

BOROUGH OF HIGHLAND PARK  
MAYOR & COUNCIL CONFERENCE MEETING  
TUESDAY, JULY 10, 2018

MINUTES

1. Mayor Brill Mittler called the meeting to order at 5:45 p.m. and 9:54 p.m.
2. PRESENT: Mayor; Council (Councilwoman Kim-Chohan 5:51 p.m.; Councilman George 6:01 p.m.); Borough Attorney; Borough Administrator; Borough Clerk.

**NOTE: Upcoming Meeting schedule:**

<b>July 17, 2018</b>	<b>Special Executive Session 7:30 PM.</b>
<b>Aug. 14, 2018</b>	<b>Council Committee Reports 6:00 PM; Agenda Meeting 6:30 PM; Regular Meeting 7:00 PM; Conference Meeting to follow.</b>

3. Agenda Discussion – none.
4. Public Discussion (15 minutes) – none.
5. Memorial or Commendatory Resolutions or Presentations scheduled as indicated:
  - a. DeLacy Davis Presentation -
  - b. Fair Share Housing Ordinance Overview – Dan Hauben, Clark Caton Hintz, appeared to give an update. He went over the settlement agreement requirements. Agreement with Fair Share Housing Center executed in December 2017, approved by Court at end of May 2018. Agreement gives the Borough a 173-unit “new construction” obligation and 121-unit “rehab” obligation through July 1, 2025 and lists projects to satisfy those obligations. By end of November, Borough must adopt the following: Housing Element and Fair Share Plan (including Spending Plan and Affirmative Marketing Plan); Affordable Housing Ordinance; Development Fee Ordinance; and various resolutions.
6. Ordinances on 1<sup>st</sup> Reading – no ordinances scheduled for introduction for 8/14/18:
  - a. Code Inspection Ordinance.
  - b. Bond Ordinances.
7. Ordinances on 2<sup>nd</sup> Reading – no public hearings scheduled for 8/14/18:
  - a.
  - b.
8. Resolutions for Next Meeting - scheduled for 8/14/18:
  - a. Bills List (8/14/18).
  - b.
  - c.
  - d.
9. Appointments – none.
10. Borough Attorney’s Report – none.
11. Borough Administrator’s Report – none.
12. Standing Committee Status Reports – none.

13. Discussion Items.
- a. Code Violations – Councilwoman Welkovits explained that currently when Code Enforcement issues violations, the case is heard in Municipal Court. Would like to streamline the process so that violations issued by Code Enforcement are paid at the desk downstairs and it will also give Code Enforcement to negotiate the fine amount. If they could not reach an agreement, the matter would go to the Municipal Court. Borough Administrator Jover noted that this would give Code Enforcement a lot of leeway to meet with residents/inspectors.
  - b. Code Inspections – Councilwoman Welkovits explained that presently, the Borough does not do inspections for sold commercial properties or multi-family dwelling properties. The State does inspections usually every 5 years, but they are doing them every 8 years. Would like to have Code Enforcement do random inspections upon vacancy. Would need to change the ordinance to allow for Code Enforcement to do sold inspections, but not take the State out. Would need to add language to ordinance “COO of all real property in the Borough” and add “spot check of 2% of apartments”. Code Enforcement Director to make recommendation on fee for inspection.
  - c. Prohibit Gun Retail Sales Near Schools – Councilwoman Welkovits would like the Borough to do something to ban the sale of guns near schools. Borough Attorney Schmierer noted that gun sales are pre-empted by State law and he does not think the Borough can regulate gun sales. Councilman Fine noted that they need to address the issue of the gun store as the inventory is still contained inside. Councilwoman Foster-Dublin noted that this matter is on the Public Safety Committee’s agenda. Mayor Brill Mittler noted that the property is in an estate situation. They want to do testing there because it is in an area that the Borough wants to develop. Need them to get rid of the gun inventory. Councilman George suggested enforcing ordinance regulation that prohibits blocking more than 20% of your store window. Borough Attorney Schmierer suggested getting their cooperation to do some testing. There is a great liability having guns in a vacant store.
  - d. Capital Ordinances – Borough Administrator Jover explained that there are a number of ordinances that will need to be introduced next month and she is working with the Bond Counsel on those ordinances. One of the ordinances is for the replacement of existing water main valves and hydrants and the implementation of an asset management plan. Another ordinance is for the purchase and installation of large diameter water meters. Those two ordinances are for infrastructure projects to be funded from a loan from the New Jersey Infrastructure Bank. There will be a capital ordinance for the acquisition of Police, Fire and Public Works Equipment. Some of the items to be acquired are: cameras, replacement weapons, air bottles, hoses, garbage receptacles and toters. There will also be an ordinance for roadway improvements to various streets to keep the Borough’s paving program moving forward. She also spoke about amendment to the redevelopment funding ordinance to include the site cleanup for the solar field.
  - e. Band Aid Bench – Councilwoman Kim-Chohan explained that pictures were taken of possible location sites for the band aid bench. Some of the locations discussed were at the Environmental Education Center, by sign in the middle of Memorial Park, at the Farmer’s Market, near Rite Aid, near the brick walkway at Stop & Shop and by Irving School. The Arts Commission will select two locations and send it back to Council for consensus.
  - f. OPRA Decision – Borough Attorney Schmierer explained about a recent New Jersey Supreme Court decision involving a public bodies obligation under OPRA. Personnel matters can be discussed in closed session and, if so, the individual being discussed is entitled to a Rice Notice. The Court was critical of the University Board

in the Supreme Court case in terms of their handling minutes of the Board meetings. The Court noted that a public body must have a regular meeting schedule to inform the public when meetings will take place, but to also provide the opportunity to have on the agenda the review and approval of minutes. The Borough Attorney will continue to work with the Clerk's office to ensure that the Borough continues as it currently does to address OPRA requests and be guided by this decision with regard to personnel matters.

- g. Plastic Bag Ordinance – Borough Attorney Schmierer noted that this bill is still on the Governor's Desk.
- h. Attorney General's Office Update – Not discussed.
- i. First Aid Squad Update – Not discussed.
- j. NJDOT Transportation Alternatives Program Grant – Councilwoman Welkovits explained that the grant covers funding and design for trails. Will need to have Borough Engineer's Office prepare the grant application.

On motion made Councilwoman Welkovits, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the meeting continued past 10:00 p.m.

- 14. On motion made by Councilman Fine, seconded by Councilwoman Foster-Dublin, and carried by affirmative voice vote of all Councilpersons present, Council went into Executive Session at 10:25 PM to discuss one matter involving litigation. On motion made by Councilwoman Foster-Dublin, seconded by Councilman George, and carried by affirmative voice vote of all Councilpersons present, the Council returned to open session at 11:07 PM.

There being no further business, on motion made by Councilman George, seconded by Councilman Fine, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 11:07 PM.

Respectfully submitted,

Joan Hullings  
Borough Clerk