participate in PSE&G's "Direct Install" program. Similar to the residential program, "Direct Install" is designed to assist businesses in evaluating opportunities to reduce energy consumption by as much as 30%. This program also offers financial incentives, reducing the businesses' share of the costs for energy-efficient improvements and providing interest-free, 5-year loans. Notably, it boasts the potential to reduce purchasers' costs by up to 80%.

#### NEXT STEPS

1. Collaborate closely with PSE&G to optimize the advantages offered by the Direct Install program for local businesses.
2. Include comprehensive program information in tax and utility bill communications to enhance public awareness.
3. Partner with influential community organizations, including religious institutions and parent-teacher associations, to incorporate program details within their outreach materials and gatherings.
4. Disseminate program information via the municipal website to provide easy access to interested individuals.
5. Utilize Borough Council meetings to reiterate the availability and benefits of these programs to the public.





## Strategy 4:

### **REDUCE ENERGY CONSUMPTION AND EMISSIONS FROM THE BUILDING SECTOR**

Highland Park envisions its new construction projects, particularly redevelopment projects, as a prime opportunity to advance in environmentally responsible, high-quality building practices that align with green building standards. Such green structures offer a multitude of benefits to our community, developers, operators, and building occupants alike. They not only reduce the strain on our local resources and alleviate the burden on our infrastructure but also promise lower long-term operating and maintenance costs. Furthermore, these green buildings create healthier and more conducive living and working environments, enhancing the overall quality of life for our residents.



### 4.3 MANDATE GREEN DEVELOPMENT CHECKLIST COMPLETION FOR DEVELOPERS

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration/ Planning Board	October 2024	3–6 months	NJBPU Community Energy Plan Implementation Grant

The implementation of a Green Development Checklist is an important step toward promoting sustainable development. While it does not have the same regulatory impact as an ordinance, it serves as a tool to motivate developers to consider and disclose the environmental impact of their projects. Highland Park can use the sample green building checklist published by Sustainable Jersey as a basis for drafting its own checklist. Some key items in the checklist may include:

- Identifying whether the project is a redevelopment, infill or greenfield development.
- Assessing the proximity of the project to public transit and complete streets.
- Evaluating the preservation or adaptive reuse of existing or historical buildings.
- Examining the impact of the project on stormwater management.
- Ensuring the provision of green amenities like open space, conservation or restoration of environmental features, and support for local agriculture.
- Incorporating low-impact design features such as bioswales, green walls, pervious pavement, and more.

- Promoting the use of recycled building materials.
- Encouraging energy-efficient equipment and appliances, on-site energy generation, water efficiency or reuse, and natural ventilation and lighting.

#### NEXT STEPS

1. Authorize the Borough’s Planner to work with the Construction Department and Borough Engineer to review the sample checklist and resolution provided by Sustainable Jersey. They should also explore other example checklists and resolutions to draft a checklist that aligns with Highland Park’s specific needs.
2. Adopt an ordinance that makes it mandatory for developers to complete the checklist for all major new development applications. The Borough should consider reasonable exceptions for homeowners making minor repairs, renovations, or expansions to their homes.

#### 4.4 ENGAGE IN OUTREACH TARGETING NEW CONSTRUCTION PROJECTS WITHIN OUR COMMUNITY

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration/Planning & Zoning Boards	June 2025	Ongoing	-

Having created a Green Development Checklist for Highland Park, the Borough will use it to encourage new development to adopt sustainability best practices. In addition, the Borough will encourage participation in the state's Clean Energy Program's energy efficiency programs for new construction.

#### NEXT STEPS:

1. Create Green Development Checklist (see initiative 4.3).
2. Borough Administration to reach out to New Jersey Clean Energy Program (NJCEP) to get a complete understanding about the energy efficiency incentives available.
3. Share Green Development Checklist and NJCEP information with planning and zoning board secretary as well as board professionals for use with future applicants.
4. Borough Administration to share checklist and incentive materials when meeting with prospective redevelopers.



## Strategy 6:

### **SUPPORT COMMUNITY ENERGY PLANNING AND ACTION WITH AN EMPHASIS ON ENCOURAGING AND SUPPORTING PARTICIPATION BY LMI AND ENVIRONMENTAL JUSTICE COMMUNITIES**

Highland Park is committed to fostering inclusivity within its energy initiatives, with a specific focus on engaging and supporting vulnerable segments of the community. This approach encompasses a range of initiatives, each designed to ensure that energy solutions are accessible to all residents, regardless of their economic circumstances or communication challenges.

In pursuit of this objective, the Borough is committed to implementing several key strategies. First, Highland Park will be mindful to include low- and moderate-income residents in its energy planning processes. This inclusive representation extends to both the core planning team and individuals who contribute via public comments. The Borough employs various methods to accomplish this, such as scheduling meetings at times convenient for a diverse range of residents, and collaborating with community organizations that can amplify the voices of underrepresented groups. Additionally, the dissemination of information about planning meetings occurs through suitable media channels.

Under Promotion of Energy Efficiency for LMI Residents, Highland Park takes an active role in endorsing state and utility energy efficiency programs tailored specifically for low- and moderate-income (LMI) residents. To enhance accessibility, the Borough collaborates with community-serving institutions to act as

messengers, creates promotional materials in languages other than English when necessary, and emphasizes the multifaceted benefits of energy efficiency upgrades, including improvements in health, safety, and comfort.

Facilitating LMI Community Solar Subscriptions is another facet of this comprehensive approach. As a partner in community solar projects, Highland Park is dedicated to preserving a portion of the project's capacity for low- and moderate-income (LMI) residents. Furthermore, the Borough explores the possibility of offering discounts to LMI subscribers, thereby enhancing their participation in these initiatives.

Finally, through Engagement of Community-Serving Institutions in Energy Efficiency Outreach, Highland Park proactively engages with organizations that serve low- and moderate-income communities, encouraging their active involvement in state and utility energy efficiency programs. Outreach strategies underscore the substantial advantages of reduced capital, maintenance, and energy costs, with tailored messaging that addresses the specific needs of various types of community-serving organizations. This holistic approach underscores Highland Park's dedication to social equity, environmental sustainability, and resilience within the community, ensuring that the benefits of energy initiatives are both accessible and inclusive.

## 6.1 FOSTERING INCLUSIVE COMMUNITY ENERGY PLANNING

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	March 2024	Ongoing	-

The ultimate objective of this endeavor is to ensure that all Highland Park residents can actively participate in the planning processes, especially those related to sustainability and energy initiatives. To realize this goal, Highland Park will undertake several strategic actions aimed at making the planning process transparent and accessible to a broad spectrum of our community, which may include:

- **Timely Publication of Meeting Agendas and Documents:** Meeting agendas and documents pertinent to the Community Energy Plan or energy projects will be made available on the Highland Park website at least 48 hours before the scheduled hearing date.
- **Prompt Publication of Meeting Minutes:** Meeting minutes will be swiftly published on the Borough website within two weeks of their approval.
- **Conducting Digital Surveys and In-Person Workshops:** Highland Park will facilitate digital surveys and in-person workshops for substantial planning projects or policy considerations. These measures will allow for a more comprehensive and inclusive exchange of ideas and opinions from our residents.

These initiatives, aimed at enhancing public engagement, will be spearheaded by the Board Chairpersons and Secretaries, in collaboration with the Borough Administrator or their designated representatives.



## 6.2 CONDUCT ENERGY EFFICIENCY OUTREACH TO LOW AND MODERATE-INCOME RESIDENTS

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Administration	March 2024	Ongoing	-

Highland Park's Community Energy Plan is committed to making energy efficiency and clean energy accessible to a wide range of residents, including those facing financial challenges, language barriers, and other obstacles. This initiative aims to ensure that these groups are well-informed and can benefit from energy-saving programs, including:

- Incentive and Cost-Assistance Programs Highland Park is dedicated to promoting various incentive and cost-assistance programs that empower residents to save on energy costs and make their homes more energy-efficient:
- PSE&G's "Marketplace": This platform offers substantial discounts on energy and water-saving items, benefiting renters and homeowners with limited budgets. These items include low-flow showerheads, energy-saving power strips, thermostats, and LED light bulbs. In some cases, these items are available for free. By guiding renters to access the Marketplace, we can help them achieve energy and cost savings. Additionally, Marketplace shoppers are likely to explore PSE&G's energy efficiency incentive programs for more substantial purchases such as HVAC, boilers, and furnaces.
- Home Weatherization Program for Income-Qualified Customers: Highland Park will inform income-qualified customers about this program, which provides free energy efficiency assessments and covers the installation cost of up to \$6,000 in energy efficiency upgrades and \$1,500 in health and safety improvements. Eligibility for this program falls within the income range of 250% to 400% of the federal poverty level.
- Comfort Partners: A collaborative program between PSE&G and NJCEP, Comfort Partners provides energy efficiency and weatherization assistance to households at or below 250% of the federal poverty level.
- To reach elderly and non-English-speaking residents effectively, we acknowledge the challenges they may face with online marketplaces and language barriers. Highland Park will collaborate with PSE&G and local non-profits serving seniors and non-English-speaking populations to distribute energy efficiency and water efficiency kits directly to their constituents.

## NEXT STEPS

1. Community Outreach Through the “Green Fair”: To educate the public about available programs, opportunities, and energy-saving practices, Highland Park will host a “Green Fair.” This event may be organized as a one-time occurrence or as an annual or semi-annual event, with the goal of reaching a wider audience and sharing valuable information.
2. Promoting State and Utility Energy Efficiency Programs: Highland Park is committed to promoting state and utility energy efficiency programs for low- and moderate-income (LMI) residents using community-serving institutions as trusted messengers. We will develop non-English promotional materials where needed and emphasize the multiple benefits of energy efficiency upgrades, such as improvements in health, safety, and comfort.

Additionally, we will seek sponsorship from various entities, including PSE&G, NJ BPU, Sustainable Jersey, energy efficiency contractors, hybrid and EV car dealerships, solar installers, and home electronics vendors to support the Green Fair. This event will serve as a platform for these organizations to reach potential customers in Highland Park while allowing the Borough to showcase its energy accomplishments, goals, and objectives.



### 6.3 SUPPORT SHARED MOBILITY PROGRAMS

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Administration	March 2024	Ongoing	N/A

Highland Park’s Department of Community Services currently offers transportation support for grocery shopping, doctors appointments and other critical needs. This offering was recently enhanced to provide additional trips to area grocery stores following the closure of our in-town supermarket. The service is free and open to all residents in need.

In addition, the Borough is under contract with Veo, which offers shared e-scooters in town to provide easy access to Rutgers and New Brunswick. They offer a special program, Veo Access, with discounted fares for New Brunswick and Highland Park residents that qualify for state and federal assistance programs. The Borough will work with Veo to promote the Veo Access program to eligible residents.

Lastly, Middlesex County recently piloted a ride share service within the City of New Brunswick. The Borough will continue to advocate for inclusion in that program.

### 6.4 SUPPORT LOW AND MODERATE INCOME COMMUNITY SOLAR SUBSCRIPTIONS

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Sustainable Highland Park	October 2024	Ongoing	N/A

Highland Park is in the process of establishing its own Community Solar Program. We are soliciting proposals from qualified solar developers in order to submit an application to the New Jersey Board of Public Utilities (NJBPU) in June 2024. If selected, the Borough’s program will be 100% dedicated to supporting low- and moderate-income households.

Should we not be selected by the NJBPU, the Borough will build a campaign to publicize the “Community Solar Project Finder” tool to help encourage residents, particularly those with low- and moderate-income, to participate. This outreach campaign will encompass tabling at the weekly farmer’s market, sharing on social media channels, posting resources on the Borough’s website, and including information in our quarterly print newsletter.

By taking these steps, Highland Park aims to lead by example and demonstrate our dedication to environmental sustainability and social equity. We believe that providing LMI households with opportunities for affordable access to clean energy is a crucial step towards building a more sustainable and inclusive community.

## 6.5 CONDUCT ENERGY EFFICIENCY OUTREACH TO COMMUNITY-SERVING INSTITUTIONS

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Low	Sustainable Highland Park	July 2025	1 year	Sustainable Jersey and PSEG Partners in Energy Efficiency

Highland Park recognizes the potential for enhancing the energy efficiency of community-serving organizations, which can result in improved services for their constituents. The Borough is dedicated to assisting local non-profit entities, commercial services, including places of worship, health clinics, and other institutions that serve low- and moderate-income (LMI) households and other vulnerable populations. We are committed to facilitating their access to grants, loans, and other energy efficiency incentives while educating them on the adoption of solar energy at minimal to no cost. Options include:

- Energy Efficiency Assistance: Highland Park will actively engage with these community-serving organizations to help them identify and utilize opportunities for energy efficiency improvements. This support may include guidance on available grants, loans, and incentives to reduce their energy costs.
- Solar Energy Adoption: In addition to energy efficiency, we will educate these institutions on the benefits of solar energy adoption. We aim to demonstrate how they can harness solar power, often with minimal financial impact, to further decrease energy expenses.
- Community Outreach: Collaborating with these organizations, we intend to use them as valuable messengers to communicate with their constituents. They will play a pivotal role in conveying information about energy efficiency programs and the advantages of lowering energy costs.

### NEXT STEPS

Outreach to these community-serving organizations will be spearheaded by our dedicated Green Team, demonstrating our commitment to ensuring that they are valued partners in Highland Park's community energy planning process. Our appointed liaisons will engage with the leadership of these institutions to establish effective communication strategies. We believe that by working together, we can create a more energy-efficient and economically sustainable community, benefiting all our residents, particularly those in need.





## Strategy 7:

### **ADVANCE THE CLEAN ENERGY INNOVATION ECONOMY**

The Borough has been and will continue to pursue a microgrid program that would combine renewable on-site generation with energy storage, providing energy cost reductions and enabling neighborhoods, campuses, or communities to maintain power during grid failures. These systems are essential for municipalities hosting hospitals, universities, or corporate campuses requiring continuous operation during blackouts.

### 7.3 DEVELOPMENT OF A LOCAL MICROGRID (IN PROGRESS)

Priority	Lead	Start Date	Anticipated Length	Funding Sources
Medium	Administration	2017	Ongoing	NJBPU Phase II TCDER Microgrid Incentive Program

The development of a Town Center Distributed Energy Resource (TCDER) microgrid in Highland Park is currently underway, driven by its feasibility and potential community benefits. The project is funded by a generous grant from the NJBPU. Leveraging existing assets, including the Highland Park Solar Storage System, the microgrid aims to minimize costs and utilize renewable energy sources. With a focus on enhancing community resilience, the microgrid incorporates critical infrastructure to ensure uninterrupted operation during grid outages.

Highland Park’s compact size and strong commitment to advanced energy solutions provide a solid foundation for the project’s success. By pioneering innovative concepts and addressing regulatory challenges, the microgrid serves as a scalable model for future energy projects in New Jersey. Overall, the TCDER microgrid in Highland Park signifies a significant step towards energy resilience and sustainability, benefiting the community and inspiring similar initiatives statewide.



# Conclusion

The Community Energy Plan sets forth a comprehensive strategy outlining 25 key initiatives that Highland Park will undertake over a three-to-five-year period. These endeavors are aimed at advancing the objectives outlined in the State's Energy Master Plan, while concurrently achieving the reduction of energy costs, broadening access to clean energy for low- and moderate-income households, and fostering the local green job market. Moreover, the plan identifies additional opportunities for the Borough to explore, thereby further mitigating local energy consumption and GHG emissions. These actions are designed to enhance the overall quality of life and bolster economic prosperity within the community.

Notably, several of these actions come with minimal or no financial burden to the Borough. This includes activities such as conducting public outreach about incentive programs, collaborating with clean energy developers to provide discounts to Borough employees and property owners, as well as the adoption of ordinances, checklists, and permitting procedures to enhance prospects for clean energy and transit-oriented development.

Conversely, certain actions necessitate substantial investments by the Borough, such as the installation of renewable energy generation and storage systems and the replacement of inefficient fleet vehicles with electric or hybrid alternatives. Nevertheless, the Borough can employ a variety of financial strategies to minimize costs and avoid passing the financial burden onto taxpayers. These strategies encompass leasing clean energy systems when feasible instead of outright purchase, capitalizing on incentives from entities like PSE&G, the State, and Federal governments, engaging in cooperative purchasing agreements with other governing bodies, leveraging specialized financing programs, and judiciously offsetting borrowing expenses with resultant energy savings.

It's worth noting that the current political climate, at both the State and Federal levels, is particularly favorable for investments in clean energy, energy savings, and environmentally friendly infrastructure. These have been identified as priorities, which is reflected in the availability of numerous grants, rebates, and supportive programs outlined in this Plan. Nevertheless, some of these incentives may diminish, expire, or go unrenewed beyond 2024. Therefore, it is highly recommended that the Borough expeditiously seize the financing opportunities delineated in this Plan.

## NEXT STEPS

Subsequent to the adoption of the Community Energy Plan, the Borough will establish a dedicated working group comprised of the Borough Administrator, elected officials, and knowledgeable volunteers from the Environmental Commission, Sustainable Highland Park, and the Board of Health. This working group will serve as the driving force behind setting the Borough's agenda and priorities for the seamless execution of the initiatives outlined in this Plan document, in addition to those actions mandated by Sustainable Jersey for certification.

Furthermore, the Borough will promptly commence the implementation of actions that have been highlighted by the Board of Public Utilities (BPU) and Sustainable Jersey. Simultaneously, it will conduct comprehensive cost-benefit assessments regarding the "other opportunities" articulated in this Plan. This holistic approach underscores the Borough's commitment to environmental sustainability, energy efficiency, and the overall well-being of its community members.





# Appendix A

## **SUSTAINABLE JERSEY COMMUNITY ENERGY PLAN WORKBOOK**

## 1.1 Adopt Supportive Zoning and Regulations for EV Infrastructure

IMPACT:

DIFFICULTY:

CHECK IF DOING:

Pass [NJDCA's Model Statewide Municipal EV Ordinance](#) specifying electric vehicle charging stations (EVSE) as a permitted accessory use, establishing the permitting process for charging stations, and requiring Make-Ready and EVSE parking in new multifamily developments and parking lots. Modify the model ordinance standards for safety, signage, etc. as needed.

### Measures of Success

- “Reasonable Standards” language modified and finalized
- Ordinance passed
- Make-Ready and EV charging parking minimums posted to municipal website

### Resources

- NJDCA’s [Model Statewide Ordinance](#)
- Sustainable Jersey’s [Make Your Town Electric Vehicle Friendly](#) action
- Great Plains Institute’s [Summary of Best Practices in EV Ordinances](#)

### Potential Stakeholders

- Downtown businesses/business association
- Real estate developers

✗ *Comments/Rationale for NOT including this Initiative:*

## 1.2 Train First Responders on EVs and EVSE

IMPACT: N/A

DIFFICULTY:

CHECK IF DOING:

To further public confidence and maintain emergency preparedness, require training on electric vehicles and associated infrastructure for local first responders.

### Measures of Success

- Training held for each relevant department
- Policy established for ongoing training

### Resources

- Sustainable Jersey’s [Make Your Town Electric Vehicle Friendly](#) action
- NFPA’s [Alternative Fuel Vehicles Safety Training Program](#)

### Potential Stakeholders

- Local fleet managers that handle EVs
- Neighboring municipalities
- Automobile dealerships

✗ *Comments/Rationale for NOT including this Initiative:*

### 1.3 Train Non-Emergency Staff on EVs and EVSE

IMPACT: ● ○ ○ ○

DIFFICULTY: ■ ■ ■

CHECK IF DOING:

Initiate electric vehicle cross-training for non-emergency staff such as code officials, automotive technicians, and electricians.

#### Measures of Success

- Training held for each relevant department
- Policy established for ongoing training

#### Resources

- Sustainable Jersey's [Make Your Town Electric Vehicle Friendly](#) action
- NAFTC's [Courses and Workshops](#)

#### Potential Stakeholders

- Neighboring municipalities
- Local unions

✗ *Comments/Rationale for NOT including this Initiative:*

### 1.4 Purchase Alternative Fuel Vehicles

IMPACT: ● ○ ○ ○

DIFFICULTY: ■ ■ ■

CHECK IF DOING:

Replace existing municipal fleet vehicles with plug-in hybrid, battery electric, or other sustainable alternative fuel vehicles, using fleet analysis to inform purchases.

#### Measures of Success

- Strategic plan prioritizing vehicles in fleet to replace with AFVs
- Fleet charging infrastructure installed for municipal vehicles
- First battery electric vehicle added to municipal fleet
- At least 6.5% of municipal vehicles are electric

#### Resources


- Sustainable Jersey's [Purchase Alternative Fuel Vehicles](#) action
- Sustainable Jersey's [Alternative Fuel Vehicle Procurement Guide](#)
- Fleets for the Future [Electric Vehicle Procurement Best Practices Guide](#)
- DVRPC's [Electric Vehicle Resource Kit for Municipalities](#)
- NJBPU's [Clean Fleet EV Incentive Program](#)

#### Potential Stakeholders

- Fleet management companies (e.g., transportation analytics firms)

✗ *Comments/Rationale for NOT including this Initiative:*

## 1.5 Improve Municipal Fleet Efficiency

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Coordinate the strategic replacement (or retirement) of vehicles, scheduling of preventative maintenance, and improvement of driver efficiency to reduce the GHG footprint of all municipal fleets – public works, police, fire, etc. Requires tracking of fleet data such as age of vehicles, duty cycle, and use patterns.

### Measures of Success

- Annual fleet inventory process established
- Annual driver training established
- 20% reduction in fleet emissions within 4-year span

### Resources


- Sustainable Jersey’s [Fleet Inventory](#) action
- Sustainable Jersey’s [Meet Target for Green Fleets](#) action
- Atlas Public Policy’s [Fleet Procurement Analysis Tool](#)

### Potential Stakeholders

- Fleet management companies (e.g., transportation analytics firms)
- Municipal services contractors (e.g., waste services companies)

✗ *Comments/Rationale for NOT including this Initiative:*

## 1.6 Install Public EV Charging Infrastructure

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Install electric vehicle charging infrastructure, including chargers, signage, and safety and accessibility features, for public use.

### Measures of Success

- First public EV charging station installed
- 2 public EV charging stations per 10,000 residents

### Resources

- Sustainable Jersey’s [Public Electric Vehicle Charging Infrastructure](#) action
- NJDEP’s [It Pay\\$ to Plug In](#) grant program
- Sustainable Jersey’s [Alternative Fuel Vehicle Procurement Guide](#)
- DVRPC’s [Electric Vehicle Resource Kit for Municipalities](#)


### Potential Stakeholders

- Electric utility
- [Transportation Management Association](#)
- Car dealerships
- Car share providers

✗ *Comments/Rationale for NOT including this Initiative:*



## 1.7 Encourage Non-Municipal Fleets to Improve Efficiency

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Contact local commercial vehicle owners to encourage them to strategically replace (or retire) vehicles and improve driver efficiency to reduce their fleet's GHG footprint. Offer resources to ease the process, such as procurement tools and incentive information.

### Measures of Success

- Template fleet procurement plan provided to commercial fleet managers
- Municipal-led recognition program for local leaders in fleet efficiency

### Resources

- Atlas Public Policy's [Fleet Procurement Analysis Tool](#)
- Sustainable Jersey's [Alternative Fuel Vehicle Procurement Guide](#)
- Sustainable Jersey's [Electric Vehicle Outreach](#) action
- Sustainable Jersey's [Fleet Inventory](#) action
- Sustainable Jersey's [Meet Target for Green Fleets](#) action


### Potential Stakeholders

- Private transit companies
- Business associations
- Fleet management companies (e.g., transportation analytics firms)

✗ **Comments/Rationale for NOT including this Initiative:**

Not many companies in HP have fleet vehicles

## 1.8 Encourage Workplace EV Charging Infrastructure

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Meet with local employers to ask them to install workplace EV charging. If possible, offer incentives such as promotion in municipal communications, a "ribbon cutting" event with public officials, and/or a fast-tracked permitting process.

### Measures of Success

- Municipal staff/green team meet with 5+ local employers
- 3 workplace EV charging stations installed thanks to outreach
- 2 workplace EV chargers per 100 businesses in the municipality

### Resources

- NYSERDA's [Workplace Electric Vehicle Charging Policies: Best Practices Guide](#)
- Sustainable Jersey's [Electric Vehicle Outreach](#) action
- Sustainable Jersey's [Make Your Town Electric Vehicle Friendly](#) action


### Potential Stakeholders

- Electric vehicle charging infrastructure companies
- Local business associations
- Local charging station installers (e.g., electricians)

✗ **Comments/Rationale for NOT including this Initiative:**

Not many employers in HP with workers who commute

## 2.1 Adopt Supportive Zoning and Permitting for Private Solar

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Provide clear guidance/standards for solar developers and limit barriers to solar adoption such as lengthy permitting and multiple reviews.

### Measures of Success

- Pass solar-friendly ordinance
- Expedite/eliminate zoning permit
- Establish flat fee for permitting

### Resources


- Sustainable Jersey's [Guidance for Creating a Solar Friendly Ordinance](#)
- Sustainable Jersey's [Make Your Town Solar Friendly](#) action
- US DOE's [SolSmart Program Guide](#)

### Potential Stakeholders

- Resident organizations (e.g., homeowners associations)
- Solar developers
- Local businesses/business associations

✗ **Comments/Rationale for NOT including this Initiative:**

## 2.2 Post Solar Permitting Checklist

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Provide clear guidance/standards for solar developers with a permitting checklist that can be easily found on the municipality's website. Solicit feedback from users and revise checklist based on comments.

### Measures of Success

- Permit requirement checklist online
- Permit checklist revised based on user feedback

### Resources

- IREC's [Guide to Preparing Solar Permitting Checklists](#)
- Solar Ready Kansas City's [Streamline Permitting: Best Management Practices for Solar Installation Policy](#)
- Sustainable Jersey's [Make Your Town Solar Friendly](#) action

### Potential Stakeholders

- Resident organizations (e.g., homeowners associations)
- Solar developers

✗ **Comments/Rationale for NOT including this Initiative:**

## 2.3 Adopt Zoning and Permitting for Community Solar

IMPACT:	
DIFFICULTY:	
CHECK IF DOING:	<input type="checkbox"/>

Update municipal zoning ordinances to specifically allow large-scale solar projects, and designate future community solar sites as redevelopment zones. Consider offering direct assistance with permitting, expediting the permitting process, and/or reducing permitting fees for community solar.

### Measures of Success

- Zoning ordinance adopted enabling large-scale solar projects
- Municipal point of contact established for community solar developers
- Site designated as development zone to host community solar

### Resources

- Sustainable Jersey's [Community Solar Guide](#)
- Sustainable Jersey's [Municipally Supported Community Solar](#) action

### Potential Stakeholders

- Community solar developers
- Community solar site hosts
- Low- and moderate-income housing developers/managers

### Comments/Rationale for NOT including this Initiative:

Not a lot of available land for solar developments

## 2.4 Train First Responders on Solar

IMPACT:	N/A
DIFFICULTY:	N/A
CHECK IF DOING:	<input type="checkbox"/>

To further public confidence and maintain emergency preparedness, require training on solar infrastructure for first responders.

### Measures of Success

- Training held for each relevant department
- Policy for ongoing training established

### Resources

- Kean University's [Fire Safety Training Program](#)
- IREC's [Allied Professional Training](#)
- US DOE's [SolSmart Program Guide](#)
- Sustainable Jersey's [Make Your Town Solar Friendly](#) action

### Potential Stakeholders

- Neighboring municipalities

### Comments/Rationale for NOT including this Initiative:

## 2.3 Adopt Zoning and Permitting for Community Solar

IMPACT:	
DIFFICULTY:	
CHECK IF DOING:	<input type="checkbox"/>

Update municipal zoning ordinances to specifically allow large-scale solar projects, and designate future community solar sites as redevelopment zones. Consider offering direct assistance with permitting, expediting the permitting process, and/or reducing permitting fees for community solar.

### Measures of Success

- Zoning ordinance adopted enabling large-scale solar projects
- Municipal point of contact established for community solar developers
- Site designated as development zone to host community solar

### Resources

- Sustainable Jersey's [Community Solar Guide](#)
- Sustainable Jersey's [Municipally Supported Community Solar](#) action

### Potential Stakeholders

- Community solar developers
- Community solar site hosts
- Low- and moderate-income housing developers/managers

### Comments/Rationale for NOT including this Initiative:

Not a lot of available land for solar developments

## 2.4 Train First Responders on Solar

IMPACT:	N/A
DIFFICULTY:	N/A
CHECK IF DOING:	<input type="checkbox"/>

To further public confidence and maintain emergency preparedness, require training on solar infrastructure for first responders.

### Measures of Success

- Training held for each relevant department
- Policy for ongoing training established

### Resources

- Kean University's [Fire Safety Training Program](#)
- IREC's [Allied Professional Training](#)
- US DOE's [SolSmart Program Guide](#)
- Sustainable Jersey's [Make Your Town Solar Friendly](#) action

### Potential Stakeholders

- Neighboring municipalities

### Comments/Rationale for NOT including this Initiative:

## 2.5 Train Non-Emergency Staff on Solar

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

To ensure municipal staff can efficiently and effectively inspect, review, permit, etc. solar installations in the community, require training on solar infrastructure for all relevant staff.

### Measures of Success

- Training for relevant departments
- Cross-train building, zoning, inspection, and permitting staff
- Policy for ongoing training

### Resources

- IREC's [Allied Professional Training](#)
- US DOE's [SolSmart Program Guide](#)
- Sustainable Jersey's [Make Your Town Solar Friendly](#) action

### Potential Stakeholders

- Neighboring municipalities
- Local unions

✗ **Comments/Rationale for NOT including this Initiative:**

## 2.6 Install On-Site Municipal Renewable Generation

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Host a solar, wind, or geothermal project on municipal property to generate renewable energy for municipal facilities. Such projects can be leased from a developer or purchased and owned outright.

### Measures of Success

- Contract with a developer to buy or lease a renewable installation on municipal property
- Implement outreach illustrating the benefits of renewable energy to the community using the municipal project

### Resources

- Sustainable Jersey's [Municipal On-Site Solar System](#); [Municipal Wind Energy System](#); and [Municipal Geothermal Energy System](#) actions
- American Cities Climate Challenge [On-site Solar Procurement Guidance](#)
- NJCEP's [Renewable Energy webpage](#)

### Potential Stakeholders

- Renewable energy developer(s)
- Local media
- Public school district

✗ **Comments/Rationale for NOT including this Initiative:**

Already installed at Borough Hall and PD; may look into updating system at Borough Hall and installing new at Community Center once new roof is complete

## 2.7 Buy Renewable Energy for Municipal Facilities

IMPACT: ● ○ ○

DIFFICULTY: ■ ■ ■

CHECK IF DOING:

Buy renewable electricity for municipal facilities directly from a green energy supplier or participate in a buying pool that supplies electricity with high renewable content. The accompanying renewable energy certificates (RECs) should be certified as PJM Class I.

### Measures of Success

- Contract with third-party supplier or buying pool with a greater proportion of renewable content than current Renewable Portfolio Standard (22.5% for 2021)
- Renewable portion is mostly, if not all, PJM Class I RECs

### Resources

- Sustainable Jersey's [Buy Electricity from a Renewable Source](#) action

### Potential Stakeholders

- Energy consultant
- Energy buying pool (e.g., [NJSEM](#))

✗ **Comments/Rationale for NOT including this Initiative:**

## 2.8 Offer a Solar Employee Benefit Program

IMPACT: ● ○ ○

DIFFICULTY: ■ ■ ■

CHECK IF DOING:

Offer a collective solar purchasing program for municipal employees, promoted via existing employee communication network. This type of program utilizes scale and low customer acquisition costs to make installing solar more affordable for participating employees. Schools and municipalities can collaborate to form a larger pool of potential customers, even including student families in the offer.

### Measures of Success

- 10% of employees get a quote through purchasing program
- 5% of employees participate in the program

### Resources

- Sustainable Jersey's [Solar Outreach](#) action
- NREL's [Solarize Guidebook](#)


### Potential Stakeholders

- Municipal employee associations
- Local solar developer(s)
- Parent-teacher associations
- Public school district

✗ **Comments/Rationale for NOT including this Initiative:**

Could possibly do this in conjunction with the schools, but don't have the capacity/ demand for it at this time

## 2.9 Institute a Community-wide Solar Purchasing Program

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Partner with solar installers or a solar marketplace to offer special pricing on solar installations to residents and/or businesses for a limited time. Establish the partner solar installer(s) and special pricing via RFP process, then advertise the offering to the community. Alternatively, partner with a competitive online solar marketplace to offer residents a custom online webpage to receive quotes.

### Measures of Success

- 5% of residents receive quotes for solar installations
- 2% of residents install solar as part of the campaign

### Resources

- Sustainable Jersey's [Solar Outreach](#) action
- NREL's [Solarize Guidebook](#)


### Potential Stakeholders

- Local solar developer(s)
- Local media
- Service organizations
- Homeowners associations

### ✗ Comments/Rationale for NOT including this Initiative:

Do not have the capacity to take this on at this time. Focus is on implementation of community solar and RGEA.

## 2.10 Implement Renewable Government Energy Aggregation (R-GEA)

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Establish a Renewable Government Energy Aggregation (R-GEA) program. R-GEA is a third-party electric supply contract negotiated by a municipality (or group of municipalities) on behalf of its residents. Utilizing their size, municipalities can negotiate for a supply that is more sustainable, often less expensive, and with better and more secure terms than can typically be achieved by individual residents.

### Measures of Success

- Third-party supplier bids received below utility electricity rate
- R-GEA contract contains high-quality renewable content (e.g., PJM Class-1) at least 20% above the current RPS at the time (RPS is 22.5% for 2021)

### Resources

- Sustainable Jersey's [How-To Guide: Renewable Government Energy Aggregation](#)
- Sustainable Jersey's [Renewable Government Energy Aggregation](#) action

### Potential Stakeholders

- Energy consultant(s)
- Local media
- Neighboring municipalities

### ✗ Comments/Rationale for NOT including this Initiative:

## 2.11 Support Community Solar as Project Ambassador

IMPACT: DIFFICULTY: CHECK IF DOING: 

Facilitate connections between community solar developers and the local site owner, anchor subscribers, nonprofit sponsors, and/or affordable housing property owners. Municipalities can lend credibility to the multi-benefit opportunity of a potential community solar project.

### Measures of Success

- Anchor subscribers established for community solar project
- Project partner underwrites subscription fees for low- and moderate-income residents

### Resources

- Sustainable Jersey's [Municipally Supported Community Solar](#) action
- Sustainable Jersey's [Community Solar Guide](#)

### Potential Stakeholders

- Community solar developers and project hosts
- Affordable housing organizations
- Faith-based organizations

✗ **Comments/Rationale for NOT including this Initiative:**

Not a lot of available land for solar developments

## 2.12 Support Community Solar as Outreach Coordinator

IMPACT: DIFFICULTY: CHECK IF DOING: 

Use municipal resources and networks (mailing lists, websites, etc.) to educate the community about community solar in general and the details of local projects (e.g., subscription rates and requirements).

### Measures of Success

- Community solar information posted to municipal website
- Community solar promoted by outreach partners via their networks

### Resources

- Sustainable Jersey's [Municipally Supported Community Solar](#) action
- Sustainable Jersey's [Community Solar Guide](#)

### Potential Stakeholders

- Community solar developers
- Local media
- Affordable housing organizations
- Faith-based organizations

✗ **Comments/Rationale for NOT including this Initiative:**



## 2.13 Host a Community Solar Project on Municipal Property

IMPACT:



DIFFICULTY:



CHECK IF DOING:



Host a community solar project on municipal property, such as a DPW garage, parking lot/garage, or landfill. Most municipalities lease the site to the developer or enter a power purchase agreement (PPA) with the developer to buy the electricity at a reduced rate.



### Measures of Success

- Agreement with developer to host a project
- Municipality serves as project anchor subscriber



### Resources

- NJBPU's [Community Solar Brochure](#)
- Sustainable Jersey's [Municipally Supported Community Solar](#) action
- Sustainable Jersey's [Community Solar Guide](#) (pg. 10-14)
- NJDEP's [NJ Community Solar PV Siting Tool](#)




### Potential Stakeholders

- Community solar developers
- Neighborhood associations
- State agencies handling brownfields

### ✗ Comments/Rationale for NOT including this Initiative:

Not a lot of available land for solar developments

### 3.1 Upgrade Energy Efficiency for Municipal Facilities

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Upgrade municipal facilities to be more energy efficient. New Jersey's Clean Energy Program and electric and natural gas utilities offers incentive programs that guide municipalities through the upgrade process, starting with free audits to establish the most effective measures to reduce energy use. Following implementation, showcase upgrades in energy efficiency outreach to local commercial entities.

#### Measures of Success

- Apply for [Local Government Energy Audit](#) or Engineered Solutions audit, if eligible
- Achieve 20% annual energy savings for one building
- Achieve 20% annual energy savings across the municipal building portfolio

#### Resources


- [NJ gas and electric utilities' commercial energy efficiency program websites](#)
- NJCEP's [Combined Heat and Power](#) program
- Sustainable Jersey's [Energy Efficiency for Municipal Facilities](#) action

#### Potential Stakeholders

- Public school district
- Neighboring municipalities

✗ **Comments/Rationale for NOT including this Initiative:**

### 3.2 Residential Energy Efficiency Outreach Campaign

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Implement an outreach effort to help residents take advantage of energy efficiency incentive programs offered by New Jersey's electric and natural gas utilities, including Home Performance with ENERGY STAR and Comfort Partners.

#### Measures of Success

- Outreach team training with Sustainable Jersey
- 5% of residents participate in Home Performance with ENERGY STAR program during the campaign

#### Resources

- [NJ gas and electric utilities' residential energy efficiency program websites](#)
- Sustainable Jersey's [Residential Energy Efficiency Outreach](#) action

#### Potential Stakeholders

- Natural gas/electric utility
- HPwES contractor(s)
- Neighborhood and faith-based organizations

✗ **Comments/Rationale for NOT including this Initiative:**

Borough successfully pioneered this program years ago. Prefer to focus on commercial properties, including larger, multi-family apartment complexes.

### 3.3 Commercial Energy Efficiency Outreach Campaign

IMPACT:

DIFFICULTY:

CHECK IF DOING:

Implement an outreach effort to help local businesses take advantage of energy efficiency incentive programs offered by New Jersey’s electric and natural gas utilities, including the Direct Install (DI) program.

#### Measures of Success

- Outreach team training with Sustainable Jersey
- 5% of businesses participate in Direct Install program during the campaign

#### Resources

- [NJ gas and electric utilities’ commercial energy efficiency program websites](#)
- Sustainable Jersey’s [Commercial Energy Efficiency Outreach](#) action

#### Potential Stakeholders

- Natural gas/electric utility
- Local business associations
- Local DI contractor
- Minority business association
- Building Owners and Managers Association

✗ **Comments/Rationale for NOT including this Initiative:**

### 3.4 Conduct Energy Efficiency Outreach to Large Energy Users

IMPACT:

DIFFICULTY:

CHECK IF DOING:

Contact large energy users in the community to prompt interest in managing energy use, including participating in utility commercial energy efficiency incentive programs like Engineered Solutions and PJM’s Demand Response program.

#### Measures of Success

- One of the community’s largest energy users enrolls in utility energy efficiency program
- One of the community’s largest energy users enrolls in demand-side management program

#### Resources

- [NJ gas and electric utilities’ commercial energy efficiency program websites](#)
- Rutgers University’s [Green Building Manual](#)
- NJCEP’s [Large Energy Users Program](#)
- Sustainable Jersey’s [Commercial Energy Efficiency Outreach](#) action
- PJM’s [Demand Response](#) program


#### Potential Stakeholders


- Natural gas/electric utility
- Business associations
- Rutgers University Center for Green Building

✗ **Comments/Rationale for NOT including this Initiative:**

Not a lot of "large" energy users as the Borough doesn't have major employers or industrial areas. Mostly residential and small businesses.

## 4.1 Construct New Municipal Buildings as Model Green Buildings

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Implement a policy encouraging or requiring consideration of green building practices for any new municipal construction project. Highlight the incentives from NJCEP's [New Construction Energy Efficiency](#) program. Following construction, showcase green building features with on-site kiosks and digital webpages to encourage others to follow suit.

### Measures of Success

- Pass resolution or ordinance encouraging/requiring that new municipal buildings follow green building practices
- Construct the municipality's first LEED-Platinum building
- Hold a public event touting the "green" features of a new municipal building

### Resources

- Sustainable Jersey's [New Construction](#) action
- Sustainable Jersey's [Green Building Policy/Resolution](#) action
- Rutgers University's [Green Building Manual](#)


### Potential Stakeholders


- Building architects and developers (e.g., member of U.S. Green Building Council)
- Rutgers University Center for Green Building
- Local media

### ✗ Comments/Rationale for NOT including this Initiative:

No plans for a new municipal building at this time. Better to focus on other priorities and to develop and use Green Building checklist should there be a future municipal construction project.

## 4.2 Encourage Benchmarking and Commissioning for Existing Buildings

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Educate local building managers about benchmarking and commissioning. Inform building managers of utility building management programs that include benchmarking and/or commissioning.

### Measures of Success

- Information about benchmarking and commissioning posted to municipal website
- Major building owner agrees to have buildings benchmarked and commissioned

### Resources

- [NJ gas and electric utilities' commercial energy efficiency program websites](#)
- Sustainable Jersey's [Commercial Energy Efficiency Outreach](#) action


### Potential Stakeholders

- Commercial building managers
- Natural gas/electric utility
- Facility maintenance services companies

### ✗ Comments/Rationale for NOT including this Initiative:

Lack technical expertise to advance this project effectively. Other areas more likely to have a bigger impact.

### 4.3 Require Developers to Complete Green Development Checklist

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Pass a Green Building Policy or Resolution that requires developers to submit a completed Green Development Checklist with Site Plan Applications. Checklist should refer developers to NJCEP's [Commercial](#) and [Residential](#) New Construction Energy Efficiency programs.

#### Measures of Success

- [Green Development Checklist](#) published
- Municipal ordinance requires developers to submit a completed Green Development Checklist
- Major new development utilizes recommendations from Green Development Checklist

#### Resources


- Sustainable Jersey's [Create a Green Development Checklist](#) action
- Sustainable Jersey's [Green Building Policy/Resolution](#) action

#### Potential Stakeholders

- Builders trade associations (e.g., U.S. Green Building Council)
- Building architects and developers
- Financial institutions

✗ *Comments/Rationale for NOT including this Initiative:*

### 4.4 Conduct Outreach Targeting New Construction in the Community

IMPACT: 

DIFFICULTY: 

CHECK IF DOING:

Reach out to developers to encourage participation in NJCEP's [Commercial](#) and [Residential](#) New Construction Energy Efficiency programs.

#### Measures of Success

- Information on NJCEP's New Construction Energy Efficiency incentive programs distributed via multiple mediums
- Major new development utilizes NJCEP program(s)

#### Resources



- NJCEP's [Commercial](#) and [Residential](#) New Construction Energy Efficiency webpages.

#### Potential Stakeholders

- Builders trade associations (e.g., U.S. Green Building Council)
- Building architects and developers
- Financial institutions

✗ *Comments/Rationale for NOT including this Initiative:*

## 6.1 Make Community Energy Planning Inclusive

**IMPACT:**   
**DIFFICULTY:**   
**CHECK IF DOING:**

Ensure low- and moderate-income residents are represented in energy planning processes, both on the core planning team and among those contributing via public comment. Methods include scheduling meetings at convenient times (varying meeting time if needed), engaging with community organizations that can elevate underrepresented voices, and advertising planning meetings in appropriate media.

### Measures of Success

- Demographics of entire community represented on planning team
- Public comment meetings well-attended

### Resources



- Sustainable Jersey's [Improve Public Engagement in Planning and Zoning](#) action
- Cadmus and USDN's [Guidebook on Equitable Clean Energy Program Design](#)

### Potential Stakeholders

- Local media
- Meeting hosts (libraries, businesses)
- Public school district
- Faith-based organizations

✗ **Comments/Rationale for NOT including this Initiative:**

## 6.2 Conduct Energy Efficiency Outreach to Low- and Moderate-Income Residents

**IMPACT:**   
**DIFFICULTY:**   
**CHECK IF DOING:**

Promote state and utility energy efficiency programs for low- and moderate-income (LMI) residents using community-serving institutions as messengers, using non-English promotional materials where appropriate, and emphasizing co-benefits of energy efficiency upgrades (health, safety, and comfort).

### Measures of Success

- Hold an event specifically targeting LMI residents for energy efficiency programs
- 5% of eligible residents participate in income-qualifying state/utility energy efficiency programs

### Resources



- Utility [residential energy efficiency program websites](#)
- Sustainable Jersey's [Energy Assistance Outreach](#) action
- Sustainable Jersey's [Residential Energy Efficiency Outreach](#) action (see Resources section)

### Potential Stakeholders

- Affordable housing owners/managers (public & private)
- Tenant's organizations
- Public school district
- Faith-based organizations

✗ **Comments/Rationale for NOT including this Initiative:**

## 6.3 Support Shared Mobility Programs

**IMPACT:**   
**DIFFICULTY:**   
**CHECK IF DOING:**

Promote and develop shared transportation networks of buses, cars, bikes, etc. with design features that particularly assist low- and moderate-income residents. Encourage shared transportation services to expand access in low-income neighborhoods and provide low-income membership options.

### Measures of Success

- Launch new shared transportation option in the municipality
- Create low-income membership option for residents using a shared transportation network

### Resources



- The Greenlining Institute’s [Electric Carsharing in Underserved Communities](#)
- Federal Highway Administration’s [Travel Behavior: Shared Mobility and Transportation Equity](#)

### Potential Stakeholders

- Shared electric bike/scooter companies
- Shared automobile companies
- Neighboring municipalities
- [Transportation Management Association](#)

✗ *Comments/Rationale for NOT including this Initiative:*

## 6.4 Support Low- and Moderate-Income Community Solar Subscriptions

**IMPACT:**   
**DIFFICULTY:**   
**CHECK IF DOING:**

As a partner in a community solar project, ensure that some project capacity is reserved for low- and moderate-income (LMI) residents and/or a discount is offered for LMI subscribers.

### Measures of Success

- Over 51% of community solar project capacity reserved for LMI residents
- Discount of 15% or more to LMI subscribers of community solar project

### Resources


- Sustainable Jersey’s [Municipally Supported Community Solar](#) action
- Sustainable Jersey [Community Solar Guide](#)


### Potential Stakeholders

- Community solar developers
- Affordable housing owners/managers (public & private)
- Community nonprofits
- Tenant’s organizations

✗ *Comments/Rationale for NOT including this Initiative:*

## 6.5 Conduct Energy Efficiency Outreach to Community-Serving Institutions

**IMPACT:** 

**DIFFICULTY:** 

**CHECK IF DOING:**

Reach out to limited-capacity entities that serve low- and moderate-income communities to encourage participation in state and utility energy efficiency programs. Outreach strategies include messaging benefits of reduced capital, maintenance, and energy costs and segmenting outreach to different types of organization with different needs.

### Measures of Success

- Hold an event specifically targeting community-serving institutions for energy efficiency programs
  - In UEZ or Opportunity Zone, if any exist in municipality
- 5% of eligible entities participate in a state/utility energy efficiency program

### Resources

- [NJ gas and electric utilities' commercial energy efficiency program websites](#)
- Sustainable Jersey's [Energy Assistance Outreach](#) action
- ACEEE's [Extending the Benefits of Nonresidential Energy Efficiency to Low-Income Communities](#)




### Potential Stakeholders

- |  |                                    |
|--|------------------------------------|
| • Affordable housing owners/ managers (public & private) | • Community foundations            |
| • Health clinics   | • Local business associations      |
| • Faith-based organizations                              | • Food banks and homeless shelters |

✗ **Comments/Rationale for NOT including this Initiative:**



## 7.1 Adopt Energy Storage Policies

IMPACT:   

DIFFICULTY: 

CHECK IF DOING:

Adopt standards and establish requirements for permitting battery energy storage systems. Post information about energy storage regulations to the municipal website and ensure appropriate municipal staff are informed.

### Measures of Success

- Regulations adopted addressing battery energy storage
- Permitting system for energy storage established

### Resources

- NYSERDA's [Battery Energy Storage System Guidebook](#)




### Potential Stakeholders

- Electric utility
- Energy storage companies

### ✗ *Comments/Rationale for NOT including this Initiative:*

Onsite battery storage not prohibited in Highland Park (there are homes that have it). This action seems better taken by NJBPU and promulgated to local governments (similar to NYSERDA's approach).

## 7.2 Install an Energy Storage System

IMPACT:   

DIFFICULTY: 

CHECK IF DOING:

Install on-site energy storage, such as batteries, compressed air, or thermal storage, for municipal facilities. Following construction, showcase the project with on-site kiosks and municipal webpages to encourage others to follow suit.

### Measures of Success

- RFP for municipal energy storage system posted
- Energy storage project installed and operational

### Resources

- SolSmart's [Solar + Storage, A Guide for Local Governments](#)
- Carbon Trust's [Energy Storage Guide](#)




### Potential Stakeholders

- Electric utility
- Energy storage companies

### ✗ *Comments/Rationale for NOT including this Initiative:*

Not enough New Jersey-specific guidance and examples to confirm this is allowed in the current regulatory environment. No capacity to take this on - already have Community Solar, RGEA and microgrid underway.

### 7.3 Develop Local Microgrid

IMPACT:   

DIFFICULTY: 

CHECK IF DOING:

Participate in development of a microgrid. Microgrid development generally starts with a feasibility study, followed by project design, then project implementation. Following construction, showcase the project with on-site kiosks, a municipal webpage, and/or ribbon-cutting event.

#### Measures of Success

- Microgrid feasibility study completed
- Microgrid completed

#### Resources

- NJBPU's [Town Center Distributed Energy Resource Microgrid program](#)
- US DOE's [Microgrid Guide for Publicly Owned Critical Infrastructure](#)




#### Potential Stakeholders

- Electric utility
- School/school districts
- Business centers
- Colleges and universities
- Downtown business associations

#### ✗ Comments/Rationale for NOT including this Initiative:

In progress already!

### 7.4 Develop/Participate in a District Energy System

IMPACT:   

DIFFICULTY: 

CHECK IF DOING:

Partner on developing an energy-efficient district energy system. Development generally starts with surveying interest in the community and completing a feasibility study and financial analysis. If district energy makes sense, hire contractor(s) to design and construct the project. Once complete, showcase the project with on-site kiosks, a municipal webpage, and/or ribbon-cutting event.

#### Measures of Success

- Feasibility study for district energy completed
- District energy system installed and operational

#### Resources

- International District Energy Association's [Community Energy: Planning Development and Delivery Guide](#)
- Preservation Green Lab's [The Role of District Energy in Greening Existing Neighborhoods](#)

#### Potential Stakeholders

- Natural gas/electric utility
- Downtown business associations
- Construction companies

#### ✗ Comments/Rationale for NOT including this Initiative:

Seems like there would be significant regulatory challenges to this action. Better to focus on the microgrid project.

**RESOLUTION NO. 4-24-120  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST**

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

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

The bills approved for payment at this meeting, Bills List 4/2/2024 can be found in the Bills List Journal Book No. 44.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 4-24-121  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

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

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

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

<b>DEPARTMENT</b>	<b>CURRENT FUND TYPE</b>	<b>AMOUNT</b>
Rutgers Disptach Svcs	O/E	\$100,000.00
Mid Cty Open Space & Rec Trust (Felton)	O/E	\$85,500.00

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

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on April 2, 2024.

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				