

<b>OPEN SESSION</b>
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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 Bond</i>	✓	
<i>Councilmember McGinty</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Schneider</i>	✓	
<i>Councilmember Sikorski</i>	✓	
<i>Councilmember Theokas</i>	✓	

Also in attendance: Leona Baylor, Deputy Borough Clerk, and George Lang, Chief Financial Officer.

## APPROVAL OF AGENDA

The agenda was amended to include Resolution 2009-84 and to remove Resolution 2009-76, as well as reports and recommendations from the Taxi subcommittee and the COAH subcommittee. The agenda was moved as amended by Council President Sikorski, seconded by Councilmember Quattrone and unanimously approved.

## APPROVAL OF MINUTES

Minutes of the March 2, 2009 open session were moved by Council President Sikorski, seconded by Councilmember Schneider and unanimously approved as submitted.

## PRESENTATION: STONY-BROOK MILLSTONE WATERSHED

Joan McGee of the Stony-Brook Millstone Watershed addressed the Mayor and Council and public. She stated that the Watershed is 60 years old, the oldest in the state, with an 860-acre reserve and 14 trails open to the public 24 hours a day. In addition, they provide educational classes during the summer and on evenings and weekends throughout the year. Ms. McGee explained that the Watershed's objective is to ensure clean water (both ground and surface) and an ample water supply, and to preserve water quality and wetlands.

The Watershed's "Project for Municipal Excellence," she went on to say, is a partnership between the Watershed and the municipality. The Watershed assists municipalities with

questions regarding ordinances and projects, and provides investigations with manpower that most municipalities do not have readily available. The program is based on four pillars: conversation, education, science and advocacy. Through education their staff travels to provide free programs to the public and to the schools, which are grant-funded. The science is the testing of water, which is done mostly by volunteers, and is an extensive process which meets all NJDEP standards. The Watershed also assists in comparing a town's ordinances with its Master Plan and with models for protecting the environment, and making suggestions for any changes which would align them more closely.

Ms. McGee noted that most municipalities rely on their zoning laws, which dictate impervious land cover, stormwater management and COAH, and which, in turn, have environmental impacts. The Watershed can provide assistance regarding the water quality management plan, provide analysis, reports and/or recommendations which are non-binding, and can assist in the implementation of those recommendations. There are currently a number of municipalities that work with the Watershed.

To start the process, the Environmental Commission would need to make a formal request to Council, who would then adopt a resolution. The Watershed would start with a survey, review the current land ordinances, and review management practices. They may interview Borough personnel as a part of this process. When completed, a report will be provided. All work will be done with approval of the elected officials, and will include assistance in creating a shade tree ordinance, noting critical areas of habitation and historic preservation. The Watershed would require a committee to work with them which usually consists of the Administrator and a member each from Environmental Commission, Council, Planning Board and Historic Preservation Commission.

Councilmember McGinty asked where the funding for this project and for the Watershed itself comes from. Ms. McGee explained that the majority of their funding comes from major corporations. The largest contributor is the Dodge Foundation, which is a solvent company and has pledged funding through the middle of 2010.

The Mayor opened the floor to questions from the public.

Eugene Sarafin asked if there are memberships to the Watershed. Ms. McGee stated that there are. They currently have 2,600 memberships, and the average cost for a family is \$50 per year. The membership provides free or discounted admission to Watershed events.

Gary Grubb stated that he has been a longstanding member of the Watershed, and was glad to see them involved in projects in town such as the lakeside remediation and the stream cleanup.

Torry Watkins stated that he, at one time, was also a member but let his membership lapse because he felt that the Watershed was "too much Stony Brook and not enough Millstone." He said that he is glad to see that they are focusing on this area.

Ms. McGee agreed with Mr. Watkins comments, and said that the Watershed recognized that Stony Brook had taken up too much of their time and they are now focusing on other areas.

Kathy Patten voiced her approval of the Watershed's educational programs from a "school's point of view" and said that the established environmental trails are "very enjoyable."

Mayor Patten asked Councilmember McGinty, liaison to the Environmental Commission, if something could be arranged for further discussion of this program at the next Council meeting.

## PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

**Eugene Sarafin**, 600-628 South Main Street, referred to a recent story in the *Windsor Hights Herald* regarding Council members giving up their pay. He said that this was "disingenuous," as five out of our six Councilmembers are self-employed, and health benefits for the average family cost nearly \$1,000 per month. It is not feasible, he said, to give up that salary. Mr. Sarafin also stated that the average poverty level is \$40,000, and there are Borough employees earning \$10 to \$15 per hour, with an average salary of \$20,000 to \$30,000. The suggestion of a four-day work week, he said, "is nonsense." Lastly, Mr. Sarafin questioned the need for Hightstown to have its own police department and said that it would be more economical to share police services with East Windsor.

**Bill Gilmore**, 218 Greeley Street, addressed Council as the acting chair of the Economic Development Committee. He acknowledged that the Committee has not met in 2009, but noted that they did meet during 2008 and at some meetings, there was no quorum present. He said that the Committee received no charge or direction from the Council, and when recommendations were presented by them, the Council did not follow through. Members became frustrated and, as there were no issues at the end of the year, they didn't meet. Mr. Gilmore expressed his support for Ordinance 2009-06, regarding the removal of mandatory monthly meetings for the Economic Development Committee.

**Frank Rivera**, 110 Broad Street, said, "I live in a small house with a large tax bill." He said that he has lived in Hightstown since 1980, when his taxes were \$1,400 per year. Since then, he said, there has been no increase in ratables, but we have "a dozen churches, a muscular private school and a quarter million dollar shortfall." This year, he said, we are facing a raise in fixed costs, insurance and contract costs, in addition to a police budget of \$1.6 million and EMS costs of \$200,000 per year. "The Borough is swimming in a river of red ink," he said. "We need an economy of scale." Mr. Rivera said that he has attended the budget meetings and can see that the Borough is trying, but "a four-day work week won't do it and a raid on the water/sewer surplus won't do it." The Borough needs shared services, he said, noting that he is in support of a merger with East Windsor.

**Torry Watkins**, 68 Meadow Drive, stated that he sent an email to Council asking them to give up the sewer plant and merge that function with East Windsor. Mr. Watkins stated that he felt that "a quality, objective, outside engineer" should be engaged to study this. He also stated that he believes that the water/sewer budget is being used to hide operating expenses. He questioned the charging of some police and public works salaries and other operating costs to the water/sewer budget. The GHEWIP did begin to address per capita costs, he said, and that should be followed through with.

**Susan Bluth**, 42 Dennis Court, spoke as president of the Wyckoff's Mill Condominium Association. She asked why Wyckoff's Mill properties represent half of the anticipated one-third of Borough properties that would see an increase in taxes as a result of the revaluation, and requested a special meeting to explain the process. She said that it was explained to her that the governing body does not respond directly to comments made by the public during meetings, and suggested that quarterly meetings be considered where Council could engage in a Q&A session with residents. Lastly, Ms. Bluth said that she completed a volunteer application for the Borough but has not yet been contacted by anyone.

**Rebecca Archer**, 133 Purdy Street, said that she has lived in the Borough for 10 years. When she first moved here, she said, flood insurance in a Class A area was \$700 per year, and now it is

\$2,080 per year. She said that every time a new project goes in, her insurance costs go up. Now that the new well head is completed, she said, she will need a levee in her yard for the ponding, and added that, after three offenses, FEMA can buy a property owner out. Ms. Archer also stated that the area on Bank Street "has become a Public Works dumping ground and is hazardous to the neighborhood."

**Lawrence Jones**, 148 Stockton Street, stated that he received a letter regarding multiple dwelling units, and inspections are duplicated there. Properties with three or more dwelling units are required to be registered by the State, he said, adding, "I'd rather pay the Borough, but it's totally absurd to pay for two services." He said that State inspectors said that it could be eliminated, and he was told years ago it would be addressed, but nothing was ever done.

No one else came forward and the floor was closed.

## ORDINANCES

### PUBLIC HEARING AND FINAL READING: ORDINANCE 2009-05, AN ORDINANCE AUTHORIZING THE BOROUGH TO ACCEPT THE DEDICATION OF A SIDEWALK EASEMENT UPON, OVER AND ACROSS BLOCK 28, LOT 42.01

Mayor Patten opened the public hearing on Ordinance 2009-05.

**Eugene Sarafin**, 600-628 South Main Street, stated that there are many places in town where the line of sight is violated, and this should be done in more places.

**Torry Watkins**, 68 Meadow Drive, stated that the worst sight line offense is by the Borough, at the fountain at the point.

No one else came forward and the hearing was closed.

Ordinance 2009-05 was moved for adoption by Council President Sikorski and seconded by Councilmember Theokas.

Roll Call: Councilmembers Bond, McGinty, Quattrone, Schneider, Sikorski and Theokas voted yes.

Ordinance adopted, 6-0.

### ORDINANCE 2009-05 AN ORDINANCE AUTHORIZING THE BOROUGH TO ACCEPT THE DEDICATION OF A SIDEWALK EASEMENT UPON, OVER AND ACROSS BLOCK 28, LOT 42.01

**WHEREAS**, in connection with certain subdivision and site plan approvals that were granted to The Peddie School concerning the property located at 169 South Main Street (Block 28, Lot 42), The Peddie School is required to dedicate a sidewalk easement to the Borough upon, over and across proposed new Lot 42.01; and

**WHEREAS**, the area that is subject to the sidewalk easement, which measures approximately 518 square feet, is set forth in more detail in a legal description prepared by Van Cleef Engineering Associates, dated September 23, 2008, a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, a proposed Deed of Sidewalk Easement concerning the area in question is also attached hereto and made a part hereof; and

**WHEREAS**, the New Jersey Local Lands and Buildings Law, N.J.S.A. §40A:12-1, et seq., authorizes a municipality, through the adoption of an Ordinance, to acquire any interest in real property which is deemed to be in the best interests of the municipality, including an easement.

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

1. That, pursuant to N.J.S.A. §40A:12-1, et seq., the Borough is hereby authorized to accept the dedication of the above-referenced sidewalk easement from The Peddie School, as set forth in the attached documents.
2. That the Borough Attorney, the Mayor and the Borough Clerk are hereby authorized and directed to draft and execute any additional documents that may be necessary in order to effectuate the purposes of this Ordinance.
3. That, upon the adoption of the within Ordinance, the attached Deed of Sidewalk Easement shall be recorded with the Mercer County Clerk's Office.
4. That if any section, paragraph, subdivision, clause or provisions of this Ordinance shall be adjusted invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision as adjudged and the remainder of this Ordinance shall be deemed valid and effective.
5. That all other Ordinances and provisions thereof that are inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.
6. That this Ordinance shall take effect immediately upon its adoption and publication in accordance with the law.

**INTRODUCTION AND FIRST READING, ORDINANCE 2009-06,**  
**AN ORDINANCE AMENDING SECTION 2-46, ENTITLED "ECONOMIC**  
**DEVELOPMENT COMMITTEE," OF CHAPTER 2, "ADMINISTRATION,"**  
**OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF***  
***HIGHTSTOWN***

Ordinance 2009-06 was moved for introduction by Council President Sikorski and seconded by Councilmember Theokas. Discussion ensued.

Council President Sikorski said that he listened to Mr. Gilmore's comments, and believes that communication between Council and the Committee should be improved. Council, he said, may have been remiss in failing to give the Committee direction.

Councilmember McGinty said that, not long ago, the Committee came before Council requesting an increase in the number of its members, and now they are asking to remove the monthly meeting requirement. "They haven't met in the last four months," she said, "they have no chair, and they say they have no direction." She said that, by ordinance, they are given eight powers,

and they should meet and address those. That ordinance is new, as is the Committee, and she said that she is opposed to changing the ordinance.

Councilmember Theokas stated that, while he agrees with much of what Councilmember McGinty said, he feels it does not apply to this ordinance. He expressed support for the change.

Mayor Patten noted that no other Board or Committee is required to meet, and said that he is not sure why that language was included in the original ordinance.

Councilmember Quattrone stated that, if a person has agreed to join a committee, they should be given the opportunity, but with no meetings, people lose interest. The committee has made recommendations to Council which "don't always make it," he said, but they should continue to meet and share their ideas with Council.

Councilmember Schneider explained that, while he knows it's only a change to meeting on an "as needed" basis, he would rather see the membership of the committee changed to those who would like to meet. There are things going on in town that could be discussed, he said, such as the new lumberyard or the possibility of the Post Office moving out of town. He added that he has lobbied the Council on various issues in the past and has been turned down, but that doesn't mean he doesn't show up. "If the membership doesn't want to meet, then change the membership," he said. "There are other residents who would like to serve." He stated that he was not in favor of this ordinance.

Mayor Patten noted that this is a language change in the ordinance, and not a criticism of what the committee needs to do. He asked Council to keep those issues separate.

Roll Call: Councilmembers McGinty, Quattrone and Schneider voted no. Councilmembers Bond, Sikorski and Theokas voted yes. Mayor Patten broke the tie by voting yes.

Ordinance introduced, 4-3.

The public hearing and final reading for Ordinance 2009-06 was set for April 6, 2009.

## INTRODUCTION AND FIRST READING, ORDINANCE 2009-07, AMENDING SECTION 19-2.7(A) OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN* REGARDING WATER AND SEWER CONNECTION FEES

Mr. Lang explained that this ordinance is the result of the annual review by the Borough Engineer of our water and sewer connection fees. Her calculations, which are based on the Borough's debt, result in a slight decrease in the water connection fee and a slight increase in the sewer connection fee.

The ordinance was moved for introduction by Councilmember Schneider and seconded by Councilmember Quattrone.

Roll Call: Councilmembers Bond, McGinty, Quattrone, Schneider, Sikorski and Theokas voted yes.

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2009-07 was set for April 6, 2009.

# RESOLUTIONS

## RESOLUTION 2009-77, AUTHORIZING RENEWED INTERLOCAL AGREEMENT WITH EAST WINDSOR TOWNSHIP FOR SENIOR SERVICES

Resolution 2009-77 was moved by Council President Sikorski and seconded by Councilmember Bond.

Roll Call: Councilmembers Bond, McGinty, Quattrone, Schneider, Sikorski and Theokas voted yes.

Resolution adopted, 6-0.

### RESOLUTION 2009-77 AUTHORIZING RENEWED INTERLOCAL AGREEMENT WITH EAST WINDSOR TOWNSHIP FOR SENIOR SERVICES

**WHEREAS**, with the adoption of Resolution 2008-86 on March 17, 2008, the Borough Council approved an Interlocal Service Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2008 through February 28, 2009; and

**WHEREAS**, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 2010; and

**WHEREAS**, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the approval of Interlocal Service Agreements by Resolution; and

**WHEREAS**, the Mayor and Council have reviewed the proposed Interlocal Service Agreement for Senior Services for the period March 1, 2009 through February 28, 2010, which agreement is attached hereto and made a part hereof; and

**WHEREAS**, the Borough's net share of costs for these services, by the terms of this agreement, will be Twenty-One Thousand One Hundred Eighty-Two Dollars and Sixty-Six Cents (\$21,182.66) for this 12-month period; and

**WHEREAS** it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2009 and 2010 budgets;

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

1. The attached Interlocal Service Agreement<sup>1</sup> with the Township of East Windsor for Senior Services for the period March 1, 2009 through February 28, 2010 is hereby approved, in accordance with the provisions of N.J.S.A. 40:8A-4.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement for same.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2009 and 2010 budgets.

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<sup>1</sup> Agreement is on file in the Borough Clerk's office with original copy of Resolution 2009-77.

## CONSENT AGENDA

Prior to moving the consent agenda, there was a question regarding what a 457 governmental deferred compensation plan is. It was clarified that a 457 plan is the governmental equivalent of a private 401K plan.

Resolutions 2009-78 through 2009-84 were moved by Council President Sikorski and seconded by Councilmember Quattrone.

Roll Call: Councilmembers Bond, McGinty, Quattrone, Schneider, Sikorski and Theokas voted yes.

Resolutions adopted, 6-0.

### **RESOLUTION 2009-78 RESOLUTION AUTHORIZING PARTICIPATION OF THE BOROUGH OF HIGHTSTOWN IN THE DEVELOPMENT OF THE MERCER COUNTY WASTEWATER MANAGEMENT PLAN**

**WHEREAS**, the New Jersey Department of Environmental Protection readopted the Water Quality Management Planning rules, NJAC 7:15, with amendments, repeals and new rules in May 2008 with an effective date of July 7, 2008; and,

**WHEREAS**, the Rules transfer assignment and primary responsibility for the development and updating of Wastewater Management Plans to New Jersey counties; and,

**WHEREAS**, the Rules require counties to submit a county-wide Wastewater Management Plan to NJDEP; and,

**WHEREAS**, the Rules stipulate that failure to submit an updated Wastewater Management Plan may result in the withdrawal of all wastewater service area designations; and,

**WHEREAS**, Mercer County accepted its role in water resources planning as the responsible wastewater management planning agency for its thirteen municipalities and will fund preparation of the Plan; and,

**WHEREAS**, the Plan will result in:

1. A County-wide proposed sewer service area
2. A determination of future wastewater demand and proposed infrastructure needed to support demand in both urban and non-urban municipalities
3. An analysis of groundwater and treatment plant capacity to support future wastewater needs
4. A determination of water supply quality and quantity, including measures to ensure adequate water supply; and

**WHEREAS**, municipalities have the option to participate as informed local representatives; and

**WHEREAS**, municipalities will participate in the quality control and assurance of data and to ensure consistency of the Plan with municipal growth plans and natural resource objectives, and will not be required to make a monetary contribution to the development of the county-wide Wastewater Management Plan; and



**WHEREAS**, municipalities will have continued access to data and information developed by the County for the Plan, provided that municipal data is supplied in an acceptable format to the County in accordance with the work program and schedule; and

**WHEREAS**, the County will establish a mechanism for sharing data, information and draft Plans to be used by the municipalities as desired; and

**WHEREAS**, the Governing Body of the Borough of Hightstown has concluded that it is appropriate, necessary and in the municipality's interest to fully participate in the development of the Mercer County Wastewater Management Plan through the full and active participation of the Municipal Government;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Hightstown Council, County of Mercer as follows:

1. The Borough of Hightstown shall work with the County in the preparation of the Mercer County Wastewater Management Plan in accordance with a proposed work program and schedule issued by Mercer County;
2. The Borough of Hightstown shall provide municipal data in an acceptable format to the County in accordance with the work program and schedule including any other documents as may be required; and,

**BE IT FURTHER RESOLVED**, that the Borough of Hightstown hereby designates the following persons to act as authorized liaisons of the Borough of Hightstown, to Mercer County in the development of the Mercer County Wastewater Management Plan:

1. William Searing, AWWTP Superintendent
2. Larry Blake, Superintendent of Public Works and Water
3. Carmela Roberts, P.E., Borough Engineer (if and as needed, subject to prior approval of Candace Gallagher, Borough Administrator)

**RESOLUTION 2009-79    RESOLUTION WITH RESPECT TO ADOPTING A NEW JERSEY  
GOVERNMENTAL §457 DEFERRED COMPENSATION PLAN DOCUMENT**

**WHEREAS**, the Borough of Hightstown (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective November 17, 1997 for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

**WHEREAS**, the Employer desires to adopt a restated Plan Document; and

**WHEREAS**, such revised Plan Document shall supersede the previously adopted Plan Document; and

**WHEREAS**, adoption of the restated Plan Document does not alter the benefits available to employees through the plan and requires no expenditure on the part of the Borough of Hightstown or its employees;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the Borough of Hightstown hereby adopts a deferred compensation plan provided by Great-West Life & Insurance Company that has been assigned the plan identifier 74-PD-GWL-120208 by the Division of Local Government Services; and

**BE IT FURTHER RESOLVED** that the Employer is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Taxpayer Relief Act of 2001 (United States Public Law No. 105-34), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), the Pension Protection Act of 2006 (PPA), the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act), and final Treasury Regulation §1.457-4, and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue Code Section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent, and;

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby designated as the Local Plan Administrator of the Plan; and

**BE IT FURTHER RESOLVED**, the Mayor is hereby authorized to execute a Service Agreement with Great-West Life & Annuity Insurance Company 56-SA-GWL-010506 and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

#### **RESOLUTION 2009-80 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 Borough Administrator and the Treasurer in the amount of **\$1,322,841.25** from the following accounts:

Current	\$ 1,147,025.80
W/S Operating	145,395.95
General Capital	2,047.01
W/S Capital	9,351.02
Animal Control	346.80
Trust	755.12
Grant	870.00
Housing Trust	2,680.05
Public Defender	450.00
Escrow – Subdivision & Site Plan	<u>13,919.50</u>
<b>Total</b>	<b>\$ <u>1,147,025.80</u></b>

#### **RESOLUTION 2009-81 AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2009 BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2009 temporary budget; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

**WHEREAS**, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule "A," attached; and

**WHEREAS**, the total emergency temporary appropriations in resolutions adopted in the year 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i><b>THIS RESOLUTION</b></i>	<i><b>PREVIOUS TOTAL</b></i>	<i><b>CUMULATIVE TOTAL</b></i>
Current	292,650.00	207,619.00	<b>500,269.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	241,300.00	398,867.00	<b>640,167.00</b>
Capital Outlay – W/S	30.00	7,500.00	<b>7,530.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>533,980.00</b>	<b>613,986.00</b>	<b>1,147,966.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof<sup>2</sup>.
2. Each emergency appropriation listed will be provided for in the 2009 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

#### **RESOLUTION 2009-82    RESOLUTION REGARDING APPOINTMENTS TO THE BOARD OF HEALTH**

**WHEREAS**, Skye Gilmartin was appointed on January 1, 2009 as a regular member of the Board of Health, to serve a three-year term expiring December 31, 2011; and

**WHEREAS**, Dr. Liza Barbarello-Andrews was appointed on January 1, 2008 as Alternate #2 to the Board of Health, to serve a two-year term expiring on December 31, 2009; and

**WHEREAS**, it is the desire of the Board of Health to appoint Dr. Andrews as its president, and in order to do so, she must be a regular member of the Board; and

**WHEREAS**, to that end, the Board has requested that the membership status of Dr. Andrews and Ms. Gilmartin be switched, so that Dr. Andrews serves as a regular member for the remainder of the three-year term expiring December 31, 2011 and Ms. Gilmartin serves as Alternate #2 for the remainder of the two-year term ending December 31, 2009;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership status of Dr. Liza Barbarello-Andrews and of Skye Gilmartin are hereby adjusted as set forth herein.

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<sup>2</sup> Schedule is on file in the Borough Clerk's office with original copy of Resolution 2009-81.

**RESOLUTION 2009-83 AUTHORIZING A TRANSFER OF FUNDS IN THE 2008 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 2008 CURRENT budget are hereby authorized:

		FROM:	TO:
<i>INSIDE CAP:</i>			
Insurance	Other Expense	3,000.00	
Police Department	Other Expense	5,000.00	
Street & Road Maintenance	Other Expense	4,000.00	
Recycling	Salaries & Wages	4,000.00	
Public Employees Retirement System	Other Expense		16,000.00
TOTAL		\$16,000.00	\$16,000.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

**RESOLUTION 2009-84 AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-201 TO F & AM HIGHTSTOWN APOLLO LODGE #41**

**WHEREAS**, the F & AM Hightstown Apollo Lodge #41 wishes to hold a calendar raffle at 535 North Main Street on the third Thursday of every month, May through December 2009; and

**WHEREAS**, the group has submitted application number RA-201 for this raffle along with the required fees; and

**WHEREAS**, F & AM Hightstown Apollo Lodge #41 is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-6-37719, which registration expires on June 24, 2010; 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-201 to the F & AM Hightstown Apollo Lodge #41 for their raffle to be held on third Thursday of every month; May through December 2009.

## **PUBLIC COMMENT II**

Mayor Patten opened the floor once again for public comment.

**Eugene Sarafin**, 600-628 South Main Street, expressed his displeasure regarding the proposed water and sewer connection fee changes, saying that the Borough is raising \$500,000 in connection fees currently and none is being applied to the debt. He stated that he believes that the Borough is using water and sewer to run the budget.

**Torry Watkins**, 68 Meadow Drive, stated that, regarding the Economic Development Committee, he is not "wedded" to the idea of mandatory meetings, but he is in favor of keeping the Committee.

**Chris Moraitis**, 208 Stockton Street, said that the Economic Development Committee should be committed to a defined schedule in order to avoid the appearance of working behind the scenes and having hidden agendas.

**Dimitri Musing**, 137-141 Stockton Street, said that he wondered why there would be any agreement to let one of the most important committees not meet. He said that it is semantics to say "separate the issues," and it can't be done. There is a lot of potential for this committee, he said, and asked, "Why have an Economic Development Committee who hasn't met and doesn't want to meet?" He stated that he has a few ideas, and the bylaws state that they should be coming up with something. If they come up with 100 ideas and Council only accepts one, then they were successful, he said, and they should keep presenting their ideas to Council.

No one else came forward and the floor was closed.

## COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilmember McGinty reported that the Stony Brook - Millstone Watershed presentation is a continuation of work by the Environmental Commission. Regarding Ms. Bluth's comments during the first Public Comment session, Councilmember McGinty said that she invites any comments or questions by email. She added that, while she understands the reasons for the process followed by Council in not responding directly to public comments and questions, "there should be something better than blank faces staring back." Ms. McGinty also said that she would like to see the three minute limitation on comments revisited.

Council President Sikorski reported that the Minute Maid subcommittee met with East Windsor representatives and all were very cooperative, but there was no major development. Regarding responses by the governing body to public comments, Mr. Sikorski stated that it can not always be done, as some issues may be too complex to address immediately or the resident may simply not like the answer. It is usually advised, he said, that the resident contact the Administrator, who can forward it to the correct person. With respect to assessments, Council President Sikorski stated that Council is not responsible for providing that information – the correct person to do so is the Tax Assessor, Ken Pacera. He added that Mr. Pacera has stated that Hightstown had the smallest number of people to respond to the revaluation that he has ever seen. Some residents are saying they never received anything from the revaluation firm, but at this time, Mr. Sikorski said, unfortunately the only response that can be given is that you have to speak with the Assessor and possibly file a tax appeal. The filing deadline for Hightstown has been extended to May 1, 2009 for this year, he said.

Councilmember Quattrone stated that the First Aid budget "is getting a lot of press" and he would like to hear more from the public on the costs and how they feel about spending this kind of money for EMS coverage. Our Public Works department, he said, has started the spring cleanup, and the Parks and Recreation Committee welcomes anyone who wants to attend their meetings or who would like to volunteer. Mr. Quattrone reported that he has a good group to work with for the Memorial Day parade, and East Windsor has once again expressed interest in participating in the organizing of it. He expressed his disappointment with the vote on the Economic Development Committee ordinance. They are currently not meeting, he said, and he sees them "heading toward a collapse." "Perhaps there is a need to reorganize," he said, "or maybe for a change in leadership, as the right person can do a lot." Lastly, Councilmember

Quattrone stated that the budget subcommittee "did a lot of hard work and is doing a good job to keep costs down," but he opposes going to a four-day work week.

Mayor Patten announced that John Archer will serve as the new Emergency Management Coordinator for the Borough, with a 15 member team. He also commented that, in the past, there has been criticism of the Mayor's advisory groups. All Mayors, he said, have advisory groups and there is nothing illegal about it. Mayor Patten said that the process for the revaluation was explained well by Council President Sikorski and the policy regarding responding to residents' comments at a meeting was previously agreed upon by Council. Borough Administrator Candace Gallagher does respond to residents, as do our department heads and sometimes members of Council, but "sometimes things do slip by." He noted that, sometimes things go on for a long time, but are only heard of for the first time at a Council meeting.

There being no further business, adjournment was moved by Council President Sikorski, seconded by Councilmember McGinty and unanimously approved. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Leona Baylor, RMC  
Deputy Borough Clerk

*Reviewed and edited by Candace Gallagher, Borough Clerk*