

BOROUGH OF HIGHLAND PARK

REGULAR MEETING
August 13, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, August 13, 2024, 2024, and was called to order by Mayor Foster at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on April 18, 2024 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

Pledge of Allegiance.

Michael Klaser led the flag salute

Roll Call:

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

Absent: Councilwoman Canavera

Approval of Minutes.

It was moved by Councilman George and seconded by Council President Hersh the following minutes, June 18, 2024 Regular and Executive Session, July 16, 2024 Regular Session and July 23, 2024 Executive Session minutes were approved, as distributed, by the following roll call vote:

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

Council Reports.

Councilwoman Kim-Chohan said tonight we're accepting the 2023 Audit, and she thanked all of the staff. The full audit will be available on the website.

Councilman Hale gave a reminder of the Highland Park Farmers Market days and hours. He gave the date, hours, and some activities for the annual Arts in the Park street festival, art show, and arts and crafts sale in downtown Highland Park. He reminded everyone to shop local especially new local businesses as they are starting up. He mentioned that the Council is voting on the previous implementation and execution of an amendment to the redeveloper agreement for the Shari Yitzion girl's school and are also authorizing a RFP for Planning, Landscape, Architectural, and Engineering Services for the creation of a Pedestrian Plaza on South 3rd Avenue.

Councilman George mentioned that date, place, time and activities planned for the annual National Night Out. The Fire Department asked him remind everyone kitchen fires are one of the easiest things to control. He mentioned PSE&G has a safety tip website; safetytips-pse&g.com. He said that distracted scooting is becoming a thing and accidents are up. Scooters are being sold to kids with cell phone mounts on the handlebars; that is distracted driving. Mayor Foster added that people should wear their helmet to save lives. It's not required but it's a smart thing to do.

Councilman Postelnik reported the day, time, place, rain date, activities and food for the annual Park Musical Festival. There will also be a Highland Park rock instrumental guitar band. He also reported Park Stock Festival's day, time, place and activities. He mentioned The Department of Community Services is having an ice cream and Italian ice social on Tuesday August 27th at 2pm at the Community Center. Program registration for the fall including chess, table tennis, Improv youth and adult dance classes, adult fitness classes, youth soccer and youth flag football at the Community Center. The Arts Commission is planning a poetry festival October 6 from 5 to 9 pm at Pinos, more details to come for that.

Council President Hersh commented and explained the capital ordinance for road improvements include more than just Highland Avenue and noted there's more road improvements coming. He said Middlesex County is paving roadways and parking lots in Donaldson Park. All facilities will remain open during these projects. He gave an update on the Felton Avenue Tot Lot. Construction is underway, new equipment, new surfacing and new plantings. He mention the cooling centers, the Community Center and Borough Hall during business hours. The Reform Church's quilt room is available to residents during the evening and weekends. He mentioned to get a better understanding of available housing subsidies, you can start by dialing 211 or call 877 652 1148. Their services are free and confidential and multilingual. The Environmental Commission worked with Camp Counselor Mason Springer Lipton. Mason led campers on a tour of unnamed streams for both ecological exploration and to name them. The goal is for the Environmental Commission to recommend to the Mayor and Council to officially name a stream. Please join Sustainable Highland Park and the Highland Park Ecology and Environmental Group for trash cleanups. Cleanups are 10:00 am to 12:00 pm, on the first Saturday and third Sunday of each month. If you have a corner property please make sure that shrubs are trimmed back so the cars and pedestrians can see if there are vehicles coming. He and Borough Administrator Jover attended the Middlesex County

Housing Summit at Middlesex College for an update on housing policies in New Jersey. It was an overview of the new Affordable Housing Law. He paid tribute to the passing of two people who really helped shape the landscape in New Jersey; Michael Aaron and Ingrid Reed.

Administrator.

Business Administrator Jover gave a reminder that the grace period for property taxes ends August 20th. The Upper Raritan Redevelopment Plan went to the Planning Board last week, they did deem it consistent with the Master Plan. She also mentioned there are three matters relating to cannabis businesses, Main Street Dispensary at 311 Raritan Avenue, BIKBRN at 176 Woodbridge Avenue and Floro Highland Park at 85 Raritan Avenue on the agenda tonight for an extension of our local support, it's not the issuing of their license.

Borough Attorney's Report – No Report.

Mayor's Report.

Mayor Foster paid tribute to the passing of Michael Aaron and Ingrid Reed as well as Councilman Hale's father. She asked for a moment of silence for all three. SuperFresh's expected opening date is to be Labor Day. They are currently hiring for all positions, if interested please visit SuperFresh and fill out an application. Mayor Foster noted that we have received multiple grants and will continue to pursue grants, to make sure that we not only get our fair share so that we can really start doing some serious improvements in our town. Mayor Foster thanked the First Responders that are out constantly putting out fires and keeping our town safe. Please go to our website for our reports about storms and get information that you may need to be prepared and to know what to do in case you're experiencing an emergency during a storm.

Public Participation.

Mayor Foster opened the floor for public participation.

Lois Lebbing, North 2nd Avenue asked what happened to money that was put aside for Denison Street. She thinks the mission statement needs updating.

Mary Forsberg, Denison Street, asked when is the unpaved part of Denison Street going to be repaired. It's dangerous when trucks are double parked on North 4th. Council President Hersh answered Denison Street is on the 2024 Road Projects list and we received bids for it and expect it to take place in the fall.

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

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

Council President Hersh responded to Ms. Lebbing and Ms. Forsberg indicating Denison Street is on the 2024 road projects list as we discussed and in fact bids just came in for work on Denison Street as well as North Fourth Avenue and Harper Street so those are those are three roadways that we have been discussing all year long and happy to continue answering those questions but we expect that this work will take place in the Fall thank you.

Ordinances Requiring a Second 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 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. 24-2089.

Lois Lebbing, North 2nd Avenue commented the residents were told no eminent domain or no condemnation and now it's happening.

Kiernan Crowley 218 Harrison Avenue, said the needs of the Borough schools were not considered in that Redevelopment plan and should be in the future. If we're going to go through financial incentives and pilot agreements and how will that impact school funding? Mayor do you think that the Borough has a responsibility to consider the schools in its Redevelopment planning and projects? Borough Administrator replied we do work in collaboration, she pointed out multi-family housing and school children generation. There's a lot of studies out there and we're looking at that very closely.

Dee Donaldson, asked if this grand plan of the developments that's coming if there's any consideration of the people that own the houses in those areas. Do you tell them to get out and pay them a fair market value what's the process? Borough Administrator Jover said there's nothing compelling a property owner to do the Upper Raritan Plan. I'm happy if you want to get my contact after to answer any questions.

Lois Lebbing, No. 2nd Avenue said in the Highland Park historic book on page 78 it talks about schools and in the future it might be overcrowded. Where are the schools going to grow to and how is it going to be paid for, where are the school studies? Mayor Foster answered we have been in conversation with the superintendent and we are looking at all avenues that may have an impact on the school system, so we have been having conversations.

Borough Attorney Shah commented she knows that sometimes it seems that we don't want to engage in a conversation but once an individual is up here. We can't have any dialogue going on from the public so I just wanted to make that clear because we have two more ordinances and another public portion to go through.

Seeing no one further, on motion by Councilman George and seconded by Councilman Postelnik, the public hearing on Ordinance No. 24-2089 was closed.

On motion by Councilman Hale and seconded by Councilwoman Kim-Chohan, the ordinance entitled as above, was duly adopted by the following roll call vote, to wit:

ROLL CALL: Ayes: Councilpersons George, Hale, Hersh, Kim-Chohan, Postelnik
Opposed: None.
Absent: Canavera.
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 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. 24-2090.

There being no one, on motion by Councilwoman Kim-Chohan and seconded by Councilman George and carried by the following roll call vote, the public hearing on Ordinance 24-2090 was closed:

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

On motion made by Councilwoman Kim-Chohan, seconded by Councilman George, the ordinance entitled as above, was duly adopted by the following roll call vote, to wit:

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

Ordinance No. 24-2091 An 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 An 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 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. 24-2091. There being no one, on motion by Councilman Postelnik and seconded by Councilman George and carried by the following roll call vote, the public hearing on Ordinance 24-2091 was closed:

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

On motion made by Councilman George, seconded by Council President Hersh, the ordinance entitled as above, was duly adopted by the following roll call vote, to wit:

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

Ordinances Requiring a First Reading.

Ordinance No. 24-2092 An Ordinance of the Borough Council of the Borough of Highland Park, County of Middlesex, New Jersey, Authorizing the Adoption of the “810 No. 2nd Avenue Redevelopment Plan” Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12a-1, et seq.

Clerk reported An Ordinance of the Borough Council of the Borough of Highland Park, County of Middlesex, New Jersey, Authorizing the Adoption of the “810 No. 2nd 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 ready 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 September 17, 2024, by the following roll call vote, to wit:

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

Ordinance No. 24-2093 Capital Ordinance Providing for Improvements to Highland Avenue, in the County Middlesex, State of Jersey, Appropriating \$550,000 from the Department of Transportation Local Transportation Projects Program Therefor to Pay the Cost Thereof

Clerk reported on Capital Ordinance Providing for Improvements to Highland Avenue, in the County Middlesex, State of Jersey, Appropriating \$550,000 from the Department of Transportation Local Transportation Projects Program Therefor to Pay the Cost Thereof has been duly introduced by the Finance Committee for consideration of passage on first ready by title.

On motion made by Council President Hersh, seconded by Councilman George, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for September 3, 2024, by the following roll call vote, to wit:

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

Consent Agenda Items - Resolutions.

Mayor Foster asked the Council Members if there were any Resolutions they would like pulled from the consent agenda. There were none.

Resolution Nos. 8-24-198 through 8-24-216 were duly adopted on a motion made by Council President Hersh seconded by Councilman George and carried by the following roll call vote:

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

Resolution No. 8-24-198

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highland Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution, and the required affidavit to said Board to show evidence of said compliance.

Resolution No. 8-24-199

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the By-Laws of the Highland Park Municipal Alliance, and on file in the office of the Borough Clerk shall be and are hereby adopted as the By-Laws of the Municipal Alliance for the year 2024.

Resolution No. 8-24-200

WHEREAS, the Highland Park Department of Public Works has a need to purchase leaf bags; and

WHEREAS, the Borough desires to purchase leaf bags; and

WHEREAS, quotes for said purchase were received from the following, to wit:

<u>NAME</u>	<u>PRICE</u>
Pabco Industries, LLC (18,000 bags)	\$10,620.00
Uline (18,000 bags)	\$15,900.00
Grainger (18,000 bags)	\$24,552.00

WHEREAS, the Recycling Coordinator has recommended the purchase of said leaf bags from Pabco Industries, LLC at an amount not to exceed \$10,620.00; and

WHEREAS, funds are available for this purpose in Account No. G-02-41-778-200 in the amount of \$10,620.00, as reflected by the certification of funds available by the Chief Financial Officer, no. 2024-66.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works and Public Utilities is hereby authorized and directed to purchase of leaf bags from Pabco Industries, LLC, 166 Frelinghuysen Avenue, Newark NJ 07114, for a total price of \$10,620.00.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Superintendent of Public Works and the Finance Department.

Resolution No. 8-24-201

WHEREAS, there is a need for replace/repairs to the carrier deck to garbage truck 5 for the Highland Park Public Works Department; and

WHEREAS, three (3) quotes were solicited and two (2) quotes were received as follows:

Norcia Corporation	\$15,391.95
Sanitation Equipment Corporation	\$23,182.35
Atlantic Truck Salvage	no response; and

WHEREAS, the Superintendent of Public Works has recommended that said services be obtained from Norcia Corporation, North Brunswick NJ based on their quote for same, previous work done for Highland Park, their experience and equipment; and

WHEREAS, funds for this purpose are available in the Current Fund Account No. 4-01-26-315-232, in an amount not to exceed \$15,391.95, as reflected by the certification of funds by the Chief Financial Officer No. 2024-67.

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

1. The Superintendent of Public Works is hereby authorized and directed to accept the quote for carrier desk replacement/repairs to garbage truck 5 with Norcia Corporation, 451 Blackhorse Lane, North Brunswick NJ 08902, at a total cost of \$15,391.95.
2. A certified copy of this resolution be forwarded to the Superintendent of Public Works and the Chief Financial Officer.

Resolution No. 8-24-202

WHEREAS, there is a need to repair the sewer main on Braun Avenue; and

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

B&W Construction Co. of NJ Inc.	\$10,900.00
J. Fletcher Creamer & Sons Inc.	\$11,766.18
Moran Paving	no response; and

WHEREAS, USA-Highland Park, the Borough’s Water and Sewer Utility Operator, has recommended that said services be purchased from B&W Construction Co. based on their quote for same; and

WHEREAS, funds shall be available in Utility Budget Account No. 4-05-55-500-423 in an amount not to exceed \$10,900.00, as reflected by the certification of funds by the Finance Director No. 2024-68.

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 repairs to the sewer main on Braun Avenue from B&W Construction Co. of NJ, P.O. Box 574 South River, NJ 08882 at a total cost not to exceed \$10,900.00.
2. That a certified copy of this resolution be forwarded to the USA-Highland Park Operations Foreman and the Chief Financial Officer forthwith.

Resolution No. 8-24-203

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector shall be and is hereby authorized to cancel taxes for the following due to tax exempt status: 1st, 2nd, 3rd and 4th quarter of 2024:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
1704	44	\$2,017.50
1704	45	\$2,017.50

2nd, 3rd and 4th quarter of 2024 (veteran exemption):

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
2203	9	\$8,614.12

3rd and 4th quarter of 2024

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
3104	7	\$15,132.80

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Director and Tax Collector forthwith.

Resolution No. 8-24-204

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 503, Lot 24 (the “**Property**”) in accordance with the Redevelopment Law; and

WHEREAS, by Resolution No. 2-24-67, adopted on February 6, 2024, the Council authorized LRK, Inc. (the “**Planner**”) to prepare a redevelopment plan for the Property, which plan is entitled the “810 North 2nd 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. 8-24-205

WHEREAS, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the “Borough”) is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Redevelopment Law”) to determine whether certain parcels of land within the Borough constitute an area in need of redevelopment; and

WHEREAS, by Ordinance No. 16-1921, adopted on December 20, 2016, the Borough Council of the Borough (the “Borough Council”) designated the entirety of the area within the municipal boundaries of the Borough, including the property commonly known as 433 Cleveland Avenue and identified as Block 153, Lots 15, 17, 18 and 19, Block 154, Lots 6.01, 10 and 11 and Block 191, Lots 6.01 and 6.02 on the official tax map of the Borough (the “Property”), an “area in need of redevelopment”; and

WHEREAS, on March 17, 2020, the Borough Council adopted an ordinance adopting the “433 Cleveland Avenue Redevelopment Plan” dated January 23, 2020 and prepared by LRK Inc. (the “Redevelopment Plan”) for the Property; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Borough has determined to act as the “redevelopment entity” (as such term is defined in the Redevelopment Law at *N.J.S.A. 40A:12A-3*) for the Property, to exercise the powers contained in the Redevelopment Law to facilitate the redevelopment of the Borough’s downtown core; and

WHEREAS, 433 Cleveland Avenue LLC (the “Redeveloper”) is the fee simple owner of the Property and seeks to be designated as the “redeveloper” (as defined in the Redevelopment Law) of same, so as to redevelop the Property in accordance with the terms of the Redevelopment Plan and the Redevelopment Law; and

WHEREAS, the Redeveloper proposes to redevelop the Property by constructing: (a) an approximately 78,500 sf girls school and related facilities on property identified as Block 154, Lots 6.01, 10 and 11 and Block 191, Lots 6.01 and 6.02 on the official tax map of the Borough, (b) a parking lot on property identified as Block 153, Lots 17, 18 and 19 on the official tax map of the Borough (together (a) and (b), the “School”), (c) a building on property identified as Block 153, Lot 15 on the official tax map of the Borough as permitted by the Redevelopment Plan (the “Lot 15 Project”) and (d) the Infrastructure Improvements, as defined in the proposed redevelopment agreement attached hereto as *Exhibit A* (the “Redevelopment Agreement”) (together, the School, the Lot 15 Project and the Infrastructure Improvements are the “Project”); and

WHEREAS, on August 19, 2020, the Parties entered into a Redevelopment Agreement to set forth the terms and conditions under which the Parties shall carry out their respective obligations with respect to the redevelopment of the Property, all in accordance with the Redevelopment Plan; and

WHEREAS, since the execution of the Redevelopment Agreement, the Borough and Redeveloper have discussed changes to the required infrastructure improvements in the Redevelopment Agreement; and

WHEREAS, the Parties have determined to execute a First Amendment to the Redevelopment Agreement (the “First Amendment”) in order to set forth the amended terms and conditions under which the Parties shall carry out their respective obligations with respect to the redevelopment of the Property, all in accordance with the Redevelopment Plan.

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

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

Section 2. The Mayor is authorized to execute the First Amendment 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 3. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.

Section 4. This resolution shall take effect immediately.

Resolution No. 8-24-206

WHEREAS, the Mayor and Council of the Borough of Highland Park have adopted Chapter 136 of the “Code of the Borough of Highland Park” which authorizes the operation of adult personal-use cannabis businesses within the Borough; and

WHEREAS, the Borough received ten (10) proposals for a Local Retail Cannabis Business License; and

WHEREAS, the Borough Council reviewed and evaluated the proposals; and

WHEREAS, the Borough Council passed a resolution of local support for five (5) Class 5 retail cannabis businesses; and

WHEREAS, on February 21, 2023, the Borough Council passed a resolution of local support to MAIN STREET DISPENSARY in accordance with Borough of Highland Park Ordinances 21-2027 and 22-2044; and

WHEREAS, a six (6) month extension was granted to MAIN STREET DISPENSARY; and

WHEREAS, MAIN STREET DISPENSARY has been diligently working with the New Jersey Cannabis Regulatory Commission (the “Commission”); and

WHEREAS, the Commission has approved MAIN STREET DISPENSARY’s application for an Annual Class 5 Cannabis Retailer license; and

WHEREAS, MAIN STREET DISPENSARY owns the property located at 311 Raritan Avenue in Highland Park; and

WHEREAS, MAIN STREET DISPENSARY has been working with the Borough on local licensing and permitting; and

WHEREAS, construction of the retail cannabis dispensary is substantially complete; and

WHEREAS, it has been recommended that due to the above referenced circumstances, MAIN STREET DISPENSARY be awarded a resolution for local support for an additional six (6) months.

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

1. The above recitals are hereby incorporated as if restated herein in full.
2. The Borough Council of the Borough of Highland Park formally memorialize their continued support for MAIN STREET DISPENSARY with respect to its pending Class 5 Cannabis Retail Dispensary License from the New Jersey Cannabis Regulatory Commission.
3. A certified copy of this resolution shall be provided to the appropriate representatives of MAIN STREET DISPENSARY.
4. This Resolution shall take effect immediately.

Resolution No. 8-24-207

WHEREAS, the Mayor and Council of the Borough of Highland Park have adopted Chapter 136 of the “Code of the Borough of Highland Park” which authorizes the operation of adult personal-use cannabis businesses within the Borough; and

WHEREAS, the Borough received ten (10) proposals for a Local Retail Cannabis Business License; and

WHEREAS, the Borough Council reviewed and evaluated the proposals; and

WHEREAS, the Borough Council passed a resolution of local support for five (5) Class 5 retail cannabis businesses; and

WHEREAS, on February 21, 2023, the Borough Council passed a resolution of local support to BLKBRN, LLC in accordance with Borough of Highland Park Ordinances 21-2027 and 22-2044; and

WHEREAS, a six (6) month extension was granted to BLKBRN, LLC; and

WHEREAS, BLKBRN, LLC has been diligently working with the New Jersey Cannabis Regulatory Commission (the “Commission”); and

WHEREAS, the Commission has approved BLKBRN, LLC’s application for an Annual Class 5 Cannabis Retailer license; and

WHEREAS, BLKBRN, LLC has an active lease at 176 Woodbridge Avenue in Highland Park; and

WHEREAS, BLKBRN, LLC has been working with the Borough on local licensing and permitting; and

WHEREAS, construction of the retail cannabis dispensary is underway; and

WHEREAS, it has been recommended that due to the above-referenced circumstances, BLKBRN, LLC be awarded a resolution for local support for an additional six (6) months.

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

1. The above recitals are hereby incorporated as if restated herein in full.
2. The Borough Council of the Borough of Highland Park formally memorialize their continued support for BLKBRN, LLC with respect to its pending Class 5 Cannabis Retail Dispensary License from the New Jersey Cannabis Regulatory Commission.
3. A certified copy of this resolution shall be provided to the appropriate representatives of BLKBRN, LLC.
4. This Resolution shall take effect immediately.

Resolution No. 8-24-208

WHEREAS, the Mayor and Council of the Borough of Highland Park have adopted Chapter 136 of the “Code of the Borough of Highland Park” which authorizes the operation of adult personal-use cannabis businesses within the Borough; and

WHEREAS, the Borough received ten (10) proposals for a Local Retail Cannabis Business License; and

WHEREAS, the Borough Council reviewed and evaluated the proposals; and

WHEREAS, the Borough Council passed a resolution of local support for five (5) Class 5 retail cannabis businesses; and

WHEREAS, on February 21, 2023, the Borough Council passed a resolution of local support to FLORO HIGHLAND PARK, LLC in accordance with Borough of Highland Park Ordinances 21-2027 and 22-2044; and

WHEREAS, a six (6) month extension was granted to FLORO HIGHLAND PARK, LLC; and

WHEREAS, FLORO HIGHLAND PARK, LLC has been diligently working with the New Jersey Cannabis Regulatory Commission (the “Commission”); and

WHEREAS, FLORO HIGHLAND PARK, LLC is in the process of refile its application for an Annual Class 5 Cannabis Retailer license with the Commission; and

WHEREAS, FLORO HIGHLAND PARK, LLC has an active lease at 85 Raritan Avenue in Highland Park; and

WHEREAS, FLORO HIGHLAND PARK, LLC has been working with the Borough on local licensing and permitting; and

WHEREAS, construction of the retail cannabis dispensary is about to begin; and

WHEREAS, it has been recommended that due to the above-referenced circumstances, FLORO HIGHLAND PARK, LLC be awarded a resolution for local support for an additional six (6) months.

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

1. The above recitals are hereby incorporated as if restated herein in full.
2. The Borough Council of the Borough of Highland Park formally memorialize their continued support for FLORO HIGHLAND PARK, LLC with respect to its pending application to the

New Jersey Cannabis Regulatory Commission for a Class 5 Cannabis Retail Dispensary License.

3. A certified copy of this resolution shall be provided to the appropriate representatives of FLORO HIGHLAND PARK, LLC.
4. This Resolution shall take effect immediately.

Resolution No. 8-24-209

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and are hereby appointed to serve as members of the Highland Park Housing Authority for a term to expire as indicated:

Seth Hahn term expiring December 31, 2029

Resolution No. 8-24-210

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the following shall be and are hereby appointed to serve as members of the Highland Park Housing Authority for a term to expire as indicated:

Thuy Bozzett term expiring December 31, 2025

Resolution No. 8-24-211

WHEREAS, pursuant to P.L. 1997, Chapter 99, a municipality may hold a tax lien sale within the last month of a calendar year for any unpaid taxes or other municipal liens or charges that are delinquent as of the 11th day of the eleventh month of the calendar year; and,

WHEREAS, an electronic tax sale provides a greater pool of potential lien buyers, thus creating a more complete tax sale process.

WHEREAS, the Tax Collector has solicited a quote for online tax lien services from ROK Industries, Inc. Agent/Realauction.com; and

WHEREAS, ROK Industries Inc./Realauction.com has the capability to conduct the sale according to the rules and regulations promulgated by the Division of Local Government Services.

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

1. That the Administrator is hereby authorized and directed to contract ROK Industries/Realauction.com as the vendor for the online tax sale and the amount not to exceed \$15,000.00.
2. That a certified copy of this resolution is forwarded to the Chief Financial Officer and Tax Collector.

Resolution No. 8-24-212

WHEREAS, the Borough Tax Collector is appointed pursuant to NJSA 40A:9-141, which permits a municipality to provide for the appointment of a municipal tax collector; and

WHEREAS, N.J.S.A. 40A:9-145.7 requires that any person appointed or reappointed as a municipal tax collector must hold a tax collector certificate issued pursuant to NJSA 40A:9-141, Section 2 of P.L. 1979, c. 384 (C. 40A:9-145.2) and Section 6 of P.L. 1993, c. 25 (C 40A:9-145.3a); and

WHEREAS, the Borough's Tax Collector term of office is designated pursuant to NJSA 40A:9-142, which states that "every municipal tax collector shall hold their office for a term of four years from the first day of January next following their appointment. Vacancies other than due to expiration of term shall be filled by appointments for the unexpired term; and

WHEREAS, the Borough has identified Lori Majeski, Certified Tax Collector No. T-1238, as an excellent candidate for appointment to the open position; and

WHEREAS, the Borough Administrator recommends the appointment of Lori Majeski as Tax Collector for the Borough of Highland Park; and

WHEREAS, the appointment of Lori Majeski as Borough Tax Collector shall be effective August 16, 2024 for an unexpired term ending December 31, 2027, pursuant to and accordance with the appointment time frame set forth in NJSA 40A:9-142.

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. Lori Majeski (License No. T-1238) is hereby appointed to the position of Tax Collector, effective August 16, 2024 for an unexpired term ending December 31, 2027, pursuant to and in accordance with the appointment time from set forth in NJSA 40A:9-142.
2. In accordance with NJSA 40A:9-145.3b., the appointed Tax Collector shall renew their certification every two (2) years and shall complete the required course hours during that time to qualify for renewal of said certification.

Resolution No. 8-24-213

WHEREAS, the Mayor and Borough Council believe it to be in the best interest of the Borough to establish a public plaza on a portion of So. 3rd Avenue at Raritan Ave; and

WHEREAS, the Borough has applied for and been granted a permit from the New Jersey Department of Transportation to make the necessary street intersection improvements in order to create said public plaza; and

WHEREAS, the Borough has been awarded a Fiscal Year 2025 Grant Appropriation from the State of New Jersey for \$1,000,000 in order to design and build a public plaza on So. 3rd Avenue; and

WHEREAS, the Borough of Highland Park has a need for planning, landscape architectural, and engineering services to facilitate the design of this public space so that it meets the needs of a variety of

stakeholders, including but not limited to local residents, business owners, and Main Street Highland Park; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A.:11-1 et seq. and the Borough intends to award a contract to the successful firm through the provisions governing licensed professional services, N.J.S.A.:11-5(1)(a)(i).

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

1. The Borough Administrator is hereby authorized to issue a Request for Proposals (RFP) for planning, landscape architectural, and engineering services related to the creation of a public plaza on So. 3rd Avenue. The proposals will be received and evaluated in accordance with the instructions and methodology provided in the forthcoming RFP documentation.

Resolution No. 8-24-214

WHEREAS, the Borough of Highland Park Community Services would like to apply for a \$5,000.00 to support the Borough's 2025 Parkstock Outdoor Summer Concert Series; and

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

1. Highland Park Community Services are hereby authorized and directed to execute and submit, the grant application to County Project Support Grant Application-Arts Institute of Middlesex County.
2. Copies of this Resolution shall be forwarded to Community Services Director, Administration, and the Chief Financial Officer.

Resolution No. 8-24-215

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:

Thomas Grande, Part-Time Fire Fighter, \$22.67 Hourly, Effective 07/22/2024

Sergio Irizarry, Part-Time Fire Fighter, \$22.67 Hourly, Effective 07/22/2024

Roy Williams, Part-Time Fire Fighter, \$22.67 Hourly, Effective 07/22/2024

Ama Boateng, Sports Camp Counselor, \$15.14 Hourly, Effective 07/08/2024

Lori Majeski, Tax Collector, \$40,000, Effective 08/16/2024

Christian Sumano, Housing Inspector, \$61,207, Effective 06/01/2024

Maureen Pampinto, Planning and Zoning Board Recording Secretary, \$6,000, Effective 06/01/2024

Jennifer Santiago, Planning and Zoning Board Coordinator, \$12,000, Effective 06/01/2024

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

Resolution No. 8-24-216

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 8/13/2024 can be found in the Bills List Journal Book No. 44.

Second Public Participation.

Mayor Foster opened the floor for public participation.

Charlie Kratovil of New Brunswick Today, gave his condolences to Councilman Hale on the loss of his father. He raised a complaint about Judge Edward Herman. After getting previous approval from a different judge to record and photograph the case of State of New Jersey vs. Suzanne Ludwig. The case had been moved to Highland Park. Judge Herman overturned the original permission that was granted.

Kiernan Crowley, Harrison Avenue had two questions on RFP for the Plaza. Is that giving all three options that the public was presented in June and then responders will pick the best or has a preferred scenario been identified? When you review bids and the decision, will that include members of the public or will that be an executive session?

Lois Lebbing, North 2nd Avenue, you cannot develop in ecological preserve zones. This can only be for scientific use, you cannot put parking. Other than scientific research study instruction land specifically related paving of any area for any purpose shall constitute a conflict event. She asked did the Council do a cleanup, did they contact the Governor's office and who gave the permission?

Mary Forsberg, Denison Street, asked who in the Borough is going to take financial responsibility for the future of the town? Where is the money from the million dollar Grant from the State? Where did that come from, what department and what agency, where is that million dollars? How much has the Borough already spent trying to get that Plaza started? Why is the developer of Tract C going to help finance that?

Marilyn Blacher-Reich, 232 Lincoln Avenue had concerns about dangerous and diseased trees, branches and sidewalks in Highland Park. What is the town doing to notify homeowners that they need to trim their trees and shrubs back and have the limbs and/or trees removed?

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

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

Borough Attorney Shah replied to Mr. Kratovil indicating that his concerns falls within the Judiciary System, but she would stay after the meeting to speak with Mr. Kratovil to get more information and see if there is anything we can do. It may not be in our jurisdiction.

Borough Administrator Jover replied to Mr. Crowley indicating the plan for that is to draft the scope of work. When you referenced the three alternatives I'm not quite sure what you meant with respect to the plaza, but we can talk about that separately. We're looking for a professional planner with a landscape architect or a landscape architect with a planner. They'll pitch their services to us in line with our scope of work and we'll interview them. We haven't discussed committees. The RFP will be public.

Borough Administrator Jover responded to Ms. Forsberg indicating that it is a Legislative Grant. Miss Forsberg asked a couple of other questions which were already asked in an OPRA request, which we will certainly provide as soon as we have all the materials available. Councilman Hale added these are professional services, this is a community process and these are the professionals. We're not going to bid to get a new developer to develop our Park. It would be a public process and their job is to help us work through that process with all the stakeholder engagement.

Council President Hersh responded to Ms. Blacher-Reich indicating that if anyone sees a tree limb or limbs, a tree that is no longer living or that appears to be in danger please call the police non-emergency number or PSE&G. If you are more comfortable reaching out to one of us you can always do that as well.

Executive Session.

Resolution No. 8-24-217

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

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 the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:
Executive Session: Litigation – JSM at Highland Park vs. Highland Park Borough
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 George, seconded by Councilman Postelnik, Resolution 8-24-217 was duly adopted by the following roll call vote, to

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

There being no further business, on motion made by Councilman George, seconded by Councilman Hale, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:18 PM.

Respectfully submitted,

Jennifer Santiago
Borough Clerk