

OPEN SESSION

Mayor Robert Patten called the meeting to order at 7:00 p.m. and read the Open Public Meetings Act statement which stated that adequate notice and posting of the meeting had taken place in accordance with the requirements of P.L. 1975, Chapter 231.

The flag salute was followed by the roll call.

ROLL CALL

	PRESENT	ABSENT
<i>Mayor Patten</i>	✓	
<i>Councilmember Holtzclaw</i>	✓	
<i>Councilmember Laudenberger</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Schneider</i>	✓	
<i>Councilmember Sikorski</i>	✓	
<i>Councilmember Thompson</i>	✓	

Also in attendance: Candace Gallagher, Borough Clerk/Administrator; Carmela Roberts, Borough Engineer; James M. Eufemia, Chief of Police; and Frederick Raffetto, Esq., Borough Attorney.

Mayor Patten noted the birthday of Dr. Martin Luther King, Jr., and stated the importance of "striving every moment toward equal rights and mutual respect."

APPROVAL OF AGENDA

Added to the agenda was Resolution 2005-47, authorizing a transfer of funds in the 2004 budget, and deleted from the agenda was Resolution 2005-36, accepting the membership of Richard Emens in Hightstown Engine Co. No. 1. The agenda was moved as amended by Councilwoman Holtzclaw, seconded by Council President Schneider and unanimously approved.

APPROVAL OF MINUTES

Upon motion by Councilman Sikorski, seconded by Councilman Quattrone, minutes of the December 20, 2004 open and closed sessions, December 29, 2004 special meeting and January 1, 2005 reorganization meeting were unanimously approved as submitted.

PUBLIC COMMENT I

Mayor Patten opened the floor to public comment.

Phyllis Deal, 305 Stockton Street, recommended that the Borough look into the installation of crosswalks that feature flashing lights, as are in place in Princeton Borough, particularly on Stockton Street at the Oak Lane intersection and at the intersection with Rogers Avenue, on North Main Street near the firehouse, and at the library.

Eugene Sarafin, 600-628 South Main Street, suggest that the Borough purchase the two vacant parcels of land on Maxwell Avenue and make that area a park. He also asked Council to begin the process of revaluation of assessments.

Dean Bottino, 124 Center Street, agreed with Ms. Deal that lit crosswalks would enhance pedestrian safety in the Borough. He noted that another location where this would be helpful is on Mercer Street near the intersection with Ward Street.

Mr. Sarafin spoke again to criticize the Bush administration, their policies regarding the war in Iraq and their proposal for Social Security reform.

Torry Watkins, 68 Meadow Drive, agreed that safe crosswalks are needed, especially at Mercer Street near Ward Street and also on Mercer between the Diner and the Post Office. However, he said, the cost is likely to be high, particularly when you include maintenance costs. "If the County or State would pay for it," he said, "then that would be great."

ENGINEER'S ITEMS

PARKING ON STOCKTON STREET

Ms. Roberts reported that she met with the County Engineer regarding the possibility of restoring parking on Stockton Street between the vacated Railroad Avenue and Forman Street. Currently, the roadway is only wide enough to allow parking on one side of the street. Because of the narrowness of the roadway, the County leans toward continuing to restrict parking on both sides of the street, but would be amenable to a "test run." If that is Council's wish, the County would recommend that parking be allowed on the north side only, and only during daytime hours. Parking would also be restricted when snow-covered.

Council discussed and generally expressed their support for trying this. Council President Schneider asked if the parking areas could be marked with painted lines in order to increase the effectiveness of the trial. Ms. Roberts said that she sees no problem in doing that. The trial period would run for one or two months.

Chief Eufemia stated that he is not in favor of allowing parking in that area. When you park a car on the north side and open its door, he said, it forces traffic into the oncoming lane. "If you want to give it a try," he said, "we'll do our part, but I fear it may cause problems. I don't want to see someone get struck." Ms. Roberts stated that this was also one of the concerns of the County Engineer. The Chief went on to say that the two-hour spaces in the Stockton Street lot are not filled.

Councilwoman Laudenberger suggested that increasing the two-hour time limit in the parking lots may be helpful. "It was a great experiment," she said, "but it hinders some of our businesses. The idea was not to allow *all day* parking." She said that allowing four-hour parking in that lot could solve the problem. Those visiting and patronizing Hightstown's businesses may need to park for longer than two hours, she said, adding, "We need to revisit the two-hour time limit."

After further discussion, it was generally agreed that a trial period will be undertaken wherein parking will be allowed on the north side only of Stockton Street in this area. Parking will be allowed only between 8 a.m. and 4 p.m., and not when the roads are snow-covered. Signs will need to be installed. It will not be necessary to amend our ordinance until the trial period is over. In the meantime, we will reassess the time limit parking downtown, including in the parking lots. A report will be made during March regarding the success of the trial program.

ENGINEER'S RESOLUTIONS

Following a brief review by Ms. Roberts, **Resolutions 2005-21, 22 and 23** were moved by Councilman Sikorski and seconded by Councilwoman Laudenberger.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolutions adopted, 6-0.

RESOLUTION 2005-21 CANCELING CONTRACT WITH UNIVAR U.S.A. FOR PROVISION OF MAGNESIUM HYDROXIDE AND AUTHORIZING REVISION OF BID SPECIFICATIONS AND RE-BID

WHEREAS on December 6, 2004, the Borough of Hightstown awarded a contract to Univar U.S.A. of Middletown, PA for the provision of approximately 49,000 gallons of magnesium hydroxide for the two-year period running from January 1, 2005 through December 31, 2006; and

WHEREAS it has become evident that the natural granular magnesium hydroxide specified in the bid documents is not compatible with the treatment process at the Borough's Advanced Wastewater Treatment Plant; and

WHEREAS Univar U.S.A. is unable to provide the chemical in the form currently used by the wastewater treatment plant, and has formally withdrawn their bid; and

WHEREAS it is necessary for the Borough to cancel the contract awarded to Univar U.S.A. for this chemical, revise the bid specifications and re-bid for this chemical;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The contract with Univar U.S.A. for the provision of magnesium hydroxide for the two-year period running from January 1, 2005 through December 31, 2006 is hereby cancelled.
2. The Borough Clerk is hereby directed to work with Univar U.S.A. to revise the performance bond submitted by that firm for the provision of magnesium hydroxide, liquid chlorine and sulfur dioxide and reduce its amount accordingly.
3. The Borough Engineer is hereby authorized to revise the bid specifications for magnesium hydroxide, and advertise for bids for same.
4. The Borough Clerk is hereby authorized to receive bids for magnesium hydroxide following advertisement for same in accordance with the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*

RESOLUTION 2005-22 REJECTING ALL BIDS RECEIVED FOR POLYMER CHEMICAL AND AUTHORIZING REBID

WHEREAS one (1) bid was received on November 22, 2004, for the provision of Zeta Lyte 1A or equivalent for the two-year period running from January 1, 2005, through December 31, 2006; and

WHEREAS the bid, submitted by the George Coyne S. Chemical Company of Croydon, PA was for an "equal" product, Magnafloc E40, which required testing by our Advanced Wastewater Treatment Plant prior to awarding the contract in order to determine if it was equal to the 1A Polymer currently being used by the plant; and

WHEREAS said testing has been conducted, and it has been determined by the Superintendent of the Advanced Wastewater Treatment Plant that the Magnafloc #40 polymer is not equal to the 1A polymer currently in use; and

WHEREAS the Borough Engineer has reviewed the findings, and concurs with the Superintendent's recommendation that the bid be rejected and the chemical rebid;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The only bid received on November 22, 2004 for the provision of Zeta Lyte 1A or equivalent for the two-year period running from January 1, 2005, through December 31, 2006 is hereby rejected.
2. The Borough Clerk is hereby directed to return to the George Coyne S. Chemical Company the bid bond and consent of surety submitted by them in connection with this bid.
3. The Borough Engineer is hereby authorized to revise the bid specifications for Zeta Lyte 1A if and as needed, and re-advertise for bids for same.
4. The Borough Clerk is hereby authorized to receive bids for Zeta Lyte 1A or equal following advertisement for same in accordance with the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*

RESOLUTION 2005-23 AWARDING CONTRACT FOR MIXED OXIDANT ODOR CONTROL CHEMICAL (COYNE CHEMICAL)

WHEREAS one (1) bid was received on November 22, 2004, for the provision of a mixed oxidant odor control chemical for the two-year period running from January 1, 2005, through December 31, 2006; and

WHEREAS the bid, submitted by the George Coyne S. Chemical Company of Croydon, PA was for an "equal" product, which required testing by our Advanced Wastewater Treatment Plant prior to awarding the contract; and

WHEREAS said testing has been conducted, and it has been determined by the Superintendent of the Advanced Wastewater Treatment Plant that the odor control chemical proposed by Coyne Chemical is equal to that specified in the bid specifications; and

WHEREAS the Borough Engineer has recommended the award of a contract for same to the George Coyne S. Chemical Company; and

WHEREAS the Borough Attorney has reviewed the bid documents submitted by Coyne Chemical and has found them to be in order;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The contract for provision of a mixed oxidant odor control chemical for the two-year period running from January 1, 2005, through December 31, 2006, is hereby awarded to the George Coyne S. Chemical Company of Croydon, PA for the unit price of \$90.00/cwt and a total amount not to exceed Twenty-One Thousand Sixty-Seven Dollars and Twenty Cents (\$21,067.20).
2. The Mayor and Clerk are hereby authorized to execute an agreement with the George Coyne S. Chemical Company, subject to approval of the Borough Attorney.
3. This contract is contingent upon provision of adequate funds in the budgets for the years 2005 and 2006.

Ms. Roberts and Ms. Gallagher reviewed the provisions of **Resolution 2005-45**, which will begin the process of upgrading our water meters to make them radio-readable. It was noted that the majority of the meters included in this purchase will be used in Enchantment and other new homes under construction, and the Borough will be reimbursed for that cost. The Resolution was moved by Councilman Sikorski and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolution adopted, 6-0.

RESOLUTION 2005-45 AUTHORIZING PURCHASE OF WATER METERS AND RELATED EQUIPMENT

WHEREAS there exists the need to purchase water meters and related equipment for the Borough of Hightstown; and

WHEREAS the Superintendent of Public Works and Water has solicited competitive quotations and has recommended the purchase of the equipment from Water Works Supply Company, Inc., 660 State Highway 23, Pompton Plains, New Jersey 07444, as detailed on their quotation dated January 14, 2005, which quotation is attached hereto and made a part hereof, for a total price of \$16,960.00; and

WHEREAS the Borough's Water and Sewer Committee, Borough Administrator and Borough Engineer have reviewed the details of this purchase and concur with the Superintendent's recommendations; and

WHEREAS the Chief Financial Officer has certified the extent to which funding for this purchase is available;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the purchase of water meters and equipment as set forth herein from Water Works Supply Company, Inc., 660 State Highway 23, Pompton Plains, New Jersey 07444 for a total price of \$16,690.00 is hereby approved, subject to receipt from the vendor of proof of business registration within the State of New Jersey, as required by P.L. 2004, c. 57.

ORDINANCES

INTRODUCTION AND FIRST READING: ORDINANCE 2005-01,

AN ORDINANCE AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO CONSOLIDATE TWO (2) UNDERSIZED LOTS OWNED BY THE BOROUGH LOCATED AT 216 ACADEMY STREET (BLOCK 40, LOT 20) AND 220-222 ACADEMY STREET (BLOCK 40, LOT 21)

Following a brief review by Ms. Gallagher, **Ordinance 2005-01** was moved for introduction by Councilman Quattrone and seconded by Councilman Sikorski.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-01 was set for February 7, 2005.

INTRODUCTION AND FIRST READING: ORDINANCE 2005-02,

BOND ORDINANCE FOR THE RECONSTRUCTION OF OAK LANE IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$285,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$52,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher and Ms. Roberts, **Ordinance 2005-02** was moved for introduction by Councilman Quattrone and seconded by Councilwoman Laudenberger.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-02 was set for February 7, 2005.

INTRODUCTION AND FIRST READING: ORDINANCE 2005-03,

BOND ORDINANCE PROVIDING FOR GREENWAYS, PHASE II, IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$300,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$47,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher and Ms. Roberts, **Ordinance 2005-03** was moved for introduction by Councilman Sikorski, seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-03 was set for February 7, 2005.

INTRODUCTION AND FIRST READING: ORDINANCE 2005-04,

BOND ORDINANCE PROVIDING FOR THE MERCER STREET REVITALIZATION PROJECT IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$427,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher and Ms. Roberts, **Ordinance 2005-04** was moved for introduction by Councilman Sikorski and seconded by Council President Schneider.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-04 was set for February 7, 2005.

INTRODUCTION AND FIRST READING: ORDINANCE 2005-05,

AMENDING SECTION 19-2.7(A) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN REGARDING WATER AND SEWER CONNECTION FEES

Ms. Roberts and Mr. Raffetto reviewed the provisions of Ordinance 2005-05. Prior to its introduction, a correction was made to the statutes cited in the Ordinance.

Ordinance 2005-05 was moved for introduction as so amended by Councilman Thompson and seconded by Councilwoman Laudenberger.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-05 was set for February 7, 2005.

INTRODUCTION AND FIRST READING: ORDINANCE 2005-06,

AN ORDINANCE AMENDING CHAPTER 18, "SOLID WASTE MANAGEMENT," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN IN ORDER TO PROVIDE FOR THE COLLECTION OF GARBAGE FROM DUMPSTER-TYPE CONTAINERS FOR CERTAIN ESTABLISHMENTS LOCATED IN BLOCK 23 OF THE BOROUGH OF HIGHTSTOWN

Following a brief review by Ms. Gallagher, **Ordinance 2005-06** was moved for introduction by Councilman Sikorski and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2005-06 was set for February 7, 2005.

RESOLUTIONS

RESOLUTION 2005-24, AUTHORIZING AMENDMENT TO AGREEMENT WITH P.B.A. LOCAL NO. 283

Ms. Gallagher reviewed the provisions of this Resolution, which would amend the existing P.B.A. contract to allow a switch in medical benefits providers from the State Health Benefits Plan to Aetna. Prescription coverage will also be changed from the State Plan to Bollinger/Caremark. The combined move, she said, will provide equivalent benefits to Borough employees while saving taxpayers approximately \$30,000 per year in premium costs.

Prior to the vote, a provision was added to the Resolution stating that it would not become effective until its co-signature by an authorized representative of the P.B.A..

Resolution 2005-24 was moved by Council President Schneider and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolution adopted, 6-0.

RESOLUTION 2005-24 AUTHORIZING AMENDMENT TO AGREEMENT WITH P.B.A. LOCAL NO. 283

WHEREAS on December 30, 2002, the Borough Council approved an agreement with the New Jersey State Policeman's Benevolent Association, Inc., Local No. 283 for the years 2002, 2003, 2004 and 2005 (hereinafter referred to as "P.B.A. Agreement"); and

WHEREAS Article XVIII of said agreement provides that health insurance shall be provided through the State Health Benefits Program (SHBP); and

WHEREAS the Borough intends to terminate its participation in the State Health Benefits Plan effective March 1, 2005 and begin providing equivalent coverage on that date through Aetna (medical insurance) and Bollinger (prescription plan), which change is expected to save over \$31,000.00 annually in premium costs; and

WHEREAS currently, Chapter 330, P.L. 1997, provides eligibility for enrollment in the State Health Benefits Program to certain retired local police officers and firefighters with part of the cost paid by the State; and

WHEREAS the Borough's change in health benefits providers will not affect the eligibility of those individuals to receive post-retirement benefits through the State Health Benefits Plan; and

WHEREAS the change in providers has been negotiated with the P.B.A. and the P.B.A. has expressed their agreement to same, provided that no action is taken by the Borough which would jeopardize the ability of any member to obtain post-retirement health benefits under Chapter 330;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. Section XVIII of the agreement between the Borough of Hightstown and the New Jersey State Policeman's Benevolent Association, Inc., Local No. 283 for the years 2002, 2003, 2004 and 2005 is hereby amended to state that health insurance shall be provided through the State Health Benefits Program or a program or programs providing coverage equal to or better than the State Health Benefits Program.
2. Section XVIII of the agreement between the Borough of Hightstown and the New Jersey State Policeman's Benevolent Association, Inc., Local No. 283 for the years 2002, 2003, 2004 and 2005 is hereby amended by the addition of new paragraph E, as follows:

E. The Borough agrees that it will not take any action which would affect the eligibility of any member to receive post-retirement benefits through the State Health Benefits Plan under Chapter 330, P.L. 1997. The Borough further agrees that if any member, who would otherwise be a qualified member entitled to receive post-retirement benefits through the State Health Benefits Plan under Chapter 330, P.L. 1997, is deprived of receiving those benefits because of an action of the Borough in regard to provision of health benefits to members or any other employees, then the Borough will pay the premium amount, or portion of premium, necessary to ensure the otherwise eligible employee now deprived does receive those benefits. This provision shall in no way affect the Borough's ability to discipline or terminate its employees in accordance with applicable law.

3. This Resolution shall take effect upon its countersignature by an authorized member of the New Jersey State Policeman's Benevolent Association, Local No. 283.

RESOLUTION 2005-25, AUTHORIZING APPLICATION FOR SHARE (SHARE AVAILABLE RESOURCES EFFICIENTLY) ASSISTANCE THROUGH THE STATE OF NEW JERSEY REDI PROGRAM

Mayor Patten introduced John Ward, newly-appointed Principal of Hightstown High School, who was in attendance at this meeting. Mr. Ward stated that he had been asked by Superintendent of Schools Ronald Bolandi to address Council regarding the stationing of a School Resource Officer at the high school. This officer, he said, would be funded jointly by the school district, Borough and State of New Jersey (through SHARE grant funding, if received).

Mr. Ward stated that the high school is the only place in our community where 1,400 people between the ages of 14 and 19 are assembled, and 300 of the seniors drive to school. Currently, he said, the school has "campus monitors," who simply keep an eye on things. They are not security guards, and they are not trained in law enforcement. When there is a problem, the school calls the Borough police department, which responds immediately.

School Resource Officers are considered to be positive, not negative, he said. They are highly trained officers who are present during school hours. Students are more likely to confide in a School Resource Officer than in teachers and counselors, he added. The presence of that officer acts as a deterrent to misbehavior among the students, but perhaps more importantly, it also deters outsiders who may want to come in. "We have 40 plus sets of doors," Mr. Ward said, "and we can't lock them from the inside." There have been students, he said, who have brought weapons to school. When asked, they have said that they carry them for self protection. If they felt protected, this would happen less often. An officer would be a good influence, Mr. Ward said, especially with new residents coming in, and parents have often asked if the school has a School Resource Officer. He expressed the support of the school district for the solicitation of funding through a joint SHARE grant toward this purpose.

Councilman Quattrone asked if the School Resource Officer would be required to work sporting events in the evenings. Mr. Ward replied, "Not necessarily. We currently have an officer from the Borough present at inside events, and an East Windsor officer takes care of the outside events."

Councilman Thompson asked who would be considered the School Resource Officer's employer. Mr. Ward stated that he would be under the jurisdiction of the Hightstown Police Chief. Mr. Thompson asked how many calls our police department currently responds to at the high school. Chief Eufemia estimated that his officers respond to 100 or more incidents each school year, including fire alarms and ambulance calls. He added that they respond to any type of incident there.

"The school has done a fantastic job with handling a large student body," the Chief said, "and they have put into place a new disciplinary code that has been well received by staff and students. What you have up there is a small community, and it will increase in number over the next year and a half. There is no negative aspect or downside to a full-time officer being stationed there. He would serve as a mentor, build rapport with the student body and teach the laws (DWI, drugs, etc.)." Chief Eufemia noted that there are over 550 School Resource Officers in New Jersey, including 14 in Mercer County. Trenton, Hamilton, Ewing, Hopewell, Pennington, Lawrence and Washington all utilize them, he said. "The officer is not there to be a strict disciplinarian, but to show the student body that the Police are not the enemy," he added. "There are lots of helpful things we can do for these kids. This will avoid problems or tragedies down the road."

The Chief stated that, if approved, an officer would be put into place in July. Councilman Thompson asked if this would alleviate the burden of current calls to the high school. Chief Eufemia replied that "the idea is not to have the School Resource Officer involved in arrests, so as not to alienate the kids," but he and Mr. Ward agreed that, to some extent, his presence there would definitely lessen that burden, as he would be able to settle some matters directly.

In response to further questioning from Councilman Thompson regarding the "incremental cost to the Borough," Chief Eufemia stated, "After [grant] funding runs out, the cost would have to be negotiated for the future with the school district. The positive impact on the student body would far outweigh the cost." He added that the Borough would apply for Federal funding as well.

Councilwoman Laudenberger said that she has discussed this with both Chief Eufemia and the DCA representative who has been conducting our police study. "It's a win-win situation for the school and for us," she said. She added that, when and if a new officer is hired, she would like to see that person be able to speak Spanish. She further stated that she would like to see the school district cover 100% of any additional funding that may be needed, including the \$25,000 in matching funds that would be required under the SHARE grant.

Mayor Patten asked Mr. Ward if the campus monitors would still be required once a School Resource Officer is in place. He replied that they would be, because the student population is growing.

Councilman Sikorski asked Mr. Ward if the school district has sought assistance from East Windsor Township in this regard. Mr. Ward replied that he could not say, but noted that the building must be policed by the Borough, as it is located in Hightstown. If a School Resource Officer was placed in the middle school, he said, that would be under the jurisdiction of the Township.

Council President Schneider said that he would be more comfortable with this if the required match and any other additional costs were funded by the school district, as in that instance, Hightstown would pay its appropriate share through the school taxes. He also stated that he would like more information regarding the incidents that our officers now respond to at the high school.

Councilman Sikorski stated that he is familiar with the program and understands its benefits, but would be opposed to this unless the funding issue is resolved. "Hightstown residents feel that school taxes are exorbitant to begin with," he said.

Mayor Patten noted that, in addition to taxes, there is also a concern for the safety of our residents, and our schools are an important part of that.

Council President Schneider asked if the Borough could reject the grant if awarded. Mr. Raffetto replied that it could.

After further discussion, Resolution 2005-25 was moved by Councilwoman Laudenberg and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberg, Quattrone, Schneider and Thompson voted yes.
Councilman Sikorski voted no.

Resolution adopted, 5-1.

RESOLUTION 2005-25 AUTHORIZING APPLICATION FOR SHARE (SHARING AVAILABLE RESOURCES EFFICIENTLY) ASSISTANCE THROUGH THE STATE OF NEW JERSEY LOCAL REDI PROGRAM

WHEREAS, the Mayor and Council of the Borough of Hightstown and the Board of the East Windsor Regional School District have agreed to apply for *SHARE* (Sharing Available Resources Efficiently) assistance through the State of New Jersey Local REDI Program in the amount of \$100,000.00; and,

WHEREAS, the grant includes a local matching requirement in an amount equal to 25% of the amount of the grant, and,

WHEREAS, the Borough of Hightstown has agreed to be the lead agency in this endeavor; and

WHEREAS, the State of New Jersey has made *SHARE* assistance available to assist local units to study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of police services that would be beneficial to both local units; and

WHEREAS, the Borough of Hightstown agrees to execute an Interlocal Services Agreement with the East Windsor Regional School District in order to implement the sharing of police services;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Hightstown that the Borough of Hightstown does hereby join with the East Windsor Regional School District in applying for a grant for the purpose of implementing the sharing of police services, and agrees to provide its negotiated share of the required local match of \$25,000.00; and

BE IT FURTHER RESOLVED that any additional State or Federal funding received toward this endeavor will be applied to offset the Borough's costs to provide this service.

BUDGETARY RESOLUTIONS

RESOLUTION 2005-26, RESOLUTION CONSTITUTING A TEMPORARY CAPITAL BUDGET

Resolution 2005-26 was moved by Councilwoman Holtzclaw and seconded by Councilman Thompson.

Roll Call: Councilmembers Holtzclaw, Laudenberg, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolution adopted, 6-0.

RESOLUTION 2005-26**RESOLUTION CONSTITUTING THE 2005 TEMPORARY CAPITAL BUDGET**

WHEREAS, the Borough of Hightstown desires to constitute the 2005 Temporary Capital Budget;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hightstown, in the County of Mercer, State of New Jersey, as follows:

1. The 2005 Temporary Capital Budget of the Borough of Hightstown is hereby constituted by the adoption of a schedule to read as follows:

**Temporary Capital Budget of the Borough of Hightstown
County of Mercer, New Jersey**

Projects Scheduled for 2005		Method of Financing			
<u>Project</u>	<u>Est. Costs</u>	<u>Budget Approp.</u>	<u>Capital Imp. Fund</u>	<u>Grant Funding Applied</u>	<u>General Serial Bonds</u>
Reconstruction of Oak Lane	285,000.00		2,750.00	230,000.00	52,250.00
Greenways, Phase II	300,000.00		2,500.00	250,000.00	47,500.00
Mercer Street Revitalization	450,000.00		22,500.00		427,500.00
TOTAL	1,035,000.00		27,750.00	480,000.00	527,250.00

2. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

RESOLUTION 2005-27, AMENDING THE TEMPORARY BUDGET - CURRENT

Resolution 2005-27 was moved by Councilman Sikorski and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolution adopted, 6-0.

RESOLUTION 2005-27**AUTHORIZING THE 2005 TEMPORARY OPERATING BUDGET – CURRENT**

WHEREAS, the Borough Council adopted the 2005 temporary current operating budget on January 1, 2005; and

WHEREAS it is necessary to amend that budget in order to provide additional funding in the Borough's Capital Improvement Fund and for certain insurance expenditures; and

WHEREAS said amendments will neither increase nor decrease the total appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey as follows:

1. The following changes are made to the 2005 Temporary Operating Budget (Current) as adopted on January 1, 2005:

	From:	To:	Difference
Financial Administration – Salaries & Wages	\$28,000.00	\$20,000.00	(8,000.00)

Municipal Court – Salaries & Wages	\$40,000.00	\$35,000.00	(5,000.00)
Liability Insurance – County JIF (Other Expenses)	\$30,500.00	\$32,500.00	2,000.00
Employee Insurance (Other Expenses)	\$85,000.00	\$83,000.00	(2,000.00)
Police – Salaries & Wages	\$321,952.54	\$314,952.54	(7,000.00)
Capital Improvement Fund (new line)	0.00	\$20,000.00	20,000.00
NET TOTAL CHANGE			0.00

2. Certified copies of this Resolution shall be provided forthwith to the Treasurer, Chief Financial Officer and Borough Auditor.

RESOLUTION 2005-47, AUTHORIZING A TRANSFER OF FUNDS IN THE 2004 BUDGET

Resolution 2005-47 was moved by Councilman Quattrone, seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolution adopted, 6-0.

RESOLUTION 2005-47 AUTHORIZING A TRANSFER OF FUNDS IN THE 2004 BUDGET

WHEREAS, N.J.S.A 40A:4-59 provides that the governing body may authorize a transfer of funds in the budget during the first three months of the succeeding fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2004 CURRENT budget are hereby authorized:

		FROM:	TO:
Streets and Roads	Other Expenses	972.00	
Vehicle Maintenance	Other Expenses	181.00	
Electricity	Other Expenses	272.00	
Street Lighting	Other Expenses	731.00	
Gasoline	Other Expenses	1,380.00	
Public Buildings & Grounds	Other Expenses		525.00
Telephone	Other Expenses		502.00
Gas/Heating Oil	Other Expenses		2,509.00
TOTAL		3,536.00	3,536.00

CONSENT AGENDA

Council reviewed the Resolutions included on the consent agenda.

Regarding Resolution 2005-34, Councilman Sikorski commented that “there has been much emphasis on affordable housing, but there is currently a proposal to raise the minimum wage which is meeting with considerable objection.” He said that he would like to see a Resolution by Council to support increasing the minimum wage in the State of New Jersey, as well as a Resolution to send to our United States Senators and Congressman supporting universal medical coverage.

Resolutions 2005-28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44 and 46 were moved by Councilman Sikorski and seconded by Councilwoman Holtzclaw.

Roll Call: Councilmembers Holtzclaw, Laudenberger, Quattrone, Schneider, Sikorski and Thompson voted yes.

Resolutions adopted, 6-0.

RESOLUTION 2005-28 AUTHORIZING AGREEMENT FOR PROFESSIONAL LEGAL SERVICES - ANSELL ZARO GRIMM & AARON

WHEREAS, there exists a need for the provision of municipal legal services for 2005 pertaining to general, water and sewer, and litigation/union matters; and

WHEREAS, Frederick C. Raffetto, Esq., of the firm Ansell Zaro Grimm & Aaron, 1500 Lawrence Avenue, Ocean, New Jersey, has offered to perform such services, and was appointed Borough Attorney by resolution adopted by the Borough Council on January 1, 2005; and

WHEREAS, services will be billed as follows:

Attendance at Council meetings	\$110.00 per hour; maximum \$375 per meeting
General services by flat fee (retainer)	\$23,000 per year
Other legal services:	
Attorney	\$110.00 per hour
Paralegal	\$55.00 per hour

; and

WHEREAS, it is presently anticipated that the maximum costs for legal services other than general matters and attendance at Council meetings are as follows:

Litigation, Personnel and Union Matters	15,000.00
Water and Sewer Matters	
Water	5,000.00
Sewer	5,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an Agreement with Frederick C. Raffetto, Esq. of the firm Ansell Zaro Grimm & Aaron (mailing address 1500 Lawrence Avenue, CN 7807, Ocean, New Jersey, 07712) for 2005 legal services as outlined herein.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Frederick C. Raffetto, Esq. and Ansell Zaro Grimm & Aaron are attorneys authorized by law to practice a recognized profession.
3. It is the intention of the Mayor and Council to assure that sufficient funds are provided in the Borough's 2005 budget for this expenditure.
4. A copy of this Resolution as well as the contract shall be placed on file in the office of the Borough Clerk.
5. A notice of this action shall be printed once in the official newspaper as required by law.

RESOLUTION 2005-29 AUTHORIZING AGREEMENT FOR SPECIAL LABOR COUNSEL – RICHARD SHAKLEE, ESQ.

WHEREAS, there exists the need for specialized legal services relative to labor matters as may arise from time to time; and

WHEREAS, Richard Shaklee, Esq. of the firm McLaughlin Gelson, LLC has offered to perform these services at the rate of \$110.00 per hour, and was appointed Special Labor Counsel by resolution adopted by the Borough Council on January 1, 2005; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Richard Shaklee, Esq., of the firm McLaughlin Gelson, LLC, 1305 Campus Parkway, Suite 200, Wall, New Jersey 07753, for legal services related to labor issues as outlined herein, subject to the provisions of Subsection 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, "Awarding of Public Professional Service Contracts."
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Richard Shaklee, Esq. is an attorney authorized by law to practice a recognized profession.
3. Total amounts expended under this contract shall not exceed \$10,000.00 without further authorization from Council.
4. It is the intention of the Mayor and Council to assure that sufficient funds are provided in the Borough's 2005 budget for this expenditure.
5. A copy of this Resolution as well as the contract shall be placed on file in the office of the Borough Clerk.
6. A notice of this action shall be printed once in the official newspaper as required by law.

RESOLUTION 2005-30 AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS there exists a need for various professional engineering services for the Borough of Hightstown for 2005; and

WHEREAS Roberts & Reymann Engineering, LLC has offered to perform such services at the rates set forth on the attached Hourly Fee Schedule, and was appointed Borough Engineer by resolution adopted by the Borough Council on January 1, 2005; and

WHEREAS it is anticipated that maximum engineering costs during 2005 will be as follows:

Attendance at Borough Council meetings	\$ 4,200.00
General engineering (Planning Board)	4,000.00
Engineering related to re-examination of Master Plan	10,000.00
Miscellaneous requests for information and data	7,500.00
Miscellaneous road and drainage issues	6,000.00
Utility operations – water	12,000.00
Utility operations – sewer	12,000.00; and

WHEREAS tax map maintenance and other work not specifically referenced herein will be billed as performed in accordance with the attached proposal and per diem schedule; and

WHEREAS engineering fee estimates for specific capital projects with a defined scope will be submitted for review and approval prior to performance of any service related to the project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Roberts & Reymann Engineering, LLC for professional engineering services as outlined herein, subject to approval of the Borough Attorney, subject to the provisions of Subsection 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, "Awarding of Public Professional Service Contracts."
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Roberts & Reymann Engineering, LLC is a firm consisting of engineers authorized by law to practice a recognized profession.
3. It is the intention of the Mayor and Council to assure that sufficient funds are provided in the Borough's 2005 budget for this expenditure.

4. A copy of this resolution as well as the agreement shall be placed on file in the office of the Borough Clerk.
5. A notice of this action shall be printed once in the official newspaper as required by law.

RESOLUTION 2005-31 AUTHORIZING AGREEMENT FOR PROFESSIONAL AUDITING SERVICES

WHEREAS, there exists a need for 2004 municipal auditing services for the financial records of the Borough of Hightstown; and

WHEREAS, William E. Antonides, C.P.A., of the firm William E. Antonides and Company, Wall, New Jersey, has offered to perform such services, and was appointed as Borough Auditor by resolution adopted by the Borough Council on January 1, 2005; and

WHEREAS, the maximum cost for the proposed services for 2005 will be \$28,000.00, as outlined in the firm's proposal dated December 9, 2004, which is attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with William E. Antonides and Company (mailing address: 2807 Hurley Pond Road, Suite 200, P.O. Box 1137, Wall, New Jersey, 07719) for municipal auditing services during the year 2005 for an amount not to exceed \$28,000.00, as outlined herein and subject to approval of the Borough Attorney and subject to the provisions of Subsection 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, "Awarding of Public Professional Service Contracts."
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because William E. Antonides and Company is a firm of Certified Public Accountants authorized by law to practice a recognized profession.
3. It is the intention of the Mayor and Council to assure that sufficient funds are provided in the Borough's 2005 budget for this expenditure.
4. A copy of this Resolution as well as the agreement shall be placed on file in the office of the Borough Clerk.
5. A notice of this action shall be printed once in the official newspaper as required by law.

**RESOLUTION 2005-32 AUTHORIZING AGREEMENT FOR RANDOM CDL ALCOHOL AND DRUG TESTING PROGRAM –
COMMERCE RISK CONTROL SERVICES**

WHEREAS, there exists a need for an alcohol and controlled substances program for CDL drivers and other participants in compliance with 49 CFR 382 and 49 CFR 40 for the year 2005; and

WHEREAS, it is the desire of the Mayor and Council to retain Commerce Risk Control Services to perform this service at the cost of \$59.75 per CDL holder or other participant, plus any applicable other costs as outlined in the Agreement which is attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The agreement with Commerce Risk Control Services for provision of a CDL Alcohol and Controlled Substances Program for the period January 1, 2005 through December 31, 2005, which agreement is attached hereto and made a part hereof, is hereby approved, and the Mayor and Borough Clerk are authorized to execute same.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a).
3. Approval of this contract is subject to the appropriation of sufficient funds in the 2004 budget.
4. A notice of this contract award shall be printed once in the official newspaper as required by law.

RESOLUTION 2005-33**AUTHORIZING SOFTWARE SUPPORT AGREEMENT - EDMUNDS & ASSOCIATES**

WHEREAS, the need exists for software support services for 2005 for MCS Tax Collection, Utility Billing, Financial Accounting, Payroll, Animal Licensing and Electronic Requisition software; and

WHEREAS, it is the desire of the Mayor and Council to engage Edmunds & Associates, Inc. of Northfield, NJ, to provide those services at a cost of \$11,060.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Borough is hereby authorized to engage Edmunds & Associates, Inc. to provide support services as outlined above for the period January 1, 2005 through December 31, 2005, at a total cost not to exceed \$11,060.00.
2. It is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2005 budget.

RESOLUTION 2005-34**RESOLUTION REQUESTING TO REMAIN UNDER THE JURISDICTION OF THE COUNCIL ON AFFORDABLE HOUSING AND COMMITTING TO PETITION WITH A THIRD ROUND AFFORDABLE HOUSING PLAN FOR THE BOROUGH OF HIGHTSTOWN IN THE COUNTY OF MERCER, NEW JERSEY**

WHEREAS the Borough of Hightstown petitioned the Council on Affordable Housing ("the Council") for substantive certification of a second round Housing Element and Fair Share Plan on May 15, 2000; and

WHEREAS the Council adopted *N.J.A.C. 5:94 et seq.* and *N.J.A.C. 5:95 et seq.*, which were effective on December 20, 2004; and

WHEREAS pursuant to *N.J.A.C. 5:95-15.1(a)*, the Council shall no longer grant second round substantive certifications; and

WHEREAS substantive certification was not granted to Hightstown's petition prior to December 20, 2004; and

WHEREAS pursuant to *N.J.A.C. 5:95-15.1(b)*, to remain under the jurisdiction of the Council, a municipality that petitioned but did not receive second round substantive certification as of December 20, 2004 shall be required to submit a Resolution from the governing body by February 20, 2005 that commits to file or petition for third round substantive certification in accordance with *N.J.A.C. 5:94 et seq.* and *N.J.A.C. 5:95 et seq.* by December 20, 2005; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown in the County of Mercer, State of New Jersey, that the Borough of Hightstown hereby requests to remain under the jurisdiction of the Council pursuant to *N.J.A.C. 5:95-15.1(b)*; and

BE IT FURTHER RESOLVED that the Borough of Hightstown hereby commits to address its third round fair share housing obligation by filing or petitioning the Council for review and certification of a newly adopted Housing Element and Fair Share Plan in accordance with *N.J.A.C. 5:94 et seq.* and *N.J.A.C. 5:95 et seq.* by December 20, 2005.

RESOLUTION 2005-35**AUTHORIZING ISSUANCE OF LICENSE FOR AUCTION - EMPIRE AUCTION**

WHEREAS, an application for a license to hold an auction at 10 a.m. on Saturday, February 12, 2005 (snow date Saturday, February 19, 2005) at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Auction, together with the required fee; and

WHEREAS, the application has been reviewed and approved by the Chief of Police; and

WHEREAS, it is the desire of the Mayor and Council that a license be issued to Empire Auction for this event;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Auction for their auction to be held at 10 a.m. on Saturday, February 12, 2005 (snow date Saturday, February 19, 2005) at 278 Monmouth Street.

RESOLUTION 2005-37**AUTHORIZING REFUND OF TAX OVERPAYMENTS**

WHEREAS, a tax overpayments was received for the fourth quarter of 2004 as follows:

Refund to:	Amount of Overpayment:	Block & Lot #:	Property Address:
Countrywide Tax Services Corporation P.O. Box 10211 Van Nuys, CA 91410-0211 Attn: Pat (Refund Department) Ref # 5050734	\$2,060.45	Block 49.02, Lot 16	388 Morrison Avenue

; and

WHEREAS, the Tax Collector has requested permission to refund the overpayment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Tax Collector is hereby authorized to issue a refund of the tax overpayment set forth herein.

RESOLUTION 2005-38**AUTHORIZING PAYMENT OF BILLS**

WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Mayor, the appropriate Councilmember and the Treasurer in the amount of **\$1,039,937.01** from the following accounts:

Current	\$ 751,248.52
W/S Operating	108,768.05
General Capital	47,171.03
W/S Capital	31,780.15
Animal Control	1,841.59
Trust Account	1,163.43
Public Defender	317.21
Uniform Construction Trust	657.00
Grant	28,899.28
Escrow – Subdivision & Site Plan (First Washington Bank)	1,084.07
Lien Trust	65,527.05
Law Enforcement Trust	1,410.00
Unemployment Trust	69.63
Total	<u>\$ 1,039,937.01</u>

RESOLUTION 2005-39**AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS**

WHEREAS the Municipal Court Administrator has requested permission to cancel certain outstanding checks from the Court's accounts, as set forth on the attached listing;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Court Administrator is hereby authorized to cancel outstanding checks of the Municipal Court as set forth on the attached listing; and

BE IT FURTHER RESOLVED that a refund be issued to any individual that claims a check subsequent to its cancellation.

RESOLUTION 2005-40**ACCEPTING APPLICATION BY EAST WINDSOR REGIONAL SCHOOL DISTRICT TO HAVE MOTOR VEHICLE STATUTES MADE APPLICABLE TO THEIR PROPERTY AT HIGHTSTOWN HIGH SCHOOL**

WHEREAS the Mayor and Council of the Borough of Hightstown find it in the best interest of the public safety to accept the application of the East Windsor Regional School District requesting that motor vehicle statutes as specified in *N.J.S.A. 39:5A-1* be made applicable to their property at Hightstown High School;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown in the County of Mercer and the State of New Jersey as follows:

1. That the application as herein attached of the East Windsor Regional School District be accepted to have motor vehicle laws made applicable to their property at Hightstown High School. This application will take effect upon approval by the Commissioner of Transportation as authorized under *N.J.S.A. 39:5A-1*.
2. That, after approval has been granted by the Commissioner of Transportation, traffic regulations shall be set up by the Borough of Hightstown Police Department and adopted by the municipal governing body by Ordinance. This Ordinance must then be approved by the Commissioner of Transportation. Signs shall then be installed and enforcement shall begin.
3. That all signs, posts, bolts or other necessary material be installed and paid for by the East Windsor Regional School District. Work shall be checked by the Hightstown Police Department to insure that the installation meets State and Federal specifications.
4. That all Resolutions or portions thereof inconsistent with this Resolution are hereby repealed.

RESOLUTION 2005-41**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-149 TO HIGHTSTOWN WOMAN'S CLUB**

WHEREAS, the Hightstown Woman's Club wishes to hold an off-premise merchandise raffle at St. Anthony of Padua Church on February 26, 2005; and

WHEREAS, the group has submitted application number RA-149 for this raffle, together with the required fees; and

WHEREAS, the Borough Clerk and the Chief of Police have reviewed the application and have determined that the requirements of *N.J.S.A. 5:8-53*, regarding the applicant, the members in charge of the game, and the game itself, have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-149 to the Hightstown Woman's Club for their raffle to be held on February 26, 2005.

RESOLUTION 2005-42**RESOLUTION URGING OPPOSITION TO ASSEMBLY BILL A-3529**

WHEREAS, on November 8, 2004, the New Jersey Superior Court, Appellate Division reaffirmed that government workers cannot receive both a full ordinary disability pension and workers compensation benefits at the same time for the same injury; and

WHEREAS, on November 22, 2004, in response to this court decision, A-3529 was introduced to permit such a double payment retroactive to August, 1997, and this bill later has its second reading and is now awaiting a full Assembly vote; and

WHEREAS, if A-3529 is adopted, government workers will receive substantially more income while out on workers compensation than they would receive if still on the job, and the language of this bill purports to "restore" a benefit which never existed in the law; and

WHEREAS, if A-3529 is adopted, it will have a significant negative financial impact on New Jersey's already fiscally stressed municipalities;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Hightstown joins with the New Jersey League of Municipalities and the Municipal Excess Liability Fund in urging our State legislators to oppose A-3529 and to support the referral of A-3529 to the Pension and Health Benefits Review Commission for further fiscal analysis; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Acting Governor Richard J. Codey, Senator Ellen Karcher, Assemblyman Robert Morgan and Assemblyman Michael Panter, as well as to the New Jersey League of Municipalities.

RESOLUTION 2005-43

RESOLUTION URGING SUPPORT OF ASSEMBLY BILL A-1835 AND SENATE BILL S-1023

WHEREAS Assembly Bill A-1835 and Senate Bill S-1023 have been introduced for the purpose, in part, of requiring the State of New Jersey to reimburse municipalities for the reimbursement and payment of property taxes that disabled veterans are exempt from paying; and

WHEREAS the bills require that municipalities return all taxes collected on the veteran's property after the effective date of the determination of total disability by the United States Department of Veterans' Affairs, and requires the State to reimburse municipalities for the amount of the property taxes returned to a totally disabled veteran pursuant to the requirements of the bill; and

WHEREAS the Mayor and Council of the Borough of Hightstown recognize the bravery of the men and women of our armed services and the sacrifices made by them; and

WHEREAS this legislation would provide a property tax exemption for 100% disabled veterans while relieving the municipality of the burden which would otherwise fall directly on its taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown in the County of Mercer, State of New Jersey, that we strongly support the passage of Assembly Bill A-1835 and Senate Bill S-1023 for the reasons set forth herein, and urge all municipalities in the State of New Jersey to support passage of this legislation; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Acting Governor Richard J. Codey, Senator Ellen Karcher, Assemblyman Robert Morgan, Assemblyman Michael Panter and to the New Jersey State League of Municipalities.

RESOLUTION 2005-44

RESOLUTION SUPPORTING WIDENING OF THE NEW JERSEY TURNPIKE AND REQUESTING THE CONSTRUCTION OF SOUND BARRIERS

WHEREAS the New Jersey Turnpike Authority is planning to widen the New Jersey Turnpike between Mansfield Township and Monroe Township, including the portion of the Turnpike near the Borough of Hightstown; and

WHEREAS Hightstown is a small municipality covering only 1.2 square miles, and noise from the turnpike can be heard virtually anywhere in the Borough; and

WHEREAS, currently, sound barriers exist only on the opposite side of the turnpike, which diverts turnpike noise toward Hightstown and has a direct negative impact on the quality of life of Borough residents; and

WHEREAS the Borough is concerned that, due to increased traffic flow, widening the Turnpike will result in an even greater level of noise than currently exists;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown as follows:

1. The Borough of Hightstown supports the planned widening of the New Jersey Turnpike between Mansfield Township and Monroe Township, subject to the installation of sound barriers as set forth in #2 below.
2. The Borough of Hightstown formally requests that, during construction, sound barriers be installed on the side of the New Jersey Turnpike nearest to Hightstown in order to prevent excessive noise to our residents.

3. A certified copy of this Resolution shall be forwarded to: Michael Lapolla, Executive Director of the New Jersey Turnpike Authority; Jack Lettiere, New Jersey DOT Commissioner; Acting Governor Richard J. Codey; Senator Ellen Karcher, Assemblyman Robert Morgan; Assemblyman Michael Panter; and to the Mayors of Mansfield, Bordentown, Hamilton, East Windsor, Jamesburg, Monroe and Cranbury.

RESOLUTION 2005-46

A RESOLUTION AMENDING RESOLUTION NO. 2004-303, ADOPTED NOVEMBER 15, 2004, ENTITLED, "RESOLUTION AUTHORIZING ADVERTISEMENT FOR RECEIPT OF BIDS FOR THE LEASE OF SPACE ON AND ADJACENT TO THE BOROUGH WATER TOWER AT FIRST AVENUE (CO-LOCATION WITH CURRENT LESSEE)"

WHEREAS, on November 15, 2004, the Hightstown Borough Council adopted Resolution No. 2004-303, entitled, "Resolution Authorizing Advertisement for Receipt of Bids for the Lease of Space on and Adjacent to the Borough Water Tower at First Avenue (Co-Location with Current Lessee);" and

WHEREAS, that Resolution authorized and directed the Borough Clerk to publish an advertisement for the receipt of sealed bids, in accordance with N.J.S.A. 40A:12-14, for space on the Borough's water tower, located at First Avenue, subject to the terms and conditions set forth in the Resolution and in the bid specifications; and

WHEREAS, Section 8(a) of Resolution No. 2004-303 provided that the leased premises may be utilized for installation of up to nine (9) antennas located on the water tower at a location to be approved by the Borough, so long as said location does not impair any rights previously granted to existing tenants at the subject site; and

WHEREAS, the Borough has determined that this Section should be amended to allow for the installation of up to twelve (12) antennas, subject to all of the other terms and conditions contained within Resolution No. 2004-303 and in the bid specifications; and

WHEREAS, the Borough believes that this amendment will foster increased competitive bidding for the contract, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:12-1, et seq.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That Section 8(a) of Resolution No. 2004-303, adopted on November 15, 2004, is hereby amended so as to revise the number of antennas permitted to be constructed on the leased premises from "up to nine (9) antennas" to "up to twelve (12) antennas."
2. That all other terms and conditions contained within Resolution No. 2004-303 shall remain in full force and effect relative to the potential advertisement for receipt of bids for space on and adjacent to the Borough Water Tower at First Avenue (Co-Location with current Lessee).
3. That the Borough Clerk is hereby authorized and directed to publish an advertisement for the receipt of sealed bids which incorporates this amendment, and is otherwise consistent with all of the terms and conditions contained within Resolution No. 2004-303 and the bid specifications.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Candace Gallagher, Borough Administrator/Clerk
 - b. Frederick C. Raffetto, Esquire, Borough Attorney

NEW BUSINESS

BUDGET MEETING DATES

It was discussed and agreed that budget meetings would be scheduled for January 24 and January 31 at 5:30 p.m..

COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilman Sikorski reported his attendance at meetings of the Planning Board and Board of Health.

Councilman Thompson urged the participation of the public in this year's budget process.

Councilman Quattrone reported that the Public Works department has 150 tons of salt and sand stockpiled and ready for emergencies. He said that he has been invited to the first First Aid Squad meeting of the new year, and he attended the meeting of the Parks and Recreation Commission, which will be chaired by Paul Byrne during 2005. The commission is planning a field trip to Duke Estates in the spring, he said.

Council President Schneider stated that he will be meeting with the Court Administrator and Ms. Gallagher during the coming week to discuss the municipal court budget.

Councilwoman Laudenberger reported that she has met with Chief Eufemia and work on the police department budget is underway. She also noted that she attended a ceremony on the previous evening at the Mt. Olivet Baptist Church in honor of Dr. Martin Luther King, which was "very inspirational."

Councilwoman Holtzclaw delivered a tearful resignation, effective February 1, from Borough Council, noting that she and her husband will be moving to Robbinsville. She reviewed the many accomplishments which she has "had the privilege to be a part of" during the past two years, and said, "Serving on Council has been awesome and rewarding. Helping the community in this capacity is something that not many can experience."

Mayor Patten told Councilwoman Holtzclaw that all would miss her, and that she has "modeled how to make good decisions." "You have been of tremendous support to the Mayor, Council and employees," he said. "You've done your homework prior to coming to meetings, which has allowed things to flow smoothly. And you did not 'play politics.' You decided questions for the betterment of the town and not the party's agenda. You've done an extraordinary job."

CORRESPONDENCE

The following items of correspondence were noted for the record, included in the meeting packets, and placed on file in the Borough Clerk's office:

- Letter from New Jersey Department of Environmental Protection regarding Green Acres Program
- Tax/Water/Sewer Collector's Reports – December 2004

PUBLIC COMMENT II

Mayor Patten opened the floor to public comment.

Phyllis Deal, 305 Stockton Street, commended Ms. Holtzclaw for her work on Council and said "we'll miss you." Ms. Deal also commented regarding parking on Stockton Street. She said that she recently attended a party near the intersection of Stockton and Academy Streets where one guest's car was legally parked on the street and was "creamed" by a car traveling at an excessive rate of speed. There is a slight curve there, she said, and asked Council to "think about what you're doing with that." Ms. Deal also expressed support for four-hour parking in the downtown lots.

Eugene Sarafin, 600-628 South Main Street, commented on the School Resource Officer proposal. He recalled the way things were in Hightstown 35 years ago, and said that things have changed dramatically. Today, he said, "we have strangers in schools, and gangs in Princeton High School. Gangs of different cultures are forming in opposition to each other." He suggested that Council educate the public so that they understand that there *is* a need for this and that the

officer would not be there to make arrests. That officer, he said, should be trained in sociology and psychology. "It's a worthwhile experiment," he said. "We're starting to recognize that people have mental illness, and kids bring problems to school. We're finally addressing, with the School Resource Officer, the needs of the students and the school community. I'm glad you passed that Resolution."

Torry Watkins, 68 Meadow Drive, thanked Councilwoman Holtzclaw for "two years of devoted service." "You leave with the thanks of Borough residents," he said. Regarding the School Resource Officer, Mr. Watkins agreed that there are many benefits, but questioned why it had not been discussed previously. He commended Councilman Sikorski for "raising important questions" and cautioned that, if Council does decide to hire a policeman or assign one for this program, "public employees are forever."

Gina Charsky, 158 Broad Street, stated that Custom Bandag, near her home, begins work as early as 6 a.m. and trucks are idling there at 5 a.m.. The police have gone there in response to her complaints of noise, she said, and she is now concerned because they have plans to expand. Councilman Quattrone asked Ms. Charsky if the external phone bell had been unhooked, and she said that it had been, but maintained that "something has to get done. Cars go racing down that street with loud mufflers, and the cops are not allowed to check decibel levels." Mayor Patten asked her to contact Ms. Gallagher about these issues.

Kathy Patten, 135 South Street, thanked Councilwoman Holtzclaw for her work on Council, and urged the Borough to continue her work toward obtaining automated external defibrillators for Borough Hall. "You've added a lot here," she said. Regarding the School Resource Officer, Ms. Patten suggested that Council "heed the words of the high school principal, school superintendent and police chief. It is a different world that we live in today. Think of Columbine. The cost is almost irrelevant – we have to find a way to do it. The grant offers us that."

Dean Bottino, 124 Center Street, spoke to clarify his earlier remarks regarding crosswalks. The crosswalk where Stockton Street and Rogers Avenue split is a "long, lonely dark stretch," he said, "especially at night," and crossing the street near Rachel's is dangerous. "I don't know a cost effective solution," he said, "but problems exist." He questioned whether recessed lighting is the answer, as it could be damaged by the heavy truck traffic. Older people have moved out, he said, and young people have moved in with strollers and there are now more people walking. He asked Council to "take a look every now and then at how to make Hightstown more pedestrian-friendly."

No one else came forward and the floor was closed.

Councilman Quattrone thanked Councilwoman Holtzclaw for her work on Council and expressed his appreciation for the way she handled things. "It was a pleasure working with you," he said.

Councilwoman Laudenberger also thanked Ms. Holtzclaw, and said that she would miss her. "You brought many insightful things to Council," she said. "It will be hard to replace you."

Councilman Thompson stated that Councilwoman Holtzclaw will be missed, and noted that "the best interest of Hightstown was always foremost in your decisions."

Upon motion by Councilman Sikorski, seconded by Councilwoman Laudenberger and unanimously approved, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk