

REGULAR MEETING – APRIL 3, 2018

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, April 3, 2018 and was called to order by Mayor Brill Mittler at 7:05 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

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

Absent: None.

Mayor Brill Mittler asked for a moment of silence for resident and active community leader, Gary Pfeffer. She met him a few years ago when he wanted to become more involved. He was active with the Pride Center and was instrumental in the development of the tree dedication program. She will miss him.

Mayor Brill Mittler designated the month of April as Sexual Assault Awareness Month and April 25, 2018 as Denim Day.

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

Councilwoman Foster-Dublin reported that Operation Take Back with take place on April 28th and April 29th from 10:00 a.m. until 2:00 p.m. at the Senior/Youth Recreation Center. Residents can dispose of unwanted/expired medications. Last month, the Police Department made six arrests in connection with a rash of car burglaries. There were 22 incidents in a 24-hour period where cars were broken into and tires were slashed. Two of the people arrested were Highland Park residents and the four other people were from Edison. The investigation is still ongoing at this time. Residents were encouraged to report suspicious activity when they see it.

Councilman Fine – No report.

Councilwoman Kim-Chohan reported that the Arts Commission the Band-Aid bench is moving forward, and a location is being decided. The Book Arts workshop is coming up on April 9, 2018 for the youth ages six and up but all are welcome. Learn the basics of book making from start to finish in this two-hour workshop; preregistration is required and is limited to 20 participants. We on the lookout for the comic book in Zin writing workshop coming in May. Spring Senior luncheon will be held on Tuesday, April 10, 2018, special presentation will be held at 11 am create a healthy home followed up lunch and entertainment, kosher meals are always available upon request. The first Atlantic City trip of the year is scheduled for Tuesday, April 24, 2018 at a cost of \$35.00 per person and receive \$25.00 in slot play upon arrival in Atlantic City; the trip is open to all residents. Please join the Middlesex County Freeholders, herself and other elected officials from Edison, Carteret and Piscataway this Thursday, April 5, 2018 at 7 PM at the Middlesex County Administrative buildings. 75 Bayard Street in New Brunswick, NJ on passing a Resolution designating April as Sikh Awareness and Appreciation month.

Councilwoman Welkovits reported that on March 22, she was delighted to help host a truly collaborative and most transparent open public meeting to discuss redevelopment options for a parcel on the corner of River Road and Walter Avenue. The property owner has approached us with some options however; smart growth can only be achieved with input from the neighborhood and general public. The Mayor, Business Administrator and herself joined the Borough Planner to present several other options. She thanked the Walter Street residents not only for joining them but also for spending considerable time and efforts in preparing for the meeting and bringing their ideas, and concerns. There was discussion of commercial and housing options, types and overall style, density, and related issues such as curb cuts, sidewalks, possible bike lanes, garages and landscaping. The meeting was remarkable with full participation and a smart redevelopment plan is forthcoming.

Councilman Hersh reported that at the last meeting on March 20, 2018 we heard from a number of concerned residents about racial profiling, and racial bias in the community. We heard about this in the context of a highly regarded young black male on his way to Columbia University in the fall and the decorated officer whose extensive dedication to the community and community safety in Highland Park is unsurpassed. Both have been formally recognized by this governing body and in many ways the fact that this latest discussion on racial bias and racial profiling focus on residents who represent the best of Highland Park only bolsters the fact that unconscious bias exists in all aspects of the community, just as we have a deep tradition of addressing and advocating against social equity in society what keeps hope alive in Highland Park in part is that we operate at a manageable scale and have political role and understand that we serve as a model for other towns and even the state. The most important thing we can do as elected officials is be honest about the things that are happening in the community good or bad and we fell short in achieving that at our last meeting. Only when we are honest about the world in front of us will we be able to effect real change, if not we get band-aids, defer action, and simply state the task is to daunting or worse the same things continue to happen possibly with more negative outcomes. If we can overcome all of that we can create a positive and conclusive society right here in Highland Park. This is the unfinished business of living in a highly diverse state, here we can educate and empower our next generation of leaders, strengthen our municipal agencies and workplaces. He said this is what they set up to do with their immigration policies last year and this is how we need to approach concerns about racial profiling and bias. State up front the social political realities first look for signs right here in our community, understand how to address them and work to change policies so history does not repeat itself. It is not just immigration, we have been clear eyed when facing all kinds of social challenges, the realities of gun violence, economic equality, anti-Semitism, we have tackled environmental issues such as fracking, health issues, and getting cars off the road. We have marched for women's rights and equal pay so why not be cleared eyed about the realities of racism, doesn't this issue intersect deeply with the most if not all of the issues just stated. One of the more popular liberal post racial ideas is that the idea that the fundamental problem is class and not race said by a professor and director of the antiracial research and policy center at American University and he goes on to say "for whatever reason we are

