

Meeting Minutes

Hightstown Borough Council

Regular Meeting

November 16, 2009 7:00 p.m.

The meeting was called to order by Mayor Robert Patten at 7:00pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The Flag Salute was followed by Roll call.

ROLL CALL

	PRESENT	ABSENT
Mayor Patten	✓	
<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: Debra Sopronyi, Borough Clerk; Frederick Raffetto, Borough Attorney; and Carmela Roberts, Borough Engineer.

Approval of Agenda

The Mayor addressed Councilmember McGinty regarding some items she would like to add to the agenda for discussion. Councilmember McGinty stated she was going to follow up on the street closing request for December 17th from 6-9pm; however Chief Eufemia sent an e-mail that confirmed that the street closing will move forward. The item she would like to add is discussion of trust accounts.

Council President Sikorski moved to approve the agenda as revised by Councilmember McGinty, Councilmember Schneider seconded. All ayes. The agenda was approved as amended.

Approval of Minutes:

Councilmember Theokas motioned to accept the minutes of the October 5, 2009 open session meeting, Council President Sikorski seconded, all approved.

Council President Sikorski motioned to accept the minutes of the October 5, 2009 closed session meeting, Councilmember Quattrone seconded; Councilmember Theokas abstained, the remainder of the Council approved.

Council President Sikorski motioned to accept the minutes of the October 19, 2009 open session meeting, Councilmember Schneider seconded, all approved.

Councilmember Schneider motioned to accept the minutes of the October 22, 2009 open session meeting, Councilmember Theokas seconded; Councilmember Schneider abstained, the remainder of the Council approved.

Council President Sikorski motioned to accept the minutes of the October 22, 2009 closed session meeting, Councilmember McGinty seconded; Councilmember Schneider abstained, the remainder of the Council approved.

Presentation:

Richard Pratt, addressed Council and thanked them for the opportunity to speak with them. He stated that Council initially gave their verbal support for both the skate park and fundraising efforts, then in August he was charged with finding a 501(3)C to take over the account. He has found one, Next Level Youth, which he feels is a perfect fit and he would like the Council to approve the resolution and agreement to move these funds to the non-profit Next Level Youth Program. Keith Jackson gave the history and additional details on the Next Level Youth Program. Council made a few inquiries and Councilmember McGinty requested that Resolutions 257 and 258 be removed from the consent agenda and be heard and discussed directly following the public comment period, all agreed.

Public Comment I

Mayor Patten opened the floor for public comment.

Phyllis Deal – 305 Stockton St., is concerned with ordinance 2009-23 and the requirements regarding storm drain inlets that make residents responsible to upgrade them when replacing their sidewalks. When they do Stockton Street, will the residents be responsible for cost of replacement, or is the contractor performing the work for the Borough going to take care of it? The Mayor informed Ms. Del that this matter can be addressed during the public hearing for the ordinance.

Derek Hahn - 102 Manlove, supports the skate park and offered to represent the Parks & Recreation Committee in discussion if desired.

Steve Misiura – 352 S. Main St., would like Council to support resolution 2009-267. This resolution pertains to the Minute Maid site and is being submitted jointly with East Windsor. This is something that has been talked about for a long time and grants are scarce, it is a great opportunity for Hightstown to get funding.

Tory Watkins - 68 Meadow Drive, is concerned with resolution 2009-256 which permits the hiring of temporary seasonal employees for Public Works. Given the fiscal situation of the Borough, Council should establish a Vacancy Control Committee to evaluate employee replacements.

Eugene Sarafin – 628 S. Main St., expressed his dissatisfaction with the resolution and agreement regarding the Skate Park as it insinuates the Borough has discussed and supports the Skate Park.

Chris Emigholz– 148 South St, stated that his taxes are too high and Council is not addressing this issue. There should be something on each meeting addressing cutting costs and increasing revenues. Property tax relief is need for the residents.

David Bell – 114 First Avenue, expressed his concern regarding vacant properties in the Borough and the lack of maintenance. He stated that the shingles from a neighboring property are blowing all over his property as they are a safety hazard. He believes the Borough needs to enforce the maintenance codes.

Taylor Bell – 114 First Avenue, is upset that the bridge over the dam is gone. She would like to coordinate fundraising efforts to get the bridge replaced.

Tory Watkins - 68 Meadow Drive, agrees with Chris Emigholz's comments, residents need tax relief.

There being no further comments, the Mayor closed the Public Comment period.

Resolution 2009-257 was moved by Council President Sikorski and seconded by Councilmember Theokas. Discussion followed.

Councilmember McGinty was concerned about Next Level's ability to handle the funds and the possibility of the funds returning to the Borough should Next Level dissolve; there needs to be an alternative in the agreement, the Borough should not be bound to take the funds back. Councilmember Quattrone questioned whether the agreement was too complex, and suggested the process should be simplified. Councilmember Theokas felt that the Attorney had reviewed the agreement and found that it did not obligate the Borough; the Skate Park is doing exactly what was asked of them; this item has been the subject of discussion for quite some time and should be resolved now. Councilmember McGinty requested that they hold the resolution until the next meeting so that the matter of responsibility of the funds could be addressed in the agreement.

Council President Sikorski motioned that resolution 2009-257 be postponed until the next meeting to amend the agreement to include an alternative for the funds should Next Level disband. Councilmember Schneider seconded; Councilmember Bond abstained, Council members McGinty, Quattrone, Sikorski and Schneider voted yes; Councilmember Theokas voted no, the motion to postpone this resolution until the next meeting was carried.

Resolution 2009-258 was moved by Council President Sikorski and seconded by Councilmember Quattrone. Discussion followed.

Councilmember McGinty felt that having a link to the Skate Park's website, on our website, represented that Hightstown Borough endorses the park. Councilmember Theokas thanked the Skate Park volunteers and apologized for the Borough. Councilmember Schneider suggested that since the link has been there for some time already, why not hold this resolution until next meeting as well.

Councilmember Schneider motioned that resolution 2009-258 be postponed until the next meeting. Councilmember Theokas seconded; All voted yes, The motion to postpone this resolution until the next meeting was carried.

Ordinances:

Public Hearing and Final Reading: Ordinance 2009-23 An Ordinance requiring the retrofitting of existing storm drain inlets.

Councilmember Bond gave a brief summary of the ordinance and explained that this ordinance is required by DEP.

The Mayor opens the Public Hearing on Ordinance 2009-23.

Phyllis Deal – has a storm drain near her property and wants to know if she is responsible for retrofitting it? She was advised by Council that she was not.

Eugene Sarafin – 628 S. Main St., inquired if we are retrofitting all of our storm drains, and if not, why not? Can't you get a grant to do this? He proceeded to point out several locations in Hightstown Borough that should be retrofitted.

There begin no further public comment, the Mayor closed the public hearing.

Council President Sikorski moved for adoption of Ordinance 2009-23, Councilmember Quattrone seconded.

Roll Call Vote: Councilmembers Sikorski, Theokas, Bond, McGinty, Quattrone and Schneider voted yes
Ordinance Adopted, 6-0

Ordinance 2009-23

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

RETROFITTING OF EXISTING STORM DRAIN INLETS

WHEREAS, the New Jersey Department of Environmental Protection requires that each Municipality within the state require the retrofitting of existing storm drain inlets that are in direct contact with construction of any kind to prevent the discharge of solids and floatables into the storm sewer system to protect the environment and natural waterways, and;

WHEAREAS, The Borough Council of Hightstown Borough finds it in the best interest of the community to implement the required ordinance.

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

Section 1: Purpose

This ordinance requires the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Hightstown so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

Section 2: Definitions

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Hightstown or other public body, and is designed and used for collecting and conveying stormwater. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- b. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- c. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

Section 3: Applicability

1. No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- a. Already meets the design standard below to control passage of solid and floatable materials; or*
- b. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.*

2. Storm drain inlets identified above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 4 below.

- a. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer

manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

Section 4: Exemptions

This standard does not apply:

1. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

- a. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
- ii. A bar screen having a bar spacing of 0.5 inches.

- b. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

- c. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section 5: Enforcement and Penalties

1. This ordinance shall be enforced by the Construction Official of the Borough of Hightstown.

2. Any person who is found to be in violation of this ordinance shall be subject to penalties as stated in Chapter 1, Section 5 of the *Revised General Ordinances of the Borough of Hightstown* for each storm drain inlet that is not retrofitted to meet the design standard.

General Provisions

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

This ordinance shall be incorporated into Chapter 25 "Stormwater Control" of the *Revised General Ordinances of the Borough of Hightstown*.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Public Hearing and Final Reading: Ordinance 2009-25 An ordinance establishing the titles which shall be covered by the Defined Contribution Retirement Plan (DCRP)

The Borough Clerk gave a brief description of the ordinance and explained that it is required by the State of New Jersey.

The Mayor opened the Public Hearing on **Ordinance 2009-25**

Eugene Sarafin – 628 S. Main St., noted he was present

There begin no further public comment, the Mayor closed the public hearing.

Council President Sikorski moved for adoption of Ordinance 2009-25, Councilmember Bond seconded.

Roll Call Vote: Councilmembers Sikorski, Theokas, Bond, McGinty, Quattrone and Schneider voted yes
Ordinance Adopted, 6-0

Ordinance 2009-25

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

AN ORDINANCE ESTABLISHING THE TITLES WHICH SHALL BE COVERED BY THE DEFINED CONTRIBUTION RETIREMENT PLAN (DCRP)

WHEREAS, the State Legislature has adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

WHEREAS, the Borough Council of Hightstown Borough has considered the guidelines issues by the Local Finance Board;

THEREFORE, BE IT ORDAINED by the Hightstown Borough Council that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:
 - a. *Business Administrator;*
 - b. *Municipal Court Judge;*
 - c. *Municipal Prosecutor;*
2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
 - a. *Certified Health Officer;*
 - b. *Tax Collector;*
 - c. *Chief Financial Officer;*
 - d. *Construction Code Official;*
 - e. *Qualified Purchasing Agent;*
 - f. *Tax Assessor;*
 - g. *Municipal Planner;*
 - h. *Registered Municipal Clerk;*
 - i. *Licensed Uniform Subcode Inspector;*

- j. *Principal Public Works Manager.*
3. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.
 4. This ordinance shall be incorporated into Chapter 2, Administration, of the *Revised General Ordinances of the Borough of Hightstown.*
 5. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
 6. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

Section 2. This Ordinance shall take effect upon final passage and publication in accordance with the law.

Public Hearing and Final Reading: Ordinance 2009-26 An Ordinance Amending Section 4-21, entitled "Taxicab Licensing," of Chapter 4, "General Licensing," of the *Revised General Ordinances of the Borough of Hightstown*

The Borough Clerk gave a brief review of the ordinance.

The Mayor opened the Public Hearing on **Ordinance 2009-26**

Eugene Sarafin – 628 S. Main St., would like to know why the Council is removing their right to set the rates charged in the Borough; this will allow the cabs to charge whatever they want.

Juan Manetta -132 Franklin St., representing Super Taxi. He wants to talk about the insurance requirement for taxis. The Mayor requested that he wait until the taxi ordinance is discussed later in the meeting.

Councilmember Theokas stated we should not be telling them what to charge, but we should be controlling the number of taxis in town and he will not be voting for this ordinance because it is missing that language.

There begin no further public comment, the Mayor closed the public hearing.

Council President Sikorski moved for adoption of Ordinance 2009-26, Councilmember Quattrone seconded.

Roll Call Vote: Councilmembers Sikorski, Bond, McGinty, Quattrone and Schneider voted yes, Councilmember Theokas voted no.

Ordinance Adopted, 5-1

Ordinance 2009-26

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 4-21, ENTITLED "TAXICAB LICENSING," OF CHAPTER 4, "GENERAL LICENSING," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY."

WHEREAS, the Hightstown Borough Council has determined that it is appropriate to amend the current regulations governing taxicab licensing within the Borough in certain respects.

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

1. That Section 4-21, entitled "Taxicab Licensing," of Chapter 4, "General Licensing," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey," is hereby amended and supplemented at Subsection 4-21.4 thereof, "Licensing of Taxicab Drivers," paragraph "b," in the following specific respects (additions are shown with underline and deletions are shown with ~~strikeout~~):

4-21.4 Licensing of Taxicab Owners.

b. Investigation; Hearing before Council. The Chief of Police or a Police Officer designated by him shall investigate the application. A copy of the application shall also be provided to the Zoning Officer for review and for a determination that the proposed location of the taxi operation does not violate applicable zoning regulations. A report containing the results of the Police investigation and evaluation, a recommendation by the Chief of Police that the license be granted or denied and the reasons for his recommendation shall be forwarded to the Council. A report regarding the Zoning Officer's findings shall also be provided to the Council. The Borough Clerk shall ensure that ~~a copy~~ copies of ~~the these~~ reports ~~is~~ are also made available to the applicant. In those cases where the Chief of Police or his designee, or the Zoning Officer, has recommended against issuing the license, the applicant shall be afforded the opportunity for a hearing before the Borough Council. Any request for a hearing must be made within ten (10) days of the applicant's receipt of the Police Chief's applicable report. At the hearing, the applicant shall have the right to be represented by counsel and will be afforded the opportunity to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings. At the conclusion of the hearing, the Council will determine whether to grant or deny the license.

2. That Section 4-21, entitled "Taxicab Licensing," of Chapter 4, "General Licensing," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey," is hereby amended and supplemented at Subsection 4-21.9 thereof, "Fares," paragraph "a," in the following specific respects (additions are shown with underline and deletions are shown with ~~strikeout~~):

4-21.9 Fares.

a. Rates of Fare. ~~The fare that may be charged by the driver or owner of a taxicab for a trip wholly within the limits of the Borough shall not exceed the rates approved annually by the Council by resolution.~~ Fares shall be conspicuously displayed in each taxicab.

3. 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.

4. 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.

5. That this Ordinance shall take effect immediately upon its adoption and publication in accordance with the law.

Introduction and First Reading: Ordinance 2009-24 An ordinance regarding dumpsters and other refuse containers.

Councilmember McGinty gave a brief summary of the ordinance and explained that this ordinance is required by DEP.

Council President Sikorski moved to introduce Ordinance 2009-24, Councilmember Schneider seconded.

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

Ordinance Introduced 6-0

The public hearing and final reading of ordinance 2009-24 will be held on December 7, 2009.

Resolution 2009-251 Recognition of Community of Light Day

The Mayor gave a brief explanation of the resolution and urged the Council's and the Public's support.

Resolution 2009-251 was moved by Council President Sikorski and seconded by Councilmember Bond.

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

Resolution 2009-251 adopted, 6-0

Resolution 2009-251

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

RECOGNIZING COMMUNITY OF LIGHT DAY

WHEREAS, Womanspace, founded in 1977, has demonstrated a unique ability to provide comfort, support services, crisis intervention and safety to women who are victims of sexual assault and domestic violence; and

WHEREAS, Womanspace, in the belief that "peace begins at home" has asked the Mercer County Community to join them in their struggle against violence toward women by participating in their Annual Community of Light Project; and,

WHEREAS, Womanspace has provided emergency shelter in secure locations and comprehensive services for victims of domestic violence since 1977 and sexual assault since 2002, for more than 39,169 women, 5,383 children and 1,016 men. Womanspace has assisted more than 204,015 callers over the last 30 years; and,

WHEREAS, Hightstown Borough recognizes the efforts of Womanspace; and,

WHEREAS it is the desire of the Mayor and Council to urge that each and every household demonstrate their support of the concept that "peace begins at home" by placing luminaries along their driveways and sidewalks on December 13, 2009; and,

WHEREAS, the proceeds from Communities of Light 2009 will be used to fund vital services for victims of domestic violence and sexual assault.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that December 13, 2009 be proclaimed as Community of Light Day and hereby commend Womanspace on its accomplishments and wish them continued success.

Consent Agenda

Councilmember McGinty requested that resolutions 2009-263, 264 and 265 be voted on as a consent agenda. The remainder of the resolutions should be voted on individually. Everyone agreed.

Council President Sikorski moved to approve the amended consent agenda, which includes resolutions 2009-263, 2009-264 and 2009-265, and Councilmember Schneider seconded.

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

Resolutions adopted 6-0.

Resolution 2009-263

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING ISSUANCE OF BINGO LICENSE BL-02 TO HIGHTSTOWN HS
PARENTS ASSOCIATION**

WHEREAS, the Hightstown High School Parents Association wishes to conduct bingo games at 25 Leshin Lane on January 9, 2010; and

WHEREAS, the group has submitted application number BA-02 for this event, 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 Bingo License No. BL-02 to the Hightstown High School Parents Association for their bingo games to be held on January 9, 2010.

Resolution 2009-264

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE RL-210 TO HIGHTSTOWN HS PARENTS
ASSOCIATION**

WHEREAS, Better Beginnings wishes to hold a on-premise 50/50 raffle at Hightstown HS Parent Association, 25 Leshin Lane, on January 9, 2010; and

WHEREAS, the group has submitted application number RA-210 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-210 to Better Beginnings for their raffle to be held on January 9, 2010.

Resolution 2009-265

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING ISSUANCE OF RAFFLE LICENSE RL-211 TO BETTER BEGINNINGS

WHEREAS, Better Beginnings wishes to hold an off-premise merchandise raffle at Better Beginnings, 318 North Main Street, on May 21, 2010; and

WHEREAS, the group has submitted application number RA-211 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-211 to Better Beginnings for their raffle to be held on May 21, 2010.

Resolution 2009-252 Authorizing the Payment of Bills

Resolution 2009-252 was moved by Councilmember Schneider and seconded by Councilmember Quattrone.

Councilmember McGinty expressed concern regarding the trust account expenditures. She also stated that there was a Borough Attorney invoice that was held up since August with questions that has mysteriously been put on the bills list to be paid; how were the issues resolved? The Mayor explained that the non-payment of this invoice was an oversight and once he clarified the invoice with the Recreation Committee and Treasurer, he authorized its payment. Councilmember Theokas explained that we have a process and it is ridiculous that every time we review the bill paying there is an issue that causes a delay in the business of the Borough; he moved to vote on the bill paying now. Councilmember McGinty emphasized that the way trust account invoices are paid is an issue and that is why she asked that this item be placed on the agenda for discussion. It was suggested that this item be postponed until after the discussion takes place.

Councilmember McGinty moved to table the bill paying until later, Councilmember Quattrone seconded. Everyone agreed. Resolution 2009-252 will be tabled until later.

Resolution 2009-253 Authorizing Payment #2 to B & B Construction - Peddie Lake Dam

Resolution 2009-253 was moved by Council President Sikorski and seconded by Councilmember Quattrone.

Councilmember McGinty noted that this matter involves \$30,000.00 which is a substantial amount of money. Based on Ms. Roberts recommendation, she supports the resolution

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

Resolutions adopted 6-0.

Resolution 2009-253

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING PAYMENT #2 TO B & B CONSTRUCTION – PEDDIE LAKE DAM

WHEREAS, on August 3, 2009, the Borough Council awarded a contract for Peddie Lake Dam improvements to B & B Construction Co., LLC of Howell, New Jersey in the amount of One Hundred Forty-Three Thousand Dollars (\$143,000.00); and

WHEREAS, the contractor has submitted Payment Request No. 2 for work done in the total amount of \$29,988.00; and

WHEREAS the Borough Engineer has recommended approval of this payment request, subject to receipt of all required certified payrolls;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Payment Request No. 2 from B & B Construction Co., LLC of Howell, New Jersey in the amount of \$29,988.00, as detailed herein, is hereby approved, and the Treasurer is authorized to issue same, subject to receipt of all required certified payrolls.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Treasurer and Contract file.

Resolution 2009-254 Appointing a Fire Official

Council President Sikorski moved to approve resolution 2009-2546, and Councilmember Schneider seconded.

Council President Sikorski stated that Mr. Murray has been serving admirably and recommends that he be re-appointed.

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

Resolution adopted, 6-0.

Resolution 2009-254

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

APPOINTING A FIRE OFFICIAL

WHEREAS Thomas J. Murray is currently serving a four-year term as Fire Official for the Borough of Hightstown which expired on October 16, 2008; and

WHEREAS it is the desire of the Mayor and Council to appoint Mr. Murray to a succeeding three-year term;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Thomas J. Murray is hereby appointed as Fire Official for the Borough of Hightstown for a succeeding three-year term running from October 16, 2008 to October 16, 2011.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Construction Official, Thomas J. Murray, Department of Community Affairs and Personnel File.

Resolution 2009-255 Appointing School Crossing Guards

Council President Sikorski moved to approve resolution 2009-255, and Councilmember Schneider seconded.

Council President Sikorski inquired as to whether these are replacement or additional crossing guards and the Mayor responded they were additional. Councilmember McGinty felt that the resolution should clarify that the Borough is not paying the salary of these employees.

Council President Sikorski moved to amend resolution 2009-255 to include language that stipulates that these employees are not paid by the Borough, and Councilmember Schneider seconded.

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

Resolution amended, 6-0.

Council President Sikorski moved to adopt resolution 2009-255 as amended, and Councilmember Theokas seconded.

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

Resolution adopted, 6-0.

Resolution 2009-255

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

APPOINTING SCHOOL CROSSING GUARDS

WHEREAS the Police Chief has requested the appointment of two (2) School Crossing Guards; and

WHEREAS it is the desire of the Mayor and Council to make said appointment; and

WHEREAS, the Borough does not pay the salaries of the Crossing Guards; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that James J. Silva and Bennie Duggins are hereby appointed as School Crossing Guards for the Borough of Hightstown.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Chief of Police.

Resolution 2009-256 Authorizing the Hire of Temporary Seasonal Employees in the Department of Public Works

Councilmember Quattrone moved to approve resolution 2009-256, and Councilmember Bond seconded.

Council President Sikorski wondered if we weren't putting the cart before the horse by not waiting until this is fully evaluated, it is an opportunity to reduce the budget. Councilmember Bond stated that the Liaisons had spoken with Larry Blake regarding his staff because he is down three or four staff members. Larry suggested that he hire a few employees on an hourly rate as a stop gap until staff needs can be fully evaluated. Councilmember Quattrone stated that he was not in favor of doing this and thought they should wait for the new Borough Administrator, but Larry explained his position and Councilmember Quattrone now recommends hiring this temporary help. Councilmember Theokas agrees with Council President Sikorski and is not in favor of approving these hires, he thinks we should wait and discuss this during the budget meetings. Councilmember McGinty is concerned over the number of workers that Public Works has and how much they cost. The Mayor explained that if you reduce the workforce you are going to have to reduce the services to the public. The funds for paying for this staff are in the budget. Councilmember Bond stated that Public Works wanted to evaluate the situation and is willing to put temporary help in place; we are conveying the wrong message if equipment is sitting idle and services are cut. Councilmember McGinty stated that she will support the resolution.

Roll Call Vote: Councilmembers Bond, McGinty, Quattrone and Schneider, voted yes; Councilmembers Sikorski and Theokas voted no.

Resolution adopted, 4-2.

Resolution 2009-256

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING THE HIRE OF TEMPORARY SEASON EMPLOYEES IN THE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there is a need to replace Public Works Employees who have left the employ of Hightstown Borough; and

WHEREAS, it is the desire of the Public Works Superintendent to hire three (3) temporary seasonal workers to offset the shortage of permanent full time personnel, until said time that he can evaluate the personnel needs in the Public Works Department;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Larry Blake, Public Works Superintendent is hereby authorized to hire three (3) temporary season employees to offset the present shortage of permanent full-time personnel.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Public Works Superintendent and Treasurer.

Resolution 2009-259 Authorizing the Hire reimbursement for Cell Phones

Council President Sikorski moved to approve resolution 2009-259, and Councilmember Schneider seconded.

The Borough Clerk explained that this resolution reimburses certain employees who use their personal cell phones for Borough business. It is much more inexpensive to pay the employees that to buy them an additional cell phone on the Borough account.

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

Resolution adopted, 6-0.

Resolution 2009-259

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING THE REIMBURSEMENT FOR CELL PHONES

WHEREAS, the Borough finds it cost effective to permit certain employees to utilize their private cell phone for Borough business throughout the year; and

WHEREAS, the Borough wishes to authorize reimbursements for private cell phone usage during 2009 to the following individuals at the rate listed:

Court Administrator	\$150.00 Annually
Deputy Court Administrator	\$120.00 Annually
Municipal Judge	\$150.00 Annually
Borough Nurse	\$150.00 Annually

WHEREAS, the funds for these reimbursements are available and the Treasurer has so certified in writing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Treasurer is authorized to issue reimbursements as listed above for private cell phone usage during 2009 .

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be given to the Treasurer and each employee named above.

Resolution 2009-260 Authorizing the Hire Payment of a Vehicle Damage Claim

Councilmember Schneider moved to approve resolution 2009-260, and Council President Sikorski seconded.

The Borough Clerk explained that this resolution pays for vehicle damage caused by a Public Works Employee. This damage does not meet our deductible and therefore must be paid by the Borough.

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

Resolution adopted, 6-0.

Resolution 2009-260

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING THE PAYMENT OF A VEHICLE DAMAGE CLAIM

WHEREAS, a Public Works Employee has caused damage to the parked vehicle of resident Deborah Follansbee of Summit Street in Hightstown Borough; and,

WHEREAS, the cost for the damage was minimal and did not exceed the resident's or the

Borough's deductible; and,

WHEREAS, the Borough Council finds it in the best interest of the Borough and the Resident to pay for the repair to the vehicle as caused by the Public Works Employee; and,

WHEREAS, Deborah Follansbee has had her vehicle repaired at a cost of \$254.36 and the Borough will reimburse her said costs.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of Hightstown , that the Borough Treasurer is hereby instructed to reimburse Deborah Follansbee of 203 Summit Street, Hightstown, New Jersey 08520 in the amount of \$254.36 for damages caused by a Public Works Employee to her vehicle.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Borough Treasurer, Public Works Superintendent and Deborah Follansbee.

Councilmember Theokas suggested that resolutions 2009-261 and 2009-262 be approved together.

Councilmember Theokas moved to approve resolutions 2009-261 and 2009-262, and Council President Sikorski seconded.

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

Resolution adopted, 6-0.

Resolution 2009-261

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2009 BUDGET – RECYCLING TONNAGE GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2009 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey Solid Waste Administration	\$7,179.27	Recycling Tonnage Grant	Recycling Tonnage Grant

Resolution 2009-262

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2009 BUDGET – OVER THE LIMIT UNDER ARREST

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services

may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2009 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey Division of Highway Traffic Safety	\$3,750.00	Over the Limit – Under Arrest	Over the Limit – Under Arrest

Council President Sikorski moved to approve resolutions 2009-266, and Councilmember Bond seconded.

Councilmember McGinty gave a review of the resolution and explained that it would assist the Environmental Commission with their application for Sustainable New Jersey designation.

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

Resolutions adopted, 6-0.

Resolution 2009-266

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

ENDORISING COMMUNITY ENVISIONING STANDARDS AND AFFIRMING THE ENVIRONMENTAL VISION FOR THE BOROUGH OF HIGHTSTOWN

WHEREAS, the Hightstown Borough Council recognizes the importance of engaging local residents in developing consensus on (1) what they want their community to be, (2) where the community seems to be heading, and (3) what has to be done to correct that trend to achieve the desired common vision; and,

WHEREAS, the Hightstown Borough Council is taking steps, through the initiatives of the Hightstown Borough Environmental Commission and its outreach with the Stony Brook-Millstone Watershed Association, to conduct a community visioning process, to develop a community vision with a twenty-year planning horizon; and,

WHEREAS, the Hightstown Borough Council recognizes that the Hightstown Borough Environmental Commission has set in place a Green Team Advisory Committee, and that the Environmental Commission is engaged in reaching out to community stakeholders to identify the community's purpose, core values, and vision of the future, to transform these into community goals and an action plan, with broad interactive public participation anticipated and invited; and,

WHEREAS, the Hightstown Borough Council, by prior Resolution, has affirmed its resolve to become certified in the Sustainable Jersey Program, and to take the steps necessary to achieve the needed points in the certification process, with Community Visioning a step in that process, which this Resolution addresses; and

WHEREAS, the Hightstown Borough Council recognizes that Hightstown's vision is one that seeks to optimize all aspects of the quality of life for its residents, by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive, as it strives to save tax dollars, assure clean air and water, and improve the working and living environment for members of the Hightstown community; and,

NOW, THEREFORE, BE IT RESOLVED, by the Hightstown Borough Council, that the Borough Council supports the steps being undertaken, through the initiatives of the Hightstown Borough Environmental Commission, and the outreach efforts of the Environmental Commission and work undertaken already with the Stony Brook-Millstone Watershed Association, to conduct a community visioning process to develop a community vision with a twenty-year planning horizon.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Environmental Commission.

Council President Sikorski moved to approve resolutions 2009-267, and Councilmember Bond seconded.

Council President Sikorski gave a review of the resolution and informed council that this application is being made in conjunction with East Windsor Township.

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

Resolution adopted, 6-0.

Resolution 2009-267

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

SUPPORTING AN ACKNOWLEDGING A JOINT TRANSPORTATION AND COMMUNITY DEVELOPMENT INITIATIVE (TCDI) GRANT APPLICATION

WHEREAS, there is available a grant through the Transportation and Community Development Initiative (TCDI) as created by the Delaware Valley Regional Planning Commission (DVRPC); and,

WHEREAS, the TCDI was created to provide funds for locally directed actions to improve and enhance communities throughout the Delaware Valley Region and is targeted to the developed communities and core cities of the region; and,

WHEREAS, the TCDI program is intended to support early stage planning, design, market studies or feasibility analysis for projects and initiatives that encourage revitalization to retain and attract businesses and residents; and,

WHEREAS, the Borough of Hightstown, pursuant to a joint agreement with the Township of East Windsor, wishes to submit a joint application for grant funding for the preparation of a revitalization/redevelopment plan for the Route 33 corridor area (also known as Mercer Street) from Route 130 to Summit Street, which would include the 37 acre parcel located jointly in East Windsor and Hightstown Borough (known as the former "Minute Maid Property" and the Airport Road/Route 33 intersection); and

WHEREAS, East Windsor Township will be the lead agency in the grant application process.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of Hightstown Borough that the Mayor and Borough Clerk are hereby authorized to sign any and all documentation to participate in a joint grant application with East Windsor Township through the Transportation and Community Development Initiative (TCDI) as created by the Delaware Valley Regional Planning Commission (DVRPC) with East Windsor Township being the lead agency in the application process.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to East Windsor Township.

Councilmember Quattrone moved to approve resolutions 2009-268, and Council President Sikorski seconded.

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

Resolution adopted, 6-0.

Resolution 2009-268

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING ISSUANCE OF LICENSE FOR AUCTION - EMPIRE ANTIQUES

WHEREAS, an application for a license to hold an auction on Saturday, December 5, 2009 (with a rain date of December 12, 2009) at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Antiques, 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 Auctions 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 Auctions for their auction to be held on December 5, 2009 (with a rain date of December 12, 2009) at 278 Monmouth Street.

Councilmember Schneider moved to go back into discussion regarding resolution 2009-252, and Councilmember Quattrone seconded.

There was discussion regarding Council's responsibility to get their answers in advance of the meeting so they are ready to vote on the bills the night they are on the agenda.

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

Resolution adopted, 6-0.

Resolution 2009-252

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING THE 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 **\$212,216.49** from the following accounts:

Current	135,866.22
Water/Sewer Operating	29,315.53
General Capital	43,592.88
W/S Capital	477.06
Animal Control	58.17
Trust	2591.63
Housing Trust Fund	315.00
Total	\$ 212,216.49

Discussion

The Clerk informed Council that the testing of the equivalent chemical as bid by Coyne failed to meet our needs.

Councilmember Schneider moved resolution 2009-233, Council President Sikorski seconded.

Roll Call Vote: Councilmembers Bond, McGinty, Quattrone and Schneider, Sikorski and Theokas voted no;

Resolution voted down, 0-6.

Resolution 2009-233

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING THE EQUIVALENT CHEMICAL

WHEREAS, three (3) bids were received on October 13, 2009 for Chemical Purchases for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bid submitted by George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania is for an equivalent of Zeta Lyte 305 CVH Cationic Polyelectrolyte Chemicals and the Borough Engineer has recommended that a 30-day testing period for adequate equivalency be performed prior to the award of the contract; and

WHEREAS, the Superintendent of the AWWTP will determine whether this product meets the needs of the AWWTP of Hightstown Borough and shall notify the Municipal Clerk and Engineer of his findings once the test period has ended; and

WHEREAS, and it is the Borough Engineer's recommendation that a one year contract for the equivalent of Zeta Lyte 305 CVH Cationic Polyelectrolyte Chemicals be awarded to the low bidder, George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania at the unit price of \$12.239 per gallon for a total contract price of \$28,272.09, provided that the recommended testing establishes adequate equivalency to the meet the needs of the AWWTP of Hightstown Borough as determined by the Superintendent; and

WHEREAS, if the equivalent product being tested does not meet the needs of the AWWTP of Hightstown Borough pursuant to the findings of the Superintendent, a contract shall be awarded to the second lowest bidder Custom Environmental Technology of Collegeville, Pennsylvania at a unit price of \$15.79 per gallon with a total contract price of \$36,474.90; and

WHEREAS, no contract will be entered into until the required test period is completed and the Superintendent provides a determination of his findings; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bids submitted by George S. Coyne Chemical Co., Inc. and Custom Environmental Technology of Collegeville, Pennsylvania are in order with respect to legal compliance; and

WHEREAS, the Chief Financial Officer will certify the availability of funds for this expenditure prior the award of the contract, following the 30 day test period required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the Zeta Lyte 305 CVH Cationic Polyelectrolyte Chemicals be awarded to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania provided that the testing performed establishes adequate equivalency to the meet the needs of the AWWTP of Hightstown Borough as determined by the Superintendent.

BE IT FURTHER RESOLVED that should the equivalent product not meet the needs of the AWWTP of Hightstown Borough as will be determined by the Superintendent during the required 30 day test period, then said contract shall be awarded to Custom Environmental Technology of Collegeville, Pennsylvania.

Taxi Ordinance

The Mayor explained that the Borough Ordinance requires \$150,000.00 insurance limit requirement but it has not been enforced.

Juan Manetta -132 Franklin St., is representing Super Taxi and stated that they cannot afford the increased limits of insurance and will have to raise rates to cover it, and then he will lose business. The gypsy cabs will be the only ones who benefit from this. Please reconsider this ordinance.

Mr. Mentia, -132 Franklin St., is the owner of Super Taxi and asked the Council to reconsider the insurance requirements.

Councilmember McGinty moved that the other members of the public be able to join this discussion since the Mayor is allowing the taxi operators and owners to comment, Councilmember Quattrone seconded. All ayes.

Phyllis Deal – 305 Stockton St., inquired whether the coverage includes excess liability to which Council responded that they do not.

Tory Watkins - 68 Meadow Drive, he respects the cabbies, they are an asset to the community. He does not see where Council has performed an evaluation of the cost for this insurance.

Eugene Sarafin – 628 S. Main St., has spoken to taxi owners and found that this insurance is \$6,000.00.

Dimitri Musing – 127 Stockton St., feels that insurance is very important and if the ordinance is on the books then it should be enforced. There is only one taxi company here, where are the others?

Richard Pratt – 214 Stockton St., believes this should not be a Council matter, it is regulated by the State.

Kathy Patten - commented that the State and East Windsor require \$35,000.00 in coverage.

Councilmember McGinty commented that she reviewed 26 taxi applications and found deficiencies in all of them, but nobody has submitted the proper insurance coverage certificate. She followed up with statistics regarding the application review. After continued discussion it was decided that the ordinance would be left as it is and the applications should be rejected with a letter sent to the applicant detailing the deficiencies.

Councilmember Theokas suggested that Council take a 3 to 5 minute break and stretch before continuing on with the remainder of the discussions on the Amendments to the Borough code and trust accounts.

Upon returning from the break, a Motion was made by Council President Sikorski, and seconded by Councilmember Bond, to adjourn the meeting. Councilmembers Bond, Quattrone, Schneider, Sikorski and Theokas voted yes, Councilmember McGinty voted no. The meeting was adjourned at 10:15pm.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk