

BOROUGH OF HIGHLAND PARK

REGULAR MEETING
March 19, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, March 19, 2024, and was called to order by Mayor Foster at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 5, 2024 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

Pledge of Allegiance.

Flag salute led by Diane Reh.

Roll Call:

Present: Mayor Foster, Councilpersons, Canavera, Hale, Postelnik; George, Borough Administrator Jover, Borough Attorney Shah.

Absent: Council President Hersh, Councilwoman Kim-Chohan

Council Reports.

Councilman Hale reported for those of you at home and without video my name is Matt Hale and I chair the economic development council committee. While I have lived in New Jersey for a very longtime I actually grew up in Southern California where every spring we celebrated the return of the swallow to San Juan Capistrano. But it is a little known fact that Highland Park has several spring time return rituals of our own. First up is the return of the Veo scooter flock. The scooter flock has begun to emerge out of their winter hibernation and you will be seeing more and more of them around town. Please remember that during this initial stage you are likely to see more scooters out and about and often times placed in odd places. This is because many new and inexperienced scooter riders need to be reminded to bring the scooters back to the approved parking spots and enclosures around town. In addition, the scooter wranglers will need time to fully staff up and analyze the migratory patterns of the scooters so they can come and pick up the strays that are placed around town. We will be working with both riders and scooter wranglers to do our best to manage the flock in a safe and efficient manner. But it is great to have them back and I know the riders are excited for the spring and summer season to come. In addition, two other exciting seasonal species are coming out of winter hibernation. Blenz smoothies and Dairy Deluxe Ice cream are both open and looking to be fed by local residents. Thank you to all the people who have already gone in the last few days to help these beloved seasonal businesses start the Spring and Summer season with a bang. We have seen fairly long lines at both with Highland Park residents providing much needed nourishment to Blenz and Dairy Deluxe. In the next few weeks we hope to see some new species join our local habitats, Giddy Pizza and Cafe is open for take-out this week and should be in full serve shortly for all your kosher pizza and cafe food needs. We expect that later in the summer we will see the exciting return of Highland Pizza and our economic environment team says it looks like they are coming back with an expanded and improved menu options as well as some significant growth to its outdoor dining section. We have also been tracking the arrival of yet another new species to Highland Park, it is called SuperFresh and from seeing it other natural habitats it is an absolutely beautiful creature which I know many of you will enjoy visiting on a regular basis. On tonight's agenda you will notice that we are introducing on first reading and will be having a public hearing on a variety of incentives that we are proposing for SuperFresh. These are all things, we knew would need to be introduced in order to bring this amazing new Super Market to Highland Park. Maybe places around New Jersey have been trying for SuperFresh to come to them and we are very excited that we have been able to attract one to Highland Park with these incentives. It does look like we may have to wait until Labor Day for our first siting of the new SuperFresh, however this is because the habitat and enclosure where the SuperFresh will be located is undergoing a 6 million dollar soup to nuts renovation and that is taking a little longer than expected but believe me it will be worth the wait when this beautiful creature sets up in Highland Park. I also wanted to point out another item tonight on the agenda where we will adopt the implementation plan for the 3rd year of the Neighborhood Preservation Program. As you might recall the NPP has a slightly different habitat up on Woodbridge Avenue. But we are hoping that many of the programs and grants we are offering this year in the Woodbridge avenue ecosystem like online marketing help, expanded facade grant programs and homeowner porch improvement grants will bring more and more people up to shop on Woodbridge Avenue. We have already seen our newest Woodbridge Avenue species the Fresh Mart convenience store move it a micro habitat that was abandoned by Quick Chek. I was able to take a look in the other day and it looks like the Fresh Mart is going to really thrive there. Finally, the last spring renewals that I want to mention are two long time and stable species that we see every single year. The Farmers Market is gently spreading its wings on Friday afternoons from 11 to 4 pm. It slowly grows and gathers strength during early spring but our experts at Main Street Highland Park expect it to reach its full size and plumage in April when visiting hours will be expanded so everyone gets the opportunity to see everything the Farmers Market has to offer. Then of course we will also have the annual return of the 5k run and the Arts in the Park species which will happen on May 5th. This is special species that only lives for a single day but it really thrives when more people come out to see and participate. Mark your calendars for May 5th for the 5k and Arts in the Park festival. So lots of

exciting spring renewals coming up in Highland Park. Please get out of your own hibernation and help with the feeding and caring of not just this the spring starters but all of our local businesses and local events. They make Highland Park... Highland Park.

Councilwoman Canavera reported the Board of Health is working with the Chief and the Police department to do a presentation on proper gun storage. More information to come. The Commission for Universal Access members have been working with many cultural and educational institutes to help make them more accessible to all citizen around NJ. The Community Food Pantry is open on the second and fourth Thursday from 9 am to 10:45 am and again at 6 pm to 7 pm. Saturday following Thursday from 9:30 am to 10 am. The Highland Park Gives a Hoot Food Pantry is every Tuesday at the Zone 6 Center from 10 am to 11 am. Both programs have seen an increase in families needing there services. Join the Human Relations Commission as they kick off a community-wide initiative, "The Gratitude Tree Project". It's a project to foster a culture of thankfulness & appreciation within our community by adorning the tree mural with messages of gratitude and peace. The presentation will be followed by a seed-planting activity to symbolize hope and new beginnings. It should be fun and meaningful for all ages! For more information email: HighlandParkHRC@gmail.com. Mental Health Commission would like you to know that March is Self-Harm Awareness Month: Sadly many people engage in self harming behaviors. Self-harm typically involves injuring oneself by actions like cutting, burning, picking at wounds, pulling out hair, or inflicting bruises. However, self-harm can also refer to other behaviors that might endanger one's health and safety, such as consuming alcohol and substances, engaging in dangerous activities, or neglecting one's physical or emotional needs. Key signs to notice include the following: physical injuries, frequent cuts, bruises, burns, or scars can be a sign that a person is engaging in self-harm, particularly if the injuries are not easily explained or located in a place that is easily hidden and different clothing and appearance. Those who self-harm often attempt to conceal their injuries. For example, they may wear long sleeves or trousers, even during warmer months, or use accessories like bandanas or wristbands to cover their injuries. Unusual excuses for injuries, implausible excuses for physical injuries or a dismissive attitude towards noticeable wounds might be a sign. For example, someone might say their frequent cuts are due to their cat scratching them or from falling. Behavioral changes, self-harm and the extreme emotional distress that causes it may be accompanied by behavioral changes, such as social withdrawal, decreased engagement with school or work, substance use, or risk-taking behavior. Those who self-harm may carry sharp objects, lighters, and other implements that can be used to inflict injury. If you are struggling with self-injurious behavior, message 988 Lifeline at 988 or call the Self-Harm Hotline at 1-800-DONT CUT (1-800-366-8288). Free support is available 24/7. Lastly as it is National Social Work Month I want to thank Nicole Huff the Borough social worker, who goes above and beyond every day for our residents.

Councilman George reminded everyone the Police Departments is the kite making and decorating event is March 27, 2024 from 4 to 6: pm at the Community Center. Everyone's invited to share some springtime crafting and enjoyment. The bids for roof replacement project were open and subject to review by the Borough Attorney's Engineer and Borough Attorney. The Executive Director advised me last night at the Board of Trustees meeting still on track to open around June, and the bid specs for the substantial upgrades and installations through the generous Kushner estate grant have been prepared and that process should begin very shortly the work is being coordinated with the construction and roof replacement projects to make the work completion line all come out at the same time in June. The Libraries online lending app had some difficulties recently but as of yesterday afternoon it's back up and working much better than it did before. He noted that it's a good sign because when the app went down the complaints came in so rapidly that we knew people use it and they use it all the time and they use it every day it came right back up. The library is doing a project with me that was suggest by Councilman Postelnik to map out the location of all the mini libraries in town at the Board of Trustees meeting last night, one trustee mentioned that there's an older watercolor map floating around that shows the location of some of the little mini libraries on street corners so if you know of one send me an email at pgeorge@hpboro.com include a picture and a short comment if you wish including whether you've taken a book put in a book or what you know what you or feel about it and the library will put that out sometime in the next couple of months, we're looking at a deadline of around April 15 so if you would get your information out in the next month we'll put that together. Finally the Fire Department crew was trained Saturday on the new engine, we don't have the license plates yet however the Fire Department has also received a grant 27,000 through the American Rescue firefighter grants program for eight sets of turnout gear and five pairs of boots for our firefighters.

Councilman Postelnik reminded everyone of the an important service provided by the Community Center Services which is that they have grocery transportation and online food shopping assistance for help in those areas please reach out to the fine staff at the Community Center. Community Center programming highlights first up is that there's free tax prep available at the Community Center every Tuesday now through April 14th. You can get your taxes prepared by IRS certified volunteers, the program is limited to individuals with incomes up to \$70,000 and appointments are required, to make an appointment please reach out to the Community Center. In the month we're going to have a Community Behavioral Health event on Tuesday March 26 from 12 to 3pm also at the Community Center, there will be resources and presentations. The event is open to all, visit the Community Center web page or call for more information. Early next month we'll have an AARP Safe Tri Course offered on Monday April 1st and Monday April 8th there two event are open to all, please visit the community center website or for more information. Mid-April we'll have a Spring

Luncheon on Tuesday, April 16th at the Community Center and that will start at noon. A couple of Recreation programming highlights: Theater Camp is already full but the other camps are still open, registration if anyone is interested. We are going to be offering a few new youth programs this spring namely the new tennis and chess programs. Lastly a couple Arts Commission updates, the Arts Commission and the Human Relations Commission are teaming up to hold a special Windows of Understanding event which Table of Understanding focusing on food security issues and that will be held tomorrow Wednesday, March 20th at 4PM and it'll be held at 137-139 Raritan Avenue. There will be a couple of book art workshops by the Arts Commission those will be held on Sunday, April 7th from 2 to 4:30 p.m. and Wednesday, April 17th from 6:30 p.m. to 9:00 p.m. at the Community Center. The April 7th event they'll be the project so bring your sewing needles if you have them, all of their materials will be provided and then on April 17th there's accordion FL flag Book Project and all material that will be provided but you may want to bring some collage elements to populate the book if you're interested in either or both of these book shops please sign up in advance by emailing the instructor at apollack@gmail.com.

Administrator. – No report.

Borough Attorney's Report – No report.

Mayor's Report.

Mayor Foster reported that she had a meeting with the Attorney General, Mayor's from Middlesex County and Police Chief's and the meeting was about the growing concerns of home burglaries or Ortho Tech FF and what is the Attorney General Office going to do about curbing this new wave that we are all seeing. This was basically the meeting they told us to stay tuned, there were a lot of questions about keeping everyone safe and what kind of safety measures are they going to put in place or possible changes to the law to ensure that we're safe because we see it creeping around in neighborhoods across the state where people are breaking into homes and they're stealing cars or home invasion and it was very important that we went to this meeting and lend our voice about the concerns that we have about safety for everyone. They were also talking about a new technology that they have which is called the LPR reader and this something that we have been doing in Highland Park for years which is called a license plate reader, this is something that the state is giving out to just about every Police Department and that the effort of that is if there's a car that's stolen on any of the thorough ways in the state that the any car that is driving around that is stolen that the License Plate Reader that the police have on their dash would be able to pick up that information and hopefully stop some of these thief that we're seeing. They rolled that out and they rolling it out across the state so I'm hoping that would be a tool that will help to curve some of the auto thefts that we all have been seeing. She indicated that she would provide updates as soon as they are received form the Attorney General's office. Today was the senior lunch and they celebrated St Patrick's Day and it was good, they had corn beef and cabbage and it was a good event and I was able to spend a little bit of time with them to update them on some of the items that you all heard discussed here today so this evening. This past Sunday there were 88 residents attended the project for the Park Partners Grant at the Community Center this year the number was low and you may ask why, we had strong competition at the high school because the performance of Foot Loose by our amazing Highland Park High School student was in session and most people went up to go there I also went it was it was pretty amazing those kids are awesome. We gave out five different grants in the following category Arts and Who's my Neighbor, Inc. wall art and a project for Who's my Neighbor was awarded a grant the Environmental category was the native plant and garden and Sustainable Highland Park they receives a grant another category for safety, Universal Access health and wellness program received a received a grant and also a grant was given for the Social Wellness for elderly persons and that was a grant that was given to the Chinese Association because they did a program with the seniors last year and for the past few years they have been doing some wonderful work with seniors. There was one that went to the Human Relations Commission and it's called the Unity tree and that we're going to see some more things coming out of Tara's department and she's reported on it tonight about the project that's coming. She strongly suggested that everyone get engaged in this because I'm down to see all the things that we're all grateful for because there's a lot to be grateful for so I was happy to see the HRC receive that grant and last but not least the Highland Park student club for the prom, the also received a grant and that was the Mayor's Teen Advisory Council project and they want to make sure that all students have an opportunity to attend the prom this year so that was really awesome. SuperFresh has agreed that they would help to sponsor the 5K race and Arts in the Park so they are not even here yet but they're getting involved and they want to show that they support our town so that's really awesome.

Public Participation.

Mayor Foster opened the floor for public participation.

Mary Forsberg, Denison Street, said that she was concerned with the PILOT agreement, there was a PILOT for the Frederick for \$100,000 and if taxed would be \$800,000 in property taxes. She said she was curious about the relationship between Highland Park and Middlesex and the SuperFresh in Highland Park, may have the same developers but was unsure. She would a response from someone with knowledge about what happened in Middlesex which opened in December and then that SuperFresh area was sold for \$8.8 million in January or February of this year and do you see something like that happening here. She said that she can't remember but thinks Brunswick has a SuperFresh grocery store and it only lasted a few years and is

concerned we are giving away a lot of tax revenue. She asked for a financial analysis of what the future of Highland Park if all of these redevelopment areas get developed with PILOTS. She asked about OPRA, she asked each member of council to not support the changes that are being proposed by Trenton and no one responded and asked what their position was on the proposed changes.

Francesca Maresca, 216 South 3rd Avenue, asked about the PILOT agreement and if this was the same owner that is now operating under the name DL Urban Renewal LLC, is this the same owner landlord that had the Stop and Shop property and if so have they changed their name. She asked about the PILOT funds and does the Borough intend to initiation a specific agreement with the public schools to ensure that they get a portion of the annual service change that is collection by the PILOT.

Hannah Shostack, 146 North 6th Avenue, Highland Park, asked about the supermarket, what happens with the supermarket fails would the next tenant have to be a supermarket, what are the criteria for getting the PILOT if subsequently it fails and the property is empty. She asked if we are talking about the revenue allocation bonds and is that a part of what on the table as well and if so what is the municipalities exposure with regard to the revenue allocation bonds and again especially if the supermarket fails what is the Borough's obligation. If successful is there any room for an increase rather than them making a lot of money.

Scott Siegel said he owns three properties in town on 4th Avenue, Denison Street and Wayne. 2023 the Borough hit us with an approximately 20% increase in water, and recently hit us with a tax increase on one of his properties that went up over 30% and it was in mid-lease and somewhere in all that rent control was put into place. He said the town notified the property owners in town after everything I just laid out for you and they said well we want new water meters in town and I back you wanting a new way of reading the meters and it hopefully will save costs and then lo and behold he gets a bill in the mail for almost \$6,000 because you said that the meter in one of my properties was incorrect. Comments were made this evening about enticements for business well how about an enticements for property owners. You start taking away too much money which you have over the last four or five years. I've been in this town since approximately March 16th 2001 and I lived here for five years I've seen this town wither, not grow but wither despite all the comments in this room this evening. I've seen it a deprivation of what's going on in Main Street Highland Park and I've seen some of the changes in the housing in this town I don't think this Council is understanding what it takes for property owners, renters and we have a large number of landlords in this town to maintain their properties to provide satisfactory housing.

Abby Stern Cardinale, Harper Street said there's two people being appointed to the public information committee, she knows one of them she's great I think that's wonderful and wanted to mention that public information is incredibly important it really needs a focus. She served on that committee and honestly it was hard to feel like we could make an impact. She said that she really want to see the skill and talent that some of the people have actually be used. She said she would love to see some communications in different languages.

Jessica Hunsdon, Montgomery, spoke about the long term tax exemption for the supermarket. The handbook also indicates that municipalities should you the use the pilot financial agreement forecast spreadsheet tool to evaluate the net cost to the municipality of any given pilot scenario to ensure taxpayers are not unduly burdened by offsetting the subsidy through their own tax dollars. She asked if the municipality utilized the pilot financial agreement forecast spreadsheet to evaluate the net cost to the Borough. She asked how much does the Borough anticipate receiving from DL Urban Renewal LLC annually in property taxes and or annual service changes and how does that compare to past tax revenue received from this property. She asked if DL Urban Renewal LLC was receiving a long term tax exemption on both land and improvements.

There being no one further, on motion made by Councilwoman Canavera seconded by Councilman George to close public participation, and carried by affirmative voice vote of all Councilpersons present.

Ms. Jover, Administrator, indicated that she would answer the questions on the PILOT as best as she could, if not she would get back to everyone at the next meeting. There was mention about a Middlesex Borough project and she was not familiar with those details. Urban Renewal is not the property owner, they are the operator of SuperFresh, SuperFresh does not own the property and the agreement goes away if there is no grocery store which is baked into our redevelopment plan by choice. She did not have details on the New Brunswick one but was happy to look into that but her initial reaction was that the Borough is in a good place with the current arrangement. There was a question on PILOT funds and a share with the schools, she would get clarification on that because there is no residential component to this project. She said someone asked about land tax vs. improvement and indicated you cannot waive land tax with a PILOT, and Urban Renewal/SuperFresh will pay the greater of either the land tax or the ASC depending on what that calculation looks like for that given year. There was a question raised about the Redevelopment area Bond, it's a non-recourse bond to the Borough so it's a very limited risk and it's very nominal in terms of its amount. It was a necessary tool to use to make the financial agreement that we have here and anything beyond that I'd have to refer to our attorney. She indicated that anyone could email her and she would get a more precise answer to that question. There is a 2% annual increase over 30 years per a questioned that was raised. She said that she would find out about the forecast spreadsheet but did know the Borough's attorneys did look at this very

carefully. In terms of how much we can anticipate it's about \$50,000 a year based on the current value of the property. She indicated if there were questions she did not address at this time she would be happy to follow up with anybody after the meeting to make sure you get your questions answered.

Mayor Foster said that Mr. Siegel raised a question about the increase in water, and suggested he reach out to the Borough Administrator Teri Jover or someone in the water department and have them take a look at the bills and see what is going on there. She said that the Borough is trying their best to communicate as much as we can um we all are painfully aware of that we just don't receive our information from the news or from a newspaper anymore that there's various sources in which people get information and I have met with some of the members that's going to be appointed tonight to the Public Information Committee and we are looking at various ways in which to communicate as a matter of fact one of the persons that I met with has a tool that could be used to communicate with the Asian Community here in town. She noted we're looking at various ways in which we can communicate with everyone.

Mayor Foster said that there was a question raised regarding OPRA, this is been worked out with the Assembly and Senate in Trenton we're not involved in that process we had no comments.

Ordinances Requiring a First Reading.

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)

The Clerk reported that an ordinance entitled, Ordinance Approving the Application for a Long-Term Tax Exemption and Authorizing the Execution of a Financial Agreement with DL Urban Renewal (Grocery Store) Has Been Duly Introduced by the Economic Development Committee for Consideration of Passage On First Reading by Title., had been introduced in writing by the Finance Committee for consideration of passage on first reading by title.

On motion made by Councilman Hale, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for February 20, 2024, by the following roll call vote, to wit:

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

Consent Agenda Items - Resolutions.

Resolution Nos. 3-24-100 through 3-24-114 were duly adopted on a motion made by Councilman George seconded by Councilman Postelnik and carried by the following roll call vote:

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

Resolution 3-24-100

WHEREAS, the New Jersey School Boards Association (hereinafter referred to as "NJSBA"), is the Lead Agency in accordance with the Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. ("EDECA") and the regulations promulgated thereunder; and

WHEREAS, under EDECA, NJSBA is authorized to provide other energy-related services to its members; and

WHEREAS, N.J.S.A. 40A:11-10(b) authorizes municipalities to enter into cooperative pricing agreements; and

WHEREAS, NJSBA and the New Jersey Association of School Administrators (NJASA) has created, and is offering to school districts and others, the ACESplus Program which is designed to assist participating members with the evaluation and implementation of certain energy related programs, including Renewable Energy Programs; and

WHEREAS, Resolution No. 9-16-254, approved on September 6, 2016, authorizes the Borough of Highland Park to participate in the Alliance for Competitive Energy Services (ACES) Cooperative Pricing and ACESplus Program; and

WHEREAS, on September 14, 2021, Borough Council passed Ordinance No. 2031, to establish a Government Energy Aggregation Program in order to provide residents access to power supply with substantially higher renewable energy content at a price that is competitive with default power supply; and

WHEREAS, on March 5, 2024, the Borough authorized an energy consulting contract with Gabel Associates, Inc. through the ACESplus Program to provide services for the development and management of a Renewable Government Energy Aggregation Program; and

WHEREAS, The Borough of Highland Park wishes now to issue a Request for Proposal to seek proposals from alternate for energy suppliers and award a contract for Renewal Government Energy Aggregation, and

WHEREAS, the Borough will only award contract to electric power suppliers whose proposals include [resident cost savings and] an enhanced content of renewable energy sources at least 10% above the prevailing New Jersey Renewable Portfolio Standard (RPS) at the time the contract is procured with all the renewable supply coming from Class 1 resources located within PJM, and is otherwise beneficial to the Borough’s residents and consistent with applicable rules.

WHEREAS, there shall be no cost to Highland Park and all fees for Gabel Associates’ services shall be paid by the successful energy supplier in connection with a Master Performance Agreement (MPA), as more fully set forth in Gabel Associates’ Agreement.

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

1. The Borough Administrator is hereby authorized and directed, working with Gabel Associates, to develop, issue and administer a Request For Proposals process seeking proposals from energy suppliers for a Renewal Government Energy Aggregation (RGEA) Program.
2. The Mayor, Borough Clerk and Gabel Associates are also hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate Highland Park’s RGEA bid process.
3. The Borough Administrator is hereby authorized and directed to include in the request for proposals a requirement that upon award, the successful respondent reimburse the Borough for costs associated with the development and implementation of the RFP and Program application process.
4. This Resolution shall take effect immediately upon passage.

Resolution 3-24-101

WHEREAS, the Borough of Highland Park was awarded a 5-year annual grant of \$125,000 through the Neighborhood Preservation Program (NPP) from the NJ Department of Community Affairs (NJDCA) for improvements to the Woodbridge Avenue neighborhood target area; and

WHEREAS, the purpose of the grant is to design and implement a wide range of initiatives to restore a favorable climate for investment and to improve the quality of life for the residents and businesses of this neighborhood; and

WHEREAS, as a condition of the grant, the NJDCA requires that an Implementation Plan (IP) be prepared annually which delineates the activities of the NPP program and describes the manner in which grant funds will be expended and the Year Three plan covers a one-year period (January – December 2024); and

WHEREAS, said plan has been completed pursuant with the required Stakeholder Team input and other related State mandates; and

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Highland Park does hereby approve the Woodbridge Avenue District Year Three Implementation Plan; and

BE IT FURTHER RESOLVED that the Borough Council is hereby authorized to expend funds in accordance with said Implementation Plan.

Resolution 3-24-102

WHEREAS, the Policies and Procedures Handbook (“Handbook”) serves as a governing document for personnel matters involving employees, volunteers, appointed officials, and independent contractors of the Borough of Highland Park; and

WHEREAS, the Handbook has been reviewed by the Borough’s Labor Counsel; and

WHEREAS, Borough Administration and the Borough’s Labor Counsel have recommended certain revisions to the Handbook to remain compliant with law and/or to adhere to best employment practices; and

WHEREAS, the revised Handbook has been reviewed and approved by the Mayor and Borough Council.

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 revised Handbook dated March 2024.
2. The policies and procedures set forth in the March 2024 Handbook shall be effective immediately upon adoption of this Resolution and shall replace all policies and procedures set forth in any preceding Handbook.
3. The Borough Administrator is authorized and directed to distribute copies of and make available the revised Handbook to all current and future Borough employees, volunteers, appointed officials, and independent contractors.

Resolution 3-24-103

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following schedule of proposed use of CDBG funds allocated to the Borough of Highland Park for the funding period 2024 – 2025 be and the same is hereby approved and a certified copy hereof be submitted to the Middlesex County Housing and Community Development Committee for their approval. If there is a reduction in the CDBG allocation, the reduction should be divided evenly to each project.

Highland Park Community Food Pantry	\$3,000
Dept. of Recreation: Summer Camp Program/HP Gives A Hoot	\$20,000
Dept. of Recreation: Community Youth Outreach Programs	\$13,445
Dept. of Aging: Senior Transportation	\$15,000
Dept. of Aging: Senior Outreach	\$13,000
Dept. of Recreation: Molimock-Graff Park Improvements	\$12,000
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TOTAL	\$76,445

Resolution 3-24-104

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **CENTRAL JERSEY HEALTH INSURANCE FUND** hereafter referred to as "FUND", as permitted 40A:10-36 *et seq.*; and

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND; and

WHEREAS, the governing body of the Borough of Highland Park, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a. Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.
- v. Commit to the four principles of the FUND which are:
 - a. A long-term philosophy on rates.
 - b. A willingness to work with bargaining units to achieve plan design changes.
 - c. Professional management with stability and commitment.
 - d. Rating structure based on actuarial numbers.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement, attached hereto; and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Banking and Insurance and Department of Community Affairs.

Resolution 3-24-105

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the that Teri Jover, Borough Administrator, be and is hereby appointed as Fund Commissioner to the Central Jersey Health Insurance Fund, effective May 1, 2024, to represent the Borough of Highland Park; and

BE IT FURTHER RESOLVED that Jacklyn Vasquez, Payroll & Benefits Coordinator, be and is appointed as Alternate Fund Commissioner to the Central Jersey Health Insurance Fund, effective May 1, 2024.

Resolution 3-24-106

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and
WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2018 alone distracted driving-related crashes resulted in 2,841 deaths and 400,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in 50 percent of all motor vehicle crashes in 2018; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2024 Crackdown* from April 1 – 30, 2024 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is *U Drive. U Text. U Pay*; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW THEREFORE, BE IT RESOLVED, that The Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey declares it’s support for the *Distracted Driving 2024 Crackdown* both locally and nationally from April 1 - 30, 2024 and pledges to increase awareness of the dangers of distracted driving.

Resolution 3-24-107

BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that approval is hereby given to Main Street Highland Park to hold its Annual Street Fair activities on May 5, 2024, from 8:00 AM to 6:00 PM; and

BE IT FURTHER RESOLVED that permission is hereby granted to the Highland Park Police Department to make application to the New Jersey Department of Transportation for a permit to close a portion of Raritan Avenue (Route #27) between 2nd and 5th Avenues on May 5, 2019, between 8:00 AM and 6:00 PM; and

BE IT FURTHER RESOLVED that Main Street Highland Park will work in close cooperation with the Highland Park Police Department to insure minimum inconvenience to Borough residents; and

BE IT FURTHER RESOLVED certified copies of this resolution be forwarded to Main Street Highland Park; Highland Park Police Department Chief of Police, Richard Abrams; Highland Park First Aid Squad Captain, William Heins.; Emergency Management Coordinator, H. James Polos; Department of Public Works Superintendent, Michael Wieczorkiewicz.

Resolution 3-24-108

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

Title	Employee Name	2024 Pay Rate	Effective Date
Borough Administrator	Jover, Josephine	\$118,050.00	1/1/2024
Economic Development Director	Jover, Josephine	\$20,000.00	1/1/2024
Borough Clerk	Santiago, Jennifer	\$99,807.00	1/1/2024
Registrar of Vital Statistics	Santiago, Jennifer	\$5,778.00	1/1/2024
Assistant to Borough Clerk	Pampinto, Maureen	\$45,320.00	1/1/2024
Deputy Registrar of Vital Statistics	Pampinto, Maureen	\$2,000.00	1/16/2024
Director of Code Enforcement & Construction Official	Brescher, Scott	\$115,295.00	1/1/2024
Capital Projects Manager	Brescher, Scott	\$11,831.00	1/1/2024
Fire Subcode Official	Langon, Phillip	\$11,074.00	1/1/2024
Building Inspector	Luthman, Michael	\$18,553.00	1/1/2024
Zoning Subcode Official	Mullin, Michael	\$15,133.00	1/1/2024
Plumbing Subcode Official/Inspector	Rossi, Michael A	\$22,699.00	1/1/2024
Electrical Subcode Official/Inspector	Varone, Mario	\$22,699.00	1/1/2024
Communications Coordinator	Jackson, Monica	\$79,945.00	1/1/2024
Public Information Officer	Glazer, Harold	\$39,858.00	1/1/2024
Director of Community Services	McGraw, Kimberly Ann	\$96,655.00	1/1/2024
Municipal Alliance Coordinator	McGraw, Kimberly Ann	\$8,343.00	1/1/2024
Recreation Coordinator	Sabovick, Annmarie	\$61,985.00	1/1/2024
Teen Center Coordinator	Burrell, Ashton	\$64,297.00	1/1/2024
Chief Financial Officer	Champion, Nerea	\$95,000.00	1/1/2024
Payroll/Benefits Coordinator	Vasquez, Jacklyn	\$62,154.00	1/1/2024
Tax Assessor	Mancuso, Thomas	\$53,652.00	1/1/2024
Tax Assessor Clerk	Davies, Kathleen	\$25,193.00	1/1/2024
Tax Collector	Ramos, Mildred	\$84,048.00	1/1/2024
Superintendent of Public Works	Wieczorkiewicz, Michael	\$115,000.00	1/1/2024
Foreman	Troy, Frank	\$97,073.00	1/1/2024
Clean Communities Coordinator	Troy, Frank	\$1,576.00	1/1/2024
Recycling Coordinator	Troy, Frank	\$2,101.00	1/1/2024
Firefighter	Schneider, Erik	\$48,925.00	1/1/2024
Firefighter Supervisor	Shamy, Norman	\$64,297.00	1/1/2024
Municipal Court Administrator	Horan, Tracey	\$81,579.00	1/1/2024
Municipal Court Judge	Herman, Edward H	\$46,542.00	1/1/2024

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

Resolution 3-24-109

WHEREAS, the Borough of Highland Park complies with the U.S. Environmental Protection Agency’s (USEPA) Lead and Copper Rule; and

WHEREAS, the USEPA has proposed the Lead and Copper Rule Revisions (LCRR) that includes updated requirements related to the lead service line (LSL) inventory, compliance and system sampling and public education; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) passed legislation that requires water utilities to inventory and replace all lead service lines by July 2031 and requires the lead service line replacement program (LSLRP) plan be submitted and updated annually; and

WHEREAS, the Borough wishes to take a proactive approach to managing its compliance with LCRR and LSLRP and is in need of professional engineering services to assist with LSL program planning, including inventory development and service line verification and LSLRP Plan and funding strategy; and

WHEREAS, such engineering consulting services are professional services as defined in the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, CDM Smith is a qualified and licensed engineering consulting firm in the State of New Jersey with extensive experience working on water systems and lead service line issues and has submitted a technical proposal for continued inventory and planning work dated February 15, 2024 for a cost not to exceed \$39,900; and

WHEREAS, funds for this purpose are available in the 2024 Temporary Utility Budget Account No. 4-05-55-500-233 for a total amount not to exceed \$39,900 , and will be provided for in the 2024 Utility Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2024-46.

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough, a Professional Services Agreement with CDM Smith, 110 Fieldcrest Ave, #8, 6th Floor, Edison, NJ 08837, for Continued Inventory and Planning in an amount not to exceed \$39,900.00, attached hereto.
2. Copies of this Resolution shall be forwarded to the Chief Financial Officer and the Borough Administrator.

Resolution 3-24-110

WHEREAS, Randy Shutz, JJCKEC, LLC, and Frank Cadalfamo has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2024; and

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

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

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

Resolution 3-24-111

WHEREAS, Randy Shutz, James J. Coyle, and Frank Cadalfamo has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such License for the year 2024; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicant and has reported favorably upon said application.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that said applicant is qualified and that public necessity and convenience would be served by the issuance of said License.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue an Operator License to the aforesaid applicant.

Resolution 3-24-112

WHEREAS, Taylor’s Towing has filed with the Clerk of this Borough for a 2024 Wrecker/Towing License to operate heavy duty wreckers in this Borough under the provisions of the Ordinance providing for such license; and

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

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

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

Resolution 3-24-113

WHEREAS, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the “**Borough**”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (as same may be amended from time to time) (the “**Redevelopment Law**”) to act as a redevelopment entity and to implement redevelopment plans and carry out redevelopment projects in the Borough; and

WHEREAS, pursuant to the Redevelopment Law, the Borough Council caused a redevelopment plan to be prepared for certain property located within the Borough, entitled the “Downtown Redevelopment Plan for Tracts A-D” (the “**Redevelopment Plan**”); and

WHEREAS, on September 14, 2021, the Borough Council approved Ordinance No. 21-2030 adopting the Redevelopment Plan; and

WHEREAS, as described in the Redevelopment Plan, the properties identified as Tract A: Block 1704 [173], Lots 41-49 & Portion of Lot 20 (“**Tract A**”); Tract B: Block 2201 [13], Lots 6 & 9 (“**Tract B**”); Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01 (“**Tract C**”); and Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 & Portion of Lot 47, and Block 1603 [162], Lots 36-38 (“**Tract D**”) on the Official Tax Map of the Borough (collectively, the “**Properties**”) have been designated as an “area in need of rehabilitation”, “area in need of redevelopment” and/or a “condemnation area in need of redevelopment”; and

WHEREAS, on December 7, 2021, the Borough Council approved Resolution 12-21-299, authorizing the issuance of a Request for Proposals (the “**RFP**”) related to the redevelopment of Tracts A, C, and D; and

WHEREAS, the Borough received a proposal from Tantum Fidelco HP LLC (the “**Conditional Redeveloper**”), for Tract A and the Borough and the Conditional Redeveloper intend to pursue pre-development activities, including but not limited to review of the Conditional Redeveloper’s proposal, negotiation in good faith and preparation of a redevelopment agreement and other related actions (the “**Pre-Development Activities**”); and

WHEREAS, the Conditional Redeveloper recognizes that the Borough will incur costs and expenses in connection with the Pre-Development Activities, and the Borough is willing to defray those costs and expenses, with no assurance of a particular result for the Conditional Redeveloper from the Borough; and

WHEREAS, the Borough authorized and entered into an interim cost and conditional redeveloper’s agreement with the Conditional Redeveloper (the “**Conditional Redeveloper’s Agreement**”) to effectuate the funding of an escrow account and procedures for the payment therefrom of monies to pay the Borough’s costs and expenses incurred in undertaking the Pre-Development Activities; and

WHEREAS, on May 16, 2023, the Borough Council approved Resolution 5-23-16, which extended such conditional designation until December 31, 2023; and

WHEREAS, on December 5, 2023, the Borough Council approved Resolution 12-23-2668, which extended such conditional designation until June 30, 2024; and

WHEREAS, the Borough wishes to extend such conditional designation and such Conditional Redeveloper’s Agreement for a term ending on March 31, 2026; and

WHEREAS, Conditional Redeveloper has changed its name from Tantum Fidelco HP LLC to HP RarDen Redevelopment LLC.

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

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

Section 2. Execution of Agreement. The Borough Council hereby authorizes the Borough Administrator to execute an amendment to the Conditional Redeveloper’s Agreement to recognize Conditional Redeveloper’s name change and extend such agreement for a term ending on March 31, 2026.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this Resolution shall be available for public inspection at the office of the Borough Clerk.

Section 5. Effective Date. This Resolution shall take effect immediately.

Resolution 3-24-114

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 3/19/2024 can be found in the Bills List Journal Book No. 44.

Appointments.

On motion made by Councilwoman Canavera and seconded by Councilman George, appointment of Lisa Noss, and Peichi Waite to the Public Information Committee and Irina Radeva to the Arts Commission, carried by the following roll call vote, to wit:

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

Second Public Participation.

Mayor Foster opened the floor for public participation.

Mary Forsberg, Denison Street, said the open question was not whether you were involved in passing that legislation, the question about that was um in the past you sent a letter to the League of Municipalities opposing prevailing wages and was curious if you are in favor of the changes. Borough Attorney Sapana indicated that it was previously stated there was no comment.

Hannah Shostack, 146 North 6th Avenue asked if the supermarket failed whether there was any presumption and what was the association of the pilot with the property and whoever the succeeding owner might be would have be an urban renewal entity and a another pilot.

Diane Reh said that she had to correct the statement it was not SuperFresh it was Fresh Market.

Kieran Crowley 218 Harrison Avenue, requested some kind of budget analysis to support the pilot program and the incentive for the developer. In addition he would like to know which member of the Council or Entity is behind the analysis, who is doing the analysis.

There being no one further, on motion made by Councilwoman Canavera seconded by Councilman George to close public participation, and carried by affirmative voice vote of all Councilpersons present.

Mayor Foster asked the Borough Administrator if she would get Mr. Crowley an answer to his questions. Ms. Jover agreed.

Mayor Foster asked the Borough Administrator if the Borough could provide some information to Ms. Shostack in the event SuperFresh fails and any kind of bind that we may have, revenue allocation and up to a 2% abatement. Ms. Jover said that it is her understanding that this specific agreement is with Urban Renewal Entity and if this particular operator fails what would happen, and immediately there would be no more PILOT and would get back to the requestor a better answer on the sequence of events.

There being no further business, on motion made by Councilman George, seconded by Councilman Postelnik and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:56 PM.

Respectfully submitted,

Jennifer Santiago
Borough Clerk