

BOROUGH OF HIGHLAND PARK

REGULAR MEETING
April 16, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, April 16, 2024, and was called to order by Mayor Foster at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 5, 2024 and was posted on the Borough website at www.hpboro.com 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.

Craige Ambroch led the flag salute

Roll Call:

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

Absent: None

Honors, Awards and Presentations.

The Arc Middlesex County 0 Recognizing 75 Years.

Mayor Foster read a proclamation in recognition of 75 years of dedicated service to The Arc Middlesex County.

Approval of Minutes,

It was MOVED by Councilwoman Canavera and seconded by Council President Hersh the following minutes, were approved, as distributed, by the following roll call vote:

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

Council Reports.

Councilwoman Kim-Chohan indicated that the Borough would be introducing the budget this evening, and mentioned that the Rent Control Board is scheduled to meeting on Thursday, April 25th @ 530pm via zoom.

Councilman Hale reported that in addition to the introduction of our overall budget, we are also introducing the budget for Main Street Highland Park. A number of years ago, we realized that Main Street had not had its funding increased in quite some time and made the decision that we would like to try and incorporate smaller but more regular increases. This year the overall budget we are proposing is about 5% in the BID tax which as anyone who has gone out to buy a gallon of milk is really just keeping up with inflation. We have also decided to allocate some additional Borough revenues to Main Street and we have some matching programs and funding coming to Main Street in conjunction with the NPP program. The increases are designed and targeted to increasing the amount of support that Main Street can give to support existing downtown businesses, including more funding for signage and facade grants, small business grants, coupon mailers, and gift card programs. In addition, we are working with Main Street to work on ways that the Borough can pick up some of the things MSHP has been doing to help while we didn't have a grocery store and how the Recreation Department can help out more with things like the 5K. The goal of all of these actions are to make it easier for Main Street to focus on business support, retention of existing businesses and also attract new businesses. The NPP is a state grant that we received to help our residents and businesses up on Woodbridge Ave. In the last two years we have provided technical and marketing assistance to a number of Woodbridge business, brought flower plantings, the snowflakes up to Woodbridge Ave, a number of facade grants and other improvements. We are currently waiting for our final approval for our year 3 budget but this year we are going to be expanding the NPP in a number of ways. For example, we have budgeted for doing at least one car show up on Woodbridge Avenue to draw more people to the area. Based on conversations with other towns they are fun events for local residents. We have funding for porch grants for houses in the area in need of help in fixing up their porch, and we have a company called Beyond Main, which helps create improved online presence for local businesses. As soon as we get approval from the County to move forward on these and we are able to find our new economic development assistant we will move ahead so stay tuned. As you will hear tonight we have some exciting news about Tract A and the plan for Ubry's and P&K Auto to swap places in the near future. This is a plan that was worked out with Joe and Teri and all the participants and we are very excited to move the ball on Tract A. We know that people are waiting for our public meeting on Tract C and we are confident that it is coming soon. Our goal as the Mayor has indicated many times is to have an open meeting in the high school to show the plans for Tract C and to get as many comments and reactions from the public as possible. So stay tuned for that as well.

Councilwoman Canavera reported the Board of health: wants you to be aware that due to the milder winter weather Mosquito season starts earlier so protect yourself and pets. The Commission for Universal Access

met with the special education parent advisory group to work together for inclusion for all residents. Look for them to be sharing a table at the 5K street fair and earth day event. 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 services. The Human Relations Commission will have their next meeting tomorrow via zoom. The information is on the Borough's website. You are also find leaves for the Gratitude Tree at local business and Borough offices to add your leave to the tree. The Mental Health Commission wants you to know about it is Stress Awareness Month. Everyone has stress and learning to cope with our stress and finding healthy ways to deal with these situations can go a long way in living a healthy and positive life. Some ways include: Use guided meditation. Practice deep breathing and maintain physical exercise and good nutrition. Lastly The 988 Lifeline provides 24/7, free and confidential support for people in distress, and prevention and crisis resources for you or your loved ones. Please call if you or a loved one needs help.

Councilman George gave recognition to Reverend Seth for Church's housing Corporation great feature article on NPR being broadcast nationally tonight with regard to their affordable housing program which is operated with largely without Government funding. Most of the furniture is in except for the larger items such as the circulation desk, work at the library and tonight we will hopefully award to Frank Cyrus for the roofing project that's a re-roofing of the entire membrane system and repairs and updates to the HVAC system which sometimes gives rise to the leaks. The work remains on schedule and we still anticipate a reopening sometime in June. The online services still continues. There is a resolution on the consent agenda tonight authorizing the acceptance of a donation of a trailer and three police vehicles from the PBA's non-profit organization as part of the implementation of the Kushner grant. The Highland Park Police Department is also very active with local organizations this spring and in the month of May they will be conducting a pack a patrol car even for the Edison Animal Shelter from May 1st to May 31st, you can drop off donations for the animal shelter, there will a flyer posted with a QR Code with an Amazon wish list of items needed for the shelter. The Police Department is also a partner for the Community Food Distribution program, partners are the Middlesex County Prosecutor's office, Goya foods, the Highland Park Food Pantry and the NJ LGBTQ Law Enforcement liaison. They will be distributing non-perishable and canned goods on April 25th from 9AM-1PM. In addition, the LGBTQ Liaison provided training for the Borough, some Police Dept. supervisor's and line officers participated. There is also a resolution on tonight's agenda to accept a donation of the new engine from the Volunteer Fire Department, which is non-profit and implementation of the Kushner grant. We are still awaiting approval from the State of New Jersey but should be on the road shortly.

Councilman Postelnik reminded everyone that the Department of Community Services offers grocery Transportation and online food shopping assistance while we are still without a grocery store. If you need assistance in the meantime please reach out to the S Community Center. Programming highlights of the Community Center, today we held the Spring lunch we had over a 100 people and entertainment was provided by HB own drama club and the next lunch event will be on May 13th. Tomorrow Wednesday April 17th very suspicious day at 1 PM at the Community Center there's the Matter of Balance program which is a program for older adults that is designed to reduce the fear of falling which can cause people to restrict their activities. He mentioned the Counseling program, there is a Middlesex County's 90th 90s birthday celebration it's not birthdays from people in the 90s is people who are in their 90's and any Highland Park resident is invited to celebrate this Middlesex County Birthday Bash on Friday May 3 at the Piscataway Senior Center from 11AM-1PM. Some Recreation programming highlights: the Recreation Department will be facilitating this year's kids races at the annual HP 5K on Sunday May 5th so please come out and support the kids. There's currently 16 adult and youth sport art, exercise and theater programs it's a small town but we are delivering a lot and I am very thankful for all the hard work they do at the Community Center. Arts Commission update tomorrow Wednesday April 17th there will be another Book Art Workshop by the Arts Commission from 6:30 p.m. to 9 PM at the Community Center, all materials will be provided but you may bring collage elements to populate the book.

Council President Hersh reported May 5th is a big date coming up around here and I'm going to add to that May 5th is also Earth Day well Earth Day is every day but typically Earth day is April 22nd everywhere else but Highland Park we celebrate it daily and we're celebrating at our Street Fair, the whole Community is coming together at the annual Highland Park 5K race and Spring Street Fair and Earth Day Fair on May 5th so in addition to everything that you heard from Councilman Hale and Councilman Postelnik the Spring Street Fair activities up and down Raritan Avenue, Sustainable Highland Park has assembled also a terrific Earth Day program including music, food, environmental activities and education all conveniently located during the Street Fair on North Third Avenue. The full Earth Day performance list at SustainableHighlandpark.org. In conjunction with Earth Day you know with a guided tour of The Meadows Trail on Saturday April 20th between 11AM and 1PM, there's no rain date because it's nature and no registration is necessary. A little background on The Meadows Trail and thank you for Craige for this is the largest Borough owned Natural Area, it's 18 acres include forested areas, wetlands, open streams and important flood plan areas along the Raritan river and this will be a leisurely comfortable stroll but please bring comfortable shoes and water and obviously areas can be particularly muddy too so please be prepared for that. We are going to be meeting at the trail entrance at the base of South 5th Avenue at the DPW garage at 444 Valentine Street and all ages are welcome. In addition to seeing things pop up in addition to new signs and stores that Super Fresh, Fresh Mart and Giddy's and all that we're also seeing new trees popping up as well and we're setting an ambitious tree planting scheduled this spring as part of the Borough's biannual tree planting program, 72 new trees have been added to our tree canopy keeping up with new plantings as many

trees aging out it is really important. How we care for our new trees is going to be really important so obviously we have a watering contract that we're authorizing tonight and under the close supervision of the Shade Tree Advisory Committee, the Administration and Mayor Foster we're going to make sure that these trees stay vibrant and resilient we can really grow into the shade trees. Tomorrow April 17th from 700 to 800 pm you can find out from experts on the Shade Tree Advisory Committee to learn more and I am going to go to www.hpboro.com and just click on the calendar and you'll find a link to this terrific program where you can learn more about our green spaces and how to better support trees, air, and water quality and support noise reduction and shade. Bulk pickup is about to be underway, bulk pickup, bulk garbage pickup is by appointment only, pickups are can be scheduled on Wednesdays during April now May June September and October To make an appointment please call public works at 732 247-9379 and each household may request up to two collections per year. Also right after the town wide garage sale on Tuesday, September 17th and Thursday September 19th there will be automatic bulk pickups that you do not need to register for. Materials should be placed curbside no sooner than one hour before Sundown of the day prior to pick-up. Materials not properly secured or bundled and unacceptable items will not be collected. For a complete list of acceptable and unacceptable items please visit www.hpboro.com. Public Works is busy this spring obviously and are going to be out there you might have noticed also springing up are some of our old friends the Pot holes and you know it's that time of year when the roads begin to thaw and the reveals the pot holes manifest themselves in our roadways so our crews are going to be out tomorrow weather depending but it should be a nice day tomorrow uh to fill a lot of those potholes however if you they don't get filled automatic magically so if you see potholes, you can also report it at www.hpboro.com. Highland Park Housing Authority had its reorganization meeting last week congratulations to Ruby Hope on returning as chair and Ms. Martinez who was selected as vice chair. He made a quick acknowledgement of the solar eclipse, it was a really great to kind of feel that bond with the community and thanked the Highland Park PTO for supplying the kids protective eyewear so we could all enjoy the eclipse safely and securely.

Administrator. – No report.

Borough Attorney's Report – No report.

Mayor's Report.

Mayor Foster started off by echoing something that Councilman George said last Friday we had training by LGBTQ+ training here and thanked the Police Chief Rick Abrams for helping us to coordinate that with the County task force to get us that training. We had all our employees and others that came in and I believe that we all got a really good education and we learned a lot. She mentioned that as Mayor she would like to see more of these types of trainings or seminars put together where we bring in different communities and have conversations and I it's not so much a conversation as education or re-education what we thought we knew about certain communities is to have these conversations. We're being informed we're given proper educational information and how we work with and within these communities so more to follow. We're hoping to do the Asian Community next and we'll keep you updated. We're talking a lot about Main Street and about Economic Development and development of our town and our town getting highlighted in New Jersey food magazine which is awesome and I'm really happy for that but I also want to share with you that last week Fresh Mart the new market that we have in town where Quick Chek used to be had a little problem with their signage and they wrote to me and said they were having this problem we need help we don't know what to do we want to be good neighbors in our in town we want to be received well and we want to support the town and you know our sign that we have is a little bit bigger than what they normally conformed to and quickly I turn it over to the Administrator and Code Official and in no time they were able to solve this issue with the signage. If you drive by you can see that they have a big beautiful sign that fits in although the property sets back quite a lot you can still see the sign and I was happy that these are some of the things that all of us collectively do to help business succeed here in town because we want them to come, we want them to stay and we wanted to have a smooth transition into Highland Park.

Public Participation.

Mayor Foster opened the floor for public participation.

Attorney Shah announced the rules regarding public participation.

Craig Ambroch, a 30 year resident of Highland Park and very involved in the Meadows Forest. We take great pride in what we do in the forest and we also greatly appreciate the liaison that are able to come from the Council and give us assistance and not only assistance sometimes they actually want to get their hands dirty and dig in the dirt and do all kinds of things and one of our recently he was kind enough to do many things in addition to just being the support that we need for our organization and Phil George wood shop participated the signage he carved a beautiful sign location of this anyway so the so the wanted to do something in public say we really appreciate Phil and everything he's done for us in addition to very generous donations to us and we decided we want to embarrass him a little bit and give him know just a little something to recognize how much we appreciated you being with us. Councilman George was presented with a sweatshirt and expressed his thanks for the recognition.

Kieran Crowley, 218 Harrison Avenue asked if the Borough had gotten a response to the closure of South 3rd Avenue. The action to be taken tonight on Tract A and asked if tonight's vote was in tandem of the Redevelopment entities review and approval. He said in relation to Tract A, has the screening committee had a chance to review this agreement for Tract A and is there any detail that can be provided on the initial review of stakeholders.

Lois Lebbing, North 2nd Avenue, asked about Ordinance 24-2084 says something about 1.15 million something about the Borough versus 1.15 million from the redeveloper person and further down on 4-24-124 for the Main Street Highland Park budget she did not understand back in 2005 the Administrator explained a contribution to Main Street for undertaking the Borough's economic development functions which should be returned to the Borough and then we talk about salary and transferring the functions to Main Street representing a huge savings since Main Street can accomplish this for less and she does not see this happening.

There being no one further, it was moved by Councilman George and seconded by Councilwoman Canavera to close public participation, and carried by affirmative voice vote of all Councilpersons present, public participation was closed.

Teri Jover, Administrator responded regarding South 3rd, indicating there have been promising meetings although we do not have our permit yet. It seems to boil down to lighting at the intersection and there is an order in with PSE&G to upgrade the lights at South 3rd intersection to LED to address the NJDOT's concerns.

Mr. Baumann, Esq., addressed the Redevelopment entity inquiry. He indicated that the Redevelopment entity comes right out of the statute and the municipality can choose to be the Redevelopment Entity or they can choose to delegate that authority to a Redevelopment Agency. Some years ago the Borough decided to bring it in house and take control of the Redevelopment Entity and they chose early on to allocate their work stream to a separate meeting when they are acting as the Redevelopment Entity or handling redevelopment work that was just the ease of organizing work not necessarily changing who they are.

Councilman Hale said the idea behind the advisory or screening committee was if you were interested in developing and the developer wanted to take the temperature of people on the Planning Board and Zoning Board and MSHP to get an idea and informal advice they would request to meet with the Rehabilitation and Redevelopment screening committee. It is really just an attempt to try and provide development and developers a kind of sounding board.

Mayor Foster said with regards to CDBG about five years ago the formula for the community block development Grant was changed. There was a time when you could use it in all in certain areas of town that has been we've gotten a huge cut from the federal government, the grant is much more restrictive and it's only being used now in certain areas of town and it's areas in need of upgrades, so that's pretty much on the Woodbridge Avenue Corridor. For the past four years that's where the grant has currently been used the federal government has not expanded their reach and extending the grant to any other area so that's why it has not been used in the entire town of Highland Park, the entire downtown of Highland Park it's only being used up on Woodbridge Avenue.

Ordinances Requiring a Second 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)

Clerk reported on 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) has been duly advertised for consideration of passage on final reading by title and affidavits of publication are on file.

Mayor Foster opened public hearing on Ordinance No. 24-2083.

Kieran Crowley, 218 Harrison Avenue asked what kind of formal budget analysis has been done to make sure that the PILOT in lieu of taxes is something that the Borough can absorb. He said he believes \$50,000 is roughly the amount of tax we are giving up, does this effect taxes in the future. He said there is a section that speaks of benefits of project versus costs but only mentions the benefits does not mention costs.

Lois Lebbing, North 2nd Avenue, said we can see that they are spending millions of dollars redoing and asked if there would be new public restrooms. She said she read a statement 35 full-time employees and finds that very doubtful since most retail is pushing for part-timers.

There being no one further, on motion by Councilman Postelnik and seconded by Councilwoman Canavera, and carried by affirmative voice vote of all Councilpersons present the public hearing on Ordinance 24-2083 was closed.

Ms. Jover, Borough Administrator indicated that the \$50,000 essentially works out to about .09% of the total amount to be raised by taxes which is about \$11.00 per year for the average residential assessment. She said that the cost of having a large vacant store and not having a grocery store and what that can do to property values in the long run, what that means to economic development. She said that she strongly believes that this outweighs and if anything will help us in the long run.

Mr. Baumann, Esq., said that simply that \$11 a year to the average homeowner would that be a visible amount to maintain the grocery store which you know we were told a year ago and I think everyone agrees it's a critical community amenity.

Mayor Foster said that she did not know how many employees they plan on hiring. She said that they have gutted the entire facility and would assume that they are going to put in new restrooms and she said that she would check on the number of employees they are looking to hire and whether they will be full-time or part-time and will find out about the restrooms.

On motion made by Councilman Postelnik seconded by Councilwoman Canavera, Ordinance No. 24-2083 entitled as above, was duly adopted by the following roll call vote, to wit:

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

Ordinances Requiring a First Reading.

Ordinance No. 24-2084 Ordinance Authorizing the Execution of an Assignment and Assumption Agreement with RarDen Redevelopment LLC Pursuant to N.J.S.A. 40A:12A-1 et seq. Related to Redevelopment of Tract A

The Clerk reported that an ordinance entitled, Ordinance Authorizing the Execution of an Assignment and Assumption Agreement with RarDen Redevelopment LLC Pursuant to N.J.S.A. 40A:12A-1 et seq. Related to Redevelopment of Tract A has been duly introduced by the Economic Development and Planning 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 May 7, 2024, by the following roll call vote, to wit:

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

Resolutions requiring a Separate Reading.

Resolution 4-24-123 Resolution Authorizing Introduction of 2024 Municipal Budget by Title and Schedule Public Hearing for May 21, 2024

Municipal Budget of the Borough of Highland Park, County of Middlesex for the Fiscal Year 2024 – Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024, Be it Further resolved, that said Budget be published in the Homes News Tribune in the issue of April 21, 2024. The Governing Body of the Borough of Highland Park does hereby approve the following as the Budget for the year 2024, Notice is hereby given that the Budget and Tax Resolution was approved by the Council Members of the Borough of Highland Park, County of Middlesex on April 16, 2024. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on May 21, 2024 at 7PM at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested parties.

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

		YEAR 2024
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)		XXXXXXXXXXXXXX
1. Appropriations within "CAPS" -		XXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S.A. 40A:4-45.2)}		15,847,636.20
2. Appropriations excluded from "CAPS" -		XXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S.A. 40A:4-53.3 as amended)}		4,300,647.86
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)		4,300,647.86
3. Reserve for Uncollected Taxes (Item M, Sheet 29) Based on Estimated	99.63%	Percent of Tax Collections 200,000.00
		Building 2024 Aid - \$ 20,348,284.06

4. Total General Appropriations (Item 9, Sheet 29)	Allowance for Schools- State Aid	2023 - \$
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,288,670.02
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		XXXXXXXXXXXX
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)		14,424,978.84
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		634,635.20

Borough Administrator Jover presented the Municipal Budget

On motion made by Council President Hersh, seconded by Councilwoman Kim-Chohan, the 2024 Municipal Budget and Tax Resolution were duly adopted on first reading schedule public hearing for May 21, 2024 by the following roll call vote, to

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

Resolution 4-24-124 Resolution Authorizing Introduction of the 2024 Main Street Highland Park Budget by Title and Set Public Hearing for May 21, 2024

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following statements of revenues and appropriations shall constitute the Main Street Highland Park Budget for the year 2024;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, Asbury Park, NJ, in the issue of April 21, 2024.

The Governing Body of the Borough of Highland Park does hereby approve the following as the Main Street Highland Park Budget for the year 2024:

Income	
Municipal Contribution	60,000.00
Special Assessment (BID)	180,044.00
Other Revenue (fees, sponsorships, grants)	185,750.00
Total Income	\$ 425,794.00
Expenses	
Administration and General	233,330.00
Design (lighting, planters, facade grants)	71,000.00
Promotions and Economic Revitalization	121,425.00
Total Expense	\$ 425,755.00
Budget Surplus/(Deficit)	\$ 39.00

Notice is hereby given that the Main Street Highland Park Budget and Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on April 16, 2024.

A hearing on the Main Street Highland Park/Business Improvement District Budget will be held at the Tuesday, May 21, 2024 Council Meeting in Borough Hall, 221 So. 5th Avenue, Highland Park, NJ 08904 at which time and place objections to said Budget and Resolution for the year 2024 may be presented.

By the Borough Council of the Borough of Highland Park the following statements of revenues and appropriations shall constitute the Main Street Highland Park Budget for the year 2023; said Budget shall be published in the Home News Tribune, Asbury Park, NJ, in the issue of April 21, 2024. The Governing Body of the Borough of Highland Park does hereby approve the Main Street Highland Park Budget for the year 2024: Notice is hereby given that the Main Street Highland Park Budget and Resolution was approved by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, on April 16, 2024. A hearing on the Main Street Highland Park/Business Improvement District Budget will be held on the Tuesday, May 21, 2024 Council Meeting in Borough Hall, 221 So. 5th Avenue, Highland Park, NJ 08904 at which time and place objections to said Budget and Resolution for the year 2024 may be presented.

On motion made by Councilman Hale, seconded by Councilwomen Canavera, the 2024 Main Street Highland Park Budget was duly adopted on first reading and schedule public hearing for May 21, 2024 by the following roll call vote, to

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

It was moved by Councilman George and seconded by Councilwoman Canavera to pull Resolution 4-24-135 from consent.

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

Consent Agenda Items - Resolutions.

Resolution Nos. 4-24-125-Resolution 4-24-134 and Resolution 4-24-136 were duly adopted on a motion made by Councilman George seconded by Councilwoman Canavera and carried by the following roll call vote:

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

Resolution No. 4-24-125

WHEREAS, the Borough of Highland Park (hereinafter referred to as “Borough”) authorized the solicitation of bids for replacing the roof for the Highland Park Public Library (hereinafter referred to as the “Project”); and

WHEREAS, four (4) bids were received for the Project, which were opened on March 19, 2024 at 11:00 a.m. as follows:

Company	Total Bid Amount
Sky General Construction	\$182,000.00
Frank Cyrwus, Inc.	\$278,210.00
Mak Group	\$368,758.00
Northeast Roof Maintenance	\$484,900.00

WHEREAS, the bid submitted by Sky General Construction was insufficient as the Bidder’s Qualification Form, Plan and Estimate Questionnaire, List of Subcontractors and the Non-Collusion Affidavit was not notarized; and

WHEREAS, the Borough Engineer reviewed the bid submitted by Sky General Construction and found their bid amount to be disproportionately lower in comparison to the estimate and thus inadequate to perform the Project; and

WHEREAS, Frank Cyrwus, Inc., is the lowest responsible bidder as their price is reasonable based on the Borough’s Engineer’s estimate; and

WHEREAS, the Borough Attorney reviewed the bids and recommends awarding a contract to Frank Cyrwus, Inc., for the Project in an amount not to exceed Two Hundred and Seventy Eight Thousand and Two Hundred and Ten Dollars (\$278,210.00); and

WHEREAS, funds for this purpose are available in the 2024 Temporary Budget, Capital Fund Account No. C-04-55-835-001, in an amount not to exceed \$278,210.00, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2024-49.

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 Highland Park Library Roof Replacement contract be awarded to Frank Cyrwus, Inc., located at 227 Hamburg Tpke., Unit 8, Pompton Lakes, New Jersey 07442 for an amount not to exceed Two Hundred and Seventy Eight Thousand and Two Hundred and Ten Dollars (\$278,210.00).
2. That the Mayor be and is hereby authorized to execute and the Borough Clerk to witness a contract with Frank Cyrwus, Inc., for an amount not to exceed \$278,210.00.

Resolution No. 4-24-126

WHEREAS, on April 5, 2022, Suburban Development LLC, posted with the Borough of Highland Park a performance bond No. RU101503, issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33, for a total amount of \$84,503.33, in connection with preliminary and final major subdivision application and design standard exceptions on the property known as 238 Clevealnd Avenue, Block 403, Lots 31-33, in the Borough of Highland Park; and

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

WHEREAS, the Borough Engineer has conducted a site inspection of this project and filed report dated March 25, 2024 recommending the denial of release of Performance Bond No. RU101503, issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33; and

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

1. Suburban Development LLC is hereby denied the request for release of Performance Bond No. RU101503 issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33, for a total amount of \$84,503.33, in accordance with the Borough’s Engineers report dated March 25, 2024.
2. Certified copies of this resolution be forwarded to the Finance Department, Borough Engineer, Construction Official and Suburban Development LLC.

Resolution No. 4-24-127

WHEREAS, the Highland Park Police Department provides essential public safety services to the residents and businesses within the Borough of Highland Park community; and

WHEREAS, the Highland Park PBA Local No. 64 Civic Association intends to donate a Haul-About Cargo Trailer and three (3) Ford Explorer Sports Utility Vehicles to the Borough of Highland Park for use by the Highland Park Police Department; and

WHEREAS, the Mayor and Borough Council wish to acknowledge and thank those whose generosity make our community one of the best; and

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 40A:5-29 authorizes the acceptance bequests, legacies and gifts; and

WHEREAS, the acceptance of such a gift is in the best interest of the Borough.

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 gift donated by the Highland Park PBA Local No. 64 Civic Association is hereby accepted.
2. The Borough shall properly register, insure and maintain the Haul-About Cargo Trailer and three (3) Ford Explorer vehicles for use by the Highland Park Police Department throughout their useful lifetimes.

Resolution No. 4-24-128

WHEREAS, the Highland Park Fire Department provides fire protection and lifesaving services to the residents and businesses within the Borough of Highland Park community; and

WHEREAS, the Highland Park Volunteer Fire Department intends to donate an E-One Typhoon Pumper to the Borough of Highland Park; and

WHEREAS, the Mayor and Borough Council wish to acknowledge and thank those whose generosity make our community one of the best; and

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 40A:5-29 authorizes the acceptance bequests, legacies and gifts; and

WHEREAS, the acceptance of such a gift is in the best interest of the Borough.

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 gift donated by the Highland Park Volunteer Fire Department is hereby accepted.
2. The Borough shall properly insure and maintain the E-One Typhoon Pumper for use within the Borough of Highland Park throughout its useful lifetime.

Resolution No. 4-24-129

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:

- Dvir Ravee, Recreational Assistant II, \$25.00 Hourly, Effective 05/01/2024
- Evan Rodger-Farmer, Sports Camp Director (seasonal), \$22.50 Hourly, Effective 06/01/24
- Mason Springer-Lipton, Leadership Counselor (seasonal), \$19.00 Hourly, Effective 06/01/24

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

Resolution No. 4-24-130

WHEREAS, the Borough desires to upgrade the Felton Avenue Tot Lot; and

WHEREAS, a contract has been awarded to replace the play structure and surface and there is a need for additional landscaping improvements such as the installation of pavers, fencing and greenery; and

WHEREAS, three quotes for this landscaping work were solicited and received as follows:

G&J Property Maintenance, LLC	\$34,700.00
SJC Lawncare	\$38,425.00
JQ Landscaping	\$41,600.00; and

WHEREAS, the Capital Projects Manager has recommended that said services be purchased from G&J Property Maintenance, LLC based on their quote for same; and

WHEREAS, funds shall be available in Capital Account No. C-04-55-833-001 and Grant Account No. G-02-41-785-201 in an amount not to exceed \$38,000.00, as reflected by the certification of funds by the Finance Director No. 2024-50.

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 to accept the quote for the Felton Ave Tot Lot landscaping improvements from G&J Property Maintenance, LLC, P.O. Box 172, Sewaren, NJ 07077 at a total cost not to exceed \$38,000.00.
2. That a certified copy of this resolution be forwarded to the Capital Projects Manager and the Chief Financial Officer forthwith.

Resolution No. 4-24-131

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, on February 21, 2023, by Resolution No. 2-23-71, and in accordance with the provisions of the Redevelopment Law, the Borough Council of the Borough of Highland Park (the “**Borough Council**”) authorized and directed the Planning Board of the Borough of Highland Park (the “**Planning Board**”) to conduct an investigation of certain property identified on the tax maps of the Borough as Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39 (the “**Study Area**”) and to determine whether all or a portion of the Study Area meets criteria set forth in the Redevelopment Law, *N.J.S.A. 40A:12A-5*, to be designated as a non-condemnation redevelopment area in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-6*; and

WHEREAS, Resolution No. 2-23-71, in accordance with the provisions of the Redevelopment Law, also authorized LRK, Inc. (“**LRK**”) to conduct a preliminary investigation to determine whether all or a portion of the Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Board received a report setting forth the basis for the investigation prepared by the Planning Consultant, entitled, “Preliminary Investigation of a Non-Condensation Area in Need of Redevelopment, Downtown Area – Tract C Expansion” dated November 22, 2023, concerning the determination of the Study Area, as an area in need of redevelopment (the “**Report**”); and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to a determination whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the property is an area in need of redevelopment; and

WHEREAS, on December 14, 2023, the Planning Board reviewed the Report, 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 Report, 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 Report; and

WHEREAS, the Borough Council agrees with the conclusion of the Planning Board that the Study Area satisfies the criterion for redevelopment area designation set forth in the Redevelopment Law and finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council now desires to designate the Study Area as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

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

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Borough Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated as a “Non-Condensation Redevelopment Area” as referenced in the Redevelopment Law. The designation of the Study Area as a “Non-Condensation Redevelopment Area” shall authorize the Borough to exercise all powers under the Redevelopment Law except the power of eminent domain.

Section 4. In accordance with the Redevelopment Law, the Borough Council hereby directs the Borough Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs and to all record owners and person(s) who filed a written objection with respect to the herein designation.

Section 5. 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 6. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.

Section 7. This resolution shall take effect immediately.

Resolution No. 4-24-132

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

1. Tree Watering Contract for Trees Planted in 2024; and

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

Resolution No. 4-24-133

BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that the following amended schedule of meetings for the year 2024 be and the same is hereby adopted.

AMENDED SCHEDULE OF BOROUGH COUNCIL MEETINGS FOR 2024

REGULAR MEETINGS (action shall be taken)	WORK SESSIONS MEETINGS (only as needed – no action shall be taken)
May 7, 2024 May 21, 2024	May 14, 2024 May 28, 2024
June 18, 2024	June 25, 2024
July 16, 2024	July 30, 2024
August 13, 2024	August 27, 2024
September 3, 2024 September 17, 2024	September 10, 2024 September 24, 2024
October 1, 2024 October 15, 2024	October 8, 2024 October 29, 2024
November 12, 2024	November 26, 2024
December 10, 2024	December 3, 2024 December 17, 2024

All Borough Council Meetings are held in Borough Hall, 221 South 5th Avenue, unless otherwise indicated. The Governing Body may take official action on matters at Regular Meetings, and Special Meetings, no formal action shall be taken at Work Session meetings.

BE IT FURTHER RESOLVED that copies thereof be sent to the Home News Tribune, and the Star Ledger and filed with the Borough Clerk.

Resolution No. 4-24-134

WHEREAS, according to N.J.S.A. 40A:4-5.1 and the Director of the Division of Local Government Services, a municipality which does not introduce its municipal budget for 2024 by March 29, 2024 or the next regularly scheduled meeting of the governing body, must set forth its reasons for such delay; and

WHEREAS, the Borough Council of the Borough of Highland Park was not able to hold its budget work session until March 26, 2024; and

WHEREAS, the Borough requires additional time following the budget work session to finalize and prepare the annual budget and related documents; and

WHEREAS, there was concern that the Borough Council may not be able to assemble with a quorum for its regularly scheduled meeting on April 2, 2024; and

WHEREAS, to avoid the potential lack of a quorum, introduction of the budget was delayed to the next regularly scheduled meeting on April 16, 2024.

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

1. The Mayor and Borough Council hereby requests the Director of the Division of Local Government Services to accept the late filing of the Borough of Highland Park’s 2024 Municipal Budget.
2. The Borough Clerk is hereby authorized to forward a certified copy of this resolution to the Division of Local Government Services within the Department of Community Affairs via email and/or the FAST online portal.

Resolution No. 4-24-136

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.

1. The bills approved for payment at this meeting, Bills List 4/16/2024 can be found in the Bills List Journal Book No. 44.

Appointments.

On motion made by Council President Hersh and seconded by Councilwoman Canavera, appointment of Lisa Noss to Sustainable Highland Park, carried by the following roll call vote, to wit:

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

Second Public Participation.

Mayor Foster opened the floor for public participation. There being no one, on motion made by Councilman George seconded by Councilwoman Canavera and carried by affirmative voice vote of all Councilpersons present, second public participation was closed.

Resolution 4-24-135

WHEREAS, as authorized by the Open Public Meetings Act, N. J. S. A 10: 4- 12(b), the Mayor and Council have a need to meet in executive session.

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

1. The public shall be excluded from executive session at close of tonight’s open session.
2. The general nature of the subject matter to be discussed is as follows:
 - Potential Litigation – MCMJIF
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.

On motion made by Councilwoman Canavera, seconded by Councilwoman Kim-Chohan, Resolution 4-24-135 was duly adopted by the following roll call vote, to

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

There being no further business, on motion made by Councilwoman Canavera, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:26 PM to go into executive session.

Respectfully submitted,

Jennifer Santiago
Borough Clerk