

## BOROUGH OF HIGHLAND PARK

REGULAR MEETING  
May 21, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, May 21, 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](http://www.hpboro.com) and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

### **Pledge of Allegiance.**

Michael Bobish led the flag salute

### **Roll Call:**

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

Absent: Councilman George

### **Honors, Awards and Presentations.**

Mayor Foster read into the record the proclamation in recognition of Poverty Awareness Week, May 20-26, 2024.

### **Approval of Minutes,**

It was MOVED by Council President Hersh and seconded by Councilman Postelnik the following minutes, May 7, 2024 regular session meeting were approved, as distributed, by the following roll call vote:

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

### **Council Reports.**

Mayor Foster acknowledged two events that we celebrate nationally in our country. This month is Asian Pacific Islander month. Councilwoman Stephanie Kim Chohan along with the Human Relations Commission took an opportunity and made a great video, when you get a moment go on the website take and take a look at the video. They inform us about the contributions that API members of our community have made to not just Highland Park but to our entire State, entire nation and the entire world. On behalf of the Borough I'm pleased to acknowledge that May is Jewish American Heritage Month as President Biden shared in his Proclamation on April 30th for this occasion for centuries the preservation hope and unshaken faith of the Jewish people have inspired people around the world during Jewish American Heritage month. We celebrate the immeasurable impact that Jewish values contribute and their culture to our nation's character. In 1654 a small band of 23 Jewish Refugee fled persecution aboard a sail into the port of modern day New York City. They fought for religious freedom and helped define them as the bedrock principles upon which our nation was built. Jewish American culture has been tightly woven into the fabric of our country. We honor Jewish Americans who have given us upon the promises of our nation. We celebrate the contribution the culture and the values they have passed down from generation to generation and have shaped who we are as Americans. We remember that the power lies within each of us. We have to rise together against hate and to see each other as fellow human beings to ensure that the Jewish community is afforded the safety, the security and the dignity they deserve as they contribute and continue to shine their light on America and around the world as stated by President Biden. We're going to do a charrette. We're going to show what's going to happen on Tract C. Tract C is from Second Avenue almost all the way up to South 3<sup>rd</sup>. On Wednesday, June 5th from 7 to 9:00 p.m. we will be having a charette at the Highland Park High School. Come out to hear what we have to say and see some of the renderings that we have. We need your comments and support as we discuss the future of our downtown, which was one of my main campaign promises; to see our downtown become a thriving environment. We're not just focusing on downtown, we're going to be meeting in Trenton next week to talk about the road diet on Upper Raritan Avenue. We have been in long detailed discussions with the Department of Transportation and we're going to meet with them at their offices, along with Senator Diegan and some of our State Representatives to discuss what we're actually going to make happen on Upper Raritan. Also at the Redevelopment meeting we talked about Ubry's moving to where the P&K building and that has actually happened. She was excited to share that it will be relocated to the P&K property. This development will bring numerous upgrades to the old P&K building, transforming it into a beautiful space on Woodbridge Avenue. She's felt it has been neglected for a long time. She indicated that she had the opportunity of attending the Mayor's Conference in Atlantic City. The Mayor's Conferences is where other Mayor's come together and we share ideas, thoughts and what's going well in your town, how can we learn from each other. It's a great networking session. I shared and learned from other Mayors, I have some ideas that I will be implementing soon because I think they will be great for our community.

Councilwoman Kim-Chohan reported last month's Rent Control meeting has been rescheduled to this Thursday the 23rd at 5:30 pm, the details for the zoom link is on the website as well.

Councilman Hale announced that he must make a small tangential retort. The recent Highland Park Rec Theatre Production of the Mooseical Seussical was a fantastic production. All involved deserve more than honorable mention. Were I a Tony award voter I would certainly put this one in contention. My own son had a great role as third tree from the left, a role requiring a certain gravity and depth. All of the actors from the Cat to Horton to all the small members in Whoville, along with their Mayor, to the birds and the monkey's and a grumpy kangaroo or two this production made me say again and again Ya Hoo. Thank you to all those who made it such a success but special thanks to theatre leader one Miss Tova Halpern who for which we as a town are truly blessed. Thank you oh thank for a wonderful day and amazing play. Now onto more mundane matters of economic development concern important yes but to do them in rhyme oh what a mess. The big news is of course that we have a date and time for our community conversation about the Tract C redevelopment. I am going to let the Mayor discuss it further and in more detail but was excited to see everyone on June 5<sup>th</sup> at 7:00pm at Highland Park High School. This is where we will lay out our initial plans for the Tract and Farmers Market Redevelopment ideas. As part of our Neighborhood Preservation program we are looking at holding a couple classic car shows on Woodbridge Avenue this summer. These are great events that lots of towns hold but given the car centric nature of Woodbridge Avenue, we thought it was a good fit for the NPP district. We have a couple tentative dates July 11<sup>th</sup> and August 22<sup>nd</sup> more details and a lot more planning to come soon. Main Street Highland Park's annual Downtown Planting Days are back for two more fun-filled days of downtown beautification. 2024 planting days are Thursday May 23, 3 pm - 7 pm, Friday May 24, 11 am - 5 pm. Every May, Main Street Highland Park organizes and sponsors planting days along Raritan and Woodbridge Avenues where volunteers come out to fill over 150 downtown planters with beautiful plants and flowers supplied by Main Street. Just stop by the Main Street Highland Park offices (212 Raritan Ave) and look for us outside the building on either day, only during the posted times, to pick up your plants and your planter assignment, while supplies last! He recognized Asian American and Pacific Islander Month and Jewish American Heritage Month.

Councilwoman Canavera announced that the Board of Health would like to thank Jesse "Jay" Crosson for his year of dedication as the Chair. He was amazing during the pandemic and thankfully he is staying on as a valued member and thanked Sarah Kelly for stepping up as the new Chairperson. The Commission for Universal Access would like to remind everyone that while everyone wants the Felton Avenue Tot Lot finished it is important and legally required it is accessible to all children in our community. Pat McKennan from the Commission will be holding an ASL training for tactile ASK translator and is working with the Community Center on a date. The Mental Health Commission reminded everyone if you are in a crisis please call 988 for help or text HOME to 741741. The Human Relations Commission on June 3<sup>rd</sup> will host the PRIDE Flag raising at 6:00 PM, the Caribbean Flag raising on June 10<sup>th</sup> at 6:00 PM and the Juneteenth Flag raising on June 19<sup>th</sup>. The Highland Park Food Pantry is open the 2<sup>nd</sup> and 4<sup>th</sup> Thursday from 9AM-10:45AM and again 6PM-7PM and the Saturday following the 2<sup>nd</sup> and 4<sup>th</sup> Thursday from 9:30 AM-10:30AM at the Community Center. Highland Park Gives A Hoot pantry at Zone 6 Teen Center is Tuesday and Wednesday from 10AM-11AM. Both programs take donations of period products and diapers and are serving almost 400 families.

Councilman Postelnik reminded everyone that grocery store transportation is available through the Community Center. Earlier today at the Community Center was the Annual Health Fair where over 40 people stopped in to get a variety of health screenings free of charge. This coming Memorial Day on we will have our annual Memorial Day Parade which will start at 11:00 am in New Brunswick, crossing the bridge around 11:30 a.m. and proceeding up to the Doughboy monument in town where a ceremony will be taking place at conclusion. On Wednesday June 5th there'll be a Senior lunch, Cornucopia Princess cruise trip and lastly my report for tonight is also in June will be a Senior Prom be a dancing, the Stars event on Tuesday June 18th from 4:00 PM to 7:00 PM featuring dinner by Z Lisa with a kosher option available upon request and dancing entertainment and voting for 2024 senior prom king and queen.

Council President Hersh announced that bulk waste collection will be by appointment. Pick-ups will be scheduled on Wednesdays during the months of May, June, September and October. To make an appointment, please call Public Works at 732-247-9379. Each household may request up to two collections per year. The week after the townwide garage sale (Tuesday - September 17th & Thursday - September 19th) there will be a bulk pick-up. No appointment is necessary. He noted that recycling will not be collected during the week of September 16th - September 20th. Materials may be placed at the curbside no sooner than one hour before sundown of the day prior to scheduled pick-up. Materials not properly secured/bundled and unacceptable items will not be collected. Materials put out for collection, without a scheduled appointment or on the wrong date, will not be collected. He indicated if you see a pothole, report it first and THEN put it on Facebook. <https://www.hpboro.com/i-want-to-report-a-concern>. We have a list and crews are getting out there, weather depending. 2024 Projects: No. 4th Ave (Denison St to Raritan Ave), Denison St (No. 2nd Ave to No. 5th Ave), Harper St (So. 1st Ave to So. 4th Ave), Woodbridge Ave (Volkert St to Fox Rd - in partnership with Middlesex County). There is a regular Sustainable HP meeting tomorrow on Zoom at 7:30 p.m. Tune in to learn more about our efforts to be good stewards of the environment as well as to get involved in our Adopt-a-Storm Drain and Community Clean-ups. Thank you to Sustainable HP for being at the Highland Park Farmers Market last week to

give out FREE butterfly weed seedlings! Butterfly Weed is a native long-blooming, drought-tolerant, wildlife-friendly perennial. Its showy, bright orange flowers bloom in flat-topped clusters, June-August. The nectar is attractive to bees, butterflies, and hummingbirds; it has special value for native bees. Butterfly Weed is a host plant for butterfly and moth larvae (caterpillars), including Monarch Butterfly (*Danaus plexippus*), Queen (*Danaus gilippus*), and Gray Hairstreak (*Strymon melinus*). Saturday June 1, 2024 Sustainable Highland Park, Highland Park Ecology and Environmental Group area around Krausers, First Aid Squad, and surrounding streets from 10:00 am – 12:00 pm, meet at Irving School on South 11th Ave, Highland Park, NJ. Sunday June 16, 2024 – Sustainable Highland Park, Highland Park Ecology and Environmental Group – Trail along the Raritan River parallel to South Adelaide Ave – 10:00 am – 12:00 pm, meet at the entrance to Valley Place Trail at the intersection of South Adelaide Ave. and Valley Place, Highland Park, NJ 08904. Need more information please email [HighlandParkSustainable@gmail.com](mailto:HighlandParkSustainable@gmail.com) and/or check out <https://sustainablehighlandpark.org/> for more resources and informative webinars on issues like backyard composting as well as the Rutgers Environmental Steward Program, which trains volunteers on how they can take action to help solve environmental problems in their communities. There is a Shade Tree Advisory Committee regular meeting on Zoom on June 12 at 7:30. Please come and find the link in the calendar section at [www.hpboro.com](http://www.hpboro.com). Learn about our ambitious tree planting schedule as illustrated by the Borough's 72 new trees recently added to our tree canopy! This past Sunday, Highland Park transformed to Beale Street in Memphis with music emanating from porches and driveways all over town. Thank you to PorchFest '24 organizers Sue Winkler and Gary Kaplan for organizing such a fantastic event! I continue to be blown away by the level of local musical talent we have in Highland Park and it was certainly on full display this weekend for all to see.

#### **Administrator.**

Ms. Jover reported on the Stormwater ordinance introduction and provided an overview and indicated the ordinance was revised to comply with standards as provided by the NJDEP. This primary applies to major developments. We very exciting we finally are moving forward on our Safe Routes to School projects which date back to 2016 and 2018 when we first conceptualized those projects. We're now getting through the final engineering phase of those projects which are primarily intersection enhancements to make it safer to walk and more accessible for everybody. We're going to have what's called a public information session on Monday June 17th between 6 PM and 8PM to review various intersections which are all listed on our website. She indicated there was an issue with the bid that we awarded at the last meeting for the Library roof but we were able to go ahead to the next responsible bid in the that group so we're excited to work with them to get that project done. I don't have information on timelines yet and hope to be able to report on that really soon.

**Borough Attorney's Report** – No report.

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

Mayor Foster highlighted on Monday Memorial Day we start our activities here in Highland Park at 8 AM and it starts across the street at the Police Department and the Fire Department and we do so by laying wreaths at various areas here in town, so please do come out and do support because we have families that come out every year who have lost family members in the line of service here in town so it's very important that you come out and show your support for people who have given so much. East Brunswick has the opportunity have of having a moving Vietnam Memorial display and it's on display this entire month and anyone who's interested in seeing the moving Vietnam Memorial display can go to East Brunswick Community Center, seeing that in memory of those who have given so much for all of us for the privilege we all share of living in this country.

#### **Public Participation.**

Mayor Foster opened the floor for public participation.

Lois Lebbing, North 2<sup>nd</sup> Avenue, North Second Avenue okay on the agenda I heard mentioned how Denison will be paved I hope it is sooner than later. She asked what the braille panel was in regards to the Felton Avenue Tot Lot. Regarding Stormwater Management you talk about storm grates being no more than ½" being bike proof and stated ADA is less because too often wheelchairs have to go to the intersection where the grate is. Is dry well use still permitted, spoke about baby Jessica, she asked how they will be capped, will Stormwater Management go into land use. She asked about Main Street and is it normal that the salaries, general expenses are almost twice as much as the promotions, \$121,000 for promotion which is what Main Street is about plus a financial aspect that I'm sure was thrown away and 233 give or take for admission at Administration.

Patricia of Community Affairs & Resource Center, met a Council member at the Highland Park Street Fair in the lead abatement and mediation and wanted to introduce our program for homes that are built before 1978 for the free lead remediation and abatement if they fall within income guidelines. She provided materials to the Mayor and Council and as well the library to distribute.

There being no one further, it was moved by Councilman Postelnik and seconded by Councilwoman Canavera to close public participation, and carried by the following roll call vote:

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

**Ordinances Requiring a First Reading.**

**Ordinance No. 24-2085** An Ordinance to Amend Chapter 230, Article XX of the “Code of the Borough of Highland Park, 2010” Concerning Stormwater Management

Clerk reported on Ordinance No. 24-2085 An Ordinance to Amend Chapter 230, Article XX of the “Code of the Borough of Highland Park, 2010” Concerning Stormwater Management has been duly introduced by the Economic Development and Planning Committee for consideration of passage on first ready by title.

On motion made by Councilman Hale, seconded by Councilwoman Canavera, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for June 18, 2024, by the following roll call vote, to wit:

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

**Resolutions requiring a Separate Reading.**

**Resolution 5-24-149**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Highland Park* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the *Borough of Highland Park* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

On motion made by Councilwoman Kim-Chohan, seconded by Councilwoman Canavera, Resolution 24-149 was duly adopted by the following roll call vote, to

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



**Resolution 5-24-150**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

**WHEREAS**, these conditions have been met.

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

- That the Township Council, for the aforementioned reasons, hereby determines that the Budget shall be read by title only.

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, Resolution 24-150 was duly adopted by the following roll call vote, to

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

**Municipal Budget Public Hearing:**

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, and carried by the following roll call vote, the public hearing on the 2024 Municipal Budget public hearing was opened.

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

There being no comments, on a motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, and carried by the following roll call vote, the public hearing on the 2024 Municipal Budget was closed.

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

**Resolution 5-24-151**

SECTION 2 - UPON ADOPTION FOR YEAR 2024			
RESOLUTION			
Be it Resolved by the	COUNCIL MEMBERS	of the	BOROUGH
of	HIGHLAND PARK	County of	MIDDLESEX
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:			
(a) \$	14,424,978.84	(Item 2 below) for municipal purposes, and	
(b) \$	-	(Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,	
(c) \$	-	(Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.	
(d) \$	-	(Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy	
(e) \$	-	(Sheet 44) Arts and Culture Trust Fund Levy	
(f) \$	634,635.20	(Item 5 Below) Minimum Library Tax	
RECORDED VOTE			
(Insert last name)			
			Abstained
			Absent

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SUMMARY OF REVENUES			
1. General Revenues			
Surplus Anticipated		08-100	\$ 2,250,000.00
Miscellaneous Revenues Anticipated		13-099	\$ 3,038,670.02
Receipts from Delinquent Taxes		15-499	\$ -
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)		07-190	\$ 14,424,978.84
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42		07-195	\$ -
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$ -
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY			\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX		07-192	\$ 634,635.20
<b>Total Revenues</b>		13-299	\$ 20,348,284.06

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SUMMARY OF APPROPRIATIONS			
5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXX
(a & b) Operations Including Contingent		34-201	\$ 13,649,407.20
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 2,198,229.00
(g) Cash Deficit		46-885	\$ -
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 2,326,763.86
(c) Capital Improvements		44-999	\$ 100,000.00
(d) Municipal Debt Service		45-999	\$ 1,779,884.00
(e) Deferred Charges - Municipal		46-999	\$ 94,000.00
(f) Judgments		37-480	\$ -
(g) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 18:18.17.1 & 17.2)		05-105	\$ -

On motion made by Councilwoman Kim-Chohan, seconded by Councilman Hale, Resolution 5-24-150 was duly adopted by the following roll call vote, to

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

**Resolution 5-24-152**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

**WHEREAS**, these conditions have been met.

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

1. That the Township Council, for the aforementioned reasons, hereby determines that the Main Street Highland Park Budget shall be read by title only.

**Main Street Highland Park Budget – Public Hearing**

On motion made by Councilman Hale, seconded by Councilwoman Kim-Chohan, and carried by the following roll call vote, the public hearing on the 2024 Main Street Highland Park Budget public hearing was opened.

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

There being no comments, on a motion made by Councilman Hale, and seconded by Councilwoman Kim-Chohan, and carried by the following roll call vote, the public hearing on the 2024 Main Street Highland Park Budget was closed.

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

**Resolution 5-24-153**

**WHEREAS**, pursuant to Resolution No. 4-24-124 adopted by the Borough Council of the Borough of Highland Park on April 16, 2024, that approved the Main Street Highland Park Budget for the year 2023; and

**WHEREAS**, said Budget was advertised in the Home News Tribune issue of April 21, 2024 together with a notice of the public hearing on the Budget scheduled for May 21, 2024 at 7:00 PM in Borough Hall, 221 South 5<sup>th</sup> Avenue, Highland Park, NJ; and

**WHEREAS**, said Budget and Notice of Hearing had been posted in the Borough Hall where public notices are customarily posted and was made available to each person requesting the same prior to and during the public hearing; and

**WHEREAS**, notice had been served on all property owners within the Special Improvement District as certified by the Tax Assessor and as shown by the affidavit of the Borough Clerk and a public hearing on the Budget was held on May 21, 2024; and

**WHEREAS**, pursuant to N.J.S.A. 40A:4-8, the said Main Street Highland Park Budget was introduced and adopted by title since, at least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget was made available for public inspection and was further made available to each person who requested a copy of said budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that the 2024 Main Street Highland Park Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of

Income	
Municipal Contribution	60,000.00
Special Assessment (BID)	180,044.00
Other Revenue (fees, sponsorships, grants)	185,750.00
<b><u>Total Income</u></b>	<b><u>\$ 425,794.00</u></b>
Expenses	
Administration and General	233,330.00
Design (lighting, planters, facade grants)	71,000.00

Promotions and Economic Revitalization	121,425.00
<u>Total Expense</u>	<u>\$ 425,755.00</u>
<u>Budget Surplus/(Deficit)</u>	<u>\$ 39.00</u>

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be forwarded to Main Street Highland Park, the Tax Assessor, the Tax Collector and the Finance Director forthwith.

**Consent Agenda Items - Resolutions.**

Resolution Nos. 5-24-154 through 5-24-159 were duly adopted on a motion made by Council President Hersh seconded by Councilwoman Kim-Chohan and carried by the following roll call vote:

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

**Resolution No. 5-24-154**

**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 using a competitive bidding process by another contracting unit within the state of New Jersey or within any other state; and

**WHEREAS**, by Resolution 5-09-166, adopted May 5, 2009, the Borough of Highland Park entered into an agreement with a local cooperative called Educational Services Commission of New Jersey (ESCNJ) which enters into contracts for a wide variety of goods and services; and

**WHEREAS**, the purpose of entering the contract with ESCNJ 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 Borough Council passed Resolution No. 23-197, authorizing a contract for \$80,000 with Ben Shaffer Recreation to upgrade the play structure and surface at the Felton Avenue Tot Lot under ESCNJ contract 20/21-22; Co-op #65MCECCPS; and

**WHEREAS**, the Borough desires to purchase a Braille Panel for the play structure; and

**WHEREAS**, funds for this purpose are 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 \$3,710.00, for a total contract amount not to exceed \$88,710.00, as reflected by the certification of funds by the Finance Director No. 2024-55.

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

1. The Borough of Highland Park is hereby authorized to amend the contract with Ben Shaffer Recreation, PO Box 844, Lake Hopatcong, NJ 07849, by an additional \$3,710.00; the total amount of the contract is not to exceed \$88,710.00.
2. Certified copies of this resolution be forwarded to the Borough Administrator, Director of Code Enforcement, and the Chief Financial Officer.

**Resolution No. 5-24-155**

**WHEREAS**, by Resolution No. 6-22-155 and 10-23-235, adopted on June 14, 2022 and October 24, 2023, respectively, the Borough Council authorized an agreement with CME Associates for engineering services related to the NJDOT Permit Application to create a pedestrian plaza on a portion of So. 3<sup>rd</sup> Avenue at Raritan Avenue; and

**WHEREAS**, there is a need for additional engineering services related to the NJDOT Permit Application for Permanent Closure of So. 3<sup>rd</sup> Avenue as described in the proposal from CME Associates dated May 15, 2024, attached to this Resolution; and

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

**WHEREAS**, CME Associates, Parlin, NJ, is a firm of licensed engineers of the state of New Jersey with extensive experience in providing these services; and

**WHEREAS**, the Mayor and Council desire to provide for the method of compensation of said consulting engineer; and

**WHEREAS**, funds for this purpose are available in Capital Account No. C-04-55-821-001 in an amount not to exceed \$15,000.00 without further Council Authorization, as reflected by the Certification of Funds Available by Chief Financial Officer Certification No. 2024-56.

**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 authorized and directed to execute on behalf of the Borough the additional Engineering Services related to the NJDOT Permit Application for Permanent Closure of So. 3<sup>rd</sup> Avenue as described in the attached proposal from CME Associates with CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859.
2. Notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

**Resolution No. 5-24-156**

**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:  
Eli Nagel, Seasonal Recreational Assistant, \$16.00 Hourly, Effective 06/01/2024

Samantha Conroy, Seasonal Head Counselor, \$17.00 Hourly, Effective 06/01/24  
 Michael Brzozowski, Seasonal Sports Camp Counselor, \$16.00 Hourly, Effective 06/01/24  
 Matthew Brzozowski, Seasonal Sports Camp Counselor, \$16.50 Hourly, Effective 06/01/24  
 Michael Cedarbaum, Seasonal Head Counselor, \$17.50 Hourly, Effective 06/01/24  
 Nora Atwater, Seasonal Camp Counselor, \$16.50 Hourly, Effective 06/01/24  
 Kate Schwartz, Seasonal Camp Counselor, \$16.50 Hourly, Effective 06/01/24  
 Afia Asamoah, Seasonal Head Counselor, \$17.00 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. 5-24-157**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2024 budget in the sum of \$125,000.00, which is now available from the 2024 Neighborhood Preservation Grant, and

**BE IT FURTHER RESOLVED** that the like sum of \$125,000.00 is hereby appropriated under the caption of 2024 Neighborhood Preservation Grant.

**Resolution No. 5-24-158**

**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:

<b>Company</b>	<b>Total Bid Amount</b>
Sky General Construction	\$182,000.00
Frank Cyrwus, Inc.	\$278,210.00
Mak Group, LLC	\$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**, on April 2, 2024, the Borough Council awarded the contract to Frank Cyrwus, Inc for an amount not to exceed \$278,210.00 as the next lowest responsible bidder; and

**WHEREAS**, Frank Cyrwus, Inc. informed the Borough that it would not be able to be bonded for this project; and

**WHEREAS**, since Frank Cyrwus, Inc. cannot be bonded for this project, the Borough must reject their bid; and

**WHEREAS**, the Borough Attorney reviewed the third lowest bidder, Mak Group, LLC’s bid package for the Project and recommends awarding a contract in an amount not to exceed Three Hundred and Sixty-Eight Thousand Seven Hundred and Fifty Eight Dollars (\$368,758.00); 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 \$368,758.00, 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. 2024-57.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Highland Park being the governing body thereof, that Highland Park Library Roof Replacement contract be awarded to Mak Group, LLC 82 Midland Avenue, Suite D, Saddle Brook, New Jersey 07663 for an amount not to exceed Three Hundred and Sixty-Eight Thousand Seven Hundred and Fifty Eight Dollars (\$368,758.00).

**BE IT FURTHER RESOLVED**, that the Mayor be and is hereby authorized to execute and the Borough Clerk to witness a contract with Mak Group, LLC, for an amount not to exceed \$368,758.00.

**Resolution No. 5-24-159**

**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 5/21/2024 can be found in the Bills List Journal Book No. 44.

**Appointments**

**Arts Commission**

Arianna Astuni

**Community Emergency Response Team**

Susanne Arney

It was moved by Councilman Postelnik and seconded by Council President Hersh, Arianna Astuni was appointed to the Arts Commission and Susanne Arney was appointed to the Community Emergency Response Team with the following roll call vote:

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

**Second Public Participation**

Mayor Foster opened the floor for public participation.

Lois Lebbing, North 2<sup>nd</sup> Avenue, asked how long the warranty was on the Library roof. She asked about executive session and the Middlesex County Joint Insurance Fund and asked what that had to do with us, aren't we with Garden State. Borough Attorney Shad indicated at this juncture we can't go into any details its Attorney-Client privilege but once the opportunity arises where we can make it public we will.

Lois Lebbing asked about lithium batteries and if anyone knew if the batteries in our bathroom scales etc. are subject to sudden fire balls. She asked where in Robert's Rules were these rules that we had to wait for a repose. Borough Attorney Sapana said the protocol as stated before all the questions will be asked then we're going to close the public portion and we're going to respond to your questions, everything we do is legal. Ms. Lebbing said she has heard that before and that is bologna.

Ms. Lebbing said under Ordinance 24- 2083 and Stop and Shop a month or so ago page three somebody said they didn't hear that that the ordinance talked about 35 full-time employees, 15 part-time, page three of your ordinance 20 people for the construction job, sales tax revenue and it didn't say how long I pay for approximately \$680,000 from that grocery store. She said she has talked to the Mayor about faxes last July she sent to the Clerk's office two pages, two requests for information, one went through, they both went through my verification said two pages went through, I went in and got my pieces only one was known by the Deputy Clerk she had no idea about the missing request that I had about the South Third Avenue closure, the safety aspect so I made a third request it came through there is no report on what's happening on the North side when Third is closed and we have a fire or whatever and also I sent the fax I never got to the Tax Assessor I sent the thank you.

Abby Stern Cardinale, Harper Street, said she was really happy to see some of these resolutions and things moving forward obviously I am excited about the Tot Lot those Street repairs. She commented on the meeting format and think it's really important in terms of how the public is being allowed to speak and made a request that especially during the first public comment that you allow the community has the ability to speak a second time if there's no one else speaking within that 20 minutes. In the second portion you know it's totally reasonable to keep it to a time limit but if there's additional time within the allotted time I would ask that you again respectfully allow for a second comment within that period not a third and fourth I'm not saying to let it go on and on but I really think that that's important to have that interaction from the public especially prior to voting

Marilyn Blacher, 324 Lincoln Avenue expressed a concern at the triangle of Madison Avenue and Fourth on the North side there's a little park there and understands it is maintained by Public Works and asked about the history of the park because there is some weird stuff there like beads, Halloween looking things, some sticks that were sticking up and someone's planting flowers. She asked if there was someone that could explain what those things are and why they're there. It really does need to be cleaned up and there are very dangerous trees there that could fall.

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

Mayor Foster addressed the following questions: Ms. Lebbing did ask some questions about paving and Felton Avenue Tot Lot. She said the reason why there's going to be braille at the Felton Avenue Tot Lot is because we want to make it accessible for all, braille will be on the playground equipment so someone with a disability will have an opportunity to participate as well. Regarding stormwater management we will get back to you on this, the Administrator will look into this but mentioned that that was dictated to us by the State of New Jersey. Regarding the warranty of the library roof we will be looking into this and get back to you with an answer. With regard to lithium batteries, there is no warning that she is aware of.

Stop and Shop has been closed for over a year so I don't know anything about that and any facts is that may have been sent in. There was a questions about lithium batteries for the Fire Department and I think we can bring that to our Public Safety chair for him to address any kind of lithium battery that you be concerned with.

Council President Hersh indicated it is not recommended to put lithium batteries in the garbage because we can see how because there are hazards related to those. We'll make sure that we put something together that's a little more explicit on the website related to lithium batteries.

Mayor Foster said that Marilyn asked about the pocket park by Fallen Hero's way and we have a number of residents that had put Memorial or momentos in that area but maybe it's time for us to go take a look at that and have DPW see if it needs a little bit of spruce up and look into the trees in that area.

**Executive Session.**

**Resolution No. 5-24-160**

**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 – Middlesex County Municipal Joint Insurance Fund (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.
4. This Resolution shall take effect immediately.

On motion made by Councilman Hale, seconded by Councilwoman Canavera, Resolution 24-160 was duly adopted by the following roll call vote, to

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

There being no further business, on motion made by Councilman Postelnik, seconded by Councilwoman Canavera, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 7:59 PM.

Respectfully submitted,

Jennifer Santiago  
Borough Clerk