

REGULAR MEETING – MARCH 5, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, March 5, 2019 and was called to order by Mayor Brill Mittler at 7:08 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: None.

Mayor Brill Mittler asked the Council members to present their reports.

Councilwoman Foster Dublin – No report.

Councilman Fine – No report.

Councilwoman Kim-Chohan reported that the Office on Aging is still offering free tax preparation every Wednesday 9:30 a.m. – 3:30 p.m. at the Community Center until April 10th. Contact the Office on Aging for details and guidelines and you must make an appointment in advance. The March luncheon will take place on March 18th with music provided by John Gallagher. The Mayor will be in attendance to provide an update on What's New and What's News with the Mayor. The next Council on Aging meeting will be held on March 19th at 2:30 p.m. at the Community Center. Please stay up to date on their Facebook page and the Borough website for upcoming spring programs and events. The summer camp packet is already available and the summer camp will run from July 8th through August 16th. New this year will be before care starting at 7:00 a.m. Summer camp jobs are posted on the Borough's website and applications are available online or at the Community Center. The Arts Commission completed the Windows of Understanding Project that ended in February with 15 artists and business owners. They also held 3 Tables of Understanding at Blue Horse, Ruthie's and Sushiana, which was well attended. She believes the Mayor will talk more about this. The Arts Commission won a Park Partners Grant for the Mural Project. She thanked those that supported them. The Mural Project will be going where Robert's Florals is. The Band Aid bench will be tiled and decorated sometime in April. On Friday she had a chance to participate in Read Across America at the Bartle School with the 2nd graders.

Councilman Hale – No report.

Councilwoman Welkovits reported that she also attended Read Across America and thanked Principal Benjamin and the teachers for organizing the event. Last week she attended the New Jersey Bicycle and Pedestrian Summit at Mercer County College. It was the 10th annual event, and the largest to date. The Commissioner of the New Jersey Department of Transportation opened the summit and spoke on mobility versus transportation. To clarify this, mobility is access for people of all ages, 9 through 90, people of all different incomes, people of all different physical disabilities and methods of transportation, whether that be car, bus, train, wheelchairs, bicycles, etc. This means shared roadways, paths and infrastructure. Professor Von Hagen was present from the Bloustein School of Public Policy and Planning and she gave a session on implemented new complete street resolutions for recognition by Sustainable New Jersey. In Highland Park, the Safe Walking and Cycling Committee plans to review and implement these new standards and she will keep you posted on their progress throughout the year. The Summit Organizer, Cindy Steiner, discussed the need for new municipal laws now that State laws have legalized low speed electronic vehicles that travel under 20 mph. The Safe Walking and Cycling Committee will be looking into this along with the Public Safety Committee and Code Enforcement and will be weighing in and creating our own ordinance governing E-vehicles for Highland Park and where they have access. Highland Park has committed itself to meet these goals as they continue to work on a bicycle and pedestrian plan. Earlier today, she was joined by the Borough Administrator and her Assistant and members of the Safe Walking and Cycling Committee and Main Street Highland Park at a Bloustein class to develop a place making projects for March 26th. The graduate students under Professor Von Hagen and Laura Torchio from Projects for Public Spaces look to reactivating some of the living rooms on the Avenue and enhance more sociability. Specifically, the intersections they will be looking at are Raritan Avenue at 2nd, 3rd and 4th Avenues where existing living rooms are now located. The students are planning some overlapping projects and events that will last for about a 2-week period. They have begun advertising for the 5K and Street Fair event for Sunday, May 5th. It's a big day in town. Runners may register now at Mainstreethp.org. People may run or walk and the course is USTA certified and draws many competitive runners. They are also seeking sponsors at all different. Please take a look at the website to see if you can contribute with your business or social group.

Councilman George reported that Snow plowing in this odd sort of Winter was kept up, and the small RTV machine proved its worth, especially on the Raritan Bridge and in tight spots on Borough properties. The Department of Public Works is working today with our Public Information Officer and the Shade Tree Advisory Committee to prepare further materials regarding the Emerald Ash Borer removal program for Borough Trees. These will mark trees to be removed and provide more information on the reasons for removal as well as what residents can do regarding the problem if there are Ash trees on their property. The Environmental Commission will be reviewing draft Electric Vehicle Ordinances which we are working on, regarding placement of charging stations and amendments to the Zoning Ordinance to make allowance for charging stations and related EV provisions such as parking. The Environmental Commission recommended action on EV's last year and we are working with Emma Missey to have ordinances ready for further action this Spring. Sustainable Highland Park won a Park Partners grant to sponsor posters for Earth Day for local artists and others who submit themed work around "People Power" and what individuals can do to reduce waste, carbon footprint, plastic in the environment. There is a list of possible themes on the SHP website, but you are not limited to that list. The project is aimed at our art community, but all are invited. We thank volunteer Irene Reigner for all her help in designing the project, manning the booth and coordinating the submissions. The Shade Tree Advisory Commission's submission for purchase of 50 dogwoods to be available to residents at Earth Day was accepted. Thank

you to Chairperson Karen Swaine for her timely work, as the availability of native species is competitive. Dr. Melanie McDermott has completed and submitted the STAC Annual Activity Report for 2018 to the State and it shows that STAC has been very active for such a small group in the past year.

Borough Administrator Jover reported that the follow up meeting regarding the development proposal for Cleveland Avenue on March 18th at 7:00 p.m. in the Council Chambers. They will report on what they heard at the last open public meeting with some synthesis from the Borough Planner. They will use all the usual outlets to get the word out.

Borough Attorney Schmierer- No report.

Mayor Brill Mittler gave an update on the Acting Police Chief and the Acting Police Captain promotions as well as the hiring of the Mentor for the Acting Chief. This process is the most intense promotion process in which the police department has ever been involved. It consists of the Oral Questions provided by the State Association of Police Chiefs (completed), a series of essay questions provided by the Chiefs' Association with input from me and the Public Safety Committee (completed), and in depth interviews held by myself and the members of the Public Safety Committee, including questions provided by residents at the Equity Commission's Open Public Meeting, an initial list of over 100 culled down to 10. While this process is going on, I, Public Safety Committee Members and the Chair of the new Equity Commission will be involved in interviewing consultants for the Mentor position. Upon selection of the New Acting Chief and Acting Captain we will hold an open public meeting to introduce the new management of our police department PLUS the Mentor to the public. The public will be invited to ask any questions they may have and/or communicate directly with the new Chief about issues that they feel must be addressed. It is my intention to continue these open meetings with our police team on a regular basis. Look, we live in very trying times, not the least of which is policing throughout this nation and the hope that at least in our backyards we can have a say. I want you to understand that we have heard your say. I am doing my best to incorporate your voice in this process within a legal framework. I want you to know, that I do believe that this generation of officers coming up for this promotion are not encumbered by the ways of the past. I do believe, that we will be able to promote an Acting Chief and Acting Captain, but we will guide them and monitor their progress with the help of our consultant Mentor.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Jessica Hundsten, Montgomery Street, commented that she watched the last meeting and wanted to address some of the comments by members of the Governing Body who were congratulating themselves on a hiring process that involved the community. She thinks that is disingenuous. At one point during the last meeting, Council President George shared with those in attendance that the hiring process started at least 6 months ago. This made her wonder why Councilwoman Foster-Dublin and Councilman Hale began meeting with members of the Bias Free Commission in September of 2018. They chose to never inform these members that a hiring was underway or seek their input. While the forum on February 6th was a good and productive step, it was actually a result of intense pressure by community members at a Council meeting in December upon hearing that a hiring process was underway and then persistence from the newly formed Equity Commission, which includes 5 founding members of the Bias Free Commission. It was too little, and too late. In the forum, she raised the question why the Mayor and Council had not considered a Police Director, which would have allowed for someone to be hired outside of the Police Department as an alternative to hiring a Police Chief. Everyone remembers what the Labor Attorney said about hiring a Police Director, that they would lose a gun on the street. She is interested on knowing what the Mayor and Council think about that response provided by the Labor Attorney and specifically, the reason that they would lose a gun on the street and why has a Police Director not been considered. If they had involved the community and truly listened and given them a voice at the table from day one of this process, they would have learned that many of them would have directed you to explore other options of governance of the Police Department, such as hiring a Police Director. That would have allowed them to disrupt a system and police culture in the Police Department that is problematic and hire from outside. You didn't and are now moving forward with hiring a Police Chief from within a Department that has a troubling past of racial profiling and biased actions towards members of the community. To add to that, you have now chosen to cut out members of the Equity Commission, who have gained their trust as true advocates for equity. You claim that there is a legal basis for cutting us out, but with just a little bit of research, a member of our group was able to locate examples of a municipality involving the public in the interview process. It is really disappointing that you continue to act in ways that further erode our trust in your ability to make decisions that both honor the concerns of the community and work to build trust with the Highland Park Police Department. She hopes that they will change course and immediately.

Marcia Goldberg, 451 South 5th Avenue, commented about Buck Woods. Last May, the Borough issued a tree removal permit to the developer who owns the site to take out an additional 179 mature trees, many of those on steep slopes. There was a Court day last Friday with the developer and they and the Borough Attorney attended. The developer filed motion for summary judgment to reinstate his tree removal permit that they were successful in getting a stay on. The Judge who heard the case, despite their arguments for preservation of the trees until a development plan is approved, and despite the arguments by the Borough Attorney, the Judge ruled in favor of the developer but extended the stay for two weeks, pending the Borough's introduction of a zoning ordinance. She asked what the Judge is looking for from the Borough regarding zoning. She asked what the Borough has done since Friday and will the Borough be able to produce what the Judge is looking for in time for the March 15th deadline. She wants to know how the site is currently zoned. Borough Attorney Schmierer noted that her summary is correct. On Friday, the Judge extended the stay for 2 weeks and instructed them to have the zoning overlay ordinance for Buck Woods prepared and adopted by the Council by May 30th. He instructed them to work with the owner of the property to see if we could develop a zoning overlay ordinance that worked for them and for the Borough. There is a meeting on Thursday with the developer, the developer's development team, with our Planner, and they have invited the developer's LSRP to join them at that

meeting as they move forward to try and work out a rezoning or overlay zone for the property which would allow for the multi-family development called for in the Mount Laurel settlement case for 75 units. The Judge has indicated that as long as they are making reasonable progress to either agree with the developer about what the zoning should look like or abandon that effort and just simply adopt the ordinance that we believe is appropriate, that he would extend on a two-week cycle, the stay. There will be a final compliance hearing on the Mount Laurel case on June 14th.

Jeff Vardaro, Wayne Street, commented that at the last meeting he asked the Borough Attorney about whether the Police Chief interviews could be transcribed and redacted to remove sensitive information and shared with the public or the Equity Commission. Borough Attorney Schmierer noted that they have looked into the question. The problem with allowing that to occur and also by allowing individuals residents from the community or Equity Commission to participate in the interviews would be to change the protocol adopted by the Council in the middle of November setting forth how they were going to go about doing the promotions. There is a written protocol that is very clear about the steps that have to be followed and the Mayor has outline that protocol and they are at the last step, which is the interview process. In their opinion, it would be inappropriate to change that process by introducing a stenographer and having a transcript prepared as part of the interview. It would also be inappropriate to introduce participants from the public in that interview process. That was not announced at the beginning and the Police Officers that submitted their interest in being promoted relied upon what the protocol was and on December 1st, submitted their applications in accordance with that protocol. In their opinion it is not appropriate to change the way of going about the promotion process. He had opined to the Mayor and Council that they should not have an interview with public participation and they should not have a transcript made of the interview. Mr. Vardaro asked if the protocol say that there would not be a transcript made or was it silent on that issue. Borough Attorney Schmierer noted that the protocol was silent about a transcript. Mr. Vardaro asked if the protocol made a reference to Councilman Hale sharing information from the interviews with the Equity Commission? The Equity Commission didn't exist at that point. Borough Attorney Schmierer noted that this is a decision of the Council, and Councilman Hale is a member of the Governing Body. If there is information to be shared following the interviews or sharing the questions ahead of time, that is something the Governing Body can do. The line gets drawn about changing the process by inviting individuals that are not members of the Governing Body into this personnel process and he does not believe that is appropriate. Mr. Vardaro noted that he is trying to separate out which are legal decisions that he is assisting the Council with and which are political decisions that the Council needs to make. He asked if there is anything illegal about making this kind of change to the process. Borough Attorney Schmierer explained that there is a statute, a law, that simply delegates the responsibility for police promotions from within to the Governing Body. The next step is to develop a protocol so that everyone knows what the process is going in so that it is done fairly. He has taken the position that once you have established that protocol, it would be inappropriate legally to change the ground rules and that has been his opinion to the Mayor and Council.

Larry Cohen, Fanwood, NJ, commented that he is with the Humane Society of the United States. They are proposing an ordinance throughout the State of New Jersey and asking municipalities to participate to prohibit the retail sale of dogs and cats through puppy mills. Mayor Brill Mittler will have this matter looked at by the Economic Development and Planning Committee of Council.

Susan Gutwill, 224 Valentine Street, commented that she wanted to say something about the word inappropriate. It seems to her that if something is legally inappropriate, it also may be morally inappropriate not to have included the public in that early decision about what the protocol was going to be. That is why Bias Free Highland Park is here today and every time because what is considered legally appropriate might not be morally appropriate, especially in a town that has so failed in terms of its policing in terms of people of color.

No one else appearing to be heard, the Mayor closed the public discussion.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Fine, seconded by Councilman George, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

No. 3-19-86

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2019 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$6,035,266.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Highland Park (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20;

1. An emergency temporary appropriation be and the same is hereby made for the budgetary appropriations herein:

2019 TEMPORARY OPERATING BUDGET

DESCRIPTION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET #5
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	49,609.00
Other Expenses	20-100-2	6,234.00
MAYOR & COUNCIL		

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Salaries & Wages	20-110-1	8,672.00
Other Expenses	20-110-2	2,494.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	41,330.00
Other Expenses	20-120-2	6,923.00
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	15,300.00
Other Expenses	20-130-2	33,311.00
ANNUAL AUDIT		
Other Expenses	20-135-2	-
TAX COLLECTION		
Salaries & Wages	20-145-1	21,535.00
Other Expenses	20-145-2	3,885.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	15,853.00
Other Expenses	20-150-2	3,078.00
LEGAL SERVICES		
Other Expenses	20-155-2	91,875.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	5,775.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Salaries & Wages		1,838.00
Other Expenses	20-170-2	28,088.00
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	28,744.00
CENTRAL SERVICES		
Other Expenses	20-316-2	21,656.00
PLANNING BOARD		
Salaries & Wages		1,838.00
Other Expenses	21-180-2	8,701.00
ZONING BOARD OF ADJUSTMENT		
Salaries & Wages	21-185-1	5,330.00
Other Expenses	21-185-2	3,977.00
HUMAN RIGHTS COMMISSION		
Other Expenses	21-195-2	1,000.00
GENERAL LIABILITY/WORKERS COMPENSATION		
Other Expenses	23-211-2	202,240.00
EMPLOYEE GROUP HEALTH		
Other Expenses	23-220-2	433,500.00
POLICE		
Salaries & Wages	25-240-1	900,478.00
Other Expenses	25-240-2	46,213.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	62,704.00
Other Expenses	25-250-2	656.00
OFFICE OF EMERGENCY MANAGEMENT		
Other Expenses	25-252-2	2,000.00
FIRST AID CONTRIBUTION		
Other Expenses	25-260-2	-
FIRE		
Salaries & Wages	25-265-1	57,166.00
Other Expenses	25-265-2	18,769.00
LOSAP		
Other Expenses	25-265-2	4,331.00
MUNICIPAL PROSECUTOR		
Other Expenses	25-275-2	9,188.00
STREETS & ROADS		
Salaries & Wages	26-290-1	289,413.00
Other Expenses	26-290-2	31,946.00
APARTMENT COLLECTION		
Other Expenses	26-305-2	56,175.00
PUBLIC BUILDINGS & GROUNDS		
Salaries & Wages	26-310-1	11,581.00

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Other Expenses	26-310-2	46,988.00
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MOTOR POOL		
Salaries & Wages	26-315-1	19,743.00
Other Expenses	26-315-2	39,113.00
BOARD OF HEALTH		
Other Expenses	27-330-2	250.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	250.00
COMMISSION ON IMMIGRANT & REFUGEE AFFAIRS		
Other Expenses	27-336-2	250.00
SAFE WALKING & CYCLING COMMITTEE		
Other Expenses	27-337-2	250.00
SUSTAINABLE HIGHLAND PARK		
Other Expenses	27-338-2	800.00
HISTORICAL COMMISSION		
Other Expenses	27-339-2	250.00
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	15,127.00
Other Expenses	28-370-2	3,938.00
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	55,587.00
Other Expenses	28-371-2	6,786.00
ARTS COMMISSION		
Other Expenses	28-374-2	250.00
SHADE TREE ADVISORY COMMITTEE		
Other Expenses	28-375-2	250.00
TEEN CENTER		
Salaries & Wages	28-373-1	17,750.00
Other Expenses	28-373-2	
ELECTRICITY		
Other Expenses	31-430-2	40,000.00
STREET LIGHTING		
Other Expenses	31-435-2	62,000.00
TELEPHONE		
Other Expenses	31-440-2	16,984.00
FUEL OIL/GASOLINE/NATURAL GAS		
Other Expenses	31-460-2	29,271.00
SANITARY LANFILL		
Other Expenses	32-465-2	69,563.00
Salaries & Wages	22-195-1	84,853.00
Other Expenses	22-195-2	4,014.00
CABLE TELEVISION		
Other Expenses	30-411-2	1,706.00
ACCUMULATED SICK LEAVE		
Salaries & Wages	30-415-1	16,275.00
COMMUNICATIONS		
Salaries & Wages	20-105-1	25,076.00
Other Expenses	20-105-2	9,883.00
MUNICIPAL COURT		
Salaries & Wages	43-490-1	55,259.00
Other Expenses	43-490-2	3,084.00
PUBLIC DEFENDER		
Other Expenses	43-495-2	1,575.00
Salaries & Wages	29-390-1	174,166.00
Other Expenses	29-390-2	90,643.00
COUNTY HEALTH SERVICES		
Other Expenses	42-401-2	11,665.00
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	2,363.00

ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	3,938.00
PUBLIC AND PRIVATE PROGRAMS		
NJDEP Radon Awareness	41-707-2	2,000.00
Fire Victims Donations	41-735-2	10,015.00
Community Development Block Grant	41-708-G	58,567.00
STATUTORY EXPENDITURES		
SOCIAL SECURITY SYSTEM		
Other Expenses	36-472-2	86,121.00
UNEMPLOYMENT COMPENSATION INSURANCE		
Other Expenses	23-225	1,313.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM		
Other Expenses	36-471-2	-
POLICE AND FIREMAN'S RETIREMENT SYSTEM		
Other Expenses	36-475-2	-
	SUBTOTAL	3,601,322.00
DEBT SERVICE		
BOND PRINCIPAL		
Other Expenses	45-920-2	625,000.00
INTEREST ON BONDS		
Other Expenses	45-930-2	242,369.00
M.C.I.A. LEASE/LOAN		
Other Expenses	45-950-2	79,500.00
DBIZ LOAN		
Other Expenses	45-925-2	-
	SUBTOTAL	946,869.00
	GRAND TOTAL	4,548,191.00

2019 TEMPORARY WATER AND SEWER BUDGET

DESCRIPTION	2019 TEMP
OPERATING	
Salaries & Wages	63,140.00
Other Expenses	630,933.00
Middlesex County Utilities Authority	330,750.00
STATUTORY EXPENDITURES	
Public Employee Retirement System	-
Social Security System	5,000.00
DEFERRED CHARGES	
Overexpenditure Budget Appropriation	-
	SUBTOTAL
	1,029,823.00
DEBT SERVICE	
Payment of Bond Principal	460,000.00
Interest on Bonds	67,450.00
	SUBTOTAL
	527,450.00
	GRAND TOTAL
	1,557,273.00

2. Said emergency temporary appropriations will be provided for in the 2019 budget under the various captions listed herein.
3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

On motion made by Councilman George, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, Resolution No. 3-19-102 was separated from the Consent Agenda.

On motion made by Councilman George, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, Resolution No. 3-19-100 was tabled from consideration.

Resolution Nos. 3-19-87 through 3-19-103, except Resolution Nos. 3-19-100 and 3-19-102, were duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 3-19-87

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2019 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

Adalberto Pacheco, Police Officer, at annual salary of \$57,557.00 effective February 11, 2019.

Amy Mikosz, Violations Clerk, at an annual salary of \$35,595.00 effective February 16, 2019

Kathleen Davies, Tax Assessor Clerk, at an annual salary of \$16,000.00 effective February 16, 2019

BE IT FURTHER RESOLVED that the Finance Director be and 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.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:

No. 3-19-88

WHEREAS, Cynthia Rosemary Jamison has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2019; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicants and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that said applicants are qualified and that public necessity and convenience would be served by the issuance of said Licenses.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue an Operator License to the aforesaid applicants.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 3-19-89

WHEREAS, the Highland Park Department of Public Works had a need to make emergency repairs to water mains at Duclos Lane and South 11th Avenue, as more fully described on the attached quotation; and

WHEREAS, J. Fletcher Creamer and Son, Inc. was called out to make said emergency repairs; and

WHEREAS, the Superintendent of the Department of Public Works has confirmed that said repairs were completed by J. Fletcher Creamer and Son, Inc. and payment is due to them for said repairs; Duclos Lane in the amount of \$8,242.08 and South 11th Avenue in the amount of \$6,254.90 for a total amount not to exceed \$14,494.98; and

WHEREAS, funds for this purpose are available in the amount of \$14,494.98 in Account No. 9-05-55-500-423 as reflected by the certification of funds by Chief Financial Officer, shown below:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized and directed to issue payment in the amount of \$14,494.98 to J. Fletcher Creamer and Son, Inc, 101 East Broadway, Hackensack, NJ 07601, for services in connection with said water main repairs; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Superintendent of Public Works Donald Rish and the Chief Financial Officer.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 3-19-91

WHEREAS, the Borough of Highland Park is a participating municipality in the Urban County designation formed with 19 municipalities within Middlesex County for the purpose of receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program; and

WHEREAS, the Borough of Highland Park has made application to the Middlesex County Division of Housing, Community Development and Social Services for reallocated Community Development Block Grant (CDBG) funds; and

WHEREAS, Middlesex County has awarded the Borough of Highland Park \$50,000.00 in reallocated CDBG funds for its Community Youth Outreach – Teen Center project based on adherence to the timely expenditure and vouchering to Middlesex County of these funds as indicated on their submitted application.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Highland Park accept the additional \$50,000.00 in reallocated CDBG funds from Middlesex County for its Community Youth Outreach – Teen Center project and direct appropriate municipal staff to take necessary measures to complete the project and submit vouchers and required project documentation to Middlesex County based its submitted application.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Middlesex County Division of Housing, Community Development and Social Services.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 3-19-92

WHEREAS, the Department of Public Works obtained quotations for the 2019 Spring Tree Planting Project; and

WHEREAS, three companies were contacted, with the below listed company responding, as follows:

<u>NAME</u>	<u>AMOUNT</u>
NJ Tree Foundation	\$15,500.00

And

WHEREAS, after review by the Shade Tree Committee and Department of Public Works, it is recommended that the contract be awarded to New Jersey Tree Foundation, Jackson, NJ based on their bid; and

WHEREAS, funds are available for tree planting in the amount of \$15,500.00 in Account No. T-12-56-806-100, as reflected by the certification of funds by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor and Borough Clerk are authorized and directed to execute and attest a contract on behalf of the Borough with NJ Tree Foundation, Jackson, NJ in the amount of \$15,500.00, for the planting of trees as listed in the contract, said contract to be in a form approved by the Borough Attorney.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 3-19-93

WHEREAS, the Borough of Highland Park is desirous of applying to FEMA for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant; and

WHEREAS, said grant will assist the Borough in the hiring of two full-time paid firefighters in order to bring the Borough into compliance with NFPA (National Fire Protection Agency's) 1720; and

WHEREAS, said grant could cover the salary and benefits of two full-time paid firefighters for three years;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Highland Park that Borough Administrator Teri Jover shall be and is hereby authorized to submit to FEMA for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-94

WHEREAS, the Borough of Highland Park desires to enter into an installation and repayment agreement with PSE&G through their Direct Install Program for Energy Upgrades to Library; and

WHEREAS, PSE&G is offering an energy conservation program to customers in its electric and/or gas service territory that are government or non-profit entities located in Urban Enterprise Zones; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the agreement for aforesaid services, attached to the original of this resolution, is hereby approved.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Borough Administrator, and PSE&G Direct Install Program.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-95

WHEREAS, the Transfiguration of the Lord, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a 50/50 Off-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on June 23, 2019; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the Transfiguration of the Lord, Inc., for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefor, subject to the provisions of the Raffles Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-96

WHEREAS, the Transfiguration of the Lord, Inc. has made application to the Borough Council of the Borough of Highland Park for a license to hold, operate and conduct a 50/50 On-Premises Raffle in accordance with the Raffles Licensing Law (NSJA 5:8-50 to 76), on April 27, 2019; and

WHEREAS, the Borough Council has made or caused to be made an investigation of the qualifications of said applicant and the merits of said application and have determined that said applicant is qualified to hold, operate and conduct Raffles in accordance with the Raffles Licensing Law and the findings set forth in the attached Form 5A of the Legalized Games of Chance Control Commission;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue a license to the Transfiguration of the Lord, Inc. for the holding, operation and conduct of a raffle on the above date upon payment of a legal fee therefor, subject to the provisions of the Raffles Licensing Law and the rules, regulations and amendments thereto promulgated by said Control Commission.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-97

WHEREAS, Fox & Foxx Development LLC posted a cash maintenance bond in the amount of \$3,366.00 in connection with a project at 425 Donaldson Street and also known as Block 83, Lot 41.01 and 43.01 on the Highland Park Tax Map; and

WHEREAS, the applicant has requested return of the cash maintenance bond; and

WHEREAS, the Borough Engineer has recommended return of said bond;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby directed to refund to Fox & Foxx Development LLC, the

amount of \$3,336.00, said amount being the amount of the maintenance bond posted for two years in connection with the above referenced project, subject to the payment of any outstanding engineering inspection or other Borough fees; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Fox & Foxx Development LLC, the Borough Engineer, the Finance Director and the Construction Official.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-98

WHEREAS, the following have posted Street Opening Bonds in the amounts indicated for various projects as indicated below:

<u>ACCOUNT NO.</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>
T-12-56-832-094	AAA All Services 1606 Route 27 Edison, NJ 08817	\$500.00	246-248 South 7 th Avenue Highland Park, NJ 08904

WHEREAS, the Director of the Department of Code Enforcement has determined that Road Opening Performance Bonds can be released;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Finance Director shall be and is hereby authorized and directed to remit to the above the amounts indicated, the same being the amount of refund due for return of bonds for the Street Opening Permits referenced.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Director of Code Enforcement and the Finance Director forthwith.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:
No. 3-19-99

WHEREAS, Brian Ruzich’s appointment as a Volunteer Firefighter was approved by the Governing Body on January 15, 2019; and

WHEREAS, it is in the best interest of the citizens of the Borough to rescind said appointment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Highland Park, County of Middlesex, that the appointment of Brian Ruzich as a Volunteer Firefighter, be and the same hereby is rescinded; and

BE IT FURTHER RESOLVED that the Borough Clerk shall send written confirmation of the Borough Council’s action to the Highland Park Volunteer Fire Department and the Public Safety Director.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-101

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License No. 1207-32-008-012, currently inactive, issued to Kiadan, Inc.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Highland Park does hereby approve, effective March 5, 2019, the Person-to-Person transfer of the aforesaid Plenary Consumption License located at 13 North 4th Avenue, Highland Park, NJ, from Kiadan, Inc. to Four W Properties, LLC; and

BE IT FURTHER RESOLVED that the said Borough Council does hereby direct the Borough Clerk to endorse the License Certificate as follows: “This license, subject to all of its terms and condition, is hereby transferred to Four W Properties LLC, effective March 5, 2019.”

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 3-19-103

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.

The bills approved for payment at this meeting, Bills List 3/5/2019 can be found in the Bills List Journal Book No. 39.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman George, seconded by Councilman Fine, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan.

Opposed: None.

Absent: None.

Abstained: Councilperson Welkovits.

No. 3-19-102

WHEREAS, several real property tax payers have redeemed liens held against their property taxes and;

WHEREAS, the Tax Collector has received proof of such payments after correspondence with said property owners;

NOW, THEREFORE BE IT RESOLVED that the Borough Council, of the Borough of Highland Park, County of Middlesex, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lienholders listed below.

Block	Lot	Lienholder	Amount	Premium	Total Due
16	3	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$2625.60	\$6600.00	\$9225.60
Cert No. 18-00014					
36	12	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$2502.33	\$6800.00	\$9302.33
Cert No. 18-00022					
36	15	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$2775.96	\$7000.00	\$9775.96
Cert No. 18-00023					
54	1	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$2142.56	\$5100.00	\$7242.56
Cert No. 18-00029					
83	43.01	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$4822.10	\$12300.00	\$17122.10
Cert No. 18-00047					
125	15	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$2846.13	\$7200.00	\$10046.13
Cert No. 18-00065					
163	39	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$4333.28	\$9400.00	\$13733.28
Cert No. 18-00079					
171	4	ATCF II NJ TAXSERV CUST PO BOX 54972 New Orleans, LA 70154	\$3163.00	\$8000.00	\$11163.00
Cert No. 18-00083					
123	33	Trystone Capital Assets LLC 575 Route 70, 2nd Floor PO BOX 1030, Brick, NJ 08723	\$1150.30	18%	\$1150.30
Cert No. 18-00064					
181	43 Q-C0603	Trystone Capital Assets LLC 575 Route 70, 2nd Floor PO BOX 1030, Brick, NJ 08723	\$6475.10	\$1100.00	\$6475.10
Cert No. 17-00091					
111	5	Aspire Properties LLC PO BOX 605, ISELIN, NJ 08830	\$385.16	\$200.00	\$585.16
Cert No. 18-00057					
181	43 QC0601	Sunshine St. CertVII/BankUnited 7900 Miami Lakes Drive West, Miami Lakes, FL 33016	\$12157.38	\$18500.00	\$30657.38
Cert No. 18-00087					
75	8	SBMuni Cust LB-Honey Badger PO BOX 31191 Tampa, FL 33631	\$1478.09	18%	\$1478.09
Cert No. 18-00043					
46	38	CHRISTIANA TRUST AS CUSTODIAN GSRAN-Z, LLC DEPOSIT ACCOUNT PO BOX 71276, PHILADELPHIA, PA 19176-6276	\$19790.71	\$15500.00	\$35290.71
Cert No. 17-00025					
32	2	Us Bank Cust Tower DBVIII 50 South 16th St-Suite 2050 Philadelphia, PA 19102	\$11621.49	\$60300.00	\$71921.49
Cert No. 18-00019					
73	18	BOROUGH OF HIGHLAND PARK 221 SO 5TH AVE HIGHLAND PARK, NJ 08904	\$365.41	\$0.00	\$365.41
Cert No. 18-00042					

The Clerk reported receipt of notification of the election of Volunteer Firefighter Sani Patel to the rolls of the Highland Park Volunteer Fire Department.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman George, the above confirmation was confirmed by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Kim-Chohan, Welkovits.

Opposed: None.

Absent: None.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Herb Gross, Adelaide Gardens, commented that the Congress inducted and swore in fifteen Veteran's to Congress.

Marion Sackowitz, 617 South 5th Avenue, asked how the community going to be informed on decisions being made about Buck Woods. She is concerned that a lot of decisions are being made in Court by people who don't necessarily understand the situation. Decisions are being made without public input from the community and without oversight by the Borough professionals and without oversight by appropriate commissions like the Planning Board and the Environmental Commission. She asked how they are going to be assured that whatever comes through with this process is going to be done in a responsible manner. Borough Attorney Schmierer noted that they have started with the lawsuit argued on Friday, where the Borough did support the neighbors in terms of trying to keep the stay in place and keep the lawsuit alive, and they shared the paperwork filed. Unfortunately, it didn't carry the day, but they were arguing against themselves, but arguing for the neighbors to keep the stay in place. If they go forward with their discussions with the technical staff about trying to come up with the overlay zone, they will come up with an overlay zone either with or without them. The next step under the Court process is that the Judge has given them an opportunity to have an informal community meeting in the community center to share with the public an outline of what the proposed ordinance would intend to do. It would be an

opportunity to put up some illustration boards with the Planner to explain how the new overlay ordinance would work and all the residents in the area would be invited to attend. After that, the process would involve a public introduction of the ordinance and then referred to the Planning Board. The Planning Board would have a public hearing on the ordinance the public would have an opportunity to comment. The Planning Board would send the ordinance back to the Governing Body for a second reading and residents would be able to comment about the ordinance, pro or con, and then the Governing Body would take action before May 30th. Ms. Sackrowitz confirmed that nothing would happen with the trees before May 30th. Borough Attorney Schmierer noted that right now he can say that nothing will happen to the trees until March 15th, because that is when they go back to Court. The Judge indicated on the record that if they are moving forward with the overlay zoning, they can request that he extend that stay, probably every two weeks, until we get to May. Ms. Sackrowitz commented that JSM has the authority and if they say they are not happy with what the Borough is doing, she asked if they get their tree permit back. Borough Attorney Schmierer noted that JSM hasn't lost their permit, there was a prohibition to do anything with it. They would go to Court and explain to the Judge that were unable to work out an agreement on what the ordinance should do and that our professional Planners have drafted an ordinance that they would like to share with the public and we believe is an appropriate way to develop the 75 units. He is confident the Judge will say fine as long as we have the ordinance and you have professionals behind it. We would ask them to continue the stay until we complete the ordinance process. From the arguments that took place on Friday, he is quite sure the Judge would be amendable to that.

Francesca Moresca, 216 South 3rd Avenue, commented that she has a question about the Police Chief hiring process in relationship to a timeline of events that has happened. Her involvement in talking about this issue started last spring and she believes they have a relatively vocal presence and voice in their feelings about bias policing in town, etc. On October 2nd, an agreement was reached with DeLacey Consulting to look at data on police stops. That report was due on March 1st. Given that they have been a vocal presence here since last spring and that a contract was signed on October 2nd, yet a protocol was written in November. There was no effort to involve any of the people, including Bias HP, people who have been involved or were the victims of or survivors of racial profiling in town to have a voice in that protocol itself. You have moved forward but keep telling us you're hearing our voices and that you are including them within the legal framework, but you're not. The other issue is that Officers are not encumbered by ways of the past. However, if I remember correctly, in order to be able to apply for the Police Chief position, you needed to obtain the rank of Sergeant, hold that position for a minimum of one year. She assumes that everyone applying for that position has been a member of the Police force for more than one year and that they, in fact, are encumbered by the ways of the past unless you have figured out the way to assess the fact that they are not. Unless someone is going to tell her otherwise, she does not believe that that has happened. Mayor Brill Mittler noted that she spoke with Mr. Davis last week about status of report. Mr. Davis was ill for a few weeks and the Police Department's computer systems were different from data they are used to working with. She believes they have worked out all the syncing problems between our data and theirs and she is waiting for him to get back to her with a date of when she can expect that report. Ms. Maresca commented that we don't know what the report says, but we are moving forward.

Dan Stern Cardinale, Harper Street, commented that there are two main issues being talked about, Police leadership and Buck Woods, and they are both issues of equity. We are not talking about two different things but are talking about the same fundamental issue. Highland Park is highly segregated. If you look at a map of who lives where in Highland Park, you can draw a line at 6th Avenue straight down the South Side that cuts the South Side in half. The people here could decide how the Police department is going to run or one of the members of the Equity Commission could be the Police Director. Without addressing the underlying housing segregation, you are never going to get all the way there. Housing segregation from day one has always been the foundation on which police bias is built. That is how a beat cop walking the streets, like in Boston, knows who belongs in the neighborhood and who doesn't. We need to do the work to make sure that the process for the Police leadership is done in appropriate way so that we have confidence that the attitude from the top is going to be taking all the measures that have been recommended to reduce and eliminate bias in the Police Force. It is contradictory to do that work and also promote housing developments that exacerbate housing segregation rather than reduce it. His hope is that when the relevant government bodies are looking at the zoning changes related to Buck Woods, that they are able to adopt inclusive zoning policies that are going to increase the housing supply and reduce segregation rather than exclusionary zoning that is going to keep the housing supply restricted and increase the already severe housing segregations in Highland Park.

Dan Battey, 304 Montgomery Street, asked about the DeLacey Davis report and if there was a plan to share that report with the community. Mayor Brill Mittler noted that as soon as the report is available, they could have it presented at an open public meeting. Councilwoman Foster-Dublin agreed that it should be shared in a public setting. They hope to have the report in the next couple of weeks that he will present to the Council and they will have him present it to the public. They really want to see transparency in whatever the report says. Mr. Battey commented that a number of speakers have raised issues about the culture of the Police Department given issues of racial profiling and disparities around issues of race. He asked if the Council was aware of any complaints (lawsuits) over the last five years against the Police Department. Borough Attorney Schmierer indicated that there have been lawsuits. Mr. Battey asked if they have been reviewed by the Borough Council in this process for looking for a new Police Chief. Borough Attorney Schmierer commented that it might involve other officers or accidents that took place. He does not think those lawsuits have any direct relevance on the promotion process. The Borough's joint insurance fund handles those types of lawsuits and they get periodic reports. Mr. Battey wondered if any of those complaints spoke to the issues of the culture of the Police Department or racial disparities or profiling and he thought those might be important things for the Council to know in the interview process. Borough Attorney Schmierer noted that they could check with the Insurance Fund and get a list of complaints. To his knowledge, the answers to those questions is no. It usually involves a dispute over what the PBA contract provides or a Police Officer investigating an accident that they believe

the Police Officer did something wrong, so there's a civil lawsuit. He will check on those and if there is anything of relevance, he will pass it along to the Mayor and Council.

Ana Pairet, 344 Becker Street, thanked the members of the public who spoke for their insightful and very effective dignified comments, especially the gentlemen who raised the very important issue about residential segregation which she thinks is the piece that was missing for us to understand where we come from and what we need to do and what we need to do right. She applauded the work of the Equity Commission. She was at the forum that produced the 100 questions. She was incredibly moved and impressed by this of sheer governance. She has never seen anything like that in her short life. She urged them not to shatter the trust that has been deposited in the Governing Body, because we are very close to that. Don't shatter this trust by shutting them out of the process as they have asked you not to do. Be mindful of this incredible effort that has been going on for a year now. Everybody is tired, but people feel that things need to be said now that we never had a chance to say and we hope that things will be done. She hopes that they will take this plea as it is important to her. She added that at the last Council meeting, a senior from the high school spoke about an issue that has troubled the community, especially students and parents, about the presence of an Officer in the school with a weapon. This is an issue that parents and students feel strongly about. They have raised this issue at the Board of Education and have raised this issue here. She feels there was some progress. She thanked Councilwoman Welkovits who said that maybe they could look into that. She asked if they would look into that and when and what the plan is. She thanked the person that raised the issue.

Sophia McDermott Hughes, 330 South 3rd Avenue, asked about the issue of Officer Joe in the school and what is being done about that. Mayor Brill Mittler noted that they have not yet addressed that issue, but it is on their radar. Ms. McDermott Hughes addressed the Borough Attorney's comments from earlier in the meeting. She thinks that saying something is inappropriate is not enough of an excuse to do the right thing and she thinks that anyone looking to become the Police Chief or the Police Captain going forward knowing the kinds of problems that we have in this community and knowing the community's drive to reform the Police Department and to have more transparency would welcome the opportunity to have more community involvement in their process and welcome the opportunity to be more open to the community and have the community support them from the get go of their hiring instead of participating in a process that is very closed off and is clearly raising tensions and is clearly making the community less inclined towards the current state of the Police. She thinks at the very least that they would appreciate it if you would at least bring up the idea of having a redacted transcript to these candidates and judge their response because she thinks in terms of what kind of Police Chief or Captain we would look forward to having in this town is someone who would want that.

Monique Coleman, 407 Lincoln Avenue, asked where we are at in terms of the Council and the Mayor acknowledging that we do actually have an issue with racial profiling in the Police Department. We are going forward with the hiring process, we still don't have Mr. DeLacey's report and she knows that the Council had issues with the Star Ledger research that was done. She asked where the Council stands now and what kind of orientation are you going to be going into this hiring process and interview process in terms of asking questions that are going to make sure that it is clear that we understand that we do have a problem and we need to make it clear that it is recognizable in the interview process because she has not heard that yet. Mayor Brill Mittler will look to Councilman Hale who has done a lot of the analysis on the information they received in comparing things to where we stand versus the rest of the County. They have looked at the findings from those numbers, and even if it is small numbers, there clearly is an issue with more people of color being involved in the situations that came up in that use of force report. Councilman Hale pointed out that on January 9th, he gave a report to the Highland Park Equity Commission that sort of outlines the deep dive that he did into the use of force report. He was hoping that it had been circulated, but apparently, it was not. There are a number of different things that he thinks are important about the use of force report. The way that it was structured made it very difficult to make comparisons with other towns and other boroughs. He made a comparison between Highland Park and every other town in the County. There are some very interesting and some very troubling things that they did discover. Among those things, it seems very clear that in terms of the type of force that our Officers use, we are much more likely than other jurisdictions in Middlesex County to use what is described as low levels of force and we are less likely to use high levels of force. It is an interesting finding, but an important one, in recognizing the type of force that is used. Other things that we have discovered, in comparison to other towns in Middlesex County, a higher percentage of the times that force is used, we have a high percentage of the times force is used is against African Americans and people of color. That is very clearly in the report that he gave to the HP Equity Commission. He did a deeper dive into that even further to find out when exactly use of force occurs. This has been shared with the Police Department and with the Equity Commission and the Council. Among the things that they found is that there seems to be a higher propensity for use of force during transportation, meaning from the time of arrest to the time of booking. That seems to be a higher time when there is use of force. There also seems to be a somewhat higher use of force or a pattern of use of force when there is a call for neighbor of a suspicious person call, which we can obviously dissect. There are a number of other findings and he won't take the time now to report them, but he is happy to share them. His understanding and his deep dive into the use of force report is that there are issues that we need to be addressing, there are issues about who gets use of force used on them and there are specific instances where this happens and specific times when this happens and we need to figure out what the solution is. Ms. Coleman commented that she believes the HP Equity Commission is aware of the report and they took their deep dive as well. She is glad to hear that it was also done here, but she never heard it stated officially. We have always heard that we need to find out and see how their data compares with what we have and she wanted to know where we are with that in the process and how you will go forward presenting that during the interviews with the candidates to acknowledge that yes we do have a problem.

Greg McLendon, 433 River Road, commented that there are some major issues and major problems. With the hiring process, he had the privilege of meeting with the Mayor, Councilwoman Foster-Dublin and some of the leaders of the Police Department last Friday. The candidates up for promotion are fine, his only issue is this; he wants to know if these Officers up for promotion have had any of these

issues that were brought up today. I know we are trying to rectify the issues in terms of training. However, the process, and I understand the frustration from most of the folks here as to the charges of bias and things of such. Highland Park has come a long way. In the past you would never want to drive through Highland Park, you would go around Highland Park. That stigma is all but gone, but there are some issues. We can't negate the fact that these are issues that must be addressed. He wanted to see how many people in Highland Park were affected by these reports and he doesn't see that many. He is concerned about that because he would like to see and hear from anyone that has felt they have been violated and to make their cases known publicly in a forum such as this so that we can have tangible, visible folks that we can point. He knows that Monique had an issue and that issue is going to be addressed, but there are others. When you look at the statistics they are not just two isolated incidents, there has to be more. Councilman Hale has indicated that when a perpetrator is arrested, for whatever reason, transport from the incident to headquarters, there is some grey area there. We need to find out what's going on and why it is happening. We also need to understand why when a call is made. When Dispatch gets the call they have to send it to the Patrol Officers and they have to go and investigate. The question is, what happens and the public needs to be educated more, because who is suspicious and why are these calls coming in. It escalates from that point and that is where he believes the issue is. The Office confronts the individual and there is some type of escalation process and he thinks it needs to be de-escalated because now the person feels like why are you messing with me and coming at me and the Officer is doing what they were trained to do and it ends up being an arrest. Based on what he just heard, he didn't know any of these things until just now. There are some issues, there are some problems and they must be addressed. He needs to see at the next meeting if you can, someone that has been in a situation, ask them to come to meetings such as this so that we can put a name to a face and pursue it at that point. When you come in and point fingers with nothing more than statistics, bothers him because you are indicting an entire police force and that is not fair. They are hired to do a job and we trust them for that. They were properly vetted through the Council. He is not going to negate the fact that there are problems and he wants to find out who are the problem officers and how do we address them. He asked the Council what they are doing as far as training these Police Officers in de-escalation mode. He works with a lot of Police Departments in that regard. How do we address these perps or citizens as they are not yet criminals? He thinks criminal behavior is perceived or comes once you feel you are boxed into a corner. It may be the way you are speaking in a loud tone and at that point you are disrespecting me or whatever. He has an issue with that and is concerned. He wanted to know if we have any of the Officers who are up for promotion with issues that the public knows of and he will bring it to the Council and the Equity Commission and all those folks responsible for promotion can take a harder look at this because these are going to be the next leaders in town. When you look at the statistics of how long the Chief is in office and the Captain. It is his understanding that there are three Lieutenants now and that will be brought back down to two, with a Captain and a Chief. This is our town. He grew up in this town and went to all the schools in this town. He loves this town and is back in town and he wants to make sure that our sons and daughters make it from point A to point B safely. He doesn't want Highland Park to become a statistic that we are seeing all over the country. They are having all of these issues in Sacramento right now because a young kid was on his cell phone and it was thought to be a weapon and he was shot many times. There is a bunch of unrest and we don't want that here in Highland Park which is a small, close-knit town with great people. On Friday, he was able to walk into the Police Department and get to the Lieutenant's office. It is a policy we have and everyone can do the same thing, but it has to be valid and respectful. They are human as well and we have to bring concrete information to them. He promised that he will be at the Mayor's Office everyday if he has to and she has an open door policy also. We have to make change. He never wants to hear the story he heard from our good friend Monique, that is disturbing and we are going to do what we can to help her.

Jeff Vardaro, Wayne Street, commented that he does not think the answer from the Borough Attorney about providing a transcript would be illegally inappropriate is really the same as saying it would be illegal or improper for the Mayor and Council to decide to do that. He can't imagine a scenario where a candidate for this promotion would be able to object in any way because there was a recording of an interview rather than an unrecorded interview compared to Councilman Hale just taking the questions and answers and conveying it personally to the Equity Commission, which is the procedure that is going to be followed. He doesn't think it is a sufficient answer. Putting that aside, because the Council is going to follow the advice of the Borough Attorney, unless there is something obviously wrong with it, he thought it was a great idea that we heard moments ago to just ask the candidates whether they have an objection to doing that process of recording, transcribing and redacting the interviews because he thinks there is some value to asking the question because it shows us that you are actually interested in making this process as transparent as you really can and it also shows us based on the answers that the candidates give that they are on board for transparency and whether they would be on board for transparency as Chief or Captain. He thinks he has the answer from the Borough Attorney but he does not think any of the Council or the Mayor has indicated whether they would be open to asking that question of the candidates even if it is just for the sake of asking the question. Councilwoman Foster-Dublin noted that she would be part of the process and does not think it would be a problem to ask the candidates that question.

Susan Gutwill, Valentine Street, commented that she wanted to report what he just said. She doesn't mean to insult anyone, but as a social problem, racial profiling is very large and there are always cover-ups involved with those issues. It is very important that there not be transparency because so many times in our country where there have been cover-ups of inappropriate profiling behavior or violent behavior on the part of the Police sometimes unfortunately. Councilwoman Foster-Dublin asked if she meant that they would try to cover up something if it happened and they knew about it. Ms. Gutwill stated that it certainly has been true as a social problem when you read all kinds of things about black people throughout the country. Councilwoman Foster-Dublin asked that as a black person, she would let that happen? She would not sit here if she knew that something was going on that affects anyone, black, white, Asian or anyone and let it go as a cover-up especially when we have a country that has a history of racial profiling, and bias, especially to people of color.

Leticia Cataldi, Cedar Avenue, commented that a lot of the issues they are bringing up here is implicit bias. She thinks a lot of people are consciously thinking I don't feel this way and I don't think this way. It is a societal problem and a very serious problem and I know you are all aware of it. She was unhappy with the response that Monique got. She doesn't think it really acknowledged what she was asking, but she was happy that Monique was happy as she is always so gracious. She didn't take from what Councilman Hale said as acknowledging that there is racial bias. If you want to talk about being implicit, she just wants to be clear about what they are asking here. Another thing that bothered her is the idea that Highland Park is a special place and there are so many great things about Highland Park. There is nothing that makes Highland Park different than Oakland or any other places. This is a very, very serious matter. Every time she comes here, she leaves very hopeless and she feels like we have to do better. We are not even close to where she would like us to be. It is gut wrenching and heart breaking. Mayor Brill Mittler commented that after Councilman Hale did the analysis, they did sit down and share them with the Police Management who worked with him to give him numbers on reports, not only the top sheets, but what was behind the reports. What Councilman Hale said to the Council and to the Equity Commission and what he said tonight was we have an issue when a large percentage of our population of the stops or the use of force falls on people of color. He did say that, he's reported it to the Council and has taken it to the Police Department. She does not want you to think that we are not aware of those numbers or addressing it. Councilman Hale noted that he would be happy to do a presentation of the numbers if anyone wants, but he doesn't know how to say it any more clearly than he did before. Councilwoman Welkovits commented that even if they rip apart the numbers and do the deepest dive possible, we keep talking about this inherent bias. As a society we have to keep talking about these things, whether it's the Me Too Movement, sexual harassment in the workplace, sexual abuse in the highest/largest religions out there. She hears the public asking for the Council to keep talking about this. Whatever ends up happening, let's make room for these conversations. Let's have that part of our agenda of what we do on a regular basis and she thinks that will take us further and further. Councilwoman Kim-Chohan commented that Councilman Hale had mentioned about suspicious persons. From her understanding, there is a lot of residents calling about suspicious persons in their neighborhood. She is a part of the parent's group on Facebook and she has seen the comments. You guys see someone with a surgical mask and everyone freaks out. There is a religion out there where people wear masks on their face. Maybe there is someone from the South Side that is on the North Side and you are calling the Police. She and her husband were looking at houses and soon they saw a Police car. Maybe someone called the Police on them. Maybe there should be a conversation with the Bias Free Commission and the neighbors. This is just a small pocket of residents here and people are calling the Police on their neighbors because they look suspicious.

Jessica Hundsten, Montgomery Street, commented that she agrees with what Councilwoman Kim-Chohan said and we have talked about how troubling that is. She knows that at the last Council meeting it was mentioned that there was a possible proposal or a contract for the American Conference on Diversity. She was wondering if there was an update because that is something that they have been talking about for quite a while. The purpose of that was for education for the community which she totally agrees with having looked at the suspicious person reports. She wanted an update on whether that had moved forward. Mayor Brill Mittler noted that they have the proposal from the American Conference on Diversity. Since people have had that we are looking for this, another group came in to speak with her and Councilwoman Foster-Dublin the other day and they want to submit a proposal. We are in the middle of the 2019 budget and in the budget they plan to put in this diversity training for residents which will be done by the American Conference on Diversity or some other group. They have experience with Elizabeth over there and she did do a training at one of the Dr. King events. The Borough Administrator knows to put in funding for that kind of training for this year.

Jeff Vardaro, Wayne Street, commented about what Councilwoman Welkovits just said. He doesn't think that this is a matter of just continuing to have the conversation about diversity and bias and policing models. He doesn't think this is a matter of just trying to get the community to be more open so we are not making a suspicious call or Facebook post every time we see a person of color on our block. He thinks the answer to some of these questions and the reason people are upset about the way that this Police Chief hiring process has happened is it needs a different approach from the Police and that means having the most professional possible, best trained leader of the department which to me means drawing from an applicant pool of more than 4 or 5 people and he thinks that is why some people are upset that there wasn't more consideration of a Police Director rather than a Chief. He thinks there is an element of that that is being missed when we put the burden back on the community to stop calling the Police.

Susan Gutwill, Valentine Street, commented that she wanted to clarify her earlier comment to say that she was not talking about Councilwoman Foster-Dublin. What we do know, is that Police Departments have covered up in Oakland, in Ferguson, in Kansas and all kinds of places that go on around profiling and violence.

Councilwoman Kim-Chohan commented that she was not saying not to call the Police, that's their job, but she asked residents to think twice before calling the Police. Mayor Brill Mittler noted that another thing that they didn't talk about was training for the dispatchers. Councilwoman Foster-Dublin noted that what Councilwoman Kim-Chohan is referring to is they have had an incident on the North Side of town and they sent out some of the youngest officers to see what was going on in the neighborhood. What actually happened was that somebody said their house was broken into. The door was unlocked and someone came in and took jewelry. They sent an officer to the neighborhood to see what was going on dressed as a civilian and walked up and down the neighborhood. They did a two-week project and had different officers participate. They had one of the officers just sit on someone's front step. The person came out of their house and asked them if they want a bottle of water. When we sent one of our African American officers out there, within an hour, they got 20 phone calls. It is us within our own community that is a part of the problem and that is where the education needs to be done.

Ruth Bickhardt, 307 Magnolia Street, commented that she is what is called a survivor. At 10 years old she was on a boat in 1939 sailing from Germany to Cuba and the Cuban President wouldn't let

them ashore. The Captain, who was concerned about his passengers and their safety, contacted Roosevelt and he didn't want them. They went back to Europe and were divided up into four countries. She ended up in France. In September, the war broke out and then they became the enemy. Her father was waiting for them in Cuba and she and her brother ended up in France. They were fortunate that her father was able to get them out a second time. On the night they were supposed to sail, it was December 24th, and that has significance for many people. They were walking on the pier and she said to her mother, look at that black man. Her mother turned to her and told her it was rude to point. Those are the chocolate people and we are the vanilla people. To her to this day she can hear those words in her ear and they have always been the chocolate people. She regretted to say that she has some prejudices and she has some biases like everybody else does, but it has nothing to do with the color of their skin. On her street on the South Side, she is the only owner occupied property. She has Turkish students and all nationalities. They are human beings.

Michael Buchman, 234 Lincoln Avenue, thanked the Council for being open to this thorny process. There is a tremendous amount of distrust in our country in general and there are some very difficult issues that we are all facing in trying to figure out how we become a better community. His sense is that if you elect people that you trust, and those people put together committees to do the work that committees have to do, you are in pretty good shape to start with. Making the process as transparent as possible is not a bad thing, but on the other hand in an interview process sometimes that can be pretty awkward. Years ago, he was on the Board of Education and when they interviewed people, it was not a public interview process in part because candidates would not necessarily want to be subjected to any number of random comments from any number of other people. That may not be the case now, but he does recognize that the process of hiring people is difficult and needs to be confidential on some levels and the people that we elect to get the job done are entrusted with that and we elected them. This is not to say that we should just trust anybody we elected in all circumstances, but his prejudice is to say thanks guys, he appreciates you doing the best job that you can and as much as possible we can do to assure people who are for good reasons suspicious of racism throughout society and the natural propensity of organizations to protect themselves. To make as transparent as practical the process people can be assured that things are going well.

Susan Edmonds, 440 Grant Avenue, commented about Buck Woods. She quoted from the Master Plan of 2003 from the section on woodlands. "The vacant tract between South 7th and South 5th Avenues and a substantial part of the Meadows are forested. Any future development in these areas should preserve mature trees to the greatest extent possible". The section on topography and steep slopes refers again at the end of the list to the area between South 5th and South 7th Avenues, formerly known as the Buck property. The preservation of steep slopes is also essential to help preserve the Borough's natural topography, retain its scenic views and protect its wildlife habitat. Those are things that we valued in the past and that we value now and she hopes that those values can be a context for helping make decisions about the zoning regulations or whatever it takes to preserve the trees in Buck Woods.

No one else appearing to be heard, the Mayor closed the public discussion.

There being no further business, on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:46 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk