

BOROUGH OF HIGHLAND PARK
MAYOR & COUNCIL CONFERENCE MEETING
TUESDAY, FEBRUARY 20, 2018

MINUTES

1. Mayor Brill Mittler called the meeting to order at 6:00 p.m. and 8:10 p.m.
2. PRESENT: Mayor; Council (Councilman Fine 6:11 p.m.); Borough Attorney Tauriello; Borough Administrator; Borough Clerk.

NOTE: Upcoming Meeting schedule:

February 27, 2018	Standing Committee Meetings; Special Meeting if needed.
March 6, 2018	Council Committee Reports 6:00 PM; Agenda Meeting 6:30 PM; Regular Meeting 7:00 PM; Conference Meeting to follow.
March 2, 2018	Public Works & Public Utilities Committee Meeting 8:15 AM.
March 13, 2018	Special Meeting – Budget Presentations – Department Heads – 6:00 PM.

3. Public Discussion (15 minutes) – none.
4. Memorial or Commendatory Resolutions or Presentations scheduled as indicated:
 - a. Municipal Planner – Development Projects – 6:15 PM. Borough Planner Jim Constantine appeared to give a snapshot of what the Rehabilitation and Screening Committee is working on. The Committee consists of members from the Planning Board, Zoning Board of Adjustment, Main Street Highland Park, Redevelopment Agency, the Borough Council and the Borough Administrator. They look at projects early in the process and provide feedback across the agencies and provide guidance to better meet the community's vision. The International Market project plan was stalled before the Redevelopment Agency and is now filed for site plan to come before the Planning Board. The building will double in width and have 4 apartments above and 1 behind on the first floor. There is approval for a 3-story mixed use building in between Jack's Hardware. They want to propose 5 stories and that would require an amendment to the redevelopment plan. The Borough needs something that looks elegant as a 5 story building and they worked with them and provided sketches. There will be storefronts below and apartments above with terraces looking towards New Brunswick. It will be a brick building with parking in the rear, 1 space for each apartment. Project will come in having an amendment to the site. Both of these projects will provide affordable housing units; 1 at Popov site and 2 at the other site. There is another project on River Road/Walter Avenue. Dr. Glasgold is the majority owner. The new owner could continue with medical offices. The building at peak occupancy had people parking on Walter Avenue, Lincoln Avenue and across River Road. Apartments are allowed above offices and/or single family homes would be allowed if building is torn down. Current owners have entered into agreement with developers who want to do more a bigger mid-rise building. Neighbors in the area are concerned. They have provided them with ideas to make it smaller and less massive, proposing 75 units. Mayor Brill Mittler noted that they would like to see them create a plan that fits the needs of the borough and the neighbors. Suggestion to have single family homes facing Walter Avenue and apartments facing River Road. Mr. Constantine noted that this site is listed for inclusion in the Borough's affordable housing settlement. He has a meeting tomorrow with the developer and has talked to him about the scheme. The Rehabilitation Committee will meet on Thursday and residents from Walter Avenue will be in attendance. A redevelopment plan for this site

would give the Borough the ability to tell them what they want on the site. That would become the adopted zoning and would give the Borough control.

- b. Library Board of Trustees – March 6, 2018.
5. Ordinances on 1st Reading – no ordinances scheduled for introduction for 3/6/18:
 - a.
 - b.
6. Ordinances on 2nd Reading – no public hearings scheduled for 3/6/18:
 - a. Dissolution of Redevelopment Agency.
 - b.
7. Resolutions for Next Meeting - scheduled for 3/6/18:
 - a. Bills List (3/6/18).
 - b. Resolution Supporting Energy Tax Receipts Back to Municipalities.
 - c. Democracy Act.
 - d.
8. Appointments – none.
9. Borough Attorney's Report – none.
10. Borough Administrator's Report – none.
11. Standing Committee Status Reports – none.
12. Discussion Items.
 - a. 2018 Budget – Borough Administrator Jover noted that the budget binders are not ready. Hopes to have them ready by Friday or Monday. Budget process and procedures to be discussed at the March 13, 2018 meeting. Mayor Brill Mittler asked that when the Departments come in that the Council Liaison outline the budget that is being presented. Borough Administrator Jover advised that she will be providing notes as part of the budget binders.
 - b. Update of Solar Field Project – Borough Administrator Jover advised that the testing has been done on the site and there is nothing contaminated. There is a new law regarding legacy landfills. Have to show proper closure of landfill. There were no restrictions in place back then. The Meadows trail has concrete in it that was dumped pre-closure and it needs to be removed. PSE&G got cost estimate (\$30,000-\$50,000) to remove the concrete piles of which there are approximately 49. They plan to go with PSE&G to DEP with a plan to remove the piles. There is an issue with another area and by going to DEP would bring it to their attention. Need DEP to exempt that part of property from clean up. Councilman George noted that he asked the Meadow Trails volunteers to review and provide input. The volunteers did a great job and saved the borough time and money. As you move down the trail, there is a protected area by the DEP. Mayor Brill Mittler noted that she has made the Legislative and Governor's Office aware of this problem. Goal of solar field is to provide research to the entire state. There will be a lot of disturbance with the removal. Councilwoman Foster-Dublin suggested that they do a video of the area and try to correct it that way. Borough Administrator Jover, Councilman George and Mayor Brill Mittler will stay on top of this issue with the DEP, PSE&G, the legislators and the Governor.
 - c. S1881 – Energy Tax Receipts – Mayor Brill Mittler noted that this bill changes the manner in which energy tax receipts are distributed to municipalities. Currently, the

- tax receipts are collected by the State.
- d. S1879 – Deduction Allowed Under Gross Income Tax for Property Taxes – Mayor Brill Mittler noted that this bill increases from \$10,000 to \$35,000, the maximum deduction that is allowed under the New Jersey gross income tax for homestead property taxes paid by homeowners and tenants, and permits taxpayers to claim this homestead property tax deduction for amounts of property taxes paid by the taxpayer on a second home located in New Jersey.
 - e. Charitable Donation – Local Taxes – Councilman Fine noted that this type of program has been in existence in other states. Governor Murphy is a big supporter of this program and will be meeting with the Governors of New York and Connecticut.
 - f. Democracy Act – Mayor Brill Mittler advised that she received a request to do a resolution in support of the Democracy Act. The Democracy Act would make voting easier by allowing New Jersey citizens to vote in-person in advance of Election Day, register to vote on-line and automatically register at the Motor Vehicle Commission. Resolution to be put on the next agenda for adoption.
 - g. Code Amendment – Remove Amusement as Prohibited Business – Councilwoman Welkovits explained that there is an ordinance on the books that prohibits amusement games. Can establish time when these types of businesses close. Borough Attorney to look at ordinances from other municipalities, especially Red Bank.
 - h. 2% Arbitration Cap – Mayor Brill Mittler explained that the law for the 2% cap expired December 31, 2017. If this 2% cap goes away, all municipalities will be in trouble. The Borough has a really good Labor Attorney, but so does the PBA. This would be a problem if the PBA got more of a raise than other employees in the Borough. Borough Administrator Jover explained that the PBA contract is up at the end of this year. Will start negotiations sometime in October or November. Mayor Brill Mittler urged the Governing Body to contact their legislators about this matter. This comes on the heels of the Borough doing hiring that they promised. The Chief and one of the Lieutenants have to retire next year.
 - i. Attorney Fees – Mayor Brill Mittler advised that we are currently going through the budget process. The Borough's attorneys are fantastic, but fees are out of whack. She asked that the Governing Body funnel requests through her so that they can keep better control over the finances for attorney fees.
 - j. Open Positions – Code Clerk, Asst. to Borough Administrator – Borough Administrator Jover advised that the new Court Clerk started on Friday. Councilman George sent email about Code Clerk position. The union position was previously held by a Borough employee and has been staffed by a temp for the last six months. It is assumed that Elizabeth, the current temp, would apply for the position once it is posted. Looking to keep salary at or below \$36,000, including benefits. At the current rate paid to the temp agency, the annual salary is approximately \$43,860. She noted that for the position of Assistant to the Borough Administrator, she has been approached by members of Council to post the position. She is waiting until she has a chance to speak privately with Councilman George. Looking at a salary range of \$40,000 - \$55,000. Hoping to come in around \$50,000. This was a line item in the Administration budget previously. Mayor Brill Mittler noted that by filling this position would benefit the Borough as it will free the Borough Administrator up to work on important projects such as the analysis of Police overtime vs. Court fees and grants. Borough Administrator Jover added that she would be able to focus more on getting revenue back from SREC's, getting energy audits done on the Borough buildings. Discussion about this person working on special projects for the Governing Body, but they would report directly to the Borough Administrator. Councilman George to meet with the Borough Administrator on Friday. Councilman

- Hersh expressed his support for this position and feels it is completely essential. The individual could handle the of requests on a daily basis that come in to the Borough Administrator's office. Councilman Fine agreed with Councilman Hersh and is okay with the funding of the position since it was in last year's budget. Borough Administrator Jover noted that the Borough may be able to get more grants as she will then have time to do follow up and adhere to deadlines. Councilwoman Welkovits expressed her support for both positions.
- k. New Jersey Safe and Responsible Driver Act – Councilman Hersh explained that this legislation would allow any resident who meets MVC requirements to secure a driver's license regardless of their immigration status. Hopes to have the Governing Body pass a resolution in support of this legislation at the March 6th meeting. He will send a model resolution and fact sheet to the Borough Clerk for distribution to the Governing Body. Assemblywoman Nancy Pinkin is a co-sponsor of this legislation and they hope to increase issuance of driver licenses by 28,000. Councilman George noted that he sees cases involving immigrants without licenses almost every week. Councilwoman Foster-Dublin would like him to send the information to her for discussion at a Public Safety Committee Meeting. Councilman Hersh noted that he has some concerns about the bill, but feels Highland Park as a whole should support this bill. Mayor Brill Mittler would support this bill if there was some protection built in. Councilman George explained that there is some level of protection with motor vehicle records. Cannot get background information from the DMV.
 - l. Recreational Marijuana – Mayor Brill Mittler advised that this topic came up at a meeting with the Governor. There are already towns making bids for the dispensaries and there is one in Woodbridge. Some Middlesex County Mayors, especially the Mayor of Perth Amboy, have concerns about needing additional police personnel and who would pay the costs for the additional personnel. This issue will take a while to make its way through the State. The Borough can have the Police Department do some research to find out any impact on Police Departments/public safety in other municipalities that have dispensaries. Councilwoman Foster-Dublin noted that there will be a seminar held in March. She will forward the information to the Governing Body.
 - m. Warming Center – Councilwoman Foster-Dublin updated the Governing Body on the plan to offer the senior center for use as a warming center when Code Blue is enacted.
13. On motion made by Councilman George, seconded by Councilman Hersh, and carried by affirmative voice vote of all Councilpersons present, Council went into Executive Session at 9:04 PM to discuss one matter involving litigation. On motion made by Councilman Hersh, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, the Council returned to open session at 9:19 PM.

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 9:27 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk