

BOROUGH OF HIGHLAND PARK
REGULAR MEETING
SEPTEMBER 17, 2024 – 7:00 PM

To attend the meeting electronically, please follow the instructions below:

By phone:
1-929-205-6099
Webinar: 920 9574 9666

By computer, smartphone or tablet:
<https://zoom.us/j/92095749666>

MISSION STATEMENT OF THE BOROUGH OF HIGHLAND PARK:

The Mission of the Highland Park Borough Council is to establish a government based upon the principles of good government: ethics, efficiency and the effective provision of services.

The Borough Council is committed to creating a thriving community, which is sustainable economically, environmentally and socially.

The Borough Council is further committed to creating a community which values its unique and diverse populations and encourages direct public participation in the governing process.

AGENDA

* Denotes Consent Agenda Posted Items. Ordinarily, consent agenda items, pursuant to Ordinance No. 920, are not read nor debated unless there is a request by a member of Council or the public. Furthermore, unless requested by a member of Council for a separate vote, all consent agenda items, as per Council's Rules of Order, Article IV, shall be considered in the form of one **MOTION**.

1. Call to Order and Open Public Meetings Statement.
2. Pledge of Allegiance.
3. Roll Call.
4. Honors, Awards and Presentations.
 - ARC - Direct Support Professional Recognition Week - September 8-14, 2024
5. Approval of Minutes.
 - 5.a **MOTION** to approve minutes as distributed:
 - September 3, 2024 Regular Session Mtg.

ROLL CALL VOTE

6. Council Reports.

7. Borough Administrator’s Report.
8. Borough Attorney’s Report.
9. Mayor’s Report.
10. Public Participation.
(21 minutes total; 3 minutes per speaker limited to items on this Agenda. Comments from members of the public attending the meeting in-person will be heard first, followed by members of the public attending the meeting via Zoom.)
11. Ordinances Requiring a Second Reading.
 - 11.a **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.
 - a. Public Hearing
 - b. **MOTION** to adopt/reject Ordinance 24-2092 **ROLL CALL VOTE**
12. Ordinances Requiring a First Reading.
 - 12.a **Ordinance No. 24-2094** Ordinance Amending and Supplementing Part I Administrative Legislation, Chapter 7 Traffic (Schedule X, Stop Intersections) within the Borough of Highland Park (Cleveland Avenue at Madison Avenue)

MOTION to approve/reject Ordinance No. 24-2094, authorize publication as required by law, and set up public hearing for October 1, 2024 **ROLL CALL VOTE**
 - 12.b **Ordinance No. 24-2095** Ordinance Amending and Supplementing Part II General Legislation, Chapter 278-17 Parking (On-Street Accessible Parking Spaces) within the Borough of Highland Park

MOTION to approve/reject Ordinance No. 24-2095, authorize publication as required by law, and set up public hearing for October 1, 2024 **ROLL CALL VOTE**
13. Consent Agenda Items - Resolutions.

MOTION to adopt/reject **ROLL CALL VOTE**

 - 13.a *9-24-221 Resolution Awarding Bid for the 2024 Roadway Improvements Project - North Fourth Avenue, Denison Street and Harper Street
 - 13.b *9-24-225 Resolution Authorizing Memorandum of Understanding with the Rutgers University Behavioral Health Care Services (ARRIVE)
 - 13.c *9-24-226 Resolution Authorizing Amendment to Annual Salary Resolution

- 13.d *9-24-227 Resolution Authorizing Payment No. 1 with Mak Group, LLC for the Highland Park Library Roof project.
- 13.e *9-24-228 Resolution Authorizing Spring 2025 Tree Planting Bid
- 13.f *9-24-229 Resolution Authorizing and Supporting the Renewal of ANJA LIFE, LLC's Retail Cannabis Business License Application to the New Jersey Cannabis Regulatory Commission
- 13.g *9-24-230 Resolution Authorizing Contract with B&W for Additional Repairs to Sewer Main on Braun Avenue
- 13.h *9-24-231 Resolution to Approve Bills List

14. Appointments.

Crossing Guards

- Karen Aarons
- Jenifer Calo
- Catherine Ciociari
- Charlene Gee
- Carol Gordon
- William Lajtos
- Christopher Lopez
- Lucille Morris
- Genevieve Pruitt
- Fox Rayside
- Jacqueline Rhein
- Deborah Riddick Smith
- Chantal White

Mayor's Teen Advisory Committee

- Ethan Paul Chen
- Madeline (Maddie) Hulme

Sustainable Highland Park

- Meliha Pihura Shiu

MOTION TO CONFIRM

ROLL CALL VOTE

- 15. Second Public Participation.
(3 minutes per speaker on any topic; subject to 9 PM conclusion. Comments from members of the public attending the meeting in-person will be heard first, followed by members of the public attending the meeting via Zoom.)
- 16. Recess (5 minutes).
- 17. MOTION to adjourn.
- 18. **Next Scheduled Meeting:** October 1, 2024 @ 7 PM

**ORDINANCE NO. 24-2092
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX, NJ**

**AN ORDINANCE OF THE BOROUGH OF HIGHLAND
PARK, COUNTY OF MIDDLESEX, STATE OF NEW
JERSEY, ADOPTING THE REDEVELOPMENT PLAN
ENTITLED “810 NORTH 2ND AVENUE
REDEVELOPMENT PLAN”**

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 rehabilitation and/or 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 “**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, by Resolution No. 8-24-204 adopted on August 13, 2024, the Council referred the Redevelopment Plan to the Borough Planning Board (the “**Planning Board**”) for its review and comment; and

WHEREAS, on September 12, 2024, the Planning Board reviewed the Redevelopment Plan and determined that it was substantially consistent with the Borough’s Master Plan; and

WHEREAS, following such review the Planning Board has rendered its report and recommendations to the Council and recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Council hereby finds it appropriate for the Redevelopment Plan to be adopted for the Property and that the Redevelopment Plan is substantially consistent with the Master Plan for the Borough; and

WHEREAS, the Council now desires to adopt the Redevelopment Plan and to direct that the applicable provisions of the Borough’s Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK AS FOLLOWS:

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

Section 2. The recommendations of the Planning Board are hereby accepted, and the Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of the Redevelopment Law.

Section 3. The zoning district map and the zoning ordinance of the Borough are hereby amended to incorporate and reflect the Redevelopment Plan, and, to the extent provided in the Redevelopment Plan, are superseded thereby.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

Introduced and Passed on First Reading: August 13, 2024

Adopted:

Approved:

Attest:

Jennifer Santiago, Borough Clerk

Elsie Foster, Mayor

Exhibit A

810 North 2nd Avenue Redevelopment Plan



810 NORTH 2ND AVENUE REDEVELOPMENT PLAN

Block 503, Lot 24

Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | August 7, 2024

HIGH
LAND
PARK

810 North 2nd Avenue Redevelopment Plan

Block 503, Lot 24

Borough of Highland Park, Middlesex County, New Jersey

Recommended by the Planning Board on Month ##, 2024

Adopted by the Borough Council on Month ##, 2024



Prepared on behalf of:

Highland Park Borough Council

Borough Hall
221 South 5th Avenue
Highland Park, NJ 08904



Prepared by:

LRK, Inc.

1218 Chestnut Street, 5th Floor
Philadelphia, PA 19107

The original copy of this document was appropriately signed and sealed in accordance to N.J.S.A. 45:14A-1 et seq.

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes.

Chris S. Cosenza, AICP, PP, LEED AP
NJPP License No. 6344



HIGHLAND
PARK

ACKNOWLEDGMENTS

MAYOR & BOROUGH COUNCIL

Mayor	<i>Elsie Foster</i>	Councilmember	<i>Matthew Hale</i>
Council President	<i>Matthew Hersh</i>	Councilmember	<i>Stephany Kim Chohan</i>
Councilmember	<i>Tara Canavera</i>	Councilmember	<i>Jason Postelnik</i>
Councilmember	<i>Philip George</i>		
Borough Attorney	<i>Sapana Shah, Esq., Rainone Coughlin Minchello, LLC</i>		
Borough Administrator	<i>Teri Jover</i>		
Borough Clerk	<i>Jennifer Santiago, RMC, CMR</i>		

PLANNING BOARD

Class I Member	<i>Elsie Foster</i>	Class IV Member	<i>Alvin Chin</i>
Designee, Vice Chair	<i>Padraic Millet</i>	Class IV Member	<i>Khalidra Hadhazy</i>
Class II Member	<i>Scott Brescher</i>	Class IV Member	<i>Paul Lanaris</i>
Class III Member, Liaison	<i>Matthew Hale</i>	Class IV Member	<i>Jeff Perlman</i>
Class IV Member, Chair	<i>Rebecca Hand</i>	Alternate I	<i>Dan Stern Cardinale</i>
Class IV Member, Secretary	<i>Allan Williams</i>	Alternate II	<i>Stephen Eisdorfer</i>
Board Attorney	<i>Roger W. Thomas, Esq., Dolan and Dolan, P.A.</i>		
Board Engineer	<i>Bruce M. Koch, PE, PP, CME, CME Associates</i>		
Board Planner	<i>Chris S. Cosenza, AICP, PP, LEED AP, LRK, Inc.</i>		
Board Clerk	<i>Jennifer Santiago, RMC, CMR</i>		

BOROUGH PROFESSIONALS

Redevelopment Attorney	<i>Joseph P. Baumann, Jr., Esq., McManimon, Scotland & Baumann, LLC</i> <i>J. Nicholas Strasser, Esq., McManimon, Scotland & Baumann, LLC</i>		
Borough Engineer	<i>Bruce M. Koch, PE, PP, CME, CME Associates</i>		
Borough Planner	<i>Jim Constantine, PP, LRK, Inc.</i>		

BOROUGH STAFF

Construction Official	<i>Scott Brescher</i>
Zoning Official	<i>Mike Mullin</i>

TABLE OF CONTENTS

1 | INTRODUCTION

1.1 Purpose of this Redevelopment Plan 1

2 | REDEVELOPMENT STATUTE

2.1 Purpose of the Redevelopment Statute 5
2.2 Advantages of a Redevelopment Plan 6
2.3 Redevelopment Procedure 6
2.4 Redevelopment Actions Taken to Date 7
2.5 Statutory Criteria 7

3 | PROJECT AREA CONTEXT

3.1 Overview 9
3.2 Property Ownership & Assessment 9
3.3 Existing Land Use & Zoning 9

4 | RELATIONSHIP TO OTHER PLANS

4.1 Relationship to Borough's Land Development Ordinance 11
4.2 Relationship to Borough's Master Plan 11
4.3 Relationship to Contiguous Municipalities 13
4.4 Relationship to Middlesex County 13
4.5 Relationship to the State Plan 13

5 | VISION

5.1 Vision for the Project Area 15
5.2 Statement of Goals & Objectives 15

6 | PROPOSED ZONING REQUIREMENTS

6.1 Purpose & Overview 16
6.2 Land Use Regulations 16
6.3 Area & Bulk Regulations 17
6.4 Supplementary Regulations 18
6.5 Development & Design Standards 20
6.6 Development of Public Electric Vehicle Charging Infrastructure 26
6.7 Affordable Housing 26

7 | GENERAL PROVISIONS

7.1	Applicability	27
7.2	Definitions	27
7.3	Redevelopment Entity	27
7.4	Redeveloper Selection	27
7.5	Development Procedure	28
7.6	Amendments to Approved Redevelopment Plan	29
7.7	Duration of Redevelopment Plan Restrictions	29
7.8	Certificates of Completion	29
7.9	Property Acquisition	30
7.10	Relocation of Displaced Residents or Businesses	30
7.11	Adverse Influences	30
7.12	Discrimination Ban	30
7.13	Severability	30

8 | APPENDIX

A	Borough Council Resolution No. 2-24-67	31
---	--	----

EXHIBITS

MAPS & TABLES

Map 1	Context Map	2
Map 2	Project Area Map	4

1 | INTRODUCTION

1.1 PURPOSE OF THIS REDEVELOPMENT PLAN

Highland Park's tree-lined, pedestrian- and bicycle-friendly streets and its walkable downtown create a unique sense of place for its residents, many of whom are affiliated with Rutgers University - New Brunswick, making the Borough of Highland Park (the "Borough") a part of the college community across the Raritan River. These key amenities are sought after by both Millennials and "Empty Nesters" alike, both of which are already-growing demographic groups in Highland Park.

Over the past 20 years, the Borough has undertaken several planning activities in efforts to make the community a vital and sustainable place to live, work, and play. The Mayor and Council of the Borough of Highland Park (the "Borough Council") have been proactively engaging in a number of redevelopment projects as a tool for stimulating private investment throughout Highland Park, particularly within the downtown area and other commercial corridors, in accordance with the New Jersey Local Redevelopment and Housing Law (the "LRHL") at [N.J.S.A. 40:A:12A-1 et seq.](#)

Among numerous redevelopment actions taken to date, the Borough Council adopted Ordinance No. 16-1921 in December 2016, which designated the entirety of the municipality as an "area in need of rehabilitation," conducted several preliminary investigations and designated such properties as "areas in need of redevelopment," and prepared several site-specific redevelopment plans throughout the Highland Park.

CLEVELAND AVENUE CORRIDOR VISION

Preserve unique, inherent town qualities while evolving to meet current conditions and emerging trends by transforming and enriching the mix of uses on outdated commercial corridors to support safer, more attractive and livable Complete Street.

Map 1. Context Map



The purpose of this redevelopment plan is to create a site-specific implementation plan for the rehabilitation and/or redevelopment of the existing commercial building to serve as a more appropriate and high-quality transition between the single-family detached dwellings along Cleveland Avenue and the recently-constructed residential development commonly known as the Crossing at Highland Park.

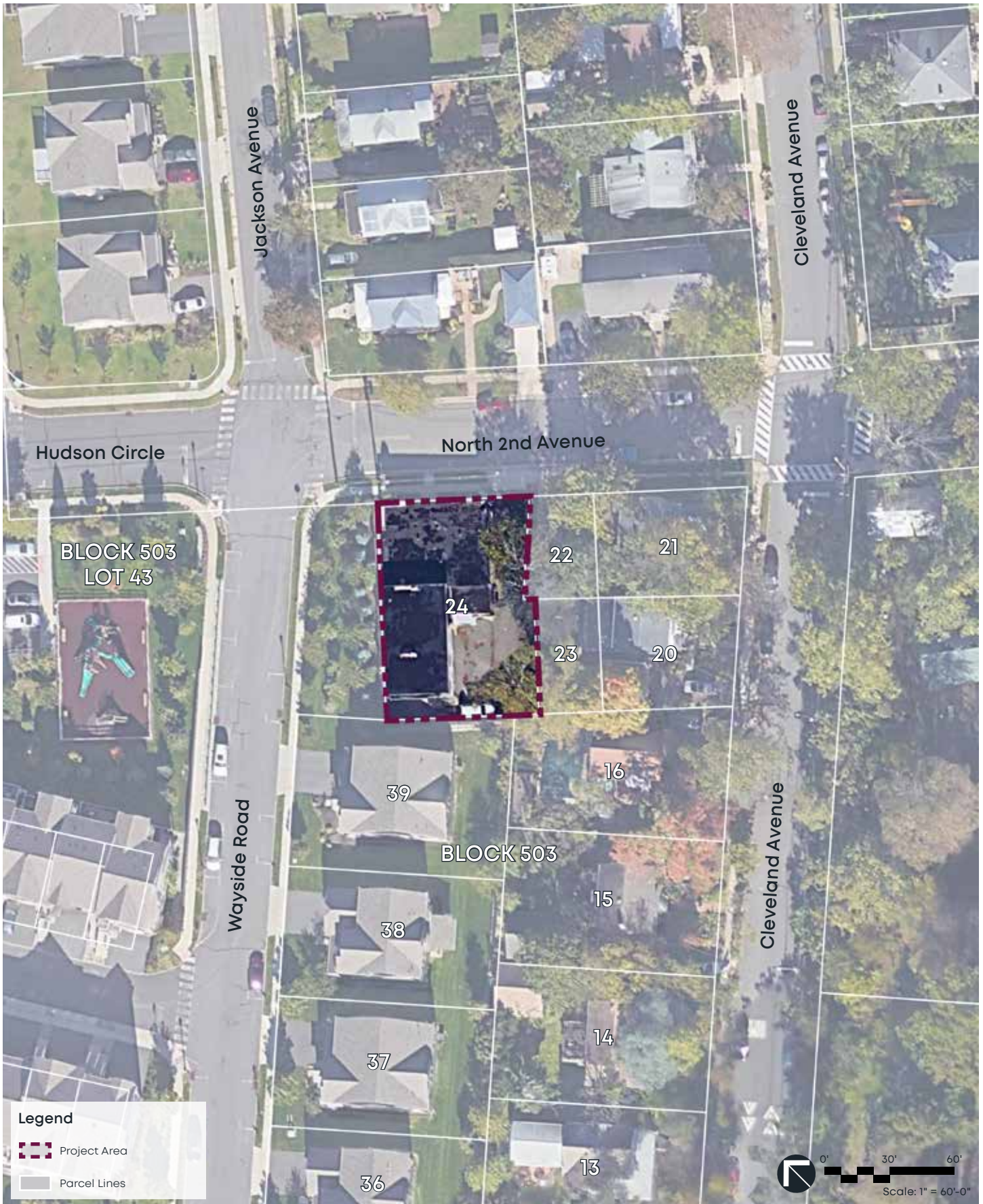
More specifically, the Borough seeks to provide an opportunity for the adaptive reuse of the existing commercial building to a residential use that is consistent with the surrounding residential character and also maintains some of the vestiges of the Borough's industrial past, that would otherwise not be possible as-of-right.

As such, in order to stimulate private investment, promote community benefits, prevent further deterioration, and advance desirable rehabilitation and/or redevelopment within the Borough, consistent with the vision, goals, and objectives of the Master Plan, the Borough Council seeks to rehabilitate and/or redevelop Block 503, Lot 24 (the "Project Area") in accordance with this redevelopment plan entitled "810 North 2nd Avenue Redevelopment Plan" (the "Redevelopment Plan" or "Plan").



Looking west toward the Project Area, from the intersection of North 2nd Avenue and Wayside Road (a private road within the Crossings at Highland Park).

Map 2. Project Area Map



2 | REDEVELOPMENT STATUTE

2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted the LRHL, which was largely based on the 1949 Blighted Areas Act. The Legislature revised, consolidated, and ultimately replaced the State's various redevelopment statutes with a new statute concerning redevelopment and housing by the State's local governments

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, finding at [N.J.S.A. 40A:12A-2.a.](#) that:

“There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.”

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting physical development most conducive to the social and economic improvement of the State and its municipalities.

According to the LRHL, before the municipality is authorized to exercise any redevelopment powers, a specified area must be designated a rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a “condemnation area in need of redevelopment” or have been designated as a redevelopment area before the effective date of P.L. 2013, c. 159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared to utilize various planning and financial tools to eliminate the conditions that cause the area to be considered a rehabilitation and/or redevelopment area, to make redevelopment projects more feasible by utilizing financial subsidies or other incentive programs offered by various agencies, and to foster public-private partnerships that facilitate the desired redevelopment of the area.

From a practical standpoint, a redevelopment plan is essentially a combined “mini” master plan and zoning ordinance for the designated rehabilitation and/or redevelopment area, and may prescribe specific zoning regulations and detailed development and design standards that reflect the community's vision and desired improvement of the area.

The redevelopment planning process has been used successfully throughout the State, including within the Borough, to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

2.2 ADVANTAGES OF A REDEVELOPMENT PLAN

The advantages of a redevelopment plan are that it empowers additional municipal authority by permitting the use of special flexible Smart Growth planning tools otherwise not available under conventional zoning, including the following:

- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form, and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, areas to be preserved as open space and improved as public gathering spaces, parks or other landscape features, as well as the provision for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe structures and areas to be preserved, land use, intensity of use, residential density, build-to lines, setbacks, height, scale, massing, form, site layout including the location of new structures, parking and pedestrian improvements, streetscape improvements, and other off-site improvements.
- The exercise of greater control over design of any project including detailed development and design standards regulating the layout, design and appearance of future buildings and site improvements.
- The ability to require green infrastructure, sustainable design standards or features, and universal design techniques and strategies be incorporated into the project.
- Empowers the municipality to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period of time.
- Enables the municipality and property owner to work in a public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

2.3 REDEVELOPMENT PROCEDURE

The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body acts in concert with the goals and objectives of the municipality's master plan. Recognizing the planning board's role as the steward of the master plan, these steps require the planning board to make recommendations to the governing body.

2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE

BOROUGH-WIDE REHABILITATION DESIGNATION

On December 20, 2016, the Borough Council adopted Ordinance No. 16-1921, declaring the entire area within the Borough, including the Project Area, an “area in need of rehabilitation” in accordance with the LRHL. This designation will prevent further deterioration and promote the overall development of the Borough, consistent with the goals and objectives of the Master Plan, which include to:

- Ensure a vibrant downtown and commercial corridor;
- Encourage infill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns;
- Preserve and enhance the character and small town feel of the community.

REDEVELOPMENT PLAN

On February 6, 2024, the Borough Council adopted Resolution No. 2-24-67 (Exhibit A), authorizing a professional services agreement with LRK, Inc. for redevelopment planning services, including the development of a redevelopment plan for the Project Area.

2.5 STATUTORY CRITERIA

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the provisions listed as follows:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c. 398 (C. 52:18A-196 et al.).

6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c. 222 (C. 52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L. 1985, c. 222 (C. 52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L. 1985, c. 222 (C. 52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
8. Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

3 | PROJECT AREA DESCRIPTION

3.1 OVERVIEW

The Project Area is situated in the northwest region of the Borough. The Project Area consists of a single property, a mid-block lot located on the west side of North 2nd Avenue, between Cleveland Avenue to the south and Wayside Road to the north. The property is slightly irregular in shape, approximately 6,938 square feet (or 0.16 acres) in area, with 70.43 feet of frontage along North 2nd Avenue, and having an average depth of 100 feet.

Presently on the property is a one- and two-story frame building with a masonry face, consisting of approximately 5,386 square feet of floor area, together with a narrow driveway accessible from North 2nd Avenue that provides access to a small parking area consisting of five (5) parking spaces at the rear of the property. The portion of the building fronting North 2nd Avenue is one-story in height, while the rear of the building is two (2) stories in height. It is noted that a portion of the paved area extends into the adjacent residential lot, and a one-story frame add-on has limited setback from the shared property line.

3.2 PROPERTY OWNERSHIP & ASSESSMENT

Upon review of property tax records derived from the Middlesex County Property Assessment Search Hub, the property is presently owned by YFM L&N, LLC. The property was purchased by the present property owner in May, 2024 for \$507,000. The current tax assessment is \$754,000, of which \$300,000 is attributed to land value and \$454,000 is attributed to improvement value.

3.3 EXISTING LAND USE & ZONING

The original building was constructed in 1940 as a commercial laboratory, had continued to be used as such, last used by EUTECH Scientific Services Inc., until 2022, and has remained vacant since that time. There are no wetlands as identified by the NJDEP and no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency ("FEMA") within the Project Area. The Project Area is serviced by PSE&G for electric utilities and PSE&G for gas utilities, and is located within a sewer service area.

The Project Area was previously situated in the C/R Conservation/Recreation Zone until December 18, 2001, at which time Borough Council adopted Ordinance No. 1569, which rezoned several properties - including the Project Area - to the RA-E Single-Family Residential - Ecological Preservation Zone. On October 2, 2012, Borough Council adopted Ordinance 12-1840, which - as a result of a builder's remedy lawsuit - rezoned several adjacent properties to the PURD-1 Planned Unit Residential Development Zone. All other areas to the south are situated in the RA Single-Family Residential Zone.

The RA-E Zone allows for detached single-family dwellings, with flexible bulk standards and detailed design standards in the form of a residential form-based code, and an option for residential cluster development. The adjacent PURD-1 Zone was designed to allow for a planned development consisting of single-family, townhouse, and stacked townhouse dwelling units, including some affordable dwelling units - today's Crossings at Highland Park.

Bird's Eye View of Existing Conditions



Ground-Level Views of Existing Conditions



4

RELATIONSHIP TO OTHER PLANS

4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

The zoning standards set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area, and - with the exception of where the existing building is demolished and is replaced with a single- or two-family detached dwelling - shall require the execution of a Redevelopment Agreement in order to apply.

4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

The 2019 Master Plan Reexamination Report discusses the Borough's desire to create a desirable living and working environment, to protect its environmental resources, and to promote sound land development. As such, the goals of the Master Plan seek to preserve the Borough's unique town qualities, enrich the mix of uses, expand resiliency and sustainable development, among others.

The development of the 2019 update to the Master Plan involved extensive community participation, including an online survey in which only 6% of respondents indicated that they would like the Cleveland Avenue corridor to "remain the same." During the master plan process, common issues/concerns raised by the community included:

- Create a sense of identity and place that connects to the rest of the Borough;
- Encourage an appropriate mix of uses, community facilities, and gathering places;
- Address the unpleasant streetscape experience due to a lack of sidewalks and street trees;
- Address the underutilization of the corridor through updated zoning.

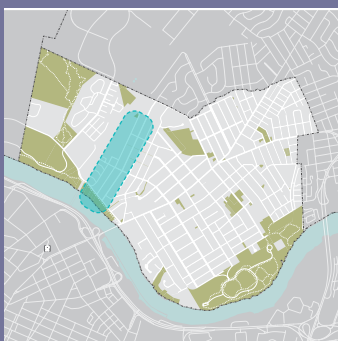
Drawing from community feedback, the Land Use Plan Element provides a vision statement for the Cleveland Avenue Corridor, which reads as follows:

Preserve unique, inherent town qualities while evolving to meet current conditions and emerging trends by transforming and enriching the mix of uses on outdated commercial corridors to support safer, more attractive and livable Complete Streets.

To do so, and to achieve other goals such as facilitating rehabilitation, reinvestment and revitalization, activation of corridors, expansion of living opportunities, and improving mobility, the Master Plan recommends taking advantage of redevelopment tools, expand the range of permitted uses, including "missing middle housing," reinforce distinctive placemaking, incorporate context-sensitive design standards, as well as improve the aesthetics and functionality of the streetscape (including creating safer Complete Streets), to the extent practical in the context of this small site-specific redevelopment plan.

CLEVELAND AVENUE EXISTING CONDITIONS

LAND USE PLAN ELEMENT



Existing conditions along Cleveland Avenue range from a tree-lined residential street closer to the river to the remaining remnants of an older light industrial district with ample vacant and underutilized land.



4.3 RELATIONSHIP TO CONTIGUOUS MUNICIPALITIES

The Project Area is not physically contiguous to the adjacent municipalities of the City of New Brunswick, Edison Township and Piscataway Township. Given the Project Area's location within the Borough and distance from municipal boundaries, the redevelopment of the Project Area will generally not impact or affect those communities. Additionally, this Redevelopment Plan encourages redevelopment to occur in an already developed area.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the master plans of the City of New Brunswick, Edison Township and Piscataway Township.

4.4 RELATIONSHIP TO MIDDLESEX COUNTY

The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Master Plan.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.

4.5 RELATIONSHIP TO THE STATE PLAN

STATE DEVELOPMENT AND REDEVELOPMENT PLAN

In March, 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the "SDRP"). The purpose of the SDRP is to coordinate planning activities and establish Statewide planning objectives in various areas, including land use, housing, redevelopment, among others.

According to the SDRP, statewide goals are to be achieved through the flexible application of SDRP's statewide polices, which are designed to improve the planning and coordination of public policy decisions among all levels of government.

The SDRP's eight (8) statewide goals are as follows:

Goal 1: Revitalize the State's cities and towns.

Goal 2: Conserve the State's natural resources and systems.

Goal 3: Promote beneficial economic growth, development and renewal for all New Jersey residents.

Goal 4: Protect the environment, prevent and clean up pollution.

Goal 5: Provide adequate public facilities and services at a reasonable cost.

Goal 6: Provide adequate housing at a reasonable cost.

Goal 7: Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.

Goal 8: Ensure sound and integrated planning and implementation statewide.

STATE PLAN POLICY MAP

According to the State Plan Policy Map, the Borough of Highland Park is contained entirely within the Metropolitan Planning Area (PAI), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the SDRP's goals and objectives are as follows:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP provides a series of policy objectives intended as guidelines for planning activities in the Metropolitan Planning Area, including:

- Promote redevelopment and development neighborhoods of Centers;
- Provide a full range of housing choices through redevelopment;
- Promote economic development by encouraging infill development, public/private partnerships and infrastructure improvements that support an identified role for the community;
- Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency;
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile; and,
- Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

5 | VISION

5.1 VISION FOR THE PROJECT AREA

This Redevelopment Plan's approach to redevelopment of the Project Area contemplates establishing flexible and necessary zoning and development standards to permit the adaptive reuse of the existing commercial building to a small apartment building.

The Borough seeks to promote adaptive reuse of an existing building that would help preserve the inherent cultural, heritage, and historical value of the older building - including maintaining some of the industrial history of the Cleveland Avenue corridor - in a neighborhood that has undergone rather significant changes with the planned unit development built nearby.

Generally speaking, adaptive reuse also has a number other environmentally friendly and sustainable benefits, including reduced carbon footprint associated with the production and transportation of new construction materials, and therefore reduce the cost of construction,.

Additionally, the Borough seeks to give new life to an older building, by converting it to a residential use that is consistent with the surrounding residential character, including providing opportunities for the so-called "small missing middle housing" by allowing for different types of and potentially more affordable dwelling units not otherwise found in the neighborhood.

Finally, the Borough seeks to allow for a single-family detached dwelling with the potential for an accessory dwelling unit, or a two-family detached dwelling, should the opportunity for adaptive reuse of the existing building not come to fruition.

5.2 STATEMENT OF GOALS & OBJECTIVES

The Borough seeks to alleviate the conditions found in the Project Area and support the use and re-use of properties to better serve the public health, safety, and welfare of the community and the region. As such, this Redevelopment Plan seeks to implement the following general goals and objectives that apply to all redevelopment projects:

- A. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an "area in need of rehabilitation."
- B. The making available of the full range of benefits and inducements for the Project Area, including: federal, state, county and local government funding.
- C. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents and small businesses to the area, and contributes to the continuing vitality of the Borough.

6 | PROPOSED ZONING REQUIREMENTS

6.1 PURPOSE & OVERVIEW

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development, rehabilitation, and redevelopment, including but not limited to the Municipal Land Use Law (the “MLUL”) at N.J.S.A. 40:55D-1 et seq. and the Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation, or redevelopment of the Project Area shall effectuate the Vision and the established Goals and Objectives of this Redevelopment Plan.
- B. The zoning regulations set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area as provided for in N.J.S.A. 40A:12A-7c. and - with the exception of where the existing building is demolished and is replaced with a single- or two-family detached dwelling - shall require the execution of a Redevelopment Agreement in order to apply.
- C. It is intended and expressly understood that any zoning regulations and development and design standards not specifically addressed in this Redevelopment Plan shall continue to apply as set forth in the Highland Park Land Development Ordinance (the “Ordinance”) and all other codes and regulations as set forth in the Code of the Borough of Highland Park (the “Code”) not contravened in this Redevelopment Plan.
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance and the Code.

6.2 LAND USE REGULATIONS

The provisions pertaining to land use regulations contained herein shall apply to all development within the Project Area. The Planning Board shall not grant variances from these regulations as they constitute mandatory components of this Redevelopment Plan.

6.2.1. PERMITTED PRINCIPAL USES

- A. The following principal uses and structures shall be permitted in the Project Area where adaptive reuse of the existing building is utilized:
 - 1. Multi-family apartments, including apartments located on the ground floor. Such uses may include common spaces for residents such as lobbies, physical fitness facilities, active and passive recreational facilities, collaboration and/or shared spaces, and other similar amenities and services, which may also be located on the ground floor.
 - 2. Live/Work units.
- B. The following principal uses and structures shall be permitted in the Project Area in the event that the existing building is demolished:

1. Single-family detached dwelling.
2. Two-family detached dwelling.

6.2.2. PERMITTED ACCESSORY USES

A. The following accessory uses and structures shall be permitted in the Project Area:

1. Accessory dwelling unit ("ADU"); however, such may only be accessory to a single-family detached dwelling. For purposes of this Redevelopment Plan, an ADU is defined as a smaller, independent dwelling located on the same lot as a stand-alone single-family home (i.e., detached ADU), an add-on to the single-family home on the lot (i.e., attached ADU), or within the footprint of the single-family home on the lot (i.e., internal ADU), and so long as the floor area of the ADU does not exceed 50% of the floor area of the single-family home on the lot or 800 square feet, whichever is less.
2. Driveways, carports, garages, and off-street parking for residents.
3. Greenhouses, storage / tool sheds, and other similar structures.
4. Private recreational facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace, and other amenities for residents.
5. Patios, decks, gazebos, and other similar structures.
6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
7. Home occupations.
8. Satellite dish antenna (receive only).
9. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

6.3 AREA & BULK REGULATIONS

The provisions pertaining to area, setback, coverage, and height regulations contained herein shall apply to all development within the Project Area. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

6.3.1. AREA & BULK REGULATIONS

A. The following area and bulk regulations shall apply to development within the Project Area where adaptive reuse of the existing building is utilized.

Area Requirements

1. There shall be no minimum lot area nor lot dimensional requirements; the development shall utilize the entire lot.

Floor Area Requirements

2. Maximum Floor Area Ratio*: 0.90.

*Floor Area Ratio is defined in Section 6.4.2. below.

Building Setback Requirements

3. Minimum setback from North 2nd Avenue: 0 feet to the first floor; 35 feet to the second floor.
4. Minimum setback from left side lot line: 12 feet.
5. Minimum setback from right side lot line: 2 feet.
6. Minimum setback from rear lot line: 8 feet; in order to comply with this provision, the rear one-story frame portion of the existing building shall be removed.

Coverage Requirements

7. Maximum building coverage: 65%.
8. Maximum impervious coverage: 95%; in order to comply with this provision, portions of the existing parking area shall be removed.

Height* Requirements

9. Maximum building in stories & feet: Not greater than what presently exists.

*Height is defined in Section 6.4.3. below.

- B. The following area and bulk regulations shall apply to development within the Project Area in the event that the existing building is demolished:

1. All requirements promulgated by the underlying Ordinance pertaining to single- and two-family detached dwellings in the RA Zone.

6.4 SUPPLEMENTARY REGULATIONS

The provisions pertaining to supplementary regulations contained herein shall apply to all development within the Project Area. Unless specifically superseded below, all other regulations contained in Part 4 Zoning of the Ordinance shall apply. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

6.4.1. PERMITTED PROJECTIONS

- A. Non-enclosed one-story porches, porticos, stoops, and entrance platforms leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
- B. Non-enclosed one-story porches, porticos, stoops, entrance platforms, and uncovered decks leading to the basement or the ground floor shall be permitted to project not

more than five (5) feet into a side or rear yard setback, provided that they are not closer than three (3) feet to a side or rear lot line.

- C. Covered decks leading to the ground floor shall be permitted to project not more than five (5) feet into a side or rear yard setback and uncovered decks leading to the ground floor shall be permitted to project not more than 10 feet into a side or rear yard setback, provided that they are not closer than three (3) feet to a side or rear lot line.
- D. Balconies shall be permitted to project not more than 18 inches into a side or rear yard setback, provided that they are not closer than one (1) foot to a side or rear lot line. In the event that the existing building is demolished and is replaced with a single- or two-family detached dwelling, balconies, bay windows, and box bay windows shall be permitted to project not more than three (3) feet into any yard setback, provided that they are not closer than three (3) feet to any lot line.
- E. Cornices, eaves, other roof overhangs, chimneys, gutters, and downspouts shall be permitted to project not more than three (3) feet into any yard setback, provided that they are not closer than one (1) foot to a side or rear lot line.
- F. Belt courses, windowsills, and other similar ornamental features shall be permitted to project not more than one (1) foot into any yard setback, provided that they are not closer than one (1) foot to a side or rear lot line.
- G. Ramps and stairways leading to a building entrance shall be permitted to project into any yard setback, without limitation, provided that they are not closer than three (3) feet to a side or rear lot line and do not encroach into a public right-of-way.
- H. Awnings and structural canopies shall be permitted to project not more than five (5) feet into any yard setback, provided that they have a minimum vertical clearance of eight (8) feet, are no closer than three (3) feet into a side or rear lot line, and do not encroach into a public right-of-way.

6.4.2. DEFINITION OF FLOOR AREA RATIO

- A. Floor Area Ratio shall be calculated by the gross floor area of all buildings on a lot divided by the lot area.
- B. Gross floor area shall be computed by the sum of all floors of a building included within the outside faces of exterior walls, including recessed balconies and mezzanines, but not including cellars or basements.
- C. If any portion of interior space has a ceiling height of 12 feet or greater, those portions of the interior space having a ceiling height of 12 feet or greater shall be counted twice for the purpose of calculating gross floor area.

6.4.3. DEFINITION OF HEIGHT

- A. Building height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the

building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.

- B. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans, and other similar mechanical equipment) and any associated screening devices, solar panels, bulkheads, stair enclosures, roof access stairwells, elevator penthouses, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, towers, belfries, lanterns, spires, steeples, and other similar elements), provided that such shall not extend more than 10 feet above the allowable building height. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not extend more than three (3) feet above the allowable building height.
- C. Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

6.5 DEVELOPMENT & DESIGN STANDARDS

The provisions pertaining to development and design standards contained herein shall apply to all development in Project Area. Unless specifically superseded below, all other regulations contained in Part 3 Performance Standards of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

These development and design standards shall not apply in the event that the existing building is demolished and is replaced with a single- or two-family detached dwelling, except that the parking requirements for single- and two-family dwellings shall be governed by RSIS and the parking requirements for an ADU, where permitted, shall require one (1) parking space per bedroom.

6.5.1. OVERALL CIRCULATION & OFF-SITE IMPROVEMENTS

- A. The overall streetscape along North 2nd Avenue shall be designed to enhance the public realm, by emphasizing and prioritizing pedestrian safety, accessibility, and connectivity, as envisioned by the Borough's Master Plan.
- B. Any off-site improvements shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

6.5.2. PARKING REQUIREMENTS

- A. Parking requirements for multifamily apartments and live/work units shall be regulated as follows:
 - 1. The minimum parking requirement for residential uses shall be one (1) parking space per dwelling unit, inclusive of live/work units.
 - 2. It is recognized that the residential parking requirements established herein are less than the maximum number of parking spaces required under the New

Jersey Residential Site Improvement Standards (“RSIS”) at N.J.A.C. 5:21-1 et seq. Consequently, the Borough Council in adopting this Redevelopment Plan is establishing alternative parking standards from RSIS pursuant to N.J.A.C. 5:21-4.14. (c) that better reflect local conditions, including: i. household characteristics; ii. access to mass transit; iii. geographic location (e.g., urban versus suburban location); and/or iv. [availability of] off-site parking resources.

3. Lease agreements shall include clauses such that tenants are required to park their vehicles within the assigned parking area and may not park on nearby streets or adjacent private parking lots.
- B. Provisions for electric vehicle (“EV”) charging infrastructure and/or stations shall be provided within the Project Area in accordance with State law, including P.L. 2021, c. 171. Installation of electric vehicle supply equipment (“EVSE”) may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c. 171.
- C. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every dwelling unit for residential uses, with one or more of the following: i. indoor bicycle storage rooms; ii. appropriately sized storage areas within the building; iii. on wall-mounted hooks, ceiling hooks, or closets within a residential unit; and/or iv. covered exterior bicycle rack(s).

6.5.3. OFF-STREET PARKING AREAS

- A. Parking areas shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way can be minimized. Parking areas shall be prohibited in any front yard area.
- B. The minimum driveway and parking area setback from a side or rear lot line shall be one (1) foot. In order to comply with this provision, portions of the existing off-street parking area that encroaches onto adjacent property and within one (1) foot of the side or rear lot lines shall be removed.
- C. The minimum parking stall size for standard parking spaces shall be nine (9) feet wide by 18 feet long, except for accessible parking spaces and associated access aisles which shall be subject to standards promulgated by the Americans with Disabilities Act (“ADA”).

6.5.4. PEDESTRIAN WALKWAYS

- A. Walkways shall be provided in order to provide a pedestrian connection between public sidewalks and entrances of buildings.
- B. Walkways shall be provided in order to provide a pedestrian connection between entrances of buildings and parking areas.

6.5.5. REFUSE & RECYCLING

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within the building being served and/or in an exterior area on the property.

- B. The collection, disposal, recycling, and transportation of refuse and recyclable materials shall be by private carters and shall be performed in accordance with the Code.

6.5.6. LANDSCAPING

- A. Street trees shall be provided at intervals of approximately 30 to 50 feet along North 2nd Avenue, whether existing or proposed. Any new street tree shall be a minimum size of two-and-one-half (2 1/2) inches in caliper at time of planting.
- B. Shade trees shall be provided within yard areas and along the perimeter of parking areas to the extent practical, whether existing or proposed. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.
- C. Any existing shrubbery located between the existing building and the public sidewalk along North 2nd Avenue shall be removed and replaced with foundation plantings and/or planters such that they will not block the public sidewalk or be situated within any clear sight triangles.
- D. All portions of the Project Area not utilized by structures or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized. To avoid monocultures, not more than 1/4 of the required plantings shall be of any one species.
- E. Where dwelling units are located on the ground floor, such shall be suitably buffered and screened from public view, and may have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of enhanced landscape buffer, including hedging and landscape edging, as well as a low masonry wall and/or decorative fencing. Where provided, the terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and may provide for partial screening above four (4) feet.

6.5.7. LIGHTING

- A. All parking and pedestrian areas shall be provided with residential-scale light fixtures.
- B. Decorative and/or ambient lighting may be provided by one or more of the following: ground recessed lighting, bollard lighting, wall-mounted, and/or recessed lighting.
- C. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward.
- D. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

6.5.8. SIGNAGE

- A. All signage shall be indicated in a comprehensive sign package, including, but not limited to, wall-mounted, blade, awning, canopy, directional, and all other contemplated signage, which may be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

6.5.9. STORMWATER MANAGEMENT & GREEN INFRASTRUCTURE

- A. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, dedicated property or properties, or within easements located on private property.
- B. All development shall incorporate the use of decentralized small-scale Green Infrastructure elements, as required by N.J.A.C. 7:8, in order to: (a) maximize treatment for water quality and groundwater recharge to the extent practical; and (b) manage water quantity prior to discharging into the Borough's stormwater sewer system.
- C. All development shall incorporate multiple elements from the following Green Infrastructure ("GI") strategies or features, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

At the Building Scale

1. Green roofs are partly or completely covered vegetative roofs that can be made as small as an exterior door overhang or as large as an entire roof, and can be used capture stormwater runoff from either a flat or sloping roof surface, improve air and water quality, reduce the urban heat island effect, and extend the life of roofing materials. Green roofs can be simple, shallow planting areas (extensive green roofs) or they can include deeper soils and more elaborate plantings (intensive green roofs).
2. Rain barrels & cisterns are storage tanks fed by downspouts from buildings that can capture and store stormwater runoff, which can then be used for watering of site plantings, therefore reducing demand for potable water for irrigation, or can be used for other non-potable uses.
3. Downspout planter boxes are open-topped containers fed by downspouts from buildings that can capture and use stormwater runoff for self-irrigation or can be used to delay runoff release to the stormwater collection system through an overflow.

Within Yard Areas

4. Infiltration beds and/or underground storage facilities are utilized under patios, terraces, walkways, parking lots and other paved areas, often with the use of pervious paving, which can be used to allow for local stormwater infiltration and recharge of groundwater at that location, or can be used to store stormwater for slow-release to the stormwater collection system. Underground storage

capacity may be sized to receive stormwater from adjacent properties.

5. Landscape islands are designed to receive runoff and reduce the amount of runoff from adjacent paved areas, particularly parking lots. If properly designed, these landscape islands provide adequate soils and sufficient water to enable healthy shade tree growth around the perimeter of and within parking lots.
6. Vegetative bioswales provide stormwater capture and conveyance areas while rain gardens hold, filter and infiltrate a large amount of stormwater during rain events. Both of these strategies remove nonpoint source pollutants from stormwater runoff, allow for recharge of groundwater and/or for slow release to the stormwater collection system.

Within the Public Right-of-Way

7. Street tree trenches are linear systems that combine street trees with an underground stormwater management system, which are designed to collect stormwater runoff from the public sidewalk and the street.
8. Pervious public sidewalk utilize pervious concrete or pavers that enable stormwater runoff to infiltrate the paved surface as opposed to pooling on top of the walking surface.
9. Curb bump-outs are landscape planters commonly located at street corners and mid-block lane tapers, and are constructed to introduce landscaping and collect stormwater runoff from the public sidewalk and the street.

6.5.10. BUILDING DESIGN

A. All development shall address the following building design standards, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

1. The architectural design of the building shall provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall. Existing windows should be enlarged to the extent practical.
2. Minimum dwelling unit floor areas shall be as follows:

Type	Average	Minimum
Studio / efficiency units	450 SF	400 SF
One-bedroom units	800 SF	750 SF
Two-bedroom units	950 SF	900 SF
Three-bedroom units	1,100 SF	1,050 SF

3. Minimum bedroom floor area shall be 150 square feet for the first bedroom and 100 square feet for each bedroom thereafter.

4. No units shall be located below grade.
5. Any mechanical equipment and HVAC units shall be located on the roof, and screened from public view. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element that has the appearance of a window opening. Through-the-window and exterior wall-mounted HVAC units on street-facing facades shall be prohibited.

6.5.11. SUSTAINABLE DESIGN

- A. All development shall incorporate multiple elements from the following Sustainable Design strategies or features, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

Renewable Energy

1. Solar Photovoltaic (“PV”) Readiness & sufficient space in order to accommodate future installation of Battery Storage Infrastructure

Passive Design

2. Light-Colored, Reflective Roof Surface
3. Architectural Shading Devices
4. Operable Windows

Energy Efficiency

5. Occupancy and Daylighting Controls (in Common Areas)
6. Digital Programmable Thermostats
7. ENERGY STAR Certified Appliances
8. ENERGY STAR Certified Light Fixtures
9. ENERGY STAR Certified Windows

Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

Indoor Air Quality

12. Air Tightness Verification by ASTM Testing

13. Protection/Flushing of HVAC Equipment & Ductwork
14. MERV 8+ Air Filters During Construction; MERV 13+ Air Filters for Occupancy
15. Prohibition of Indoor Combustion Devices
16. Low VOC Interior Paints, Finishes, Adhesives & Sealants
17. Formaldehyde-Free Casework, Cabinetry & Composite Wood Finishes
18. Smoke-Free Building Policy (in Common Areas)

Materials & Resources

19. FSC Certified Wood Products
20. Material Reuse During Construction & Demolition

6.6 DEVELOPMENT OF PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Provisions for electric vehicle (“EV”) charging infrastructure and stations for where parking facilities are provided on-site are regulated in Section 6.5.2. of this Redevelopment Plan.

This Redevelopment Plan anticipates the need for and development of public EV charging infrastructure and stations within the community, but not necessarily within the Project Area.

6.7 AFFORDABLE HOUSING

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Project Area, where applicable, shall be addressed in accordance with the Borough’s Affordable Housing Ordinance and Housing Element and Fair Share Plan, or, if applicable, in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

7 | GENERAL PROVISIONS

7.1 APPLICABILITY

The provisions and development procedures contained in this chapter shall apply to all projects within the Project Area.

7.2 DEFINITIONS

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

7.3 REDEVELOPMENT ENTITY

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of carrying out this Redevelopment Plan.

In doing so, the Borough Council shall have the powers as set forth in N.J.S.A. 40A:12A-15 and N.J.S.A. 40A:12A-22, and all other relevant provisions and statutes, to effectuate all of its duties, responsibilities, and all other activities as permitted by law in the execution and implementation of this Redevelopment Plan.

7.4 REDEVELOPER SELECTION

The Redevelopment Entity may, pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, select a single “Redeveloper” or multiple Redevelopers for the rehabilitation and/or redevelopment of the Project Area or portion thereof.

The Redevelopment Entity shall select the Redeveloper(s) based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of this Redevelopment Plan, and any additional criteria that demonstrate the Redeveloper’s ability to implement the Vision and the established Goals and Objectives of this Redevelopment Plan.

EXCEPTION FOR SINGLE- OR TWO-FAMILY DETACHED DWELLING

In the event that the existing building is demolished and is replaced with a single- or two-family detached dwelling, the Redevelopment Entity shall not be required to select a Redeveloper, and the property owner or any applicant with the property owner's consent shall not be required to be named a Redeveloper in order to make improvements to the property, so long as the property is developed with a single- or two-family detached dwelling.

7.5 DEVELOPMENT PROCEDURE

7.5.1 CONCEPT PLAN REVIEW

Any Redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan shall make a formal proposal for development to the Redevelopment Director who may defer to the Redevelopment Entity and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

7.5.2 REDEVELOPMENT AGREEMENT

Once the concept plan has been reviewed by the Redevelopment Director and/or Redevelopment Entity, the Redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions, and continuing controls as may be deemed necessary to effectuate the purposes of this Redevelopment Plan and the LRHL.

Execution of a Redevelopment Agreement shall be a mandatory checklist item for any Application for Development as the term is defined in N.J.S.A. 40:55D-3 and any such application shall not be deemed complete pursuant to N.J.S.A. 40:55D-10.3 until proof of an executed Redevelopment Agreement has been submitted as part of the application. Only upon execution of a Redevelopment Agreement may the Applicant submit an Application for Development to the Planning Board for completeness review.

7.5.3 APPLICATIONS FOR DEVELOPMENT

Preliminary and final site plan and/or subdivision applications for any property within the Project Area shall be in accordance with the requirements with this Redevelopment Plan, and all applicable provisions of the Ordinance and the MLUL.

Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity.

7.5.4 PLANNING BOARD REVIEW

Preliminary and final site plan and/or subdivision review shall be conducted by the Planning Board pursuant to the MLUL. Applicants before the Planning Board shall provide public notice of such site plan and/or subdivision application in accordance with the public notice requirements as set forth in N.J.S.A. 40:55D-12(a) and (b).

7.5.5 DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN

All applications requiring relief for deviations from this Redevelopment Plan or the Ordinance shall be governed by the MLUL or any existing, or to be adopted, redevelopment plan for a specific site within the Project Area, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)1 through (d)6; (ii) deviating from contractual obligations of a Redeveloper to the Redevelopment Entity; or (iii) deviating from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.
- B. Variances may be granted from provisions set forth in "Area & Bulk Standards" of this Redevelopment Plan or applicable provisions set forth in Part 4 "Zoning" of the Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from provisions set forth in "Development & Design Standards" of this Redevelopment Plan or applicable provisions set forth in Part 3 "Performance Standards" of the Ordinance. Consideration of such exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of any request for waiver of submission requirements shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

EXCEPTION FOR SINGLE- OR TWO-FAMILY DETACHED DWELLING

In the event that the existing building is demolished and is replaced with a single- or two-family detached dwelling, the property owner or any applicant with the property owner's consent shall not be required to submit a concept plan or enter into a Redevelopment Agreement with the Redevelopment Entity in order to make improvements to the property, so long as the property is developed with a single- or two-family detached dwelling.

7.6 AMENDMENTS TO APPROVED REDEVELOPMENT PLAN

The Borough may amend, revise or modify this Redevelopment Plan from time to time in accordance with the provisions of the LRHL, as may be amended from time to time.

7.7 DURATION OF REDEVELOPMENT PLAN RESTRICTIONS

This Redevelopment Plan and any modification thereof shall be in full force and effect for a period of thirty (30) years from the date the Borough first approves this Redevelopment Plan.

7.8 CERTIFICATES OF COMPLETION

Upon completion of any project within the Project Area, the Redeveloper shall submit for a Certificate of Completion.

7.9 PROPERTY ACQUISITION

The Project Area has been designated as an “area in need of rehabilitation.” As a result, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan under the LRHL. To the extent property will be acquired, all such property must be acquired by the designated Redeveloper(s) through private negotiation with the property owner(s).

Notwithstanding the above, nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

7.10 RELOCATION OF DISPLACED RESIDENTS OR BUSINESSES

Presently, the existing building is vacant. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan at this time.

Notwithstanding the above, in the case where any governmental entity, including the Borough, utilizes eminent domain in accordance with other applicable laws, to acquire any property for a public purpose, then a Workable Relocation Assistance Plan may be required.

7.11 ADVERSE INFLUENCES

No use shall be permitted which will produce corrosive, toxic or noxious fumes, offensive noise, vibrations, smoke, dust, odors, heat, glare, and other objectionable influences found to be detrimental to the public health, safety or general welfare.

7.12 DISCRIMINATION BAN

No covenant, lease, conveyance, or other instrument shall be effected or executed by the Redevelopment Entity or any Redeveloper whereby land, structures, occupancy or use of any part of the Project Area upon the basis of race, creed, color, national origin/nationality, ancestry, religion, age, sex, pregnancy, gender identity or expression, affectional or sexual orientation, marital status, familial status, or disability or perceived disability. Appropriate covenants shall prohibit such restrictions and shall be included in all instruments.

7.13 SEVERABILITY

If any portion of this Redevelopment Plan, including any word, phrase, clause, section, or provision, should be judged invalid, illegal, or unconstitutional by a court of competent jurisdiction, such order shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

APPENDIX A: BOROUGH COUNCIL RESOLUTION NO. 2-24-67

RESOLUTION NO. 2-24-67
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH
LRK FOR PROFESSIONAL PLANNING SERVICES RELATED TO PREPARATION
OF A REDEVELOPMENT PLAN FOR 810 NO. 2ND AVE, BLOCK 503, LOT 24

WHEREAS, the Borough of Highland Park has need of the services of a Planner to provide
redevelopment planning services in connection with 810 No. 2nd Avenue, Block 503, Lot 24; and

WHEREAS, LRK has provided a proposal to the Borough of Highland Park for these
services and has demonstrated that they are a firm of licensed planners in the State of New Jersey
with extensive experience in drafting redevelopment plans; and

WHEREAS, the Borough of Highland Park has solicited these services without a "fair and
open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law," and will require
completion of all necessary Pay-to-Play forms, including the Campaign Contributions Affidavit
and the Certification Regarding Political Contributions, pursuant to N.J.S.A. 19:44A-20.8 and
N.J.S.A. 19:44A-20.26, respectively; and

WHEREAS, a contract for these services may be awarded without public advertising for
bids as the contract is for "Professional Services" as defined by the Local Public Contracts Law,
N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, funds for this purpose are available in the 2024 Temporary Budget, Current
Fund Account No. 4-01-20-170-233 in an amount not to exceed \$7,500.00, and will be provided
for in the 2024 Municipal Budget as adopted, as reflected by the certification of funds by the Chief
Financial Officer no. 2024-30.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the
Borough of Highland Park 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 with LRK, Inc., 1218 Chestnut
Street, 5th Floor, Philadelphia, PA 19107, a copy attached hereto.
2. Notice of this contract shall be published as required by law and that a copy of executed
Agreement be placed on file in the office of the Borough Clerk.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby
certify the above to be a true copy of a resolution adopted by the Borough Council of said
Borough on February 6, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Table with 5 columns: Council Member, Ayes, Nays, Abstain, Absent. Rows include Canavera, George, Hale, Hersh, Kim-Chohan, Postelnik.

Page Intentionally Blank



ORDINANCE NO. 24-2094

**BOROUGH OF HIGHLAND PARK
MIDDLESEX COUNTY, NEW JERSEY**

**ORDINANCE AMENDING AND SUPPLEMENTING PART I ADMINISTRATIVE
LEGISLATION, CHAPTER 7 TRAFFIC (SCHEDULE X, STOP INTERSECTIONS)
WITHIN THE BOROUGH OF HIGHLAND PARK
(CLEVELAND AVENUE AT MADISON AVENUE)**

WHEREAS, the Borough of Highland Park has an interest in regulating traffic to ensure the safety of its residents and visitors; and

WHEREAS, a new private school was approved and constructed on Cleveland Avenue and it was determined by the Highland Park Police Department that an all-way stop at the intersection at Cleveland and Madison Avenues would be appropriate to regulate traffic in this area.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Highland Park, County of Middlesex that the intersection of Cleveland Avenue and Madison Avenue shall be designated as an all-stop intersection and two stop signs shall be installed on Cleveland Avenue.

SECTION 1. Part I Administrative Legislation, Chapter 7 Traffic, Schedule X “Stop Intersections” of the “Code of the Borough of Highland Park” shall be amended as follows (additions are **underlined and bold**):

**Cleveland Avenue (east) and (west) at intersection with Madison Avenue.
Stop signs shall be installed on Cleveland Avenue.**

SECTION 2. Regulatory and warning signs shall be erected and maintained to effect the above-designated stop intersection regulations as authorized by the New Jersey Department of Transportation.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect upon its passage and publication as provided for by law.

Introduced on first reading by title: September 17, 2024

ADOPTED:

ATTEST:

APPROVED:

Jennifer Santiago
Borough Clerk

Elsie Foster
Mayor

ORDINANCE NO. 24-2095

**BOROUGH OF HIGHLAND PARK
MIDDLESEX COUNTY, NEW JERSEY**

**ORDINANCE AMENDING AND SUPPLEMENTING PART II GENERAL
LEGISLATION, CHAPTER 278-17 PARKING (ON-STREET ACCESSIBLE PARKING
SPACES) WITHIN THE BOROUGH OF HIGHLAND PARK**

WHEREAS, the Borough of Highland Park has an interest in assisting all residents, including those with disabilities; and

WHEREAS, the Borough of Highland Park intends to modify the on-street accessible parking spaces within the code to add flexibility to meet the needs of our residents who require accessible parking.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Highland Park, State of New Jersey, being the governing body thereof, that Part II (General Legislation) Chapter §278-17 be amended and supplemented by the following (new material is **bold and underlined**; ~~strikethrough~~ material is deleted):

§278-17. Designation of on-street accessible parking spaces.

In accordance with the provisions of N.J.S.A. 39:4-197-6, the following criteria shall apply to the designation of on-street accessible parking spaces:

- A. There shall be permitted throughout the Borough a maximum of 26 on-street accessible parking spaces, two spaces within each of the 13 voting districts within the Borough.
 1. **If a district has used both of its allotted accessible parking spaces, and a verified request comes in for an additional spot, the Borough may transfer an unused space from another district for a maximum of five spaces within the voting district.**
- B. As provided for in §278-16 hereinabove, application shall be made to the Highland Park Police Department for an on-street accessible parking space. These applications will be reviewed and approved on a first-come first-served basis. Once the two on-street accessible parking spaces have been designated within each voting district, the Highland Park Police Department will compile a waiting list of others eligible to qualify for said on-street accessible parking spaces.
- C. A renewal application must be submitted annually to the Highland Park Police Department for any approved on-street accessible parking space. If the renewal application is not submitted, the space shall be eliminated and the parking space for the next eligible applicant on the Highland Park Police Department's waiting list shall be designated.
- D. The following on-street locations are designated as accessible parking spaces. Such spaces are for the use by persons who have been issued windshield placards or wheelchair symbol license plates, pursuant to N.J.S.A. 39:4-204 et seq.

Voting District	Name of Street	Location
1	Redcliffe Avenue	4 Redcliffe Avenue
3	Felton Street	Between Benner Street and Donaldson Street
3	South 2nd Avenue	29 South 2nd Avenue
4	Magnolia Street	Between South 3rd Avenue and South 4th Avenue
5	South 4th Avenue	Between Raritan Avenue and Magnolia Street
<u>5</u>	<u>South 4th Avenue</u>	<u>Between Magnolia Street and Benner Street</u>
5	South 7th Avenue	Between Benner Street and Eden Avenue
5	South 7th Avenue	Between Benner Street and Eden Avenue (2nd space)
6	Benner Street	Between South 8th Avenue and South 9th Avenue
6	South 8th Avenue	Between Benner Street and Eden Avenue
<u>8</u>	<u>North 3rd Avenue</u>	<u>Between Montgomery Street and Wayne Street</u>
12	South 11th Avenue	Between Aurora Street and Eden Avenue

SECTION I. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION II. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION III. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

Introduced and passed on first reading by title: September 17, 2024

ADOPTED:

ATTEST:

APPROVED:

Jennifer Santiago
Borough Clerk

Elsie Foster
Mayor

**RESOLUTION NO. 9-24-221
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AWARDING BID FOR 2024 ROADWAY IMPROVEMENTS PROJECT
- NORTH FOURTH AVENUE, DENISON STREET AND HARPER STREET**

WHEREAS, pursuant to duly advertised Notice to Bidders solicited pursuant to the provisions of the Local Public Contracts Law, on August 8, 2024 eight (8) bids were received for the NJDOT FY 2024 Municipal Aid program resurfacing and reconstruction of Denison Street from North 2nd Avenue to North 5th Avenue, Harper Street from South 1st Avenue to South 4th Avenue (full width/halfwidth), and North 4th Avenue from Denison Street to Raritan Avenue. Including but not limited to Hot Mix Asphalt milling and/or pavement repairs, installation of new handicap ramps, installation of Hot Mix Asphalt 9.5M64 Surface Course and Hot Mix Asphalt 19M64 Base Course, storm sewer improvements and related work within the Borough of Highland Park; and

WHEREAS, eight (8) bids were received for the Project, which were opened on August 8, 2024 at 10:00 a.m. as follows:

Company	Total Bid Amount
Fischer Contracting Inc.	\$569,197.74
D.L.S. Contracting	\$581,003.25
Black Rock Enterprises	\$610,000.05
Top Line Construction	\$625,388.13
Lucas Brothers	\$627,000.00
Crossroads Paving	\$651,156.25
Seacoast Construction	\$684,607.05
Z Brothers	\$720,547.50

WHEREAS, the lowest bid was submitted by Fischer Contracting, Inc. of Scotch Plains, NJ with a bid of \$569,197.74; and

WHEREAS, the Borough Engineer has reviewed the bids and recommends that a contract be awarded to Fischer Contracting Inc. as the lowest responsible and responsive bidder; and

WHEREAS, the Borough Attorney's office has reviewed the bid documents submitted by Fischer Contracting Inc. and advises that its submission is in compliance with the minimum bidding requirements; and

WHEREAS, the award of this contract is subject to the approval of the New Jersey Department of Transportation, in accordance with a Municipal Aid Grant awarded to the Borough; and

WHEREAS, funds for this purpose are available in Capital Account No. C-04-55-836-001 in an amount not to exceed \$569,197.74, as reflected by the Certification of Funds Available by Chief Financial Officer Certification no. 2024-70.

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

1. The Council hereby awards a contract to Fischer Contracting, Inc. 10 Short Hills Lane, Scotch Plains, New Jersey 07076, NJDOT FY 2024 Municipal Aid program for an amount not to exceed contract amount of \$569,197.74, subject to the approval of the New Jersey Department of Transportation as may be required.

2. The Mayor and Clerk are hereby authorized and directed to execute an Agreement consistent herewith.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 9-24-225
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING MEMORANDUM OF
UNDERSTANDING WITH THE RUTGERS UNIVERSITY BEHAVIORAL
HEALTH CARE SERVICES**

WHEREAS, N.J.S.A. 30:4-27.1, et seq., sets forth a policy for public mental health cooperation between police departments and mental health service providers to insure the safe and effective delivery of mental health services responding to certain behavioral crisis calls; and

WHEREAS, the Mayor and Council of the Borough of Highland Park wish to support the delivery of said services by having the Borough of Highland Park Police Department participate in a pilot program with the Rutgers University Behavioral Health Care Services.

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

1. The Chief of Police of the Borough of Highland Park is hereby authorized to enter into a Memorandum of Understanding with the Rutgers University Behavioral Health Care Services to cooperate in the delivery of behavioral health care services.
2. A copy of the Memorandum of Understanding is on file with the Borough Clerk and may be inspected during regular business hours.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

MEMORANDUM OF UNDERSTANDING

**NEW BRUNSWICK POLICE DEPARTMENT, HIGHLAND PARK
POLICE DEPARTMENT, EDISON POLICE DEPARTMENT,
WOODBIDGE POLICE DEPARTMENT, PISCATAWAY POLICE
DEPARTMENT, SOUTH BRUNSWICK POLICE DEPARTMENT,
PLAINSBORO POLICE DEPARTMENT**

Participating Police Department(s)

and

**RUTGERS UNIVERSITY BEHAVIORAL HEALTH CARE
Participating Mental Health Service Provider**

This Memorandum of Understanding is entered into between the above-Participating Police Department(s) (“PPD” or “officer”) and the above-named Mental Health Service Provider (“MHSP”) (collectively “the Parties”), to establish joint participation in the ARRIVE Together Program (“the Program”) to enhance and support law enforcement and response to certain behavioral health crisis calls, and shall confirm the mutual understanding and intention of the Parties as set forth herein.

WHEREAS, pursuant to NJSA 30:4-27.1, et seq. (“Screening Law”) and NJAC 10:31-1.1, et seq. (“Screening Regulations”), it is the policy of this State to provide for a public mental health system that delivers treatment consistent with a person’s clinical condition, and that screening services be developed as the public mental health system’s entry point in order to provide accessible crisis intervention, evaluation and referral services to persons with mental illness, to offer persons with mental illness clinically appropriate alternatives to inpatient care, and, when necessary, to provide a means for involuntary commitment to treatment; and

WHEREAS, the Parties recognize the importance of ensuring the safety of every person involved in civilian-law enforcement interactions, and that many of the negative outcomes that have resulted from such interactions may stem from law enforcement officers responding to situations involving individuals experiencing behavioral health crises; and

WHEREAS, the MHSP has been designated by the New Jersey Department of Human Services (“DHS”) to provide screening and other medical/health services in accordance with state law and regulations, within the county being served by this MOU; and

WHEREAS, DHS contracts annually with the MHSP for the provision of screening services and other services, pursuant to NJAC 10:31:10.1(c), or the Community Mental Health Services Act of 1957, as amended and DHS Contracting Policy; and

WHEREAS, the New Jersey Department of Law and Public Safety and the DHS have executed a separate agreement which will provide for funding for this Pilot Program upon

presentation of invoices in conformance with this Agreement by the MHSP to DHS; and

WHEREAS, the Screening Law provides officers and mental health specialists with the legal authority to transport or authorize transport of individuals who are experiencing a behavioral health crisis to an emergency department for a full assessment where appropriate; and

WHEREAS, law enforcement officers may request the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screening; and

WHEREAS, in an effort to improve the outcomes in law enforcement's response to emergency behavioral health crisis calls, to divert individuals in crisis from unnecessary entry into the criminal justice system, and to more efficiently employ the resources of both the PPD and the MHSP as they respond to calls for service, the Parties seek to establish a Pilot Program; and

WHEREAS, this MOU is intended to memorialize the relationship and delineate the responsibilities of the Parties in this cooperative joint effort.

NOW, THEREFORE, the Parties agree as follows:

I. Definitions

For the purposes of the Program, the following definitions shall apply:

- A. Behavioral Health Crisis Calls** means emergency calls for service received by the PPD's 911 system or by the MHSP, which may include the MHSP responding to a person:
- a. With behavioral/mental health issues;
 - b. With confusion/disorientation;
 - c. In need of a welfare check;
 - d. At risk of suicide; and
 - e. Exhibiting other indications that behavioral or mental health services may be required.
- B. "Follow-up Services"** means calls from the PPD for mental health services to be provide by the MHSP after encounter by the PPD with an individual who the Agency deems in need of mental health services, which may include the MHSP responding to a person:
- a. With behavioral/mental health issues;
 - b. With confusion/disorientation;
 - c. In need of a welfare check;
 - d. At risk of suicide; and
 - e. Exhibiting other indications that behavioral or mental health services may be required.
- C. MHSP specialist** means a mental health screener as defined by N.J.S.A. 30:4-27.2 or other qualified specialist, such as a crisis intervention specialist, therapist, social worker,

psychiatrist, psychologist, nurse, or other professional possessing the relevant academic training or experience to do outreach for the purposes of clinical screening, clinical support, intervention or crisis referrals.

- D. HIPAA** means the regulations adopted by the U.S. Secretary of the Department of Health and Human Services pursuant to Health Insurance Portability and Accountability Act of 1996 42 U.C.S. § 1302(a) and found at 42 C.F.R. Subchapter C.
- E. SAMHSA Privacy Regulations** means the privacy regulations adopted by the Substance Abuse and Mental Health Services Administration pursuant to 42 U.S.C. § 290dd-2 and found at 42 C.F.R. Part 2.

II. Program Description

A. Location

1. The Program will respond to behavioral health calls for service or calls identified by law enforcement that could benefit from mental or behavioral health follow-up:

a. County: Middlesex

b. Municipality(ies): New Brunswick, Highland Park, Edison, Woodbridge, Piscataway South Brunswick, Plainsboro

B. Program Type

1. The Parties may select one or more Program types as set forth in Section B and described more fully in Section C below for the term of this MOU. Should the Parties change, reduce or increase the Program type during the term of this MOU, the Parties shall notify DHS and LPS who shall determine whether such change, reduction or increase in Program type is authorized. Any such material change to the terms and conditions of this MOU shall require a written amendment, signed by the Parties, and may result in changes to other terms and conditions herein.

2. The Parties agree to implement one or more of the Programs as selected below.

a. Co-Responder Program (law enforcement officer and MHSP specialist respond together to emergency service calls and/or follow up visits that relate to behavioral health crisis)

b. Telehealth Program (law enforcement officers provided with electronic devices to connect persons suffering behavioral health crisis to a MHSP specialist via video to receive services)

c. Follow-up Program (law enforcement officers inform MHSP specialist of individuals encountered by law enforcement that need services of MHSP specialist within a designated timeframe following the law enforcement interaction as determined by the Parties)

d. Close in Time Follow-up Program (MHSP specialist follows up with individuals encountered by law enforcement close in time, generally within 30 minutes of the encounter, to the law enforcement encounter and provides social and health services as determined by the Parties.)

C. **Program Responsibilities** (as applicable)

1. Frequency

- a. The Program will be implemented weekly on the days determined by the Parties, and at times of the highest volume of behavioral health crisis calls for service as determined by the PPDs, in consultation with DHS.
 - i. The PPDs will determine a staffing schedule for their officers.
 - ii. Regardless of where the participating officer is based, the Program will always respond to qualifying calls in any of the participating municipalities identified in Section 1.b. above, as described below.
- b. Shift times will be determined by the parties, and may be altered if, in consultation with DHS and the MHSP, the PPDs determine that significantly greater relevant calls for service consistently occur at different hours.

2. Personnel

- a. When co-responding as defined in Section II B2(a), the PPDs will each provide one or more experienced law enforcement officers who complete Crisis Intervention Team (“CIT”) training before or during the Program to participate in the Program. Participating Officers will not wear full uniform during the Program shifts, and instead will wear a polo shirt with an agency logo, or similar, and will drive an unmarked vehicle.
- b. At each service call, the Officers will identify themselves as law enforcement officers and ensure the safety of all actors before the MHSP specialist exits the police vehicle, to ensure there are no violent or potentially violent actors on scene, and remain at the scene while the Screener provides services.
- c. The PPDs shall provide training to each specialist identified by the participating MHSP on the proper procedures and protocols for riding in an unmarked police vehicle and responding to calls with an Officer prior to any specialist participating in the Program.
- d. The MHSP will provide one or more experienced specialists to participate in the Program. The participating specialists will perform crisis intervention and screening services and/or follow-up services consistent with their statutory and regulatory duties at each call for service.
- e. When co-responding, the Officer will transport the MHSP specialist to calls for service in an unmarked police vehicle. The Officer will not respond to other calls for service while transporting the MHSP specialist except for those behavioral health crisis calls as defined below. In the event of an emergency that needs the Officer’s immediate attention and is in the Officer’s plain view, such as a motor vehicle accident or serious injury, the officer will stop to provide immediate assistance until further police assistance arrives. In the event of

a call involving a life-threatening emergency, the Officer will only respond to the call upon the direction of their supervisor and will first transport the MHSP specialist to the closest safe location prior to responding to the call.

- f. For follow-ups, the PPD will provide the MHSP with information on individuals that they have encountered that they deem to require follow-up services at a mutually agreed upon frequency.
- g. The MHSP will determine how and when best to follow-up with the individuals. The follow-ups may be in-person, telephonic or virtual.

3. Coverage

- a. The Program will respond to all behavioral health crisis calls for service made to the PPDs' 911 system within the identified county, including those originating from the public, those incoming from other law enforcement officers or agencies within the area, and those incoming from the MHSP to the PPDs and/or their 911 systems.
- b. The Program will respond to crisis calls originating from the psychiatric emergency screening service within the identified county and 9-8-8 calls from individuals residing in the locales where the program operates.
- c. When co-responding, the Program will respond to qualifying calls made to the municipality(ies) identified in Section II.A.1(b) above, regardless of where the ARRIVE officer is employed. Officers from the municipality from which the call originated will be responsible for securing the scene before the MHSP specialist enters. At the scene, once deemed safe, the non-ARRIVE officer(s) shall only provide assistance if specifically requested by the ARRIVE Officers on scene.
- d. When PPD and MHSP specialist meet at a location at the same time, the Program will respond to qualifying calls made to the municipality(ies) identified in Section II.A.1.(b) above by a MHSP meeting a CIT trained officer at an arranged safe location. If a CIT trained officer is unavailable to respond during program hours, a CIT trained officer from municipality(ies) identified in Section II.A.1.(b) or another municipality in the county with the approval of the impacted chief, director, or officer in charge is permissible.
- e. When not responding to calls for service, the Program participants will proactively undertake follow-up visits with individuals from prior services or initiate contact with individuals identified as at-risk through other means.

4. Data Collection and Evaluation

- a. PPDs and MHSPs shall collect data relevant to the assessment of the Program, as specified by the Department of Law and Public Safety (LPS) and/or Department of Human Services (DHS), Division of Mental Health and Addiction Services (DMHAS).

- b. Any and all data collected by the MHSP and shared with law enforcement shall be subject to confidentiality based on applicable mental health statutes including HIPAA.
- c. Should LPS retain an academic or research institution, or other qualified entity to perform an evaluation of the Program the Parties and Participating Agencies agree, upon request, to provide the retained academic or research institution access to relevant data, subject to appropriate privacy and cybersecurity protections, to include 911 or computer-aided dispatch (CAD) data and interviews of participating employees, for the purposes of performing the assessment. The institution performing the research shall execute any required confidentiality agreements. If personally identifiable information is being shared, the confidentiality agreement must be compliant with HIPAA in particular, 45 C.F.R. 164.512(i), and with the SAMHSA

5. Confidentiality

- a. The parties agree to keep confidential all records, recordings, and reports made in connection with the ARRIVE Program and/or certificates, applications, records, and reports made that directly or indirectly identify any individual presently or formerly receiving ARRIVE Program services. The parties further agree not to disclose them to any person, except as permitted by N.J.S.A. 30:4-24.3, and N.J.A.C. 10:37-6.79. , HIPAA regulations and the SAMHSA Privacy Regulations., Such records are not subject to public access pursuant to EO 26 (2002) and N.J.S.A. 47:1A-1.

III. PPD Responsibilities

- A. The PPD shall perform all necessary tasks required to implement the Program as detailed Section II above, including, during responses to qualifying emergency calls for service, the participating officer shall assess and take measures to secure the environment in order to mitigate the potential for harm to the officer, mental health specialist, client, and any bystanders.
- B. The PPD shall make available the qualified officers required to implement the Program as detailed in Section II, and shall ensure all requisite training (including the requirement that all officers participating in the initiative successfully complete CIT training) and certifications have been obtained by participating officers.
- C. The PPD shall implement operational changes, as it deems necessary, to implement the Pilot Program, as detailed in Section II.
- D. The PPD shall provide the equipment necessary for participating officers to perform their duties under the Program, including providing an unmarked vehicle during the course of the Program.
- E. The PPD shall provide training to each participating MHSP specialist on the proper procedures and protocols for riding in a law enforcement vehicle and/or responding to calls

with a police officer prior to any MHSP specialist participating in the Program.

- F. The PPD shall cooperate with the MHSP, other participating Law Enforcement Agency Partners within the county, as identified herein, as well as DHS, DMHAS, and LPS, to facilitate and execute the goals of the Program. The PPD shall not request that the MHSP perform any activities that conflict with the Screening Law or Screening Regulations.
- G. The PPD shall ensure their participating officers follow all applicable Law Enforcement Directives and Guidelines issued by the Attorney General of New Jersey, as updated, amended, or supplemented (available at <https://www.njoag.gov>).

IV. MHSP Responsibilities

- A. The MHSP shall perform all necessary tasks required to implement the Program detailed in Section II, and shall provide those services in a manner consistent with the Screening Law and Screening Regulations when applicable and with DHS regulations, any applicable professional licenses and HIPAA and SAMHSA Privacy Regulations.
- B. The MHSP shall provide the specialists required to implement the Program, and shall ensure all requisite training has been obtained by the participating specialists.
- C. The MHSP shall ensure the equipment necessary for the participating specialists to perform their duties under the Program is provided. The equipment must be provided by the MHSP.
- D. The MHSP shall cooperate with the other Parties to facilitate and execute the Program in a manner consistent with the Screening Law and Screening Regulations.
- E. The MHSP shall bill DHS for services provided under the Program at the rate set forth herein under the same terms as included in the existing contract between DHS and the MHSP.
 - 1. The total amount billed under the Program shall not exceed the amount as determined by DHS and/or LPS and conveyed under a separate writing.
 - 2. The MHSP shall provide DHS with quarterly invoices specifically for services provided under the Program.
 - 3. The MHSP shall provide DHS with quarterly expenditure reports specifically for services provided under the Program in accordance with the DHS Contract Manual.

V. Funding

- A. Consistent with the terms of the existing contract between the MHSP and DHS, and the DHS Contract Policy and Information and Contract Reimbursement Manual, MHSP specialists participating in the Program shall be compensated for all services performed under the Program at their ordinary pay and ordinary contractual obligations.

1. Payments to the MHSP for work performed in accordance with the Program, including overtime, if any, shall be allowed up to a maximum total amount reimbursed as determined by DHS and/or LPS and conveyed under a separate writing.
 2. The amount billed by the MHSP under the Program shall only include those amounts above insurer reimbursements.
- B. Except as set forth in the Paragraph A in this Funding Section, each Party shall bear its own costs, including operational costs, in relation to this MOU. Expenditures by each Party will be subject to its own budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The Parties expressly acknowledge that this in no way implies that the State of New Jersey will appropriate funds for such expenditures.

VI. Points of Contact

- A. The individual points of contact (“POC”) for each of the Parties to this MOU, and any other participating Law Enforcement Partners within the County, are set forth in Attachment A, which shall be attached hereto and made part of this MOU.
- B. The Parties agree that if there is any change to the POC or POC contact information, they will inform the other Parties in writing within 10 business days of the change and update the list of POCs in Attachment A accordingly.

VII. Dispute Resolution

- A. The Parties agree to cooperate and confer with each other to address any disputes or issues which may arise in relation to this MOU and/or the Pilot Program.

VIII. Liability

- A. Each Party shall be responsible for the actions of its officers and employees occurring during the performance of their obligations under this Agreement subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et seq, the Contractual Liability Act, N.J.S.A. 59:13-1, et seq., the availability of appropriated funds, and the MHSP’s insurance obligations under its existing contract with DHS. The State of New Jersey cannot agree to indemnify any third-party grantee or contractor, and is not providing any indemnification to any third-party grantee or contractor. The State of New Jersey does not carry general liability insurance, but the liability of the State and the obligation of the State to be responsible for tort claims against it are covered under the terms and provisions of the Act. The Act also creates a fund into which the Legislature appropriates funds from time to time, and from which final tort claims are paid in accordance with its provisions. See N.J.S.A. 59:12-1. For claims beyond the purview of the Tort Claims and Contractual Liability Acts, it is agreed that none of the Parties to this Agreement assume any liability whatsoever for any alleged wrongful acts or omissions of the agents, servants, contractors, or employees of the other. Nothing in this Agreement shall be construed to waive any defenses or immunities available to any Party or its employees under the Tort Claims Act or other applicable law.

- B. The MHSP's liability under this Agreement shall continue after the termination of this Agreement with respect to any liability, loss, expense or damage resulting from the acts occurring prior to termination, and shall remain in effect until all potential liabilities arising from this MOU and the Program have lapsed.
- C. This MOU shall not be interpreted as a waiver of sovereign immunity. Any liability of the agencies that are party to this MOU is, to the extent applicable, subject to the New Jersey Screening Law, N.J.S.A. 30:4-27.1, et seq., and specifically, N.J.S.A. 30:4-27.7, the New Jersey Tort Claims Act, supra, the New Jersey Contractual Liability Act, supra, any other applicable law, and the availability of funding.
- D. For the duration of the Program, any MHSP specialist participating in the Pilot Program and receiving training from the PPD or other Participating Law Enforcement Agencies shall remain an employee of the MHSP and at no point will be considered an employee of the State of New Jersey, LPS, DHS, the PPD or other Participating Law Enforcement Agencies. Neither the State, LPS, DHS, nor the PPD or other Participating Law Enforcement Agencies shall have control over the duties of any MHSP specialist participating in the Program, or their performance thereof.

IX. Duration, Withdrawal, and Termination

- A. The MOU will take effect upon signature of the Parties and shall remain in effect until June 30, 2025.
- B. Any Party may terminate the agreement by providing all other Parties 30 days written notice. Such notice shall also be provided to DHS, DMHAS, and LPS at the contact addresses in Attachment A.
- C. Upon mutual agreement of the Parties, and with the approval of DHS and LPS, the Program may be renewed for additional one-year terms. Any such renewal shall be set forth in writing and attached hereto and made part of this MOU.

X. Compliance with Other Laws

- A. The Parties agree that in the performance of this MOU and the Program, they will comply with all applicable federal, State, and local laws, statutes, and regulations, including all requirements of HIPAA and the SAMHSA Privacy Regulations.

XI. Effect on Other Authorities

- A. Nothing in this MOU is intended to restrict the authority of any Party to act as permitted by law, or to restrict a Party from administering or enforcing any law. This MOU should not be construed as limiting or impeding the basic spirit of cooperation that exists between the Parties.

- B. This MOU does not impose any additional duties and responsibilities on any of the Parties that go beyond that which is already required by existing law.

XII. Assignment

- A. Neither this MOU nor any of the rights, duties, or obligations of the Parties hereunder shall be assignable or delegable in whole or part, whether by operation of law or otherwise, without the prior written consent of the other Parties. Any assignment or delegation or attempted assignment or delegation without such consent shall be void and of no force or effect.

XIII. Severability

- A. Nothing in this MOU is intended to conflict with applicable State or federal laws, the directives of the Attorney General of New Jersey, or a Party's regulations. If a provision of this MOU is inconsistent with such authority, that term shall be invalid, but the remaining terms and conditions of this MOU shall remain in full force and effect.

XV. No Private Rights Created

- A. This MOU does not create any right or benefit, substantive or procedural, enforceable in law or in equity, against the State of New Jersey, or against any department, agency, officer, employee of the State of New Jersey, any Party to this MOU, entity, or any other person.
- B. There are no third-party beneficiaries to this MOU and the Parties do not intend to create any third-party beneficiaries to it.

XVI. Non-Waiver

- A. The failure by a Party to insist on performance of any term or condition or to exercise any right or privilege included in this MOU shall not constitute a waiver of same unless explicitly denominated in writing as a waiver and shall not in the future waive any such term or condition or any right or privilege. No waiver by a Party of any breach of any term of this MOU shall constitute a waiver of any subsequent breach or breaches of such term.

XVII. Entire Agreement & Amendments or Modifications

- A. This MOU may be amended only after written agreement of the Parties. Any such amendment or modification shall be in writing, in the form of an Addendum to this MOU, which shall be signed by the Parties and shall be attached hereto and made part of this MOU.
- B. This MOU, including any Attachments and Schedules contained within it, represents the entire understanding and agreement between the Parties and supersedes all prior agreements and understandings between the Parties

XVIII. Authorization

- A. By execution of this MOU, the Parties represent that they are duly authorized and empowered to enter into this MOU and to perform all duties and responsibilities established in this MOU.

XIX. Electronic Signature and Counterparts

- A. The Parties agree that the execution of this MOU by electronic signature and/or by exchanging PDF signatures will have the same legal force and effect as the exchange of original signatures. This MOU may be executed in counterparts and those counterparts, when assembled, shall constitute the Entire Agreement as defined above.

SIGNATURE PAGE FOLLOWS

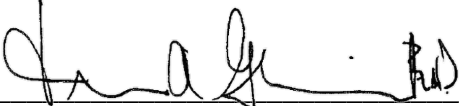
THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK

Signatories

The terms of this Agreement have been read and understood by the persons whose signatures appear below.

For the Mental Health Service Provider:

Provider Name:

By:  _____ Dated: June 26, 2024
Name: Frank A. Ghinassi, PhD, ABPP
Title: President and CEO, Rutgers University Behavioral Health Care

PPD Name: Highland Park Borough Police Department

By: _____ Dated: September 17, 2024
Name: Richard Abrams
Title: Chief of Police

PPD Name:

By: _____ Dated: _____
Name:
Title:

PPD Name:

By: _____
Name:
Title:

Dated: _____

PPD Name:

By: _____
Name:
Title:

Dated: _____

PPD Name:

Attachment A

POINT OF CONTACT INFORMATION

For the Department of Law and Public Safety:

LPS: Tiffany Wilson
Director
Office of Alternative and Community Responses
Office of the Attorney General
25 Market Street
Trenton, NJ 08625
Email: tiffany.wilson@njoag.gov
Phone: 862-350-5807

For the Department of Human Services:

Renee Burawski
Acting Assistant Commissioner
Division of Mental Health and Addiction Services
5 Commerce Way, 2nd floor
Hamilton, N.J. 08625
Email: renee.burawski@dhs.nj.gov
Phone: 609-438-4352

For the Mental Health Service Provider:

For the Participating Police Department(s):

**RESOLUTION NO. 9-24-226
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION AUTHORIZING AMENDMENT TO ANNUAL SALARY RESOLUTION

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:

Karen Aarons, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Jenifer Calo, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Catherine Ciociari, Crossing Guard, \$12,562.00 Salary, Effective 09/05/2024
 Charlene Gee, Crossing Guard, \$12,562.00 Salary, Effective 09/05/2024
 Carol Gordon, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 William Lajtos, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Christopher Lopez, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Lucille Morris, Crossing Guard, \$12,562.00 Salary, Effective 09/05/2024
 Genevieve Pruitt, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Fox Rayside, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Jacqueline Rhein, Crossing Guard, \$12,562.00 Salary, Effective 09/05/2024
 Deborah Riddick Smith, Crossing Guard, \$12,562.00 Salary, Effective 09/05/2024
 Chantal White, Crossing Guard, \$20.64 Hourly, Effective 09/05/2024
 Maryann Autunnale, Tax/Utility Office Support, \$450 Per Month, Effective, 08/01/2024

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.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 9-24-227
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION TO APPROVE PAY ESTIMATE NO. 1 TO MAK GROUP LLC FOR
THE HIGHLAND PARK PUBLIC LIBRARY ROOF REPLACEMENT**

WHEREAS, pursuant to Resolution No. 5-24-158, adopted by the Borough Council on May 21, 2024, a contract was awarded to Mak Group, LLC, 82 Midland Avenue, Suite D, Saddle Brook, New Jersey 07663, for the Highland Park Public Library Roof replacement; and

WHEREAS, it appears from Pay Estimate No. 1, certified by Arcari + Iovino Architects PC, for bonds, insurance and submittals and there is due to Mak Group, LLC the sum of \$18,620.00 in accordance with said Pay Estimate No. 1; and

WHEREAS, funds for this purpose are available in Capital Fund Account No. C-04-55-835-001, in an amount not to exceed \$18,620.00, as reflected by the Certification of Funds Available by Chief Financial Officer Certification no. 2024-71.

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 Mak Group, LLC, 82 Midland Avenue, Suite D, Saddle Brook, New Jersey 07663 the sum of \$18,620.00, as certified by the Architects certification of Pay Estimate No. 1 for bonds, insurance and submittals.
2. Certified copies of this Resolution be forwarded to Chief Financial Officer, Code Official and the Arcari + Iovino Architects PC.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 9-24-228
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR RECEIPT OF BIDS
FOR THE 2025 TREE PLANTING PROGRAM**

WHEREAS, the mission articulated in the Highland Park Community Forestry Management Plan is to strive to achieve an urban forest that is safe, healthy, diverse and aesthetically pleasing that also sustains and enhances valuable ecosystem services and biodiversity; and

WHEREAS, the annual tree planting program is an essential part of achieving that mission.

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 Clerk shall be and is hereby authorized and directed to advertise for receipt of bids for the Borough’s 2025 Tree Planting Program.
2. Bids will be received at a date and time to be determined by the Borough Clerk and the Borough Administrator, said bids to be in accordance with specifications prepared by the Borough Administrator in consultation with the Department of Public Works and the Shade Tree Advisory Committee.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 9-24-229
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING AND SUPPORTING THE RENEWAL OF ANJA LIFE,
LLC'S RETAIL CANNABIS BUSINESS LICENSE APPLICATION TO THE
NEW JERSEY CANNABIS REGULATORY COMMISSION**

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, the New Jersey Cannabis Regulatory Commission granted a conditional cannabis business license to ANJA LIFE, LLC on October 27, 2022; and

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

WHEREAS, the New Jersey Cannabis Regulatory Commission granted an annual cannabis business license to ANJA LIFE, LLC on December 20, 2023; and

WHEREAS, on or about January 10, 2024, ANJA LIFE, LLC became the first adult use cannabis dispensary in the Borough of Highland Park; and

WHEREAS, the license for ANJA LIFE, LLC shall expire on December 20, 2024; and

WHEREAS, ANJA LIFE, LLC is applying to the New Jersey Cannabis Regulatory Commission for a renewal of their cannabis license; and

WHEREAS, ANJA LIFE, LLC needs a letter of support from the Borough of Highland Park in order to file a renewal cannabis license application; and

WHEREAS, the proper local application and renewal fees have been received from ANJA LIFE, LLC; and

WHEREAS, this applicant has been investigated and approved by all appropriate Borough officials; and

WHEREAS, it has been recommended that due to the above referenced reasons, ANJA LIFE, LLC be awarded a resolution for local support for an additional one-year (1) year.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Highland Park being the governing body thereof, be and is as follows:

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 ANJA LIFE, LLC with respect to its renewal application to the New Jersey Cannabis Regulatory Commission for a Class 5 Cannabis Retail Dispensary License.
3. The Borough Administrator shall hereby issue a letter of support to ANJA LIFE, LLC in favor of their license renewal application to the New Jersey Cannabis Regulatory Commission along with a certified copy of this resolution.
4. This Resolution shall take effect immediately.

I, Jennifer Santiago, Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify that the above is a true copy of a Resolution adopted by the Borough Council of said Borough on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				

**RESOLUTION NO. 9-24-230
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION AUTHORIZING CONTRACT WITH B&W CONSTRUCTION CO. OF NJ FOR ADDITIONAL REPAIRS TO SEWER MAIN ON BRAUN AVENUE

WHEREAS, on August 13, 2024 Borough Council passed Resolution No. 8-24-202 authorizing sewer main repairs on Braun Avenue; and

WHEREAS, during the course of the repair the need for additional repairs to another section of sewer main was discovered; 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. 2024-72.

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.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				



B & W Construction Co. of NJ Inc.

P.O. Box 574
South River, NJ 08882

Phone 732-967-1900
Fax 732-967-6330

July 16, 2024

Page 1 of 2

Borough of Highland Park
Sewer Department
444 Valentine Street
Highland Park, NJ 08904

Tele. (732) 379-0601
Email. Khusko@middlesexwater.com

Attn: Mr. Keith Husko
Supervisor

**RE: PROPOSAL TO REPAIR 8-INCH CLAY SANITARY SEWER MAIN LOCATED
NEAR THE INTERSECTION OF BRAUN AVENUE AND DONALDSON STREET,
HIGHLAND PARK.**

1. Call in mark out request to New Jersey Underground Location Company.
2. Supply all necessary traffic signs, and cones.
3. Cut and remove the pavement up to 45 SF above broken sewer.
4. Excavate and locate sanitary sewer main.
5. Set in place trench box for trench safety.
6. Cut and remove broken section of 8-inch clay pipe up to 6 LF.
7. Excavate 6-inches below invert.
8. Backfill trench using $\frac{3}{4}$ " clean stone for pipe bedding.
9. Supply and install up to 6 LF of 8-Inch SDR 35 pipe using (2) 8-inch clay to PVC flexible couplings.
10. Backfill to the top of the new pipe using $\frac{3}{4}$ " clean stone.
11. Remove trench box from the hole.
12. Backfill trench using $\frac{3}{4}$ " blend stone up to 8-inches below finished road elevation, compacting in lifts to prevent future settlement.
13. Supply and install stabilized base course asphalt 6 inches thick.
14. Supply and install FABC top course asphalt 2 inches thick with tack.
15. Dispose of all excavation and pavement off site.
16. Clean up the work area.
17. Remove all signs and cones.

CONSTRUCT THE ABOVE FOR AN ESTIMATED COST OF \$10,900.00

NOTES:

- A. Police to be supplied and paid for by the Borough of Highland Park.



B & W Construction Co. of NJ Inc.

P.O. Box 574
South River, NJ 08882

Phone 732-967-1900
Fax 732-967-6330

Page 2 of 2

- B. Any permit or fee necessary shall be supplied and paid for by the Borough of Highland Park.
- C. This proposal doesn't include the temporary or permanent relocation of any utilities. If necessary, this proposal shall increase accordingly.
- D. This proposal is based upon completing this repair in (1) 8-hour workday. If it takes longer to complete, this proposal will increase accordingly.
- E. This proposal is based upon the work taking place Monday through Friday between the hours of 7:30 AM to 3:30 PM.

Should you have any questions, please feel free to contact me on my cell phone, (732) 710-8566

Respectfully Submitted,

Peter Mellos
Estimator

**RESOLUTION NO. 9-24-231
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

RESOLUTION AUTHORIZING APPROVAL OF BILLS LIST

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 9/17/2024 can be found in the Bills List Journal Book No. 44.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, County of Middlesex, State of New Jersey, do hereby certify the above to be a true copy of a Resolution adopted by the Borough Council of said Borough on September 17, 2024.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
George				
Hale				
Hersh				
Kim-Chohan				
Postelnik				