

BOROUGH OF HIGHLAND PARK

REGULAR MEETING
May 7, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, May 7, 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 April 18, 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.

Lt. Soden led the flag salute

Roll Call:

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

Absent: None

Honors, Awards and Presentations.

Mayor Foster read into the record the proclamation in recognition of Mental Health Awareness Month – May 2024.

Approval of Minutes,

It was MOVED by Councilman George and seconded by Councilwoman Canavera the following minutes, April 16, 2024 regular and executive session meeting were approved, as distributed, by the following roll call vote:

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

Council Reports.

Councilwoman Kim-Chohan reported that at the last meeting we went over the budget presentation, she thanked Business Administrator Jover and the Finance Team. Property taxes were due May 1, 2024. There is a ten (10) day grace period. We do have a drop off box in front of the building. The Rent Control Board's April meeting has been rescheduled to May 23rd at 5:30 pm in Council Chambers as well as zoom. It will be listed on our Borough website, on the calendar the details and link will be there. She recognized Asian American Pacific Islander Heritage month and thanked them for the important role they play in our community.

Councilman Hale thanked Main Street Highland Park for the 5k and Street Fair last weekend. He mentioned he was out of town for his son's graduation and missed the event. He said he had heard reports that despite the rain the event was a huge success. He felt it was important to point out that the vast majority of the work for this event is done by volunteer labor and that many of the vendors travel to other street fairs and events throughout the year. That means that having a rain date is just too impractical, realistic or feasible. Rain or shine it is always a great event and thank you Rebecca Hersh and her team at Main Street for making it happen. He mentioned on the consent agenda there is one item related to the Kushner gift and the library. He wanted to recognize that we recently lost a man who was instrumental in making the entire Kushner gift to the Borough happen. Judge Barney Hoffman. Judge Hoffman recently passed away and will be sorely missed. He was a beloved member of our community, a respected Judge and owner of a wicked sense of humor. Whether it was his humor, his sense of justice and willingness to give everyone second chances, Barney was way ahead of everyone, he will be missed.

Councilwoman Canavera reported the Board of Health wants you to know that World Asthma Day is today. Asthma is a chronic lung disease which causes breathing difficulties and affects sufferers in various degrees. Asthma is caused by swelling and inflammation of the bronchial tubes, sometimes in reaction to allergies, exercise, stress, changes in temperature and smoking including second and third hand smoke. The Commission of Universal Access wants you to know that it is Tourette's Awareness month. While the majority of people have heard of Tourette's syndrome, many do not really understand what it entails, most thinking that it is a rare disease and that shouting out obscenities is a criteria for diagnosis which is untrue. It is believed that due to the lack of awareness around the condition, it is still one of the least known neuro diverse conditions. The media often portrays Tourette's syndrome as the swearing condition and the true realities of what it's like to live with the condition are rarely shown, leading to isolate to those diagnosed. The Mental Health Commission wants everyone to know it is National Mental Health Month. Mental Health Month was established in 1949 to increase awareness of the importance of mental health and wellness in Americans' lives, and to celebrate recovery from mental illness. Mental health is essential for a person's overall health. Prevention works, treatment is effective,

and people can recover from mental disorders and live full and productive lives. If you need help, please call 988 or text HOME to 741741. She mentioned that the Food Pantry hours are the second and fourth Thursday from 9:30 – 10:30 AM and 6:00 – 7:00 PM. And the Saturday following the second and fourth Thursday from 9:30 – 10:30 PM. The Gives A Hoot Food Pantry located at the Teen Center is Tuesdays and Wednesdays from 10:00 – 11:00. They had to increase their days because we have so many residents in need. She expressed her gratitude to Officer Bibby for his prompt response to a 911 call at her residence, concerning a family member experiencing a medical emergency. His compassionate demeanor and adept handling of the situation provided invaluable comfort during a distressing moment, therefore mitigating the level of stress involved. Councilwoman Canavera then acknowledged one of our crossing guards, Bill Laytos. He is so friendly, and the kids really like him a lot. My son says, “He is so nice, and you can tell he loves his job.”

Councilman George spoke of his memories of Judge Barney Hoffman. He attended in service and the accolades kept going on. Some of the best advice that we could get is from our volunteers and he was a volunteer and consultant as well as a good source of information. Kudos to Main Street and Councilman Hale on the Street Fair and 5k. No one was folding their tents until about 3:30 PM. They were sticking it out. Our Safe Walking and Cycling Committee are having their Bike Rodeo on Tuesday, May 14th at Bartle School in the parking lot from 4:30 until 6:00 PM. There’s no registration needed. It’s for ages 6 and above. Bring your helmet and bicycle. It will be fun event and help you learn the rules of the road. There will be safety checks for bicycles and equipment at the Farmers Market. In regard to the Library, there is a resolution on the agenda to authorize the Library Board to enter their own resolution to contract with the lowest bidder for the work to the Kushner Grant Improvements that will keep everything on the same synchronized work schedule with the roof and interior. The Highland Park Police Department is participating in Police Meet next week. There are a team of 5 intrepid cyclists from our department who will be taking a ride to D.C.. He thinks they are leaving from Morristown, to ride with the New Jersey contingent. The Highland Park Police Department was a partner in the Community Food Distribution Program in partnership with the Middlesex County Prosecutor’s office, our food pantry and the New Jersey LGBTQ law enforcement liaison for distribution of non-perishables and can goods. The event was held on April 25th. The Chief of Police told him that between 9am – 1pm, over 2 tons of non-perishables were distributed and were supplied as a donation. They cleared over 200 full bags that were ready to go and left with the Food Pantry. The May Pack of Patrol Car Event for the Edison Municipal Animal Shelter continues, people are dropping off donations at the shelter. The Police Department main page on the website is the QR Code if you want to go to the Amazon wish list for the items that the Edison Animal Shelter needs. The First Aid Squad was at the Street Fair and he spoke with the members about the new ambulance. They’re still waiting for it to be delivered. We spent a little time discussing future plans for the older machinery and whether it can be repurposed to use here for fire assistance purposes.

Councilman Postelnik reported that grocery store transportation is still available through the Community Center. The Highland Park Youth Theater Company will be performing this week, the performances will be held on Thursday, May 9th at 6:30 PM and Sunday May 12 at 3:00 PM. They will be held at the Highland Park High School auditorium next week. We’ll have the May luncheon at the Community Center on Monday, May 13th at noon, entertainment will be provided by Lori Goldman. On Tuesday, May 21st from 11:00 AM to 2:00 PM, the Community Center will have the annual healthcare. There will be free screening including those for blood pressure, pulse, BMI, cholesterol, glucose, stroke risk assessment, bone density and skin cancer. Fasting is not required for the testing. May 27th will be annual Memorial Day Parade starting at 1:00 PM in New Brunswick crossing the bridge around 11:30 AM and proceeding to the Doughboy Monument in Highland Park where the ceremony will take place. On Friday, May 17th and Saturday, May 18th at 8:00 PM the Highland Park Community Chorus will be putting on their Spring 2024 Concert at the Reformed Church of Highland Park. Tickets are \$20.00 for adults and \$15.00 for seniors and students. They can be purchased on line on their website or at the door. The Porchfest will be held on Sunday, May 19th from 12:00 to 6:00 PM. There will be performances at porches all throughout the town. You can find the link to the schedule on the Borough’s website.

Council President Hersh reported bulk pickup is happening now and by appointment only. Pickups are scheduled on Wednesdays during the months of May, June, September and October. To make an appointment call Public Works at 732-247-9379. Each household may request up to two (2) collections per year. After the town wide garage sale there is a town wide collection where you do not have to make an appointment. Stay tuned for those days as we get closer to the fall. The potholes and crosswalk striping are underway. If you see a pothole please report it at www.hpboro.com. There’s a button that says reported concern, you can also call the Department of Public Works. Wednesdays are usually the day that potholes are filled but please keep us posted. We will put it on the list and get it filled ASAP. Weather permitting we’ll have several roadway milling projects. They include Exeter Street from Parker Road to Cherry Street, Washington Avenue from Raritan to near Edison Township bordering Riverview Avenue from near the guard rail to dead end. South Third Avenue from Valentine to Donaldson and South 11th Avenue to Woodbridge Avenue. Parking signs will be posted before the milling begins and please note that garbage and recycling pick up schedules will not be affected. If you miss a pickup call Public Works at 732-247-9379. They are good about coming back and collecting whatever they missed. One more note about the road paving, in order to facilitate the work we respectfully request that when possible no cars be parked on the street in areas when work is being performed. The contractors do anticipate keeping at least one lane of traffic open during construction, however, there are certain times when the entire road may need to be closed so please plan accordingly. More road projects in the works in partnership with

Middlesex County. This past Saturday at the Trenton State Museum, the Mayor and I we're thrilled to be invited to see Renaissance Cultural Center. Highland Park base honored at a recognition ceremony by the New Jersey Puerto Rican Commission in 2023. The bureau created a partnership Cultural Center to provide programmatic space at the Environmental Educational Center on River Road where they are able to continue to grow and impact the community on a larger scale. At the Environmental Center we're thrilled to have raised this as the eyes and ears of the building as we conduct regular maintenance in partnership with the Department of Public Works of course this will continue to be a completely public space available to the community. The Environmental Commission, Sustainable Highland Park and the Highland Park Native Planet Sanctuary we anticipate having a report in just a couple weeks on the volume of improvements that have been made at the Environmental Educational Center. It sat empty for several years particularly during the pandemic. He echoed the sentiments about the Street Fair and 5K, he thanked Main Street Highland Park, Councilman Hale, the Police Department, First Aid and Fire Department and the Recreation Department. He noted there are many moving parts coming together to what I saw as an observer a really seamless wonderful event. There were some weather events but it is Earth Day so you know without rain we can't have anything. We celebrated Earth Day in Highland Park on May 5th but every day is Earth Day in Highland Park. He gave a special shout out to Sustainable Highland Park for really doing a tremendous job organizing music, vegan food, from Environmental Education and interactive exhibits and free native plants. I hope you got your free native plant. There is a Shade Tree Advisory Committee meeting tomorrow Wednesday May 8th on Zoom at 7:30 please come and you can find the link on the calendar section at www.hpboro.com and you might be able to hear a little bit about the 72 new trees that have recently been planted. He mentioned related to the schools the Highland Park Educational Foundation I served on their board for about 8 years and they provide really important seed money to conduct teacher programs and initiatives and they're looking for new trustees.

Administrator. – No report.

Borough Attorney's Report – No report.

Mayor's Report.

Mayor Foster asked for a moment of silence in remembrance of Judge Hoffman. I too have a judge Hoffman story and he made everyone feel special and his jokes and his sense of humor and his gift of giving back and thinking outside the box especially with the RAD program. The Prisoner recovery program that he started here in Middlesex County where he would go, She heard stories that he would go to the jails and when the prisoners saw him they respected him although he may have sent them to jail but they respected him and they respected the programs that he put in place for them to come out and to thrive and have good lives. She was particularly touched and honored a week before Judge Hoffman passed, she had been working with him with the Kushner grant for over a year and we happen to get everything together and we can see the fruits of his labor with issuing of the grants and making everything happen. A few days before he passed she received a phone call that he wanted to see me and I stopped by the house and I held his hand and I read the Bible I said the Lord's Prayer because that's what I know how to do and I think we shared a special moment. One of the greatest honors is that before someone passes on that they request to see you and that speaks volumes and the relationship that we had was great and one that we both respected each other and he will forever be missed. We will be doing a proclamation for Judge Hoffman in the next few weeks so stay tuned, we will ask his family to come out for the presentation. She thanked Judge Hoffman for all he's done for humanity, thank you for all you've done for Middlesex County and thank you for all you've done for Highland Park. She recognized Asian Pacific Islander month and thanked everyone for all the services that you have done for making our home, the United States, a much better place with from inventions to laws to policies and all the contribution that you have made we all benefit from it and we all celebrate with you. She thanked Main Street Highland Park to Sustainable Highland Park, to the vendors that came out, the 5K race, DPW, Public Safety, Fire, Police, First Aid, OEM and all the vendors, thank you all for making Highland Park a special place. Our day of celebration it doesn't matter if it's raining Highland Park always shows up and the vendors always show up and they always have a good time so thank you for all who came out participated and made that day special. She said she has been working with the school board members and we're in a healthy spot as we move along. This coming Thursday we have a school site visit to perform with Assemblyman Karabinchak and Senator Diegnan, John Carroll from Middlesex County to get a tour of Bartle School. She is very excited that she was the one who helped to get the Superintendent of Middlesex County Schools to go over and see if they can address some of the issues. She is excited about the collaborative work that we'll be doing together. The Traveling Veteran's Memorial Wall will be in East Brunswick as we're looking to celebrate Memorial Day. The VFW Post 133 and the Township of East Brunswick will be hosting open to anyone who's interested. It will be at the East Brunswick Community Arts Center at 721 Cranbury Road and that's from the 23rd to the 27th. The Traveling Vietnam Memorial Wall is 80% replica of the Veteran Memorial Wall in DC so if you want to say a special thank you for those who have given so much for us, for what we call freedom today, take a moment, go out and honor those brave people that give us the liberty for us all to be sitting here and for us to be free. Another project that has been long awaited and I have a save the date is the celebration dinner at the school on Cleveland Avenue. The celebration dinner will be on June 17th. I will keep you all posted as we moved forward. We are hoping that we may be able to do some visits, especially for people who live in that neighborhood and we'll schedule that and so you all can see what this State-of-the-Art girl's campus will look like.

Public Participation.

Mayor Foster opened the floor for public participation.

Bhavan Brahmhatt, owner of Highland Park Wine and Liquors, 97 Woodbridge Avenue, indicated that he was having an on-going issue that is affecting his business. He explained that at the corner of Woodbridge Avenue and South 10th people were leaving their cars parked for 5-10 hours a day which is right in front of the door to his business. Large deliveries coming to the store cannot make their deliveries because of all those cars parked and he is losing business because he does not have the stock to sell. His customers also say they see that a lot of cars are parked and they don't stop and they don't come into the store. He asked for help and asked if the Borough could place 15 minute parking signs and that would really help his business. Mayor Foster said she was going to ask Councilman George to look into this.

Councilman George said that he would bring this up at the next Public Safety meeting so a traffic check could be done.

Councilman Hale also mentioned to Mr. Brahmhatt about the Neighborhood Preservation program.

Mary Forsberg, Denison Street expressed concerns about the assignment and assumption agreement with the Tract A developer HP RarDan Development LLC. She does not understand it is a real estate transaction between Ubry's and P&K Auto Clinic and feels it is not appropriate for the Borough to act as a go between using taxpayer money to facilitate this private real estate transaction. She asked what was the ultimate outcome of this assignment and assumption agreement? What's the process between Ubry's and P&K Auto, what if the properties don't get purchased to finish off the ownership and who will pay.

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

Joseph Baumann, Esq. said it's easier to understand where we intend to find ourselves at the end of the transaction then we can go backwards. The goal is for the Borough to own all the property in this Tract and with the acquisition of this property there will be only one left that will be in private hands. Over the course of many years the Borough has identified this area as an area to acquire the property over time with the goal of aggregating all the parcels and having a developer acquire them back from the Borough and then build a proper Redevelopment project. We have actually gone out to the marketplace and have taken proposals and we've traditionally designated redeveloper which is the developer that's described. The reason we think it's important for the Borough to ultimately own this property is between now and when we sign we do not want to find ourselves in a situation where perhaps the private parties did this transaction and now she owns the property and we have to get it back from her team in the future and we sort of end up in the same place we are today. The end result will be we will sell these properties to the redeveloper but along the way we spend so much time and energy acquiring all the other parcels we felt it was critical for us to also own this parcel until we reach a definitive agreement and sell all of them together, a lot of things can happen between now and then. The end result is to own the Ubry's property, consolidate with all the parcels and then sell to a redeveloper hence the taxpayers are getting their money back. The goal here is to relocate the Ubry's repair shop from one location to the other, it was an opportunity that was spotted by the Business Administrator and the team who identified the P&K location was for sale, so our developer with keeping us in the loop every step of the way negotiated transactions that would allow for her and their team to acquire the P&K property, fix it up and then allow Ubry's to transfer over to there and then swap properties but we had to do it in that order. This was a complex transaction the goal being to have us ultimately own the property but at the same time to allow this business to continue to operate throughout the entire process so we entered into an agreement which allows us to step into the shoes for the purposes of owning the P&K property and then completing the swap of the Ubry's property. At the end when we're done we'll take a viable business put them in a location that has been closed and abandoned making that location a viable market participant now. We will acquire yet another piece of our puzzle to complete our redevelopment and then we will continue our negotiations with our designated redeveloper, sell those properties to that redeveloper and ultimately gain our funds back and that's where we want to get to and that's why we have this assignment. We stepped into the shoes of the team for purposes of all of these agreements so reasonable people could disagree about whether we should leave the private parties to their own transaction as a policy matter and certainly my advice to the Borough was not to let that happen, my advice was to have them come to us so that we can control our destiny. We acquired two parcels that were for sale we had actually acquired two vacant parcels for condemnation, they're abandoned, so we've slowly been acquiring these parcels again to do the hard work for putting them all into a develop into a project that we can really be proud of. The price is about \$1,500,000 but again our hope is that when we're all done all that money comes back to the Borough and more.

Ordinances Requiring a Second 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

Clerk reported on Ordinance No. 24-2084 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. and 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. 24-2084.

Kieran Crowley 218 Harrison, thanked Council for acknowledging Mental Health Awareness Month and the tribute to Judge Hoffman was fantastic. He thanked Mr. Baumann, Esq. for the HP RanDen agreement explanation. He asked if RanDen received any commitments outside of just this one agreement so for example any verbal agreements any letters of intent or memorandums of understanding. Is this agreement linked to any other moving parts in this redevelopment, particularly are there any changes ongoing or being discussed around the current redevelopment Master Plan for Tract A. Are there some ideas out even verbally agreed to. Are there any other financial incentives that have been thrown out for a discussion or verbal agreements such as relating to property taxes, Pilots, things that we've seen on other deals. You explain the kind of complicated sequence of the property on Woodbridge is bought the business moves then we have an open property on Raritan what happens to the property tax bills and what needs to be paid for both of those properties once this agreement is executed, there's obviously a period where there's renovation, remediation of environmental issues that sounds like two years of work to me. Does it still get the same property and land taxes for both properties during this kind of transition phase.

Mr. Baumann, Esq. said that there's one other agreement conditionally designated as the redeveloper of the entire area and so what the traditional designation does is we exclusively negotiate with them so they have an exclusive negotiation period and they simultaneously fund the costs to the Borough through an escrow. Their proposal was one of many we went through, we went through a competitive process received several proposals those have not been yet revealed to the public but those proposals will at the appropriate time the balance we've had here is we haven't gotten too far into the negotiations other than that we know what their proposal, is we know what they have in mind, we know what incentives they're asking for, we haven't really dealt into the negotiations with that just yet because of the uncertainty of a property. They've been sort of cautious and limited how much money they want to spend on all this and we've been cautious as well to try and secure the land. Those negotiations, would say made a they put in a proposal with everybody else and we haven't materially responded to that ask at this point in time. He said he could not recall whether they're ask includes changes to the redevelopment plan there may or may not be not. Incentives - their proposal is also about how much money are they going to pay for our land, what incentives they want so it's a financial proposal, a development proposal included on who they were it was a pretty robust proposal and all that will be read at the appropriate time. Taxes so for the time being as long as the Ubry's group continues to own their property they pay their taxes just like always, P&K that private property and will continue to pay taxes for the period of time until we own it and there will be no taxes paid. The expectation window is that renovations will be done by the Fall. We're trying to be least disruptive to Ubry's.

Mary Forsberg, Denison Street said Mr. Baumann is talking about swapping properties so does that mean that Ubry's will swap a property worth \$500,000 for one worth 1.1 million dollar or and he will take on another \$500,000 in debt to do that or is the Borough going to pay for that or is the developer going to pay for that. She finds it interesting that in Tract A the Borough wants to buy all of the property yet in Tract C the developer of the farmers market that developer is basically buying property, some of it, well above its assessed value. She does not think the Borough should be buying property like this thank you.

Mr. Baumann, Esq. said we'll just have to agree to disagree on whether or not the Borough should buy property, that's a policy decision we've made a long time ago and I totally endorsed it. The fact is when you're trying to do development you want to acquire the property you often end up paying a little more than the market that's just the way it is in order to entice the property owners who are not necessarily interest in selling. The expectation is that we'll get that money back through our land sale to the developer but again the plan is not just to get our land price of our land back it's a bigger than that we're trying to jump start this section of the Borough that's clearly underdeveloped and in need of serious redevelopment. We have a much bigger plan here that we're trying to achieve and overpaying for land you know sometimes is part of the price of achieving that and trying to particularly work with a proper owner and have his business continue to be viable and who was probably more than happy to stay where he is. If you want to do these things and you want to make a difference these are the hard decisions that get made every step of the way, but we've done it every step of the way thoughtfully and carefully. I also believe that the value to that property today on its own is not the same as it will be as part of a much bigger assemblage which is what we're trying to do, so we're creating value by caring and assembling it which you know allows us to also pay more than the assessed value on the property.

There being no one further, on motion by Councilman George and seconded by Councilwoman Canavera and carried by affirmative voice vote of all Councilpersons present the public hearing on Ordinance 24-2084 was closed.

On motion made by Councilman Hale, seconded by Councilman George, the ordinance 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.

Resolutions requiring a Separate Reading.

Resolution 5-24-137

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

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

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

DEPARTMENT	CURRENT FUND TYPE	AMOUNT
Communications	O/E	\$5,000.00
Information Technology	O/E	\$15,000.00
Safe Walking & Cycling Committee	O/E	\$250.00
Mid Cty Summer Arts Program Grant	O/E	\$3,900.00

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

On motion made by Councilwoman Kim-Chohan, seconded by Councilwoman Canavera, Resolution 5-24-137 was approved by the following roll call vote, to

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

Consent Agenda Items - Resolutions.

Resolution Nos. 5-24-138 through 5-24-148 were duly adopted on a motion made by Councilman Hale seconded by Councilwoman Canavera and carried by the following roll call vote:

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

Resolution No. 5-24-138

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

WHEREAS, participating in Sourcewell is available to all government and education entities at no cost, no obligation, and no liability;

WHEREAS, the purpose of participating with Sourcewell was to obtain better prices than the Borough would be able to obtain individually, and to save the Borough the expense of bidding; and

WHEREAS, the Superintendent of the Department of Public Works has done research and recommends that the Borough purchase the following program from the following vendor through Contract with Sourcewell:

Item Description	Amount	Contract No.
Brightly (Work Order Software)	\$13,296.93	090320-SDI

WHEREAS, funds for this purpose are available in the Current Fund Account No. 4-01-20-140-218, in an amount not to exceed \$13,296.93, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Finance Director No. 2024-51.

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

1. The Borough Administrator is hereby authorized and directed to purchase said software from Brightly, PO Box 360717, Pittsburgh, PA 15251, in an amount not to exceed \$13,296.93.
2. A certified copy of this resolution be forwarded to the Department of Public Works, Chief Financial Officer and the Borough Administrator.

Resolution No. 5-24-139

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

WHEREAS, ten (10) bids were received for the Project, which were opened on April 12, 2024 at 11:00 a.m. as follows:

Company	Total Bid Amount
Arista Builders & Design	\$338,000.00
BGD Contracting	\$234,000.00
Innovational Design & Construction	\$215,000.00
Molba Construction	\$365,000.00
Nela General Contractor	\$199,000.00
Northeast Construction Svcs.	\$349,552.00
R.J. Michaels & Co.	\$313,560.00
Ranco Mechanical	\$220,000.00
Skopye LLC	\$275,000.00
VMF Construction	\$235,000.00

WHEREAS, Nela General Contractor, 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 Nela General Contractor, Inc., for the Project in an amount not to exceed One Hundred and Ninety Nine Thousand Dollars (\$199,000.00); and

WHEREAS, the funds for the Project will be expended from the Borough Library’s Capital Account (Kushner funds).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highland Park being the governing body thereof, that improvements for the Highland Park Library be awarded to Nela General Contractor, located at 374 President St., Saddle Brook, New Jersey 07663 for an amount not to exceed One Hundred and Ninety-Nine Thousand Dollars (\$199,000.00).

1. Pursuant to N.J.S.A. 40:54-29.20, the Board of Trustees for the Library shall be authorized to approve the above referenced bid upon receipt of the Borough Council’s executed resolution.
2. That the Highland Park Library Director be and is hereby authorized to execute a contract with Nela General Contractor, for an amount not to exceed \$199,000.00.

Resolution No. 5-24-140

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

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

WHEREAS, by Resolution 1-24-21, adopted on January 16, 2024, the Borough Council authorized Change Order No. 1 reflecting as-built quantities for each contract and supplemental work performed, including the supplemental work requested by the Borough on South 11th Avenue and Wayne Street, in the amount of \$23,761.64 and for a total contract amount not to exceed \$762,629.79; and

WHEREAS, it appears from Pay Estimate No. 3 and Change Order No. 2, filed by the CME Associates dated April 22, 2024, the change order reflects the supplemental work requested by the Borough to mill and pave a portion of South 3rd Avenue, starting from Valentine Street towards Donaldson Street. The change amount is an increase of \$29,500.00 in the contract amount, and for a total contract amount not to exceed \$792,129.79; and

WHEREAS, there is due to Top Line Construction Corp. the sum of \$47,980.96 in accordance with said Pay Estimate No. 3 for work performed from December 23, 2023 to April 19, 2024; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-832-001 in the amount of \$47,980.96, as reflected by the Certification of Funds Available by the Chief Financial Officer Certification No. 2024-52.

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

1. The Chief Financial Officer is hereby authorized and directed to pay Top Line Construction Corp. the sum of \$47,980.96, as certified by the Engineer in Pay Estimate No. 3 and Change Order No. 3, subject to the Clerk’s receipt of the Certified Payroll and Project Manning Reports; and
2. That certified copies of this resolution be forwarded to Chief Financial Officer and the CME Associates forthwith.

Resolution No. 5-24-141

BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that the Chief of Police and the Mayor are hereby authorized and directed to execute the Memorandum of Agreement between the Borough of Highland Park and Middlesex County Prosecutor’s Office regarding the Installation of and Responsibilities Associated with Automated License Plate Recognition (ALPR) Devices and/or Video Surveillance Cameras Owned by the County of Middlesex for a period of five (5) years expiring on December 31, 2028.

Resolution No. 5-24-142

WHEREAS, the Borough is in need of pavement restoration in ten locations where there were necessary water main repairs; and

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

Atlantic Infrared	\$16,020.00
Power Patch	\$44,350.00

Moran Paving

no response; and

WHEREAS, USA-Highland Park, the Borough's Water and Sewer Utility Operator, has recommended that said services be purchased from Atlantic Infrared based on their quote for same; and

WHEREAS, funds for this purpose are available in the Utility Budget Account No. 4-05-55-500-423 in an amount not to exceed \$16,020.00, and will be provided for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Finance Director No. 2024-53.

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 pavement restoration provided by Atlantic Infrared, P.O. Box 1826, Point Pleasant Beach, NJ 08742, for a total cost not to exceed \$16,020.00.
2. That a certified copy of this resolution be forwarded to USA-Highland Park's Operations Foreman and the Chief Financial Officer forthwith.

Resolution No. 5-24-143

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

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

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

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

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

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

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

WHEREAS, pursuant to Ordinance No. 24-2083, adopted April 16, 2024, the Borough authorized the execution of a financial agreement (the "**Financial Agreement**") between the Borough and DL Urban Renewal LLC (the "**Entity**"); and

WHEREAS, in furtherance of the Financial Agreement and Project (as defined in the Financial Agreement) the Borough desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:12A-67(g) and N.J.S.A. 40A:12A-29(a)(3) for its approval of the issuance by the Borough of not-to-exceed \$90,000.00 aggregate principal amount of non-recourse redevelopment area bonds; and

WHEREAS, the Borough believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience, or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units.

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

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

Section 2. The application to the Local Finance Board is hereby approved, and the Borough's bond counsel, redevelopment counsel, and auditor, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 3. The Mayor and Clerk of the Borough are hereby authorized to execute the application certification attached hereto as Exhibit A. The Clerk of the Borough is hereby directed to prepare and file a copy of this resolution with the Local Finance Board as part of such application.

Section 4. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Section 5. This Resolution shall take effect immediately.

Resolution No. 5-24-144

WHEREAS, the Borough of Highland Park through the Community Development Block Grant (CDBG) Program and the Woodbridge Avenue Neighborhood Preservation Program (NPP) has made façade improvement grants available to property and business owners along the Woodbridge Avenue corridor; and

WHEREAS, Calico CPA, a business located at 106 Woodbridge Avenue, Highland Park, NJ 08904 has applied for a grant of \$463.82 through the NPP's Commercial Façade Rehabilitation Grant program to cover the cost of new signage for the business; and

WHEREAS, funds are available for this purpose in Grant Account No. G-02-41-733-003 (CDBG 2020) in an amount not to exceed \$463.82, as reflected by the certification of funds by Finance Director No. 2024-54.

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 application from Calico CPA of 106 Woodbridge Avenue, Highland Park, NJ 08904 is approved for funding under the NPP Commercial Façade Rehabilitation Grant program for a total amount of \$463.82.
2. A certified copy of this resolution be forwarded to the applicant, Finance Department, and NPP Coordinator forthwith.

Resolution No. 5-24-145

WHEREAS, N.J.S.A. 40A:12-21.1 permits a municipality to sell personal property that is no longer needed for municipal purposes at a private sale for nominal consideration; and

WHEREAS, the Borough Council of the Borough of Highland Park desires to sell a municipally-owned 1992 Seagrave Fire Engine Model TB-50-DF, VIN No. 1F9EU28T4NCST2159, that is no longer needed for municipal purposes for a nominal consideration to the New Jersey Fire Engine and Equipment Museum, a duly incorporated nonprofit organization as defined by N.J.S.A. 40A:12-21.1; and

WHEREAS, the Fire Engine and Equipment Museum shall not use the firetruck for commercial business, trade or manufacture purposes.

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 is hereby authorized to sell for nominal consideration, ONE DOLLAR 00/100 (\$1.00), a municipally-owned 1992 Seagrave Fire Engine Model TB-50-DF, VIN No. 1F9EU28T4NCST2159 to the New Jersey Fire Engine and Equipment Museum, 4 Polhemustown Road, Allentown, New Jersey 08501.
2. In accordance with N.J.S.A. 40A:12-21.1, such sale is conditioned upon said 1992 Seagrave Fire Engine is not to be used for any commercial business, trade or manufacture, and if said vehicle is not used in accordance with this limitation, ownership thereto shall revert to the Borough.
3. The Mayor or her designee are hereby authorized to act on behalf of the Borough and to perform any and all acts that are necessary to effectuate the purposes of this Resolution, including but not limited to the transfer of Title.

Resolution No. 5-24-146

WHEREAS, N.J.S.A. 40A:12-21.1 permits a municipality to sell personal property that is no longer needed for municipal purposes at a private sale for nominal consideration; and

WHEREAS, the Borough Council of the Borough of Highland Park desires to sell six boxes of decommissioned municipally-owned radios and related accessories that are no longer needed for municipal purposes for a nominal consideration to the North Brunswick Volunteer Fire/Ladder Company #3, a duly incorporated nonprofit organization as defined by N.J.S.A. 40A:12-21.1; and

WHEREAS, the North Brunswick Volunteer Fire/Ladder Company #3 shall not use the radios for commercial business, trade or manufacture purposes.

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 is hereby authorized to sell for nominal consideration, ONE DOLLAR 00/100 (\$1.00), six boxes of decommissioned municipally-owned radios and accessories to the North Brunswick Volunteer Fire/Ladder Company #3, 1470 Cozzens Lane, North Brunswick, NJ 08902.
2. In accordance with N.J.S.A. 40A:12-21.1, such sale is conditioned upon said radios and accessories are not to be used for any commercial business, trade or manufacture, and if said vehicle is not used in accordance with this limitation, ownership thereto shall revert to the Borough.
3. The Mayor or her designee are hereby authorized to act on behalf of the Borough and to perform any and all acts that are necessary to effectuate the purposes of this Resolution.

Resolution No. 4-24-147

WHEREAS, Middlesex County is soliciting proposals from municipalities for its Swimming Lessons Pilot Program that will make swim lessons are available for free to every second-grade student in Middlesex County; and

WHEREAS, Robert Wood Johnson Fitness & Wellness Center in New Brunswick has agreed to partner with the Borough of Highland Park to provide swim lessons to Highland Park's second graders as part of an application to Middlesex County; and

WHEREAS, Borough Council desires to apply for this grant funding in the amount of \$16,000 which requires no cash match.

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 submit the grant application to Middlesex County.
2. The Mayor and the Borough Clerk are hereby authorized to sign the grant agreement upon acceptance on behalf of the Borough of Highland Park and that their signature constitutes acceptance of the terms and conditions and approves the execution of the grant agreement.

Resolution No. 4-24-148

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 5/7/2024 can be found in the Bills List Journal Book No. 44.

Second Public Participation

Mayor Foster opened the floor for public participation.

Mary Forsberg, Denison Street said again Mr. Baumann didn't answer my question about what Ubry's cost of taking over P&K Auto Repair. She does not think it's an appropriate thing for taxpayers in Highland Park to front \$500,000 extra. She think it's appropriate for Ubry's to get this property but also thinks that this is absolutely a cost to the developer and not a cost to taxpayers in Highland Park.

Mr. Baumann, Esq. indicated he is literally swapping his building for the new building with no money out of his pocket, the Borough is going to fund the cost and all the properties put together we're going to sell it to the redeveloper which is why the taxpayers will get their money back.

There being no one further, on motion made by Councilman George seconded by Councilman Hale public participation was closed.

There being no further business, on motion made by Councilman Hale, seconded by Councilman Postelnik, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:08 PM.

Respectfully submitted,

Jennifer Santiago
Borough Clerk