

BOROUGH OF HIGHLAND PARK

REGULAR MEETING
OCTOBER 15, 2024 – 7:00 PM

A Regular Meeting of the Highland Park Mayor and Council was held on Tuesday, October 15, 2024, 2024, and was called to order by Mayor Foster at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on April 18, 2024 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

Pledge of Allegiance.

Diane Hoffman led the flag salute

Roll Call:

Present: Mayor Foster, Councilpersons: Canavera, Hale, Hersh, George, Kim-Chohan arrived at 7:02 pm, Postelnik, Borough Administrator Jover, Borough Attorney Shah, and Borough Clerk Santiago.
Absent: None.

Honors, Awards and Presentations.

Mayor Foster and Councilman George read and presented a proclamation to Mrs. Diane Hoffman in honor of the late Judge Barnett Hoffman.

Approval of Minutes,

It was moved by Council President Hersh and seconded by Councilman Postelnik the minutes of September 24, 2024 Work Session minutes and the October 1, 2024 Regular Session minutes were approved, as distributed, by the following roll call vote:

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

Council Reports.

Councilman George reminded everyone that the annual Trunk or Treat event is Tuesday, October 29th starting at 6-8PM at the Community Center on South 6 Avenue. The Police Department will be providing fun games with kids and it's a fun time for adults too. This year you can sign up to decorate your car for Halloween which seems like quite a challenge but quite a lot of fun, contact Officer Fitzgerald at dfitzgerald@hpboro.com for more information and to register. The library opening is getting near, the temporary facility was closed and the staff has shifted. The new electronic facilities are up and running and the staff is training including the new Polaris Library System. The Library is not open but staff will be able to assist at the front so if you have a book on hold or you're dropping off they are open for that limited purpose. He mentioned it was a really great space, he tries to stop by once a week and also meet with the Director to get an updates. It's going to be a great addition to the core of our town, the opening is still up in the air and dependent on finishing the roofing so no guessing or estimating when our library is going to return full service.

Councilman Postelnik reported there will be a Halloween Festival and Costume Parade on Sunday October 27th from 1-4 PM at the Community Center. There will be music, dancing, bounce house, crafts and refreshments, a Halloween Parade with prizes for best costumes, Halloween safety tips, giveaways and more. The Arts Commission Poetry Festival, kudos to the Highland Park Arts Commission for a highly successful first Highland Park Poetry Festival two weekends ago. The Historical Commission Indigenous Peoples Day History Talk was a huge success and kudos to the Highland Park Historical Commission for a highly successful lecture by Clair Garland on Native American participation in the Revolutionary War. There will be more interesting programs to come so keep an eye out for those announcements.

Councilwoman Kim-Chohan reported that the Rent Control Board will be meeting on October 30th at 5:30 pm. at Borough Hall in Council Chambers. She attended the DeeDee's ribbon cutting and opening with some of her colleagues, indicating it is a great addition to our downtown and welcomed and wished them much success. She wished everyone a happy and safe Halloween and is looking forward to all the trick-or-treaters coming by. There are a few new businesses that opened and many that we've mentioned and she has noticed in the town group that there has been a lot of critiquing of our new businesses. She emphasized they are new and they have hurdles and to be a little patient and kind keeping in mind you we're all going through the motions, we are sandwiched in between New Brunswick and Edison and we're still pulling in these new businesses such as SuperFresh and DeeDee's and they are trying to serve us residents as best as they can.

Councilman Hale reported he was fortunate today to do a ribbon cutting with the Mayor, Council President Hersh and Councilwoman Kim-Chohan at DeeDee's Pizza the newest coolest soon to be place

in Highland Park. Doug the owner brought his whole family and we are excited to have Dee Dee's pizza as part of the Highland Park family. Last week he attended the Middlesex County Business Summit where among others, we heard from Governor Murphy and I got a chance to meet and talk with many business and government leaders from around the county. But the coolest thing I learned is that did you know that one of the companies moving into the new Helix building Nokia Bell Labs is conceptualizing and building the cellular network on the moon. But even cooler than this is I got a chance to speak with people at Nokia and tell them all about Highland Park and all of the great new opportunities to live and shop in Highland Park. It is really great that New Brunswick is serving as a suburb of Highland Park. Tonight we are going to be bringing forward an amended redevelopment plan for Tracts A-D, while that might sound like a major and significant agenda item it is really just a new document which houses all of the tweaks and changes we expected to make and have made since our original redevelopment plan for Tracts A-D. While the focus of this particular amendment is a refined vision and updated zoning standards for Tract C, we have included Tracts A, B, and D in this document so we won't have to keep referring to the original document as plans move forward. As with Tract C, we anticipate future amendments for other Tracts, and they will be amended in a similar manner. Our goal is to make the new document easier to navigate and easier to use as additional amendments are considered. This will save time and more importantly money. This plan acknowledges and documents what has happened since we originally named Garden Homes as the redeveloper of Tract C, it reports on and acknowledges changes made as a result of our community wide meeting held last June. This document makes a clearer connection between the various plans for Tracts A-D and the Master Plan eliminating some redundancies as well as documents the existing conditions for each tract. It also reflects updated actions taken by the Planning Board along the way. As to Tract C specifically, this new document reflects the larger size of the Tract C development and outlines the requirements for public access, streetscape and how the project can interplay and complement the pedestrian plaza at South 3rd Avenue. It also outlines the vision of the Council but also the recommendations of the public from our June meeting and several other public discussions about the need to break down the building into multiple smaller forms with deeper setbacks reflecting the goal of not having the development look like a massive monoliths. It reflects the public conversations we have had over the last several years including the desire for flex spaces, event/party rental space added public gathering space and open space public parking. Overall this document really is an update and reflection of the community conversations we have had over the last several years. There will be more of these coming as the plans for the other Tracts come together but this is an exciting reflection of where we have been. A huge shout goes to our Planner Chris Consenza who really did an amazing job of capturing this work and codifying it in the new redevelopment plan, an enormous level of detail and we appreciate his hard work on this. Finally as you may know I am a lifelong Boston Red Sox fan and you may also know they did not do so well this year. So I want to thank all of the Mets and Yankee fans for slapping me on my shoulder since the end of the season to express their joy and enthusiasm for a possible subway series.

Councilwoman Canavera reported the Commission for Universal Access wanted everyone to know that October is National Disability Employment Awareness Month, during the month we celebrate the value and talent that workers with disabilities add to America's workplaces and economy. The purpose is to confirm our commitment to ensuring disabled workers have access to good jobs, every month of every year. The Community Food Pantry is open on the second and fourth Thursday from 9 am to 10:45 am and again at 6 pm to 7 pm. Saturday following Thursday from 9:30 am to 10 am. The Highland Park Gives a Hoot Food Pantry is every Tuesday and Wednesday at the Zone 6 Center from 10 am to 11 am. The mental health commission reminds you that if you or someone you know is in crisis please reach out for help. Call the lifeline at 988 or text HOME to 741741. Both are 24/7 free and confidential.

Council President Hersh reported that today was the last day to register to vote for the November 5th general election, you can check your registration status online at nj.gov/state/elections/vote. Sustainable Highland Park has a series of community clean-ups coming up and we do everything that we can but also we rely heavily on volunteers as well. Sustainable Highland Park is working closely with the Highland Park Ecology and Environmental Group to do weekly trash cleanups on Saturdays and Sundays. The next clean-up will take place Sunday, October 20th meet at River Road near the Environmental Education Center at 10AM. There will be another clean-up and gloves other materials will be provided. There are scheduled additional clean-ups taking place Saturday, November 2nd and Sunday, and November 17th, dates and times to be determined. Sustainable Highland Park also oversees our adopt a drain program, you can put your name on a storm drain that is in your neighborhood on your street and you take the responsibility yourself to make sure that brush and other debris is clear from those storm drains. He thanked volunteer Andy Warren who gave a guided tour of the Mary Denver Native Plant Sanctuary on October 6th. The Sanctuary is a two acre park along the title part of the River. He was unable to attend this one unfortunately but all reports indicate it was a great success and then keep a lookout for these exciting events at the Environmental Education Center at 50 River Road. On Sunday, October 20th at the Environmental Center there will be a free native plant giveaway from 10AM-2PM and then the Native Plant Sanctuary planting during that time at noon. The next Sustainable Highland Park meeting will take place Wednesday October 23rd at 7PM. To learn more about raking the leaves, if you need to rake the leaves what are some of the options. If you would you like a self-guided tour of our Gardens in town go to sustainablehighlandpark.org. We'll have more information as well at the community cleanup. Distribution of biodegradable leaf bags started today October 15th, the Borough provides 20 bags per resident, bags are going be picked up at the Public Works Department located at 444 Valentine Street, Monday through Friday from 7AM to 2PM. He thanked everyone who participated in our bulk trash pickup program. There were two special pickups after the town wide garage sale and I did just want to

report that 65 tons of bulk trash were collected and delivered to the Middlesex County landfill during that 7day span and the year to date is 146 tons, so a considerable amount. Some suggestions as some bulk items need to be left out on the curb, they are not usable anymore and you need to get it out of your house however there could be opportunities to find ways to repurpose some of those items in addition we have a tradition of collecting other people's gently used things on the sidewalk but if you're interested in finding other ways to recycle repurpose or to donate those items visit sustainablehighlandpark.org. We received State funding a few years ago to do an exploration of a river front of a river trail connector, then connect Johnson and Donaldson parks. There's an easement back there as many of us are familiar with the Borough is currently doing preliminary leg work and exploring the concept of trail connector and there is ongoing coordination with agencies, meetings with soil conservation districts of Middlesex County and the consultant is out doing property boundary surveys and additional survey work starting this week, as well as environmental assessment, so this is a multi-year process. The Veterans Day Parade is Monday, November 11th at 11:00 a.m. please mark your calendars.

Administrator.

Borough Administrator Jover reported Redevelopment plan for Tracts A-D, following introduction this evening assuming Council finds in favor of moving forward it will be referred to the Planning Board for its review for consistency with the master plan after which they make a determination that's not inconsistent with the Master Plan, it would then be referred back to the Borough Council for a public hearing and vote. Our very talented colleague Chris Cosenza will be presenting an overview to the Planning Board at their meeting going into some of the key changes in the plan. She emphasized the fact that while we did make some changes to the order and structure of the plan the most substantive changes were with respect to Tract C to try to put the regulations into effect that would effectuate the kind of building that we presented at the June meeting and we discussed at previous meetings so we get the outcomes we're looking for.

Borough Attorney's Report.

Borough Attorney Shah reported on the new set of procedures and how Council meetings will be conducted. The Mayor runs the meeting and everyone will have an opportunity to speak as you can see from the packet we have three opportunities that public may participate. The first opportunity for public participation is after the Mayor's report and that will be on the agenda, this time is limited to questions about the resolutions and/or the ordinances that are up for vote on today's agenda, any questions or comments will be placed on the record then the public portion will be closed, once the public portion is closed the Mayor will respond to the question or direct a member from the governing body or any director that is present to respond to the public's inquiries. The public cannot speak once the public portion is closed. The second opportunity tonight for the public to have any comment is that we have an ordinance that's on for second reading, members of the public can come up and online make their comment about the ordinance and then once the comments or questions are heard, public comments will be closed again and the Mayor will respond or direct member from the governing body or directors to respond. Moving forward right after the appointments in today's agenda it will be number 15 on your agenda there will be a third opportunity for public participation. The public at this time may ask a question or make a comment on any topic once all the members of the public are heard in person and zoom, the public portion will be closed, once public portion is closed no one from the public will be able to comment. The Mayor then will respond or direct anyone else to respond.

Mayor's Report.

Mayor Foster thanked everyone for coming out for Judge Hoffman who was an awesome person and did a lot of great work for our town and made sure that we were taking care of especially in the terms of public safety. As the weather is changing it's getting darker and the leaves are falling and it's hardest to navigate and requested that everyone please utilize the sidewalk where there is sidewalk to keep us all safe. Last week we had a session by Irving School and it was called "Bringing local Government to the Community", these are series that we want to continue to reach the folks who cannot make it to a Council meeting to bring us to you in local neighborhoods. Last week we did one by the Irving School and we're going to be doing much more outreach to various other communities, stay tuned. She noted that she has been getting a lot of emails about the scooters, a lot of people do not like the scooters on the sidewalk and she agrees they should not be on the sidewalk and when you are finished using your scooter please put them to the curb not in the middle of the sidewalk where people cannot get around it's becoming a hazard and let's be good neighbors. She wished everyone celebrating the Jewish holidays Happy New Year.

Public Participation.

Mayor Foster opened the floor for public participation.

Mary Botteon, Madison Avenue spoke about Resolution 10-24 241, a third permit for a marijuana store and asked the Council to vote no. She indicated that this was marijuana trafficking. She spoke about the Ordinance for six marijuana stores to sell very potent THC recreational marijuana products and none are approved by the FDA. Council has a choice tonight and can prevent them from selling marijuana in in Highland Park especially where kids walk everyday. This is the choice each of you has tonight please vote no. For those of you who share these concerns about marijuana stores up and down Raritan and Woodbridge Avenues please feel free to contact her at mbotteon@verizon.net. She noted that their lawsuit on these issues is fully active and is going forward and we are very grateful for that again please vote no. She asked regarding the amended redevelopment plan several pages refer to current and asked

someone to explain what the difference between current and existing and does existing actually refer to what is proposed in the plan tonight and if it is actually what is opposed that's really how the language should appear as opposed to existing that makes it sound like the vote has already gone through and that these items are already in place.

Colleen Tyler, 42 North 6th Avenue, started by indicating how many wonderful things Council and the Mayor have done for Highland Park, it's a long list of really great things that help the community and benefit everyone in the community. She echoed Ms. Botteon and asked the Council to vote no to Resolution 10-24 241 which authorizes the third permit of a marijuana dispensary in our town. Our town doesn't need it and certainly the children should not have that as a model for them as they grow up. The residents have not been considered, their voices have not been heard this is all on the Council and the Mayor making these decisions regardless of what people in town want and urged the Mayor and Council to rethink its decision.

Raisa Boroday, South 2nd Avenue said she would like to talk marijuana shops she asked everyone to vote against pot shops.

Lois Lebbing, North 2nd Avenue asked why there couldn't be a separate vote on the cannabis shop. She asked if non-lithium batteries explode, how does one put out the fire.

Mary Forsberg, Denison Avenue, indicated she read the redevelopment that includes some new information that was never reported. She urged everyone in town read this really useful report because it tells you where the town is going. She asked is the Borough can you can now calculate how much money we make from the various assessments of these properties, her calculation is about 350,000 in property taxes from the various properties from A through D and would like to know if any PILOTS have been given away? She would like to see a cost benefit analysis of this plan, how much money you're going to lose and how much you're going to give away in PILOTS and how much we will gain from them. She is not impressed with the pictures I hope those do not reflect what the future is going to be for Highland Park. She has an issued with Resolution 10-24-239 which is the grant for million or the closing South Third. She was told by a council person it was a federal grant for a million dollars and it appears to her this paperwork that it is a State grant from the Department of Community Affairs and would like know which legislator sponsor sponsored that grant.

Sal Baptist, Raritan Avenue expressed opposition to another cannabis business license. At the last meeting it was asked since the point was made the meeting before that that 70% of Highland Park residents voted to decriminalize marijuana and that was given as justification for handing out cannabis business licenses like candy. It was asked were we ever actually given the chance to say how many business licenses we thought should be appropriate for cannabis businesses for a town the size of Highland Park. When do we get to weigh in on this other than by repeatedly zooming into Council meetings and asking questions and also given that it was mentioned that October Disabled Job Awareness month I have a disability, asthma and severely allergic to marijuana smoke both sides of Raritan Avenue have become pretty much impassible to me especially now that there're two cannabis businesses going to be operating on either side. The Highland Park Code provides that no one should be smoking or consuming the cannabis products outside this has as far as I can tell never been enforced.

Mary Forsberg, Denison Ave., said the one thing the redevelopment report she thought was really interesting was it looked at permitted principal uses for the spaces in A, B, C and D and it had a very long list of things that were permitted among them which is axe throwing which I know that our Planner Mr. Constantine really liked but thought it was really interesting that in no place is cannabis shops listed as a permitted use.

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

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

Mayor Foster said that the Council will be taking a vote tonight on marijuana, so the Council will make a decision in a few minutes as we go through the agenda.

Borough Administrator Jover addressed the Redevelopment Plan questions. One clarification based on some of the comments were that what is being considered this evening is an amendment to an existing Plan. The Downtown Redevelopment plan that was passed in 2021 for Tracts A-D, this isn't brand new, we have made some headway on various aspects of implementation most notably Tract C and the majority of the edits were made with respect to what is the allowable zoning for Tract C because we know a lot more about how that may look and feel based on the input session we had in June as well as follow-up meeting. This isn't a brand new study, we did organize some material to make it easier to understand as well as we anticipate additional amendments in the future once we get a little closer on final concepts for Tracts A and the other Tracts that are included in this plan. There was a question regarding the current and existing zoning references in the plan I'm not 100% sure I know the reference that was being made

but we do as a matter of course in all of our Redevelopment plans indicate the underlying zoning as if the plan wasn't there and then we also articulate the new proposed zoning for the site. She said she would take a look at the language to make sure that is clearer if it needs some clarification but that would not be a substantial change. There was a question about cost benefit to the plan and the assessed values, she believes there was for each property and can't swear in the original version if all of the assessed values were there but believes that's a standard component in our plans. If a PILOT is going to be entertained for the Tract C project certainly we'll have to understand the economics of the project, why a PILOT's required to make the project happen and again I just like to point out that part of the intention of the plan is to make sure that we're not only doing better on the assessed values, and the taxable value of these properties which by the way when you do a PILOT you don't do worse and the other side of that is to kind of jumpstart investment throughout town and in the downtown area which will have kind of ancillary benefits outside of the project. There will be a lot more to discuss when we get to that point of a financial agreement and we just we're just not there. In terms of the grant I think there might be some confusion there are two resolutions on the agenda I believe the 10-24 239 is for the South Third Plaza design construction which essentially is a legislative grant but once it's been awarded it comes through the Department of Community Affairs and they require this resolution. The requests are made to the legislators and then it gets handed over to the DCA who manages a lot of grants for the State of New Jersey. The grant for 10-24 238 same legislative but a different pot, they have different categories of brands for \$250,000 toward a new garbage truck which if you've experienced the delays in the last three months due to down garbage trucks.

Ordinances Requiring a Second Reading.

Ordinance No. 24-2096 An Ordinance Amending and Supplementing Chapter 230-124 (Zoning Map) and 230-4 Attachment 4 in order to Update the Zoning Map with the Borough of Highland Park.

Clerk reported on Ordinance No. 24-2096 An Ordinance Amending and Supplementing Chapter 230-124 (Zoning Map) and 230-4 Attachment 4 in order to Update the Zoning Map with the Borough of Highland Park has been duly advertised for consideration of passage on final reading by title and affidavits of publication are on file.

Mayor Foster opened public hearing on Ordinance No. 24-2096.

Lois Lebbing, North Second Ave, stated regarding the Ecological Preserve from 1988, she looked at the zoning map the section you're talking about and I didn't see single family housing and asked if that had been changed and was it eradicated because she did not have time to look it up. She wondered how Classic Cleaners Tract has gone from no condemnation in the first plan to eminent domain to condemnation in July. She spoke to the owners and they never received anything from Borough Hall. She wanted to know if they were supposed to be looking for eminent domain. Mayor Foster indicated that this particular item is not about Classic Cleaners, the Borough is updating the zoning map.

Lois Lebbing, North Second Avenue said on the new one-year-old map shows Rutgers Nature Preserve being single family housing, on the new one she sees no delineation it's just conservation and recreation, did the preserve disappear on the updated map.

Seeing no one, on motion by Councilman George and seconded by Council President Hersh, the public hearing on Ordinance No. 24-2096 was closed and carried by the following roll call vote:

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

Borough Attorney Shah said what end up happening is that when we first tried to figure this out we noticed that in the code it was a 2019 map so anything that was done before 2019 had been preserved in that map anything after that had not been recorded in their zoning map. So anything from 2019 forward is what we are updating and when I say updating meaning there's already been notice that was given to the Planning Board and everyone else but what ends up happening is the different Redevelopment projects they were not reflected in it and as you can notice the Planner did an excellent job, the old blocks and lots have been transformed into what they are current. She explained that she understands that people might be asking for specific projects that may have happened pre 2019 and she has no issues in looking into it after the meeting and finding out what happened with that plan.

Councilman Hale added that the zoning map that is reflected in this ordinance and the zoning map movement forward is what our Planner went back and found within our records to say those changes were made prior to 2019 so this is the most up-to-date, most reflective map of all of the things that have been done going back as far as we can find. It is an incredibly detailed exhausting work that he did to sort of update this and make sure that it reflected all of the previous decisions that previous Councils have made going backwards.

Borough Administrator Jover said the new things that didn't weren't reflected on the 2019 map that action had already been taken by Council for example certain Redevelopment plans being one of the more recent ones are now reflected on the zoning map but we discovered amendments to our Code that took place in

2004 one of which impacts the conservation and recreation zone while the code was in place the map didn't follow so this action is just having the map match the Code that's on the books as to what's allowed in the conservation and recreation zone, This is to update to the map, so that the map matches what's on the books.

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

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

Ordinances Requiring a First Reading.

Ordinance No. 24-2097 An Ordinance of the Borough of Highland Park, County of Middlesex, State of New Jersey, Amending the Downtown Redevelopment Plan for Tracts A-D

Clerk reported on Ordinance No. 24-2097 An Ordinance of the Borough of Highland Park, County of Middlesex, State of New Jersey, Amending the Downtown Redevelopment Plan for Tracts A-D has been introduced by the Economic Development and Planning Committee for consideration of passage on first reading by title.

On motion made by Councilman George seconded by Councilwoman Canavera, the ordinance entitled as above was duly adopted on first reading by title, authorize publication and set public hearing for November 12, 2024, by the following roll call vote, to wit:

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

Consent Agenda Items - Resolutions.

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

Resolution Nos. 10-24-237 through 10-243 were duly adopted on a motion made by Councilman George seconded by Councilwoman Canavera and carried by the following roll call vote:

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

Resolution No. 10-24-237

WHEREAS, the Borough utilizes a software program for various departments within the Borough through Spatial Data Logic, LLC (SDL); and

WHEREAS, the vendor is due payment in the amount of \$11,520.00 for said licenses; and

WHEREAS, funds for this purpose are available in the Current Fund Account No. 4-01-20-140-218, as reflected by the Chief Financial Officer’s Certification no. 2024-75.

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

1. The Chief Financial Officer is hereby authorized and directed to remit the amount of \$11,520.00 to Spatial Data Logic, LLC (SDL), 285 Davidson Ave Suite 302, Somerset, New Jersey 08873 for renewal of six (6) licenses.
2. A certified copy of this resolution be forwarded to the Chief Financial Officer and Borough Administrator.

Resolution No. 10-24-238

WHEREAS, the Borough was notified that it was the recipient of a FY 2025 Legislative Aid Grant in the amount of \$250,000 to replace aging public works equipment; and

WHEREAS, the Borough has been instructed that the next step in the grant process is to execute a resolution authorizing the grant application and agreement for said project; and

WHEREAS, the Borough of Highland Park desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$250,000.00 for the replacement of a garbage truck; and

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

1. The Borough Council does hereby authorize the application for such grant.
2. The Borough Council recognizes and accepts that the Department may offer a lessor or greater amount and therefore upon receipt of the a grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the

expenditure of funds pursuant to the terms of the agreement between the Borough of Highland Park and the New Jersey Department of Community Affairs.

3. That the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Resolution No. 10-24-239

WHEREAS, the Borough was notified that it was the recipient of a FY 2025 Legislative Aid Grant in the amount of \$1,000,000 to carry out a project to design and construct the South Third Public Plaza; and

WHEREAS, the Borough has been instructed that the next step in the grant process is to execute a resolution authorizing the grant application and agreement for said project; and

WHEREAS, the Borough of Highland Park desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$1,000,000.00 to carry out a project to design and construct the South Third Public Plaza; and

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

4. The Borough Council does hereby authorize the application for such grant.
5. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore upon receipt of the a grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Highland Park and the New Jersey Department of Community Affairs.
6. That the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Resolution No. 10-24-240

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

WHEREAS, by Ordinance No. 16-1921, adopted on December 20, 2016, the Council of the Borough (the “**Council**”) designated the entire area within the Borough as an area in need of rehabilitation, including Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39 (the “**Property**”) in accordance with the Redevelopment Law; and

WHEREAS, by Resolution No. 4-24-131, adopted on April 16, 2024, the Council designated the Property, along with all streets and rights of way appurtenant thereto, as a non-condemnation redevelopment area; and

WHEREAS, on September 14, 2021, the Council approved Ordinance No. 21-2030 adopting the “Downtown Redevelopment Plan for Tracts A-D” (the “**Redevelopment Plan**”); and

WHEREAS, LRK, Inc. (the “**Planner**”) prepared an amendment to the Redevelopment Plan, which is entitled the “Downtown Redevelopment Plan for Tracts A-D, as amended through October 2024” (the “**Amended Redevelopment Plan**”) which, among other changes, incorporates the Property into the Amended Redevelopment Plan; and

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

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

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

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

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

Section 4. This Resolution shall take effect immediately.

Resolution No. 10-24-241

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, Main Street Dispensary, LLC has applied for the issuance of a business license to operate an adult personal-use cannabis business at 311 Raritan Avenue within the Borough; and

WHEREAS, Main Street Dispensary, LLC has received permission from the New Jersey Cannabis Regulatory Commission (“**CRC**”) to operate an adult personal-use cannabis business and has been issued a State License Number RE000439 for the operation of said business.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 136-7.F of the “Code of the Borough of Highland Park”, the Clerk of the Borough of Highland Park is hereby authorized and directed

to issue a business license to Main Street Dispensary, LLC in order to operate at 311 Raritan Avenue an adult personal-use cannabis business once all of the local permits and regulations are satisfied.

Resolution No. 10-24-242

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:

- Theresa Foxx, Crossing Guard, \$20.64 Hourly, Effective 09/16/2024
- Logan Ortutay, Part-Time Tax Assessor, \$38,000.00 Salary, Effective 10/01/2024
- Rutuja Vartak, Economic Development Coordinator, \$61,000.00, Effective 10/21/2024
- Jacob Callahan, Assistant Borough Administrator, \$68,000.000, Effective 11/04/2024

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

Resolution No. 10-24-243

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 10/15/2024 can be found in the Bills List Journal Book No. 44.

Appointments.

Crossing Guards

Theresa Foxx

Sustainable Highland Park

Sheree Neese-Todd

On motion made by Council President Hersh and seconded by Councilwoman Canavera, the appointment of Crossing Guard Theresa Foxx and Sheree Neese Todd to Sustainable Highland Park was approved and carried by the following roll call vote, to wit:

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

Second Public Participation.

Mayor Foster opened the floor for public participation.

Lois Lebbing, North 2nd said not where in the legend matches single family houses on the Reserve and this brand new unapproved map she received today and asked if this was correct. Classic Cleaners has not heard from Highland Park. She does not know if this is a matter of two of her faxes disappearing or problems at the Attorney’s office or if it would come from LRK. How do owners respond if they are not notified unless of course the office lost something. Regarding Tract D she did find it amazing that Sunoco and BB Big might be under condemnation perhaps with the study and yet granted she would like to know if there's anything cooking with Tract D because that was put on hold how many years ago and they might come along and the owner might do something and yet all we hear is the other ones are being pushed forward the other Tracts although C is moving quickly is this favoritism.

Mary Forsberg, Denison Avenue said she was interested in the Borough Administrator’s response to her question about 10-24 239 about the \$1 million dollar grant that was given to Highland Park that she was told came from Senator Pallone and apparently according to 10-24 239 it's a State and she'd like to know what Legislator sponsored that because she worked in Trenton for 25 years and she knows Legislators like their names on things that look good. The grant talks about replacing aging Public Works equipment but it's 10-24 239 not 10-24-238 so there is something kind of wrong and the explanation that that the Administrator provided she doesn't think that you are taking seriously enough the consequences of the Redevelopment of downtown and you really need to be doing not only a cost benefit analysis, trying to figure out who would be willing to really and truly invest money without a huge pilot in Highland Park who is going to build a landmark building. She finds this whole thing really quite disturbing and She'd also like to have a an honest explanation of what is going on with UBRY’s and she has no problem with them moving to another location but if it's going to cost somebody money and it should not be taxpayers in Highland Park, it should be the developer. She would like an actual explanation of these things.

Sal Baptist, Raritan Avenue, said the Borough has heard from half a dozen people expressing reservations about the Cannabis licenses and you just brushed this all off. Where is the democracy. She pointed out that the Resolution 238 and Resolution 239 both say to replace aging Public Works equipment I don't

know if that's bad editing but it's not confusion on Mary Forsberg's part. Congratulates to our new crossing guard and expressed that she was in favor of the Highland Park crossing guards and opposing privation.

Raisa Boroday, South 2nd Avenue asked who should have a right to cross first when dog and people meeting together going toward each other, what is your best guess who could who should give way to whom dogs has to go first or the people has to go first when the meeting on the side sidewalk when they going toward each other.

Michele Racioppi, South 2nd Avenue spoke in support of the crossing guards and asked where the Borough was in the exploration of privatizing, what progress has been made on it and what is the timeline. She asked if the public was invited to the Public Safety meetings. The guards should be getting paid in a competitive way to the towns nearby at that would be at least \$26 an hour and a minimum number of guaranteed hours per shift if we really don't want to have an issue with the retaining crossing guards.

Jackie Ryan, 423 Valentine Street, said she would like to address the ladies issue about the dogs. The small dog park did not cost the Borough anything she was the person responsible for getting it. Her dog was attacked in a large park the materials were all available they were left over from the large park so it didn't cost anything it was just a matter of the men coming out and erecting the fencing. As far as the dogs who comes first people are dogs it's up to the owners and a lot of the owners especially big dogs owners are supposed to take responsibility for their animals and they should be aware of that unfortunately not all people are.

Mary Forsberg, Denison Avenue, reiterated her concerns about the financial awareness, people are concerned in Highland Park about high property taxes. She is really concerned about the Borough is going to give away in terms of this redevelopment. The library town spent a million dollars to kind of redo the inside of the library without fixing the roof and they fix the roof after they did the library and the library did leak during the period while it was being redesigned. She would like to see a little bit more interest from your part on the future finances of this town because we pay very high property taxes. The Borough is going to be building landmark buildings and putting large developments on Tract A and Tract B and basically turning this this town into a war zone. She said she is awaiting a response to the \$1 million dollar grant and who the legislator was who sponsored it.

Raisa Boroday, South 2nd Avenue asked who has to go first if the owner with a dog seeing somebody coming forward and who steps out of the way first, the dog or the person without a dog.

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

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

Mayor Foster addressed the typo on Resolution 24-239 and that would be corrected. That was for the grant that was received Assemblyman Karabinchak, and Assemblyman Stanley. We are grateful that we received this grant for a million dollars to do the opening on South Third as well as the grant for the new garbage truck that is desperately needed.

Borough Administrator Jover addressed the comment about Classic Cleaners and the Borough's Attorney has been in touch with their Attorney throughout this process informing them of the Council's authorization for the study to determine whether the properties in question qualify as areas in need of redevelopment with condemnation. That study has not commenced yet, once it is complete and it is ready to be heard by the Planning Board, a full formal notice will be made. Regarding 70 Woodbridge Avenue the Council authorize the purchase of that with the intention of relocating UBRY's into that space. Renovations have been under way and understands we're getting close, once that is completed we'll be moving forward thank you.

Mayor Foster indicated to Councilman George it was her understanding there has not been any meetings as of yet regarding the process.

Councilman George said there have been no further meetings with regard to making any decisions one way or another, it remains under a general study. Public Safety has not had further discussions since our last report.

Councilman Postelnik wanted to clarify what one of the members of the public mentioned something about a grant from Congressman Pallone and maybe conflated that with one of the grants that we voted on tonight, expressed his gratitude in assisting in securing grants this year however, that was a separate grant to help with pedestrian and bicycle road safety types of things and not an item of action tonight.

Council President Hersh just wanted to just speak in terms of the resolution 10-24 238, replacement of a garbage truck. This is a good thing, we work very closely with our state legislators to make sure that we

can get that park and can access the funding in order to address pressing infrastructure issues as well as upgrades to our fleet. This is really great news and just wanted to mention that the part of the monthly report from DPW which he touches on is bulk pickup and tonnage of the garbage picked up. Fleet maintenance one of the things that you might not know that DPW does is fleet maintenance on their own vehicles and so last month we had 30 vehicles serviced or repaired by either Public Works or contracted at the mechanics, that includes 15 Public Works vehicles including 12 police vehicles, one fire apparatus one Code vehicle and one Community Services vehicle so these funds directly go to support Highland Park. When we talk about kind building up our downtown and creating a more vibrant economic space downtown yes we understand that there might be things that you might like or don't like but that's not what we're voting on tonight we're voting on whether they comply with the various logistics that meet the ability to actually issue whatever it is we made the policy decision for. Cannabis for example, three and a half years ago so I think it's really important to remember that there was a full vetting and that this is a ministerial procedural process of just the permitting to live up to the law but didn't want to undermine the work of our legislators when it comes to helping out Highland Park. He emphasized the great gratitude for assistance in our Public Works investments as well as infrastructural investments as well as meeting the aims of things like our bike and pedestrian plan. There a lot of moving parts and it's all again I point back to that long season it's all part of a bigger picture of many moving parts where we try to get things to work in tandem and complement one another.

Mayor Foster spoke to the issue of sidewalk etiquette and indicated that it pertains to common courtesy on the walkways, being neighborly and just follow through with common decency and common courtesy if there's a pet and a pet owner on the sidewalk and maybe they might step aside or maybe one person wait until they pass, but we do not have any regulation or laws of how people should behave.

There being no further business, on motion made by Councilman George, seconded by Councilman Postelnik, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:36 PM.

Respectfully submitted,

Jennifer Santiago
Borough Clerk