unable to stare racism in the face". In a study led by researchers from Stanford, Harvard and the Census Bureau that income and equality between blacks and whites is driven entirely by what is happening among these boys and the men that they become, black boys and even middle class black boys can never assume there they will be not be subject to structure inequity and inequality. The point goes on to say that much of what matters in many young lives probably lies outside the home and surrounding neighborhoods, in the economy and in a society that views black boys different from white boys and even from black girls. On March 26, 2018 the Human Relations Commission met and spoke about this issue extensively, a conversation that typically spilled into the parking lot, spoke about embracing cultural diversity very well in Highland Park, and while that is important we have to also walk the walk. The Human Relations Commission is ready to overhaul those abstract perceptions that limit our practical understanding of race and bias, the next day March 27, 2018 the Human Relations Commission held its book club meeting this time discussing Carol Anderson's White Rage, this book which is just as important as Michelle Alexander's The New Jim Crow, systemically impacts our country's legacy of racism and racial inequity. It is a book that looks at our bias institutions which are alarmingly resilient to any prescriptions, condemnations, and even constitutional amendments, it is proof that we are all complacent but if fail to acknowledge our imbalanced society we also relegated to be responsible for it. While he is encouraged by the interest shown in the Mayor's Committee of Understanding, the task force's mandate is limited, as this work must come back to Borough's Human Relations Commission because not only is this where the work should occur in the long term but it's extensive ties to many different constituents' within the community make its work all the more effective. Any data processing should be done independently with no abstractions in order to tell the most accurate story and he hopes this task force has ambitious goals posted to get to the heart of the concern. Sixteen years ago the Borough commissioned a study to explore how community relations could improve in Highland Park, however the members of the task force were clear that the critical issue at hand was race relations but there were some that were left out, goals that could be critically important to move forward. Beyond the task force, he can confirm that they will have a series of workshops to include diversity and inclusive focus sessions where participants will be given the opportunity to explore ways to combat bias, bigotry and hate. We all have racial bias and doing this is a lifelong endeavor, 50 years after Dr. Martin Luther King's Jr. final speech we are reminded that we have some difficult days ahead and that our journey starts right here at home.

Councilman George reported that the Commissioner in charge of Veterans affairs was let go by the President very recently and the big issue is privatization of the VA and it is a great concern to veterans that this move threatens all their income. People may not realize that wives and children of deceased veterans are all impacted by this; it goes far beyond active service. He advised everyone to look into the issue, determine where you stand on it and write your congressional representative. With regard to the Department of Public Works, there have been 5-7 snowstorms in the last 30 days, so their schedule has been preoccupied and changes in schedule to accommodate both their regular tasks such as trash pick-up and potholes. They are back on top of that and even the one big storm that caused a lot of damage they have started doing spring leaf pick-up and picking up branches. The Environmental Commission meeting last month was snowed out and will meet again on April 11th at 7:30PM with an update on the PSE&G solar farm. He said that there was a meeting coming up with the Borough Administrator soon in regards to that. At the Sustainable Highland Park meeting, the finalization of the plastic bag move is going more permanent with signs at Stop N Shop asking people to bring in their recyclable bags instead of plastic. There will be a wrap up and some recommendations. The Shade Tree Advisory Commission meeting is scheduled for April 18, 2018 @ 8PM at Borough Hall, they recently had a presentation by a Planner for a 5-year plan from the NJDEP, going over the next 5-year plan is a requirement for their continuing certifications, Tree City and Green City. The trail volunteers who work under the Environmental and the Native Plant Reserve will be forming a somewhat delayed late spring planting session and presentation of this year's work plan on Sunday at DPW at 10AM.

Borough Administrator Jover reported that bulk pickup is tomorrow on the North Side and the following week there will be bulk pickup on the South Side/Triangle.

Borough Attorney Schmierer - No report.

Mayor Brill Mittler reported since the last council meeting they have constituted the Committee of Understanding with volunteers and first meeting is being scheduled for April 12, 2018. To Councilman Hersh's point the Human Relations Commission Chair and Councilman Hersh are also members of the group. She continues to have meetings with Mayor Cahill in New Brunswick to discuss issues that concern our residents and his residents and many center around the bridge that connects the two municipalities and keeping the walkways clear and clean. Mayor Cahill has been very cooperative and recently was able to clean up a lot the bird droppings. The Borough received a grant from the BPU to do a feasibility study for a micro grid which would keep all of the Borough owned buildings lit and energized in case of an emergency. Congressman Pallone's office approached the Borough and asked if we would host the Gun Violence Awareness panel in Highland Park. The panel will include Congressman Pallone, Legislators, a Sociologist who can speak about the mental health issues of gun violence, a high school student, a middle school student, Bruce Morgan from the NAACP, Karen Canter, Chair of the Middlesex County Million Mom March on April 15, 2018 @ 7 PM at the middle school cafeteria.

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

Herb Gross, Adelaide Gardens, addressed all of the veterans, men and women, who have served the country. The communication of HOPE, Inc. in Piscataway vocational and technical school and Post 37B of the Veterans of Foreign Wars cordially invite all the veterans to attend the Middlesex County stand down on August 19, 2018 at 10 AM – 2PM, Middlesex Vocational and Technical School, 21 Sutton Lane, Piscataway NJ. Open to all veterans, men and women who have served our country, national guardsman; reserve units that have served in Iraq that are home now are welcome to come.

Monique Coleman, 407 Lincoln Avenue, said she was there to follow-up from the last meeting and thanked Councilman Hersh for the comments he made and just continuing in your efforts to help us all acknowledge the issues that were raised at the last meeting about unconscious racism and bias and how it effects many residents in this town, as did her family. She thanked the Mayor for the committee and looking forward in moving that forward as well. There was so much that came up at the last meeting and one of the questions she had coming out of the meeting was the civilian compliment review board that was part of the task force recommendations that was made back in 2003. She asked for clarity on how a Borough resident or non-resident would go about filing a complaint against a police officer because it was not clear coming out the meeting and apparently the Human Relations Committee is not exactly the body for handling that or maybe it is. She also asked how does one know what that process is. Mayor Brill Mittler said that the Borough did not have a civilian review board per say, but the Human Relations Commission has in the past served as a place where someone who has a complaint can go. She said that she knows that it may not be as comfortable but you can certainly always feel free to contact the Chief of Police with any complaints about any particular officers. There are two opportunities; there is the Police Department itself and the Human Relations Commission. Some time ago it was a part of their charter not to be a civilian review board but it was a place where people could come to file a complaint against any of the police officers. Councilman Hersh said that was not in their current charter.

Councilwoman Foster-Dublin said at that time there were many movements on where people could go and file complaints against police officers and it wasn't highly suggested that a civilian complaint review board be put in place because there was a lot of backlash against them. It was not what people thought it was going to be and it never worked out to be, so what we did was add that onto the Human Relations Commission and people could go to the Commission and file any kind of report that they wanted to at that time. She said that she thinks it is still in place, if you have a complaint you file with the Human Relations Commission and you can also write your complaint on the web-site send it in and we have someone who looks at the web-site every day and it will go to the appropriate person. If there were something that involved a police officer and was put on our web site and that would go to her because she is in charge of public safety.

Council President George indicated that the Attorney General has guidelines that have been in place at least since 1997 with regard to internal affairs complaints and that is considered the main route for a specific complaint against an officer. The procedures are in place, there are about 70-pages of mandatory guidelines, mandatory forms that the police department has to fill out and every department has an internal affairs officer as well.

Monique Coleman, 407 Lincoln Avenue, said after the complaint is filed with the Human Relations Commission, what is the process, what happens next and what power does the HRC have to do anything about the complaints that they receive. Councilwoman Foster-Dublin said at that time the complaints would go to the Mayor and Council, Councilman Hersh is a member of the Public Safety Committee, which she chairs. That Committee is independent volunteer residents of Highland Park that would hear the concerns and then a report would be written up and sent to the Mayor and Council and we would have the opportunity to take it to the next level to do the necessary investigation, send it to the Chief of Police and if we felt that it was not being dealt with through the Chief and investigation then it would go to the Prosecutor's office.

Chief of Police Rizco said that not everyone is comfortable going to the Police many feel the police cannot police the police properly and that is a big issue. However, what is in place in New Jersey, as mentioned by Council President George, is the Attorney General guidelines and they are available online. Whenever a complaint is received at the Police Department, most are demeanor complaints, which we have to investigate them to their logical conclusion; there is an internal affairs officer, there are people who are trained in internal affairs and how to conduct an investigation and for dispositions that may be found. He said one option is to contact the police department and they will investigate every complaint. Quarterly they are provided to the County, they are published they are public; you can see how many internal complaints there were, how many were unfounded, founded, etc. He said some people are not comfortable going to the police department where the issue may be, so what they have done is for those people they indicated you could go to the Human Relations Commission and maybe they can represent you and steer you to the Police Department, because we will look into the tapes, and facts etc., which are all public record. If you are not comfortable with that process, you could go to the County Prosecutor's office and register your complaint there, Attorney General's office right up to the Department of Justice.

Monique Coleman, 407 Lincoln Avenue asked if there was a way to make this a little more known to the public. Mayor Brill Mittler said that based on Councilman Hersh's comment she asked that she sit with Commissioners, as well as Councilwoman Foster-Dublin who has experience with this and draw up some addendums to ensure that there is something documented. She said that she knows that the charter has gone through some changes over the last few years so ensure that things that were in there originally for a good reason are back in there and make sure it is run through legal as well. She said that she would like something in writing first and then we will get the word out, via e-news, the newspaper, nixle, Facebook and any help the community can give them would be appreciated.

Tina Weishaus, 143 North 5th Avenue, said that she was not at the meeting two weeks ago but she did watch it on TV and thanked Gary for his role. She said that it was a very powerful meeting, and it reminded her of other meetings that had happened in Highland Park over the years, she moved in town in 1987, and almost immediately, there were issues of racism, and problematic race relations. She said that she does not think anyone knows why the task force was established because the year before there had been incidence in town from April to August, incidence of skinheads attacking African American youth in town and it went on, and there was a real problem with how the police department responded to those incidence and arrest were very slow in coming even thou the people were known to the police department. The skinheads, the white persons who were attacking African American children with dogs,

bats, cars, and it was never even identified as bias crimes. That erupted into a very big Council meeting where parents were so upset and frustrated with the response in town and as a result of that the task force was formed. She said that was a combination of lots of other problems in town from police stops, ticketing and following African American kids home from football games, and parking police car in the 6th district and she was involved for many years with the Highland Park Committee on race relations, the Highland Park Committee on diversity and race relations and ultimately bridge builders and we were taking up these issues. It took a year for that task force report to come out and then there was a resolution in endorsing it and very little happened after that and one year is a very long lag and people get disengaged, frustrated and demoralized and so she was very happy to hear Councilman Hersh's report. She urged the Council to make this a priority. She said that she did not hear anyone talk about police training, which under the Obama administration was a best practice in police training. She said that as much as you can get people to talk to each other that is a very good thing but when we are talking about how to file a complaint the lack of clarity and lack of policy on that is a problem and it sounds like it is going to be addressed. She said that there are other policies and procedures and training that she feels this is what everyone wants to the Council do, the task force was a good effort but when a year later there a resolution and it is shelved. She does not believe there was one action in the task force that was acted on; there were no further community meetings. Given the response at the last Council meeting and the intensity of feeling she would not be so quick to make a policy would suggest community input. Maybe a civilian review board is not the best option sometimes they do not work the way supposed to but this might be a moment to review that before being so quick to act. She said that she does not know what the answer is and maybe no one knows the answer but does think this is a moment to open it up and talk about the options, and there needs to be policies and procedures in place that are clear to the community and we need to be talking about money for police training not just community training and she thought Elizabeth Williams Riley was very good and would like to see her back. Highland Park is not a bubble or somehow different than any other American town; we are all Americans we are all bred with the same ugly racisms, stereotypes, not just black people, but old people, trans people, fat people, and police are no different than anyone else except they carry a gun and they are charged with a special responsibility of keeping us safe so we have to train them because they have power and weapons. She does not want to just talk about a committee of understanding; she wants to be talking about police training, other options and involving the community and really making this a priority. She said that she put together a record of the history of her involvement since 1987 and things rather fell apart in 2004 if anyone who is interested. We need to say that this town has had problems, continues to have problems, and now is the moment that we look at it in the face and say yes it is the moment to do something about it and do it collectively. In terms of Phil George, she is a chair of Sustainable Highland, she wants to announce that they are having their annual Earth Day, April 22, 2018 at the Environmental Center and also met with the Mayor today about a day of conversation on plastics, people know they have been educating and running drawings in the supermarket to encourage people to bring their reusable bags. Hopefully at the next Council meeting, there will be a resolution to make Earth Day a day of conversation about plastics and they will be having further conversation in the community about that.

Mayor Brill Mittler thanked Ms. Weishaus for her historic perspective and offering of her notes, which would be of interest to most people on the Council and asked if she would share with Councilwoman Foster-Dublin.

Councilwoman Foster-Dublin said the reason why the report took a year was because we had Bridge Builders, Southside Pride, we had every group that we could possibly muster together to compile the report. Coming from the governmental entity that would not have worked but we wanted every sector of Highland Park to say in the report, and after it was all compiled it was provided to Robin Parker and he took that and did his own study and came back and it took an entire year to figure out where to go with the 32 item punch list. The only thing that was not completed on that punch list was to put the civilian complaint review board in place but everything on that punch list was addressed. The civilian complaint review board was sort of put in place when we decided to put it with the Human Relations Commission and at that time there were people who were community advocates and if there was something that came up, the advocates in community would bring it to the Council and we would ensure it was followed through as the Chief of Police spoke about the various steps. She said that they did work hard in accomplishing many goals, she believed it was time to revisit the report from 17 years ago and do a new one and see what the new issues are. She said that they did budget for another self-examination of us as a town, that has been in the works, and now with the Commission of Understanding and the Human Relations Commission coming together she believes there will be an opportunity to meet with some of the student groups and other community groups and have someone independent come in and take a look at us, not just the Police Dept. but everyone.

Ms. Weishaus said she understood that they were trying to be inclusive but a year is a long time to come back to the community and should be mindful of that next time if another study is done and now we are back on the same terrain and maybe it is the right time to do it, it just needs to though through and not act so quickly to get it out of the way. She would like it to be a thoughtful process but not a year. Councilwoman Foster-Dublin said that will be a challenge because if it is truly thoughtful and input is needed it is going take time, if you rush we will be back to square one. Ms. Weishaus said that she would also like to underline the police training issue. Councilwoman Foster-Dublin said that every year she gives a report about the type of training that the police department goes through from diversity to training with different religious communities, gang violence, LGBTQ training, people from the Chinese community, from the Muslim community, sensitivity training, they do go through an extensive amount of training and if there were more budget we could send people away for training but it is extremely expensive, so we try to find resources within the professional circle to come in and provide as much training as possible to all of our police. Ms. Weishaus said that this point was made last time that implicit bias training is a very specific thing and it is about looking in and deconstructing the stereotypes that we live with. Chief Rizco said that he was a big believer in training and that is why a lot of the programs we had were not mandated. He said that after the initial police academy training it was up to the individual police departments to train the officers as they seen fit, sent them to classes that were available and that depends on staffing and money. When he took over, he felt that more training was needed and that is

why the different groups were brought in. Last year the Attorney General mandated specific training to all the 500 police departments in the State of New Jersey and it is called "Clear Training" and each police officer in the State is required to complete continuing education by the end of 2017 and will need to complete so many hours each year after that. A list of topics covered by the AG Office include, de-escalation techniques, cultural diversity awareness, racial profiling, inclusive bias, conflict resolution, communication skills, crisis intervention, training and responding to persons with special needs, including mental health issues and investigating bias crimes. He said things are moving in the right direction because this is mandated to every police department in the State of New Jersey, and he is on board for training.

Councilman Hersh thanked Mr. Weishaus and indicated that it was nice to hear someone who also respects process and that is how we create policies that have the greatest impact. He said what he described with Elizabeth that was happening already, we wanted her to come back because of the effect of her presentation and that is within the prevue of the Human Relations Commission but there was talk about training. He said the nice thing about Highland Park and the issues that we face is that we are not unique and we do not live in a bubble, there are towns and countries that do have a desire to address these issues and we are not alone and that is important to remember. He agrees with the training but that was something we really need to understand what it is that we are looking at, what needs to be addressed and thanked Ms. Weishaus for her comments.

Dan Battey, 304 Montgomery Street, said that he wanted to reiterate some of things that were already stated. He said that he explored how people would file a complaint and one of those routes was the Human Relations Commission or the website. HE went into the website and registration is required which means you have to put your name, address, which makes it uncomfortable. There is no box to check to indicate that you are filing a police complaint within the website, so if you file a complaint through the website you cannot specify that it is a police complaint in addition to people who may not want to be identified you have to identify yourself to file. He said that this was important thing to figure out and communicate to the community. Mayor Brill Mittler asked the Borough Administrator to look into that.

Mr. Battey said that the bigger thing is what everyone has been talking about which is establishing a process, and having it regularly communicated to the public. Mayor Brill Mittler agreed.

Mr. Battey said he would like to also reiterate the issues with training, and it sounds like people are on board but does not want to detract from the cultural awareness training, it is important and develops a different relationship between the police and the community. He indicated that you can go to implicit bias training for teachers specific to issues that teachers face, and what he feels police need to do in making snap decisions about people's lives are different kind of thing and there are organizations out there that handle police training so rather than sending police officers out there are programs where you can bring them in. He stressed that is what seems to be the issue and rather than sending one or two out and bringing them in is a possibility.

Mr. Battey said he wanted to clarify that the data they had was police data, and nothing fancy was done with it but shows patterns of bias across two years. He asked how often the data is analyzed, how is it looked at, if issues of bias ever been found and if they were found how were they dealt with. He said doing another report it is obviously time and thinks it is important. He said the broader issue to him is how is this going to be systematic and how are we monitoring ourselves to see how bias is playing out, so a report can tell you at one point and time where you are but thinks the broader issue is and his worry is that data may not have been looked at or may not have been looked at systematically or maybe it was looked at in one way and not another way. Issues of transparency and how this is being looked at, when it is being looked at, how when issues are shown with how are they dealt with.

Councilwoman Foster-Dublin indicated that in the report sent to Mr. Battey that was data that the police department voluntarily collected and we have someone coming in to do a forensic audit of the reports and tell us what really is going on. Mr. Battey asked if this was something that would take place yearly. Councilwoman Foster-Dublin indicated that it was important to see the first piece of data, get the report from the committee and does not think it is advisable to give put piece meal information but to compile a report and report back accurately.

Mayor Brill Mittler said to answer specifically about will it be done systematical, she is hoping is that beyond trying to understand each other better and know what makes each of us tick, that this committee will be able to make a recommendation that would then go the Human Relations Commission for them to dig deeper and hopes that what comes out of this are action steps that are once a year do this, twice a year, etc. at least when we are all gone that in the future there is a guideline for other administrations.

Mr. Battey said he thinks that is great, and he is not saying it to discourage the report, the report in 2002 is really strong, the issue is how it is systematized so you don't have to wait 16 years to check on it. As a community keeping that going is important.

Councilman Hersh said he agrees in how to make sure that this actual has to happen. The Commission for Immigration and Refugee Affairs was put into place specifically to help uphold and enforce and devise policies and would like that to happen with the Human Relations Commission which is a lot of work when it comes to cross cultural understanding which is part of the regular annual cycle but thinks a powerful document could provide a lot direction and purpose to Human Relations Commission and as of last Wednesday and Thursday is ready to take this on.

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

The Clerk reported advertising an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK,

CHAPTER 328, "SEWER AND WATER", for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman Fine, seconded by Councilman George, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

Diane Reh, 68 Donaldson Street, said that she tried to read the explanation on-line but does not know that she really understood it and asked if someone could explain it. She said that there were a lot of numbers and what do they mean, and what does mean for the water and sewer bills. Mayor Brill Mittler said that they are looking into the water/sewer situation and still we have a lot of things that they want to discuss about it. She said that she is about to ask for a motion to adopt or reject and we will see how the Council moves on that. She is hoping to it will be rejected for now so we can still consider discussing at which point when we have a better handle on it, we will be happy to discuss it but she was not comfortable at this time.

No one else appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilman Fine, seconded by Councilwoman Welkovits, the ordinance entitled as above, was duly rejected by the following roll call vote, to wit:

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

Opposed: None.

Absent: None.

The Clerk reported that an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY, AMENDING THE HISTORICAL COMMISSION ORDINANCE, ARTICLE IV OF CHAPTER 9 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", had been introduced in writing by the Recreation and Arts Committee for consideration of passage on first reading by title.

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

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

Opposed: None.

Abstained: None.

Absent: None.

The following resolution, introduced by the Recreation and Arts Committee, was duly adopted on motion made by Councilwoman Kim-Chohan, seconded by Councilman George, and carried by unanimous affirmative voice vote:

No. 4-18-97

WHEREAS, an Ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY, AMENDING THE HISTORICAL COMMISSION ORDINANCE, ARTICLE IV OF CHAPTER 9 OF THE "CODE OF THE BOROUGH OF HIGHLAND PARK, 2010", has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on Tuesday, April 17, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

The Clerk reported that an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 3, "ADMINISTRATION OF GOVERNMENT", had been introduced in writing by the Council as a Whole for consideration of passage on first reading by title.

On motion made by Councilman Hersh, seconded by Councilman George, the ordinance entitled as above was duly rejected on first reading by title by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: None.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman Hersh, seconded by Councilman George, and carried by unanimous affirmative voice vote:

No. 4-18-98

WHEREAS, an Ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLAND PARK, CHAPTER 3, "ADMINISTRATION OF GOVERNMENT" has been introduced and duly passed on first reading;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that this Council meet at the Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, on

Tuesday, April 17, 2018, at 7:00 PM, for the purpose of considering said Ordinance on final passage after public hearing thereon.

BE IT FURTHER RESOLVED that said a Notice of Pending Ordinance and Summary of said Ordinance be published once at least one (1) week prior to the time fixed for further consideration of said Ordinance for final passage in the “Home News Tribune”, of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published daily in this municipality, together with a notice of the introduction thereof and of the time and place when and where said Ordinance will be further considered for final passage as aforesaid.

BE IT FURTHER RESOLVED that a copy of said Ordinance shall be posted on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, New Jersey, forthwith and that the Borough Clerk have available in her office for the members of the general public of Highland Park copies of said Ordinance for those members of the general public who may request the same.

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, Hersh, Kim, Chohan, Welkovits.
- Opposed: None.
- Abstain: None.
- Absent: None.

No. 4-18-98A

Whereas, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Water and Sewer Utility Budget for 2018 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 2018 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$1,826,891.00; 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 appropriation herein:

DESCRIPTION	Temp Budget #2
OPERATING	
Salaries & Wages	\$ 80,177.00
Other Expenses	\$ 783,664.00
Middlesex County Utilities Authority	\$ 420,000.00
STATUTORY EXPENDITURES	
Public Employee Retirement System	\$ 16,000.00
Social Security System	\$ 7,000.00
DEFERRED CHARGES	
Over expenditure Budget Appropriation	-
DEBT SERVICE	
Payment of Bond Principal	\$ 435,000.00
Interest on Bonds	\$ 85,050.00
TOTAL	\$ 1,826,891.00

2. Said emergency temporary appropriations will be provided for in the 2018 Water and Sewer 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.

Resolution Nos. 4-18-99 through 4-18-105, 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, Hersh, Kim-Chohan, Welkovits.
- Opposed: None.
- Absent: None.

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

No. 4-18-99

WHEREAS, the property owner remitted duplicate payments for water charges on lawn meter on River Road and Mia Drive, for property known as The Crossings @ Highland Park HOA, Account #30241649-0; and

WHEREAS, the Tax Collector recommends that The Crossings @ Highland Park HOA be refunded \$7,668.94 for water payment;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Tax Collector is hereby authorized to issue a refund in the amount of \$7,668.94 from the water and sewer account to The Crossings @ Highland Park HOA, c/o Terri Martinelli, Community Manager, Associa®-Community Management Corp., AAMC®, 55 Lane Road, Suite 440, Fairfield, NJ 07004.

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

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

No. 4-18-100

WHEREAS, the Highland Park Department of Public Works has a need to make repairs to DPW Vehicle #10, as more fully described on the attached Purchase Order; and

WHEREAS, funds for this purpose are available in Account No. 8-01-26-315-2PW in the amount of \$5,995.00, as reflected by the certification of funds by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Superintendent of Public Works is hereby authorized and directed to arrange for said repairs from Cambria Companies, PO Box 52202, Newark, NJ 07101-0220, at a total price of \$5,995.00; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Superintendent of Public Works & Public Utilities and the Chief Financial Officer, forthwith.

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

No. 4-18-101

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of the Borough of Highland Park to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized the ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough of Highland Park hereby endorses the submission of the 2017 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Frank Troy to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

No. 4-18-102

WHEREAS, the Borough of Highland Park desires to apply for and obtain a 2018 NJ Community Stewardship Incentive Program Grant from the Division of Parks and Forestry of the New Jersey Department of Environmental Protection, which application has been prepared by the Borough's Shade Tree Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Mayor is hereby authorized and directed to execute the application for the 2018 NJ Community Stewardship Incentive Program Grant on behalf of the Borough to the Division of Parks and Forestry of the New Jersey Forest Service in the Department of Environmental Protection.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Shade Tree Advisory Committee and Finance Department forthwith.

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

No. 4-18-103

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, 2018 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:

MARIO VARONE, Electrical Subcode Official, at an annual salary of \$13,306.00 effective April 1, 2018.

PATRICK VALENTE, Electrical Inspector, at an annual salary of \$6,552.00, effective April 1, 2018.

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 Works and Public Utilities Committee, was duly adopted as above:

No. 4-18-104

WHEREAS, pursuant to Resolution No. 9-17-285, adopted by the Borough Council on September 19, 2017, a contract was awarded to Tri-Form Construction, Metuchen, NJ, for the construction of a Teen Center; and

WHEREAS, it appears from Pay Estimate No. 2, filed by Code Enforcement Director, Scott Brescher, that certain work under said contract has been completed and approved, and there is due to Tri-Form Construction, the sum of \$131,114.20 in accordance with said Pay Estimate for work performed from January 20, 2018 to March 23, 2018; and

WHEREAS, funds for this purpose are available in Account No. C-04-55-826-210 in the amount of \$131,114.20, as reflected by the Certification of Funds Available by the Chief Financial Officer, shown below;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Chief Financial Officer be and is hereby authorized and directed to pay Tri-Form Construction the sum of \$131,114.20, as certified by the Code Enforcement Director in Pay Estimate No. 2, subject to the Clerk's receipt of the Certified Payroll and Project Manning Reports and additional documents as necessary; and

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

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 4-18-105

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 4/3/2018 can be found in the Bills List Journal Book No. 37.

Mayor Brill Mittler appointed the following to serve as Professionals for 2018:

Robert Janzekovich
Roselli & Roselli

Borough Prosecutor
Public Defender

The above appointments were confirmed on motion made by Councilwoman Foster-Dublin, seconded by Councilman George and carried by the following roll call vote, to wit:

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

Opposed: None.

Abstained: None.

Absent: None.

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

Lois Lebbing, North 2nd Avenue, said that when Sandra Sgarro was head of the then Historical Commission which was demoted to a Committee there was an archive with oral history and slides from Mrs. Quinn from the funeral home and hopes they are still floating around here because there was oral history of Mr. Phil Crockett at the castle, the original Johnson husband of Ruth Johnson and that has seemed to disappeared the oral history back in the late 90's. She said she hears about diversity and reads about diversity and I am sorry it is hilarious to me I never hear the civil rights act from 1963 was used build the Americans with Disabilities Act and when Eric Lagrande from Rutgers football or the late Steven Hawken could not get into half of your stores because narrow doorways, many steps, Bartle School still has corner intersection with no curb cuts unless you have just repaired them. Councilwoman Welkovits indicated that the Borough was just awarded a grant for \$216,000 last year and that is part of what the grant monies will be used for, the entire intersection at Grove and Mansfield, the curb cuts on either side of the street also on the side where the school to make curb cuts there as well.

Ms. Lebbing asked where the Main Street office was currently located. Mayor Brill Mittler said that they were located in a house on Raritan Avenue. Ms. Lebbing said that there were 9 steps out front and before the \$10,000 in grant monies was spent for an architect to say how will you get a wheelchair in that building. She said that there are 3 windows, one goes to the basement, and turn one of those windows into a door, the lease between the Borough, Main Street and the owner says that the building complies with all federal, State and local laws and doesn't. Mayor Brill Mittler said that the Borough was not involved in that lease. Ms. Lebbing indicated that the Borough was paying them \$50,000 a year when they started and the residents have paid lots of money for Main Street and they still get the special improvement district monies. Thurgood Marshall when sitting on the US Supreme Court justice he was asked to define the word equal, equal is getting the same thing at the same time at the same place and that is all we want, that is all everybody wants equality and justice.

Ms. Lebbing said at the 5K race she had a sign up, and was told that the 5K race can't include walkers, and she would join if she could walk it or walk quickly. Councilwoman Welkovits said that she never heard that and asked who told her that. Ms. Lebbing said that she was told because of time constraints for some of the residential streets there cannot be walkers. She suggested letting the walkers go first. Mayor Brill Mittler indicated that was a Main Street function and asked Councilwoman Welkovits to discuss that with them.

Ms. Lebbing asked if anyone has ever seen wheelchairs or walkers and it is advertised as a run, and why not include walkers she has a collection of other places that have a 5K with walk/run or run/walk and they have one of those races with men in high heels if you want a fundraiser. She asked that they advertise instead of discriminating or eliminating. Mayor Brill Mittler said that Councilwoman Welkovits will discuss this with Main Street.

Ms. Lebbing asked what the status of Buck Woods. Mr. Schmierer, Esquire said that what is going on now is environmental testing by the owner and there is a swatch of about 50' in width right down the center of the property that is being excavated and being tested to see whether there is any environmental problems. Ms. Lebbing asked who the owner was. Mr. Schmierer said the owner was JSM at Highland Park LLC. Ms. Lebbing asked what Highland Park taxpayers spend \$1.8 million December 15 on the same 4 acres. Mr. Schmierer said there was some discussion back then about whether or not the Borough would acquire the property, which was probably a bond ordinance that authorized the acquisition was adopted but the monies were never spent. Ms. Lebbing asked if the Borough owned the property. Mr. Schmierer said that the Borough did not own that property. Ms. Lebbing said if that is going to be developed smart growth section 6 says to preserve open space farmland, natural beauty and that is not smart growth if you're going to stick houses up there. She said he initially wanted 44 townhouses and 22 single family homes on those 4 acres as long as 2200

truckloads of dirt came to fill in the ravine. She said number eight on the EPA provide a variety of transportation choices. She said that the Borough does not own it; a bond was floated and asked what happens with that 1.8 million. Mr. Schmierer said it was cancelled in the subsequent budget.

Ms. Lebbing said wished everyone lived with diversity but we are able-bodied supremacies if we do not think of people with disabilities and autistic kids who yell and scream and cannot communicate, grow up to be big people who yell and scream and cannot communicate. She said that the Dept. of Justice has free tapes and free booklets and free DVD training and said that they may have a lot on other diversity training. She said that if she could get a good group together to learn about the Americans with Disabilities Act, title 3 about the steps, title 2 about the government entities it is free and they will come out and discuss if you have a crowd. She just wanted to let them know there are opportunities for free training also.

Councilwoman Kim-Chohan said that the Historical Society the collection is currently housed at Main Street, 212 Raritan Avenue and they will be moving the collection to Borough Hall in hopes of rotating the kiosk that is out in the hallway maybe quarterly. The Historic Commission was the Historic Society and they are trying to rebuild themselves and the Borough decided to bring them under our umbrella and actually support it and keep the commission alive. She welcomed Ms. Lebbing to come and meet with them every third Sunday at 1 pm at Borough Hall.

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

There being no further business, on motion made by Councilman George, seconded by Councilman Hersh, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:39 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk