

## BOROUGH OF HIGHLAND PARK

REGULAR MEETING  
July 16, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, July 16, 2024, and was called to order by Council President Hersh 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.**

Chief Abrams led the flag salute

### **Roll Call:**

Present: Councilpersons, Canavera, George, Hale, Hersh, Kim-Chohan arrived at 7:03 PM, Postelnik, Borough Administrator Jover, Borough Attorney Shah, Borough Clerk Santiago.

Absent: Mayor Foster

### **Approval of Minutes.**

It was moved by Council President Hersh and seconded by Councilwoman Canavera the following minutes, May 28, 2024 Work Session minutes were approved, as distributed, by the following roll call vote:

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

### **Council Reports.**

Councilman Hale thanked everyone who came out to the open house about downtown redevelopment at the High School. He added there will be a local business mixer networking event on Thursday June 27 from 5:00 to 7:30 p.m. at Soma Vayu Garden, 73 Woodbridge Avenue. This is part of our NPP program. If interested there is a flyer on our web-site or you can RVSP to Harry Glazer at [hglazer@hpboro.com](mailto:hglazer@hpboro.com). We are still looking at a Labor Day weekend for the opening of Super Fresh. He wished Sgt. Haas great luck in his retirement and future endeavors. He thanked Mayor Foster for writing a note informing people of the rescue of four Israeli hostages in Gaza and added the Mayor made sure that it was delivered to all the synagogues.

Councilwoman Kim-Chohan – No Report.

Councilwoman Canavera reported that anyone can get heat-related illnesses, but some people are more susceptible than others. These risk factors can be personal or environmental: personal risk factors include: dehydration, age, infants and children under 4 and adults over 65 are at higher risk of heat exhaustion, physical fitness, lower levels of fitness can make it harder for your body to adapt to hot conditions, medications, some medications, like diuretics and certain psychiatric or blood pressure medicines, can increase your risk and other health conditions such as obesity, diabetes, high blood pressure, heart disease, mental illness, and poor circulation can all increase your risk. To prevent heat-related illnesses, you can try these tips: Stay cool indoors, Wear appropriate clothing, schedule outdoor activities carefully, pace yourself and know when to stop, and wear sunscreen. If you do get heat-related illness, you can try these first aid tips: sip plenty of water or fruit juice, but avoid caffeine and alcohol; cool down with a fan, air conditioner, cool water, or a cool shower or bath; reduce your body temperature with cool packs under your armpits, groin, or neck; massage cramps or spasms, and then use ice packs. Commission on Universal access: July shines a spotlight on the most common form of inherited intellectual disability. National Fragile X Awareness Month includes a mission to support those with Fragile X while also celebrating the families who support them. The syndrome is a mutation of the FMR1 gene. While it is the most common form of inherited intellectual disability, it impacts men more than women. Some people may have the gene mutation, but never show signs. Symptoms may also develop later in life. Those who do show signs may have mild or severe symptoms. Physical, intellectual and behavioral symptoms may appear, and they vary between males and females. Women tend to have similar but milder symptoms or none at all. While testing and treatment are available, there is no cure and more research is needed. Mental Health Commissions reminds everyone if in crisis please call or text the suicide and crisis lifeline at 988. Help is available 24 hours a day 7 days a week. The Community Food Pantry is open on the second and fourth Thursday from 9 am to 10:45 am and again at 6 pm to 7 pm. Saturday following Thursday from 9:30 am to 10 am. The Highland Park Gives a Hoot Food Pantry is every Tuesday at the Zone 6 Center from 10 am to 11 am.

Councilman Hale thanked his colleague Tara Canavera for letting him know that this is National Independent Retailers month. Highland Park has a lot of those and they need your help by shopping local in Highland Park. Tonight we voting on a new signage ordinance for Highland Park and thanked Main Street Highland Park, it's Design Committee, the Planning Board and our Planner for their hard work on this initiative to make it easier for business to upgrade their exterior signage. The goal here is to

consolidate our sign requirements and restrictions into one part of our code instead of the three or four places they are currently located. We hope that this will make it easier for businesses but also easier for our code officers to monitor and enforce what is and isn't allowed. It was a great community effort so thanks to everyone who helped bring it together. Speaking of signage, we are excited that through our NPP grant the borough will be contributing \$4,000 to the construction of a new and way better signs at Irving school. This is an NPP funded project. We are introducing a new redevelopment plan for Upper Raritan tonight which is an exciting development. This is where the Quick Lube/Jiffy Lube used to be across from Raspa Jewelers we have continued to work with property owners who are interested in doing more with their property so looking forward to next steps for this area. Tonight we will be asking the Planning Board and our Planners to conduct the necessary research and study protocol to see if the Sunoco station and some of its surrounding properties meet the statutory criteria for areas in need of redevelopment. I am going to let Teri speak more directly on these in her report. But obviously these are projects that we don't take lightly. As a reminder the process for this is for the Planning Board and Planner to conduct a study to see if these properties meet the legal criteria for redevelopment with condemnation and eminent domain capacities. That does not mean either of these will be or even can be used immediately and there is a lot of research needed to be done before anything happens. But tonight we will get the ball rolling on those.

Councilman Postelnik reported the Community Services programming: Fireworks in the Park gave a big shoutout to Kim and the team from the Department of Community Services as well as Public Works, Police, Fire, EMS and other Borough staff who were on site to help make that event the huge success that it was. Parkstock Music Festival the annual summer outdoor concert series starts this Thursday. The concerts will be held from 6:00pm to 8:00pm and located at Grove 1 in Donaldson Park. The first concert is this Thursday July 18th - the Mike Montrey Band (Americana) with a rain-date of Thursday August 8<sup>th</sup>. Next up is next Thursday July 25th - Billy (Rock, punk, Bluegrass) with a rain-date of either Thursday August 8th or August 22<sup>nd</sup>, after that is Thursday August 15 - featuring The Strazzacasters (Rock & Roll, Pop Rock, Instrumental Guitar) with a rain-date of Thursday August 22<sup>nd</sup> and the last Parkstock festival will also be our big end of summer festival on Thursday August 29th featuring Cliff Westfall (Electrified Honky Tonk) with a number of other activities and features including a bounce house, obstacle course, and food trucks, rain-date to be determined. Select food vendors will be on site for all Parkstock concerts with some more for the big end of summer event. The Arts Commission Highland Park Poetry Festival is planned for early October, and there is more to come.

Councilman George spoke about the hot weather and to also keep in mind that our EMS and our Public Works department are out working in this heat all day. Public Works Department have to wear safety gear, Police Officers wear over 45 pounds of gear and Firefighters wear 70lb of turnout gear so keep them in mind in these things if you see a little delay, please give them a little bit of extra patience they're outside working in 95 degree heat. He welcomed new police officer Oscar Cleaver to the force, and noted he's going to be a great addition to the community. National Night Out has been a great success in the past few years in our new format at Bartle school and this year we'll again be gathering for the activities of all of our Public Safety Partners at part of school from 6:00 to 9:00 p.m. on August 15 we anticipate more participants this year and more exhibits we'll have more fun, entertainment and as we get closer we'll have more information on that event. The Highland Park police department will participate with the Highland Park Human Relations Committee from 7 to 8:30 pm at the Community center and on September 18th this is a joint event and Councilwoman Canavera will give you more information as we get closer to the date, it's on gun safety a speaker from Robert Wood Johnson who heads the trauma unit of victims of violent crimes, Counseling Center will be giving out gunlocks and speaking as well, and we'll have more information on that as we get closer to the event. The Police Department recently concluded the Youth Police Academy program with a record 35 participants in the week long program. Hands-On physical training criminal investigation following in the Police organization report writing Hands-On community policing the program gives a great exposure to what being a police officer involves in our community I think it would be a great educational piece even for adults. With regard to the Library we're at minor punch list items for the Library project which is the joint partnership with the State and the Borough contributing half of the almost million dollar bonding for renovations to the Library if you haven't dropped by or haven't peaked in the windows it really appears like a totally new building. Tonight is the final payment to the original contractor were that close to being done. The Kushner Estate Grant is being scheduled very rapidly, the public restrooms will be done first, the media room work actually the has started, the community room will be converted into a community room and media center. After talking to the Executive Director last time the trustees meeting they're installing wiring which will be able to accommodate hopefully technological advances that we have now for full service media room but also in the future. In the interest of getting this work done and getting the library open we'll probably schedule those for later fall such as gazebo. The online uses is about the same. The roofing contractor is anticipating installation of the roof in late August early September.

Council President Hersh mentioned he was sitting in for Mayor Foster tonight. He asked everyone out there and to encourage everybody to ask each other how you're doing how are you, the world is feeling a little overwhelming right now there's a lot going on. The business that we're doing here is incredibly important it's the small day-to-day minutia that you've elected us to do here and with your participation and advocacy you can really come together and really present a plan and a vision and work for the Borough that serves everybody. Everything going in the rest of the world is seemingly and increasingly alarming, it is overwhelmingly important. It's really important that if you need somebody to reach out to you can seek out friends, family, here at the Borough we have social worker Nicole Huff, we have a Teen

Center, so if anybody is feeling overwhelmed by the world today or needs to talk we are here as well as neighbors, and Councilwoman Canavera of course is somebody who can really help navigate social service resources as well when we are going through times of distress it's really important that we have an advocate because if you're feeling distressed it is very difficult for you to go about your daily life and all of your obligations and responsibilities while dealing with something new potentially catastrophic or overwhelming so please seek help seek advice it is out there for you. He mentioned the cooling center that is open during this time and reiterated that the National Weather Services has issued an excessive heat warning through tomorrow where heat index values are expected to reach up to 100 to 110 degrees in Highland Park. If you or anyone needs housing assistance, questions or just to get a better understanding of available housing subsidies you can start by dialing 211 or call 877-651-1148. 211 is a State endorsed nonprofit organization that provides the 211 service to New Jersey residents and again it's one of those social service at navigating portals that connects people in need a variety of Health and Human Service programs. The 211 service provides a hotline that operates 24 hours a day every day of the year and online it also includes a searchable directory over 6,300 government and nonprofit programs is also found on their website nj211.org or you can dial 211 or you can also text your ZIP code to 898211. The Highland Park Rec summer camp proudly and civically also known as Town Camp will host Civic Engagement Environmentalist week next week, he explained that he was approached by camp counselor Mason Springer Lipon who was interested in working with campers on identifying unnamed streams in the Borough and naming them. I thought this was a great idea and the Environmental Commission could be more could be more involved in this fun activity. Mason is an environmental history major at Rutgers and has a real interest in identifying these streams and really just getting out there with the campers and doing a geological exploration and our environmental commission which is part of the Public Works portfolio was really eager to tag along and be part of this exploration. Due to unforeseen mechanical issues with one of our sanitation trucks as you may know there was a delay in the garbage collection for some North Side, triangle residents yesterday Monday July 15<sup>th</sup>. If your garbage was not collected please leave it at the curb and pick it up or you can call Public Works and report it uncollected. I believe most are all collections have occurred however if you were missed for whatever reason please give us a call. North and Triangle recycling did take place today and just as always thank you for your patience and understanding. He was so honored to visit uh the Parker at Stonegate Assisted Living residents this past Friday to read and present a proclamation from Mayor Foster in honor of Parker resident Gloria Verites celebrating her 100th birthday with her family and friends. He loved speaking with Mrs. Verites and her family and interacting with the amazing Parker staff and I also took some moments to walk the grounds and admire the life-size bronze cast sculptures loan and he has spotted these in Trenton as well as in New Brunswick and it would be so cool to see these notable figures come to life in downtown Highland Park. He thanked the Reformed Church of Highland Park for taking time this summer to appreciate the people who make our community wonderful, this weekend was no exception the church acknowledged the Public Works Department and DPW Superintendent Michael Wiczorkiewicz for everything that happens to make to "make our lives beautiful here". Public Works really is among the municipal agencies that really is the first line of what you see when you come into town. The Felton Avenue Tot Lot construction is underway, there's new playground equipment that has been installed, new surfacing, it is not available for play yet and this is phase one so the next phase will be landscaping so a lot more to come.

**Administrator.**

Business Administrator Jover said there were a number of Redevelopment related items on the agenda so and took a moment to give an overview. We are introducing the Upper Raritan Redevelopment plan, this is a plan that was authorized by Council to be prepared well over a year ago, and it got its roots out of our 2019 Master Plan effort and the land use element that was developed we focused on five different corridors in town amongst them was Upper Raritan . What the plan seeks to do is promote a mix of ground floor commercial uses but also allow for upper floor residential which isn't currently allowed under the underlying zoning. She encouraged everybody to take a look at the plan which was including the packet online if you have any questions about the plans particulars get in touch with her. On the consent agenda relate to Areas in Need of Redevelopment studies with condemnation for two parts town the first Resolution 7-24-180 focuses on properties at the corner of South 2<sup>nd</sup> and Raritan which includes what we formerly would refer to as the BBB as well as the Tract B properties that were included in our Downtown Redevelopment plan that we're implementing for Tract C and A currently. Part of the impetus for that was we learned through working with the Tract B redeveloper that the parking issue is an issue we didn't get a centralized parking structure as part of our Tract C that we went out to an RFP for and so they are stuck in terms of what they can do. They're very limited with the two properties they have and in looking at the sites together there seemed to be a much more rational layout. What we're doing now is authorizing a study to see whether or not the properties qualify as areas in need of Redevelopment with condemnation and the reason we have to do it with condemnation or without is because in the course of negotiations online should we decide we need condemnation, which we are hoping we do not we would have to restudy the whole property and go through this process all over again. Given some of the ongoing issues with that property we felt it made sense to have all the tools in the tool box to address that. If the Council approves this tonight, the Planner will prepare a study that will go to the Planning Board, they'll evaluate and determine if they recommend to the Council that it meets the criteria. The other property that is being authorized for a study is referred to as 125 Raritan Avenue which is called Classic Cleaners and that's kind of in the middle of Tract A Redevelopment area, if you're familiar with the Tract A Redevelopment area we recently did a lot of work on an agreement with the redeveloper and with Ubry's and how a relocation plan put in place pending the renovation of P&K Automotive on Woodbridge Avenue so while that's underway we've now turned our attention to the final property kind of in the middle and we've been in discussions with the property owner for quite a while and the decision was

made you to study the property as an Area in Need with Condemnation so that we can more effectively move forward with negotiations. She mentioned that there are significant contamination issues on the property related to the dry cleaner use and there is an October deadline coming up pretty quickly for remedial investigation which has have been completed and we have concerns that this property is going to kind stay out there uncleaned and also kind of not enable us to move forward on the implementation of the plan. There are the two studies we're at the point where we're authorizing a study we will see if they meet the criteria, the Planning board will weigh in on that once the Planner study is complete and then once we get that evaluation we'll come back to the Council to make a determination of whether or not to move to make it an Area in Need with Condemnation.

**Borough Attorney's Report**

Borough Attorney Shah reiterated some of the rules that have been instituted back in February. The first part of the public participation is to talk about items on the agenda, there is an opportunity on second reading for public participation for that specific ordinance and there's a third public participation that you can talk about any subject. She reiterated that the public will speak, ask their questions, then we take a motion to close the public portion and then everything has to be directed to the Council President since he is heading up the meeting and then he will either answer the question himself or he will defer to someone else and once the public portion is closed in any of these situations please do not interact. Thank you.

**Mayor's Report.** – No Report

**Public Participation.**

Council President Hersh opened the floor for public participation.

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

Kiernan Crowley, 218 Harrison asked about the redevelopment of Upper Raritan plan on page 37 stating that the Ordinance has some presumptive language about the Planning Board review stating on August 8th 2024 the Planning board reviewed the plan and determined that it is substantially consistent with the Borough's Master Plan so by my reading the there's like a template and it's saying this is what the Planning board will decide, does this language in this ordinance just a placeholder and then you'll add the actual you know outcome recommendations of the Planning board and my second question if the Planning board does have recommendations do they get discussed at the second reading or will there be another kind of stage gate in the process before second reading.

Mary Curran, 67 Cleveland Avenue, spoke about the Redevelopment proposal for 810 North 2 Avenue Block 503 lot 24. She said that she would be asking for answers outside of the meeting because there are a lot of questions. On behalf of her and her neighbors they really appreciate the Borough's commitment to improvements to the site and raised the following concerns and questions: according to best neighborhoods.org in Highland Park 62% of residents are renters by comparison in Metuchen for example only 25% of residents are renters and so that means that our rental rate is significantly higher than the County average so we are strongly advocating that the property be developed in a manner consistent with the neighboring residential properties to the north east south and west, a single family residential home which would better fit the surrounding properties, maintain surrounding property values limit additional parking congestion and improve the small amount of impervious surfaces on that lot, we don't think apartments are consistent with sound land use and environment planning however we do have concerns we know that decisions may already have been made but that is our strong feeling. There were questions about the site lighting, site parking, about variances at the site, about sidewalks that might need to go in variances in terms of taller fences which might be needed and the strip of land immediately northwest of the site. It is hoped that we could have some stakeholder meeting. She indicated the letter is from Michael Klaser, Diana Klaser Cheng, Mary Curran, Sunil Kumar, Eileen Pichinson, Lou Pichinson, Samuel Shiffman, Vedavyas Vishnubhotla, Christopher Kim, Eun Ju Jo.

Laurel Kornfeld, 106 North 6th Avenue, asked about items 13B and C the Redevelopment studies for the for Sunoco property and for Classic Cleaners. She is concerned to see the inclusion of eminent domain. She mentioned that this spring the Mayor's did respond to a question by saying we don't use eminent domain in Highland Park and was wondering why the reversal. She mentioned that she was more concerned about Classic Cleaners because that is a thriving business and urged the Borough that the study be changed without condemnation.

Mary Forsberg, Dennison Street said both Kieran and Laurel said a lot about things that she is really concerned about was actually concerned about the whole agenda. I find it interesting that you have a 280 page agenda with a lot of new stuff in it at a time when many people are on vacation. She thinks that is like not a good way to do business in Highland Park. She is also concerned about the eminent domain with Classic Cleaners and Sunoco and with Upper Raritan includes Dr. Goldsmith who had a thriving Veterinary practice until recently when he died and they are looking for someone to take over that Veterinary practice and since that building is within the Redevelopment area it's going to be hard for them to find someone to take that over. She said that she was curious about the finances of all of this, concern about the situation that you've created with Ubry's and P&K and does not understand that situation but I does not think that the cost of that and moving Ubry's and retrofitting that building is developers cost not taxpayers in Highland Park

and wants to know where all this money is coming from that you are investing in these new studies. The Classic Cleaners you have posted on the Borough's website says that the cleanup cost for Classic Cleaners is up to a million dollars and asked how much are we going to be spending cleaning up Buck Woods. She said that she was concerned about the way you are spending our money. She said she would also like to know when the new tax rate was going to be available and what it's going to be. She said Denison Street as you know has not been paved in probably 25 years and would like to know when it's actually going to be paved.

Andrea Alexander, 116 North Third Avenue, said she wanted to speak in support of the Resolutions undertaking an investigation into determining if certain property should be Areas in Need of Redevelopment. She thinks it's a great idea, it's time that the town take some aggressive bold moves in order to improve our downtown and specifically address that blighted property.

Kathleen Kelly, 282 South 11th Avenue asked about the handicap spot in front of the street in front of my building I was just wondering what the progress and the status it would be greatly appreciated, thank you.

Mary Curran, 67 Cleveland Avenue asked if the Borough would agree to stakeholder meeting with all parties who received the June 20<sup>th</sup> letter regarding the 810 North Avenue project.

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

Teri Jover, Administrator said she did receive a letter regarding 810 North 2<sup>nd</sup> from the neighbors and we're giving it some thought and as I indicated in my email we need a little time to review everything and get back to you on all those items. She said that they would hear back from us as soon as I have a chance to review everything with our planner as well as with Mayor. She said in response to Mr. Crowley's question regarding the language in the Ordinance of Upper Raritan, it is a template, based on what action ends up happening, it is being referred to the Planning board by the Resolution that's on the agenda tonight with that number and that date if it doesn't come back in agreement as consistent with the Master Plan we would have to reevaluate what to do and adjust that language, we'll get the feedback from the Planning board there's a lot of substantial comments we'll have to discuss as governing body will have to decide if it wants to move forward or reintroduce with some changes however we're fairly confident it is consistent. In regards to Ms. Kornfeld's question about the condemnation, the Borough wants to have all the options on the table to advance the projects in both locations and that gives us the most tools in the toolbox. We are hoping that is not the way we to go, it's time consuming and it can be more expensive.

Sapana Shah Esq., Borough Attorney mentioned that when we hear of condemnation people feel like someone's just taking somebody's property but they are getting compensated market value and it's not just a taking.

Teri Jover, Administrator said Ms. Forsberg asked about the tax rate and that was just received this morning, and the tax office is working on the tax bills today. In regards to the 2024 road projects include North Fourth Avenue, Denison Street, Ms. Forsberg asked about that North Second that's we've got I've gotten several questions about Harper Street not to be confused with Harper Place but Harper Street, to all the South First Avenue all the way to South Forth was one of those roadways that was kind of orphaned southside road work a couple years ago unfortunately but finally it's going to be freshly paved. Ms. Kelly asked about the ADA space, the Ordinance was approved this evening.

**Ordinances Requiring a Second Reading.**

**Ordinance No. 24-2086** An Ordinance Amending On-Street Parking Regulations for Residences Occupied by Persons with a Physical Disability and Amending the "Code of the Borough of Highland Park, 2010".

Clerk reported on Ordinance No. 24-2086 An Ordinance Amending On-Street Parking Regulations for Residences Occupied by Persons with a Physical Disability and Amending the "Code of the Borough of Highland Park, 2010". 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. 24-2086. There being no one, on motion by Councilman Postelnik and seconded by Councilwoman Canavera and carried by the following roll call vote, the public hearing on Ordinance 24-2086 was closed:

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

On motion made by Councilman George, seconded by Councilman Postelnik, 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.

**Ordinance No. 24-2087** An Ordinance by the Borough of Highland Park, Middlesex County, New Jersey Amending Chapter 230, Land Development Concerning Signage Regulations and Other Design Standards.

Clerk reported on Ordinance No. 24-2087 An Ordinance by the Borough of Highland Park, Middlesex County, New Jersey Amending Chapter 230, Land Development Concerning Signage Regulations and Other Design Standards 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. 24-2087. There being no one, on motion by Councilman George and seconded by Councilwoman Canavera and carried by the following roll call vote, the public hearing on Ordinance 24-2087 was closed:

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

On motion made by Councilwoman Canavera, 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.

**Ordinance No. 24-2088** An Ordinance to Amend and Supplement the Revised General Ordinances of the Borough of Highland Park, Chapter 138, “Sewer and Water”

Clerk reported on Ordinance No. 24-2088 An Ordinance to Amend and Supplement the Revised General Ordinances of the Borough of Highland Park, Chapter 138, “Sewer and Water” 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. 24-2088. There being no one, on motion by Councilman George and seconded by Councilwoman Canavera and carried by the following roll call vote, the public hearing on Ordinance 24-2088 was closed:

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

On motion made by Councilwoman Canavera, 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.

**Ordinances Requiring a First Reading.**

**Ordinance No. 24-2089** An Ordinance of the Borough Council of the Borough of Highland Park, County of Middlesex, New Jersey, Authorizing the Adoption of the “Upper Raritan Avenue Redevelopment Plan” Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12a-1, et seq.

Clerk reported on Ordinance No. 24-2089 An Ordinance of the Borough Council of the Borough of Highland Park, County of Middlesex, New Jersey, Authorizing the Adoption of the “Upper Raritan Avenue Redevelopment Plan” Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12a-1, et seq. has been duly introduced by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On motion made by Councilman Hale, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for August 13, 2024, by the following roll call vote, to wit:

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

**Ordinance No. 24-2090** Ordinance Approving and Authorizing the Entering Into, Execution, and Delivery of a Lease and Agreement with the Middlesex County Improvement Authority Relating to the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2024 of the Middlesex County Improvement Authority.

Clerk reported on Ordinance No. 24-2090 Ordinance Approving and Authorizing the Entering Into, Execution, and Delivery of a Lease and Agreement with the Middlesex County Improvement Authority Relating to the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2024 of the Middlesex County Improvement Authority has been duly introduced by the Economic Development and Planning Committee for consideration of passage on first ready by title.

On motion made by Councilwoman Canavera, seconded by Councilwoman Kim Chohan, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for August 13, 2024, by the following roll call vote, to wit:

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

**Ordinance No. 24-2091** Loan Ordinance Authorizing the Entering Into, Execution and Delivery of a Loan and Security Agreement with the Middlesex County Improvement Authority for the Undertaking of Various 2024 Capital Improvements and the Acquisition of and Installation, as Applicable, of Various Equipment with an Estimated Cost of \$260,000, the Cost of Such Improvements and Equipment to be Financed through the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2024 of the Middlesex County Improvement Authority

Clerk reported on Ordinance No. 24-2091 Loan Ordinance Authorizing the Entering Into, Execution and Delivery of a Loan and Security Agreement with the Middlesex County Improvement Authority for the Undertaking of Various 2024 Capital Improvements and the Acquisition of and Installation, as Applicable, of Various Equipment with an Estimated Cost of \$260,000, the Cost of Such Improvements and Equipment to be Financed through the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2024 of the Middlesex County Improvement Authority has been duly introduced by the Finance Committee for consideration of passage on first reading by title and Supplemental Debt Statement prepared by the Municipal Auditor was filed in the Clerk's Office on July 15, 2024.

On motion made by Councilman George seconded by Councilwoman Kim-Chohan, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for August 13, 2024, by the following roll call vote, to wit:

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

**Consent Agenda Items - Resolutions.**

Council President Hersh asked the Council Members if there were any Resolution they would like pulled from the consent agenda.

Councilwoman Kim-Chohan requested the following item be pulled from consent for a separate vote: 13c. \*7-24-181 Resolution Authorizing the Planning Board to Conduct An Area In Need of Redevelopment Investigation of Certain Property Identified as Block 1704, Lots 43, 46, and 49 on the Borough's Tax Map (125 Raritan Avenue) to Determine Whether the Planning Board Finds that the Property Satisfies the Local Redevelopment and Housing Law In Need Criteria and Should Be Declared In Need Of Redevelopment with Condemnation Powers and Authorizing a Professional Services Agreement with Loony Ricks Kiss to Conduct the Area In Need of Redevelopment Study. Resolution 7-24-181 was pulled from consent for separate vote.

Resolution Nos. 7-24-179 and 7-24-180 and Resolution Nos. 7-24-182 through 7-24-197 were duly adopted on a motion made by Council President Hersh 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. 7-24-179**

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

**WHEREAS**, on April 16, 2024, by Resolution 4-24-126, adopted by the Highland Park Council request for release of performance bond No. RU101503, issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33, for a total amount of \$84,503.33 was denied per the Borough Engineer’s Report dated March 25, 2024; and

**WHEREAS**, on June 18, 2024, by Resolution 6-24-169, adopted by the Highland Park Council request for release of performance bond No. RU101503, issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33, for a total amount of \$84,503.33 was denied per the Borough Engineer’s Report dated June 4, 2024; and

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

**WHEREAS**, the Borough Engineer has conducted a site inspection of this project and filed report dated June 17, 2024 recommending the release of Performance Bond No. RU101503, issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33; and

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

1. The Performance Bond posted by Suburban Real Estate Development, LLC , issued by First Indemnity of American Insurance Company in the amount of \$76,053.00 and a cash performance bond in the amount of \$8,450.33, shall be and is hereby released subject to the following:
  - Posting of a 2 Year Maintenance Bond in the amount of \$12,675.50.
  - Payment of any outstanding engineering inspection fees.
  - Payment of any outstanding Borough fees.
2. Certified copies of this Resolution be forwarded to the Finance Department, Borough Engineer, Construction Official, and Suburban Real Estate Development, LLC.

**Resolution No. 7-24-180**

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

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-6(a)*, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Borough Council (the “**Council**”) of the Borough of Highland Park (the “**Borough**”) must authorize the Borough Planning Board (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Council; and

**WHEREAS**, the Council believes it is in the best interest of the Borough that an investigation occur with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the properties located on Block 2201, Lots 6, 7, 9, 10, 46, 47, and 48 (the “**Condemnation Study Area**”) to determine whether all or a portion of the Condemnation Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-3* or 5, and whether the Condemnation Study Area should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Condemnation Study Area, authorizes the Borough and Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain pursuant to *N.J.S.A. 40A:12A-8(c)* (as designated, a “**Condemnation Redevelopment Area**”); and

**WHEREAS**, the Council has determined that it is in the best interests of the Borough to direct the Planning Board to undertake a preliminary investigation of the Study Area pursuant to the procedures of the Redevelopment Law, and to provide its recommendations to the Council; and

**WHEREAS**, LRK, Inc. (“**LRK**”) provided the Borough with a proposal, attached hereto as Exhibit A, (the “**Area in Need Study Proposal**”) setting forth the manner and costs of preparation of an area in need study for the Condemnation Study Area; and

**WHEREAS**, the Borough wishes to enter into an agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion the area in need study for the Condemnation Study Area, whichever is earlier, and for a contract amount not to exceed \$15,000.00 to be paid in accordance with the rates set forth in the Area in Need Study Proposal; and

**WHEREAS**, the Borough hereby certifies that it has funds available to compensate LRK for the preparation of an area in need study in Account No. C-04-55-809-001 for an amount not to exceed \$15,000.00, as reflected by the certification of funds by the Chief Financial Officer, no. 2024-61; and

**WHEREAS**, said services are of a professional nature as to come within the purview of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, as being contracts for rendition of professional services that do not require competitive bidding; and

**WHEREAS**, notice of the award of these contracts shall be published in a newspaper of general circulation in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)*.



**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, NEW JERSEY AS FOLLOWS:**

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

**Section 2.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Condemnation Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as a Condemnation Redevelopment Area.

**Section 3.** As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Condemnation Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

**Section 4.** The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of (i) the proposed boundaries of the Condemnation Study Area and stating that a map has been prepared and can be inspected at the Borough clerk's office and (ii) the date of the hearing to any persons who are interested in or would be affected by a determination that the Condemnation Study Area is Condemnation Redevelopment Area. The notice of the hearing shall specifically state that the Condemnation Redevelopment Area determination shall authorize the Borough and the Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Condemnation Study Area is being investigated as a Condemnation Redevelopment Area.

**Section 5.** At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Condemnation Study Area is a Condemnation Redevelopment Area. All objections to a determination that the Condemnation Study Area is a Condemnation Redevelopment Area and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

**Section 6.** After conducting its investigation, preparing a map of the Condemnation Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Council as to whether the Council should designate all or some of the Condemnation Study Area as a Condemnation Redevelopment Area.

**Section 7.** The designation of all or some of the Condemnation Study Area as a Condemnation Redevelopment Area, if such designation is made, shall authorize the Borough and Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

**Section 8.** The Borough Council hereby authorizes a professional services contract with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of the area in need study for the Condemnation Study Area, whichever is earlier, and for a contract amount not to exceed \$15,000.00, to be paid in accordance with the rates set forth in the Area in Need Study Proposal, all subject to the terms and conditions of the Borough's form professional services agreement.

**Section 9.** The Mayor is hereby authorized and directed to execute professional services contracts in the form of the Area in Need Study Proposal attached hereto as Exhibit A, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough's counsel and professionals.

**Section 10.** The Borough Clerk is hereby authorized and directed, upon execution of the Area in Need Study Proposal and Redevelopment Plan Proposal in accordance with Section 4 hereof, to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Borough upon such documents.

**Section 11.** This Resolution shall take effect immediately.

**Resolution No. 7-24-182**

**BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are hereby authorized and directed to execute the Memorandum of Agreement and Cost Share Agreement between the Borough of Highland Park and New Jersey Office of Homeland Security and Preparedness for EndPoint Protection solution consisting of the CrowdStrike Falcon Endpoint Detection and Response solution with 24/7 Managed Detection and Response and Overwatch services provided by CrowdStrike in conjunction with the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) for a period expiring June 30, 2028 attached to the original of this resolution.

**Resolution No. 7-24-183**

**WHEREAS**, the Borough Council of the Borough of Highland Park adopted its 2024 Municipal Budget on May 21, 2024; and

**WHEREAS**, the state has still not certified the budget to the County Tax Administrator so that the 2024 tax rate can be established; and

**WHEREAS**, the Tax Collector cannot bill 3<sup>rd</sup> quarter until an official rate is set by the County Tax Administrator; and

**WHEREAS**, *N.J.S.A. 54:4-67* authorizes Council to provide a ten grace period following the required payment date or twenty-five calendar day period after mailing of the tax bills during which interest will not be charges.

**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 grace period for the 2024 third quarter taxes be extended twenty-five (25) days from the actual date of mailing.
2. That pursuant to *N.J.S.A. 54:4-66.5* no interest shall be charged on unpaid third quarter 2024 taxes provided the same are paid on or before twenty-five (25) days from date of mailing.

3. That interest thereafter shall be payable at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from August 1, 2024 until the date of actual payment.
4. That a certified copy of this resolution be forwarded to the Finance Director and Tax Collector.

**Resolution No. 7-24-184**

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

1. The Mayor shall be and is hereby authorized and directed to execute an Agreement with the Middlesex County Department of Human Services for the provision of Municipal Alliance related activities in the Borough of Highland Park for the period covering July 1, 2024 to June 30, 2025.

**Resolution No. 7-24-185**

**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 \$7,248.00, which is now available from the Municipal Alliance Grant, and

**BE IT FURTHER RESOLVED** that the like sum of \$7,248.00 is hereby appropriated under the caption of Municipal Alliance Grant.

**Resolution No. 7-24-186**

**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 \$27,000.00, which is now available from the 2024 ARP Firefighter Grant, and

**BE IT FURTHER RESOLVED** that the like sum of \$27,000.00 is hereby appropriated under the caption of 2024 ARP Firefighter Grant.

**Resolution No. 7-24-187**

**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 \$7,000.00, which is now available from the 2024 Distracted Driving Crackdown Grant, and

**BE IT FURTHER RESOLVED** that the like sum of \$7,000.00 is hereby appropriated under the caption of 2024 Distracted Driving Crackdown Grant.

**Resolution No. 7-24-188**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Highland Park formally approve the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “MA-2025- Improvements to N. Tenth Avenue, Volkert Street, & Graham Street-00526” to the New Jersey Department of Transportation on behalf of the Borough of Highland Park.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Highland Park and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

**Resolution No. 7-24-189**

**WHEREAS**, pursuant to Resolution No. 4-23-116, adopted by the Borough Council on April 18, 2023, a contract was awarded to Molba Carpentry, Inc. t/a Molba Construction of Little Ferry, NJ, for the Highland Park Public Library Interior renovations; and

**WHEREAS**, it appears from Payment Application No. 7 certified by Arcari + Iovino Architects PC, that all remaining work under said contract has been completed and approved and there is due to Molba

Carpentry, Inc. t/a Molba Construction. the sum of \$42,516.54 in accordance with said Payment Application No. 7 for work performed through April 17, 2024; and

**WHEREAS**, funds for this purpose are available in Capital Fund Account No. C-04-55-831-001 in an amount not to exceed \$42,516.54, as reflected by the Certification of Funds Available by Chief Financial Officer Certification No. 2024-63.

**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 be and is hereby authorized and directed to pay Molba Carpentry, Inc. t/a Molba Construction the sum of \$42,516.54, as certified by the Architects certification of Payment Application No. 7, subject to the Clerk’s receipt of the Certified Payroll and Project Manning Reports; and
2. Certified copies of this resolution be forwarded to Chief Financial Officer and Arcari + Iovino Architects PC.

**Resolution No. 7-24-190**

**WHEREAS**, it is necessary to perform emergency repairs to the water & sewer system within the Borough of Highland Park.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Highland Park that the Borough Administrator is hereby authorized and directed to issue a Request for Proposals (RFP) for emergency repairs to the water & sewer system.

**Resolution No. 7-24-191**

**WHEREAS**, the needs to repair a sinkhole that developed on Central Avenue; and

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

B&W Construction Co. of NJ Inc.	\$10,200.00
J. Fletcher Creamer & Sons Inc.	\$11,136.90
Jo Med Contracting	no response; and

**WHEREAS**, the Public Works Superintendent has recommended that said services be purchased from B&W Construction Co. based on their quote for same; and

**WHEREAS**, funds shall be available in Capital Account No. C-04-55-821-001 in an amount not to exceed \$10,200.00, as reflected by the certification of funds by the Finance Director No. 2024-64.

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

1. The Borough Administrator is hereby authorized and directed to accept the quote for the sinkhole repairs on Central Avenue from B&W Construction Co. of NJ, P.O. Box 574 South River, NJ 08882 at a total cost not to exceed \$10,200.00.
2. That a certified copy of this resolution be forwarded to the Public Works Superintendent and the Chief Financial Officer forthwith.

**Resolution No. 7-24-192**

**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**, Nela General Contractor, Inc., was the lowest responsible bidder as their price was reasonable based on the Borough’s Engineer’s estimate; and

**WHEREAS**, the Borough Attorney reviewed the bids and recommended 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);

**WHEREAS**, the Borough Council passed Resolution 5-24-139, and

**WHEREAS**, the attached agreement with the Nela General Contractor, Inc., needed to be amended to include the Mayor’s signature; and

**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 \$199,000.00.

1. The Borough Council shall approve the agreement between the parties and Nela General Contractor.
2. 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.
3. That the Mayor and Highland Park Library Director be and are hereby authorized to execute a contract with Nela General Contractor, for an amount not to exceed \$199,000.00.

**Resolution No. 7-24-193**

**WHEREAS**, the Community Center roof and bathrooms are in need of replacement; and

**WHEREAS**, the Borough of Highland Park has a need for architectural services to design the new roof and restrooms, prepare the construction documents and bid package, and administer the construction process; and

**WHEREAS**, Arcari + Iovino Architects PC submitted a proposal for the Community Center roof dated April 24, 2024 for a fee of \$19,100.00 and a proposal for the Community Center restrooms dated April 29, 2024 for a fee of \$17,200.00, for a combined total of \$36,300.00, attached hereto; 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**, the Borough of Highland Park was awarded a Fiscal Year 2024 Legislative Grant administered by the New Jersey Department of Community Affairs in the amount of \$330,000 for capital improvements to the Community Center; and

**WHEREAS**, funds for this purpose are available in Grant Account No. G-02-41-791-201 for a total amount not to exceed \$36,300.00, as reflected by the Certification of Funds Available by Chief Financial Officer Certification no. 2024-65.

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

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services related to the replacement of the Community Center roof and restrooms with Arcari + Iovino Architects PC, One Katherine Street, Little Ferry, NJ 07643 for an amount not to exceed \$36,300.00.
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. 7-24-194**

**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:

Aitan Duncan, Junior Counselor, \$15.13 Hourly, Effective 06/01/2024

Evan Rodgers-Farmer, Sports Camp Director, \$22.50 Hourly, Effective 06/01/2024

Mason Springer-Lipton, Leadership Counselor, \$19.00 Hourly, Effective 06/01/2024

Kaitlyn Cox, Deputy Court Administrator, \$52,179.00 Salary, Effective 07/22/2024

**Resolution No. 7-24-195**

**WHEREAS**, the Borough of Highland Park (hereinafter referred to as “Borough”) authorized the solicitation of proposals for the development of a municipal community solar automatic enrollment project (hereinafter referred to as the “Project”); and

**WHEREAS**, two (2) bids were received for the Project, which were opened on April 22, 2024 at 11:00 a.m. from HESP Solar LLC (HESP) and Solar Landscape; and

**WHEREAS**, HESP Solar LLC (HESP), failed to submit a formal proposal as required by statute and for this reason is disqualified; and

**WHEREAS**, Solar Landscape is the only bidder that has submitted the required documentation; and

**WHEREAS**, Solar Landscape has represented that they will contract for approximately 1,800 residences at a discount of 36.02% to their electricity charges; and

**WHEREAS**, the Borough Attorney reviewed the bids and recommends awarding a contract to Solar Landscape; and

**WHEREAS**, there will not be a cost to the Borough for the community solar project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Highland Park being the governing body thereof, that the community solar project for Highland Park be awarded to Solar Landscape, located at 601 Bangs Avenue, Asbury Park, NJ 07712.

**Resolution No. 7-24-196**

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

**WHEREAS**, by Ordinance No. 16-1921, adopted on December 20, 2016, the Borough Council of the Borough (the “**Council**”) designated the entire area within the Borough as an area in need of rehabilitation, including Block 3801, Lots 2, 3, 4, 5, 6, 7, 16, and 17, and Block 3802, Lots 2, 6, and 7 (collectively, the “**Property**”) in accordance with the Redevelopment Law; and

**WHEREAS**, by Resolution No. 2023-02, adopted on June 13, 2023, the Council authorized LRK, Inc. (the “**Planner**”) to prepare a redevelopment plan for the Property, which plan is entitled the “Upper Raritan Avenue Redevelopment Plan” (the “**Redevelopment Plan**”); and

**WHEREAS**, the Council desires that the Planning Board of the Borough (the “**Planning Board**”) review and comment upon the Redevelopment Plan, as described on **Exhibit A** attached hereto, for its review and comment, pursuant to *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, NEW JERSEY AS FOLLOWS:**

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

**Section 2.** Pursuant to *N.J.S.A.* 40A:12A-7(e), the Council hereby refers the Redevelopment Plan, as described on **Exhibit A** attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and shall submit same to the Council within forty-five (45) days after referral, as required by the Redevelopment Law.

**Section 3.** The Borough Clerk shall forward a copy of this Resolution, and the Redevelopment Plan, attached hereto as **Exhibit A**, to the Planning Board for review.

**Section 4.** This Resolution shall take effect immediately.

**Resolution No. 7-24-197**

**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 7/16/2024 can be found in the Bills List Journal Book No. 44.

Resolution No. 7-24-181 adopted on a motion made by Councilman George seconded by Councilman Postelnik and carried by the following roll call vote:

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

**Resolution No. 7-24-181**

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

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-6(a)*, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Borough Council (the “**Council**”) of the Borough of Highland Park (the “**Borough**”) must authorize the Borough Planning Board (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Council; and

**WHEREAS**, the Council believes it is in the best interest of the Borough that an investigation occur with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the properties located on Block 1704, Lots 43, 46, and 49 (the “**Condemnation Study Area**”) to determine whether all or a portion of the Condemnation Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-3* or *5*, and whether the Condemnation Study Area should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Condemnation Study Area, authorizes the Borough and Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain pursuant to *N.J.S.A. 40A:12A-8(c)* (as designated, a “**Condemnation Redevelopment Area**”); and

**WHEREAS**, the Council has determined that it is in the best interests of the Borough to direct the Planning Board to undertake a preliminary investigation of the Study Area pursuant to the procedures of the Redevelopment Law, and to provide its recommendations to the Council; and

**WHEREAS**, LRK, Inc. (“**LRK**”) provided the Borough with a proposal, attached hereto as Exhibit A, (the “**Area in Need Study Proposal**”) setting forth the manner and costs of preparation of an area in need study for the Condemnation Study Area; and

**WHEREAS**, the Borough wishes to enter into an agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion the area in need study for the Condemnation Study Area, whichever is earlier, and for a contract amount not to exceed \$12,500.00, to be paid in accordance with the rates set forth in the Area in Need Study Proposal; and

**WHEREAS**, the Borough hereby certifies that it has funds available to compensate LRK for the preparation of an area in need study in Account No. C-04-55-809-001 for an amount not to exceed \$12,500.00, as reflected by the certification of funds by the Chief Financial Officer, no. 2024-62; and

**WHEREAS**, said services are of a professional nature as to come within the purview of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, as being contracts for rendition of professional services that do not require competitive bidding; and

**WHEREAS**, notice of the award of these contracts shall be published in a newspaper of general circulation in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)*

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, NEW JERSEY AS FOLLOWS:**

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

**Section 2.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Condemnation Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as a Condemnation Redevelopment Area.

**Section 3.** As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Condemnation Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

**Section 4.** The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of (i) the proposed boundaries of the Condemnation Study Area and stating that a map has been prepared and can be inspected at the Borough clerk’s office and (ii) the date of the hearing to any persons who are interested in or would be affected by a determination that the Condemnation Study Area is Condemnation Redevelopment Area. The notice of the hearing shall specifically state that the Condemnation Redevelopment Area determination shall authorize the Borough and the Council to exercise the power of eminent domain to acquire any

property in the delineated area, for the Condemnation Study Area is being investigated as a Condemnation Redevelopment Area.

**Section 5.** At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Condemnation Study Area is a Condemnation Redevelopment Area. All objections to a determination that the Condemnation Study Area is a Condemnation Redevelopment Area and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

**Section 6.** After conducting its investigation, preparing a map of the Condemnation Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Council as to whether the Council should designate all or some of the Condemnation Study Area as a Condemnation Redevelopment Area.

**Section 7.** The designation of all or some of the Condemnation Study Area as a Condemnation Redevelopment Area, if such designation is made, shall authorize the Borough and Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

**Section 8.** The Borough Council hereby authorizes a professional services contract with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of the area in need study for the Condemnation Study Area, whichever is earlier, and for a contract amount not to exceed \$12,500.00, to be paid in accordance with the rates set forth in the Area in Need Study Proposal, all subject to the terms and conditions of the Borough’s form professional services agreement.

**Section 9.** The Mayor is hereby authorized and directed to execute professional services contracts in the form of the Area in Need Study Proposal attached hereto as Exhibit A, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough’s counsel and professionals.

**Section 10.** The Borough Clerk is hereby authorized and directed, upon execution of the Area in Need Study Proposal and Redevelopment Plan Proposal in accordance with Section 4 hereof, to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Borough upon such documents

**Section 11.** This Resolution shall take effect immediately.

**Appointments.**

On motion made by Councilman Postelnik and seconded by Councilwoman Canavera, appointment of Samuel D. Kovac to the Council on Aging was approved, carried by the following roll call vote, to wit:

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

**Second Public Participation.**

Council President Hersh opened the floor for public participation.

Kiernan Crowley asked on Tract C and the associated plaza and why are we not having Garden Homes fund the new plaza.

Randy Solomon 31 Felton Avenue, indicated he was extremely enthusiastic about declaring the old Sunoco lot An Area in Need of Redevelopment, it's long overdue and as soon as that is done we're going to see a useful beautiful building that will bring vitality to that area and hopefully some taxes.

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

Teri Jover, Administrator indicated we're still negotiating all the aspects of the Redevelopment so we're not able to give you an answer.

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

There being no further business, on motion made by Councilwoman Canavera, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:17 PM.

Respectfully submitted,

Jennifer Santiago  
Borough Clerk