

February 22, 2011 6:00 pm

discussion conducted at said meeting can be disclosed to the public: May 22, 2011, or when the need for confidentiality no longer exists.

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

Council re-convened into open session at 7:30 pm.

The meeting was called to order by Mayor Kirson at 7:40 pm and he again 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 which had remained the same, with the exception of Mr. Shaklee who had departed following the executive session. George Lang, Chief Financial Officer and Carmela Roberts, Borough Engineer had also joined the public meeting.

Council President McGinty moved that the agenda be approved with the following amendments: Move the budget presentation up on the agenda prior to the Capital Bond Ordinance presentation, public comment period begin by 8:30pm, remove ordinances 2011-01 and 2011-02, add a resolution to the top of the resolution list which would appoint a Housing Commissioner to the Housing Authority, remove resolution 2011-47, code enforcement issues be added to discussion, add that Council will re-convene into executive session after the public meeting for the purpose of Public Safety and Personnel as stated in resolution 2011-40 and possible action may be taken by Council after said executive session. Mr. Massa then addressed Council and advised that he has several professionals in attendance to address questions from Council pertaining to the Capital Bond Ordinance presentation. Council President McGinty then moved that the Capital Bond Ordinance presentation be limited to water department issues with the other items in the ordinance being presented at a future meeting, Councilmember Gilmartin seconded.

Mr. Massa informed Council that it will be required that Council approve the Borough Engineer's preparation of required documentation regarding special financing for water and sewer infrastructure items in the ordinance in order to meet a March 7th deadline for submission of the application, the cost for same being \$25,000.00. There was discussion and Council President McGinty inquired of the Borough Attorney whether this discussion could also be added to the bond ordinance presentation and the amended agenda be voted on, to which Mr. Raffetto advised that it could. Council President McGinty moved that the item of a \$25,000.00 expenditure for the preparation of this documentation be added to the water department discussion during the bond ordinance presentation, Councilmember Musing seconded. Mr. Raffetto advised that this motion includes all of the amendments as moved by Council President McGinty and seconded by Councilmember Gilmartin. All approved the agenda as amended.

Mr. Massa then excused all unnecessary Department Heads and Professionals from the audience.

Council President McGinty moved to approve the minutes of the February 7, 2011 public meeting, Councilmember Gilmartin seconded. Councilmember Woods abstained and the remainder of Council approved.

Council President McGinty moved to approve the minutes of the February 7, 2011 executive session meeting, Councilmember Gilmartin seconded. Councilmember Woods abstained and the remainder of Council approved.

George Lang, Chief Financial Officer, gave a preliminary budget presentation that included health benefit and pension costs: the amount to be raised by taxation: and debt service. There was discussion and Mr. Lang gave an explanation of bond anticipation notes and miscellaneous revenues.

Mr. Massa and Carmela Roberts, the Borough Engineer, then gave a presentation regarding the Water Department items in the proposed capital bond ordinance which included a post chlorination tank for well #3 (\$192,500.00), the replacement of media filters (\$180,000.00) and clay valves (\$20,500.00). Mr. Larry Blake, Water Superintendent, then gave an explanation of the need to restore the three water tanks (\$13,600.00) and what it would entail. The total for the water department improvements totaled \$966,100.00. There was discussion and Mr. Blake was asked to present Council with a prioritized list of the required improvements.

The Mayor opened Public Comment Period I and the following individuals spoke during the period: Phyllis Deal, 305 Stockton Street; Eugene Sarafin, 628 S. Main Street; Walter Sikorski, 326 N. Main Street; Fran Palumbo, 101 Main Street; Darek Hahn, 102 Manlove and Chairperson of the Greenway Walking Bridge Committee; Neil Schloth, 109 Mercer Street; and Rob Thibault, 504 S. Main Street.

There being no further comments, the Mayor closed the public comment period.

Discussion ensued regarding the funding of the water department capital needs, and a \$25,000.00 expenditure to cover the Engineer's fees related to the submission of the application for special financing. There was clarification of the loan rate and savings; and the Borough Engineer advised that the \$25,000.00 is a not to exceed cost and includes preparation of all required documentation including specifications and plans for the DEP financing. Mr. Massa advised that the deadline for the application for the special rate financing is due by March 7, 2011, and Council expressed concern regarding the late presentation of such information. Mr. Massa and the Borough Engineer assured Council that they were not obligated to continue with all of the projects for which they apply; should they decide to not move forward with any project it could be withdrawn from the application in the future.

Councilmember Musing motioned to expend up to \$25,000.00 for the Borough Engineer to prepare the necessary paperwork for the DEP loan application for infrastructure improvements to the water and sewer facilities, Council President McGinty seconded. The Borough Engineer then requested that Council adopt a resolution authorizing same and appointing Mr. Massa as the representative authorized to administer the required paperwork for the projects associated with the loan application.

Resolution 2011-51 Authorizing an Application for a Loan from the New Jersey Department of Environmental Infrastructure Financing Program

Councilmember Quattrone moved resolution 2011-51, Council President McGinty seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution Adopted, 6-0.

Resolution 2011-51

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

**RESOLUTION AUTHORIZING AN APPLICATION FOR A LOAN FROM THE
NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM**

WHEREAS, the Borough of Hightstown intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for improvements to the Hightstown Borough Water and Advanced Waste Water Treatment Plants consisting of the following;

Sanitary Rotary Fan Press,

Trickling Filter Plastic Media,

Bar Screen,

Primary Clarifier,

Automatic Effluent Sampler,

Blower,

Rocky Brook Trunkline I/I Remediation,

Secondary Digester,

Post Chlorination Tank,

Media for Water Filtration,

Water Treatment Filter,

VFDs for High Service Pumps,

WHEREAS, the Borough Council has authorized the Borough Engineer, Carmela Roberts of Roberts Engineering Group, for an amount not to exceed \$25,000.00, to prepare and submit the required documentation and specifications for the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust application.

NOW, THEREFORE BE IT RESOLVED, that Herbert C. Massa is hereby authorized to act as the Authorized Representative to represent the Borough of Hightstown in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at the Borough of Hightstown, 148 North Main Street, Hightstown, NJ 08520, (609) 490-5100.

Resolution 2011-41 Awarding a Contract for Alkaline Drain Opener

Councilmember Musing moved resolution 2011-41, Councilmember Quattrone seconded.

The Borough Engineer gave a brief explanation and there was discussion.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-41

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

**AWARDING CONTRACT FOR ALKALINE DRAIN OPENER CHEMICAL – MAIN
POOL AND CHEMICAL COMPANY, INC.**

WHEREAS, one (1) bid was received on November 4, 2010 for Alkaline Drain Opener chemical for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, said bid was for an equal product which has been evaluated by the Waste Water Plant Superintendent who finds that the equal product meets the specifications as needed by the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bid has been reviewed by the Borough Engineer and it is the Engineer's recommendation that a contract for the Alkaline Drain Opener chemical be awarded to the low bidder, Main Pool and Chemical Company, Inc. of Dupont, Pennsylvania at a per unit price of \$2.85 per pound with a total contract price of \$5,472.00; and

WHEREAS, said contract shall be effective January 1, 2011; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main

Pool and Chemical Company is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2011 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Alkaline Drain Opener chemical is hereby awarded to Main Pool and Chemical Company, Inc. of Dupont, Pennsylvania effective January 1, 2011.

Resolution 2011-42 Authorizing Receipt of Bids for the Summit Street Sidewalks Project

Councilmember Musing moved resolution 2011-42, Councilmember Gilmartin seconded.

The Borough Engineer gave a brief explanation and there was discussion.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-42

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

AUTHORIZING RECEIPT OF BIDS FOR THE SUMMIT STREET SIDEWALK PROJECT

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Engineer is hereby authorized to prepare specifications and advertise for bids for the Summit Street Sidewalk Project, and that the Borough is authorized to receive same after proper advertisement.

Resolution 2011-50 Making and Confirming Appointments for 2011 – Housing Authority Commissioner

Councilmember Gilmartin moved resolution 2011-50, Council President McGinty seconded.

There was discussion.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-50

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

**RESOLUTION MAKING AND CONFIRMING APPOINTMENTS FOR 2011 –
HOUSING AUTHORITY COMMISSIONER**

BE IT RESOLVED that the following appointments are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

Housing Authority

Tom Eden

5 yrs.

December 31, 2015

Resolution 2011-43 Authorizing the Payment of Bills

Councilmember Quattrone moved resolution 2011-43, Councilmember Gilmartin seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-43

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

AUTHORIZING PAYMENT OF BILLS

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Mayor, the appropriate Councilmember and the Treasurer

in the amount of \$ 419,928.57 from the following accounts

Current	\$ 334,836.82
W/S Operating	73,203.75
General Capital	7,455.00
Water/Sewer Capital	
Grant	650.00
Trust	365.00
Housing Trust	
Animal Control	
Law Enforcement Trust	
Housing Rehab Loans	
Unemployment Trust	
Escrow	3,418.00
Total	<u>\$ 419,928.57</u>

Resolution 2011-44 Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2011 Budget

Councilmember Quattrone moved resolution 2011-44, Council President McGinty seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-44

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2011 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2011 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 2011 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	11,000.00	54,525.00	65,525.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	100,000.00	183,500.00	283,500.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	111,000.00	238,025.00	349,025.00

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.
2. Each emergency appropriation listed will be provided for in the 2011 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 Acting Treasurer.

Resolution 2011-45 Authorizing a Transfer of Funds in the 2010 Budget

Councilmember Quattrone moved resolution 2011-45, Councilmember Woods seconded.

George Lang, Chief Financial Officer, gave a review of the resolution.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes;

Resolution adopted, 6-0.

Resolution 2011-45

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2010 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 2010 CURRENT BUDGET are hereby authorized:

		FROM:	TO:
Planning Board	Other Expenses		\$900.00
Fuel	Other Expenses		\$5,000.00
Landfill Solid Waste Disposal		\$5,900.00	
TOTAL		\$5,900.00	\$5,900.00

Resolution 2011-46 Making and Confirming Appointments for 2011 - Board of Health

Councilmember Gilmartin moved resolution 2011-46, Council President McGinty seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-46

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

RESOLUTION MAKING AND CONFIRMING APPOINTMENTS FOR 2011 – BOARD OF HEALTH

BE IT RESOLVED that the following appointments are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

Board of Health

Ryan Winters
Susan Bluth

ux 3 yrs
ux 2 yrs.

December 31, 2011
December 31, 2011

Resolution 2011-48 Authorizing a Waiver of Building Permit Fees

Council President McGinty moved resolution 2011-48, Councilmember Quattrone seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-48

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

AUTHORIZING A WAIVER FOR PERMIT FEES

WHEREAS, the owner of the property located at 149 Prospect Drive, Block 48, Lot 13, in Hightstown Borough is applying for permits to modify the bathroom at the residence to accommodate physical disabilities; and

WHEREAS, it has been requested that the fees associated with permits required for this modification be waived; and

WHEREAS, the Borough Construction Official has recommended that said Borough fees estimated at \$180.00 be waived; and

WHEREAS, said waiver does not include fees charged by the State of New Jersey; and

WHEREAS, all inspections and other requirements associated with this modification shall be conducted and/or completed as required.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that Borough permit fees associated with modification of the bathroom to accommodate physical disabilities at the residence at 149 Prospect Drive, Block 48, Lot 13 shall be waived.

Resolution 2011-49 Authorizing the Issuance of a Raffle License – Hightstown Woman’s Club

Council President McGinty moved resolution 2011-49, Councilmember Bibens seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-49

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

AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2011-004 TO HIGHTSTOWN WOMEN’S CLUB

WHEREAS, the Hightstown Women’s Club wishes to hold an off-premise merchandise raffle at the Mercer County Library Memorial Branch, 114 Franklin Street, on July 16, 2011; and

WHEREAS, the group has submitted application number RA-2011-004 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-2011-004 to Hightstown Women’s Club for their off-premise merchandise raffle to be held on July 16, 2011.

Mayor Kirson opened the discussion on the Rug Mill re-development project by reviewing the presentation given by Mr. Regan at the last Council meeting and reminded Council of how important a responsibility they have when it comes to re-development projects. Councilmember Musing stated that there are only two properties left in the Borough for development and Council must be sure they are a good fit for the Borough; he is not in favor of the project. Councilmember Quattrone commented that this project is not in the best interest of Hightstown. Residents have inquired as to why Council would even bring this project forward to the public, however it was for transparency. Council President McGinty felt that bringing this to the public was a major step forward. She also

expressed concern with the PILOT: while she is interested in Senior Housing, she feels this is neither the right time nor the right proposal. Councilmember Gilmartin reiterated Councilmember Woods remarks from the last meeting; while Council brought this forward for transparency, the Council was not necessarily supporting the project. She went on to say that while she has no problem with Senior Housing, she does not feel that this is the project for Hightstown. Councilmember Woods stated that she was not in favor of the project for the same reasons already stated by other Council members and Councilmember Bibens suggested that the Borough advertise for developers for the property as Robbinsville is doing.

The Mayor then inquired of the Borough Attorney as to what their next step should be. The Borough Attorney recommended that a letter be sent to the proposed developer. Council President McGinty stated that this developer may be interested in another project at the site, and requested that the letter make it clear that they are not interested in “this” proposal, but may consider others.

Mr. Massa informed Council that the departmental monthly reports on Revised General Ordinances of the Borough of Hightstown enforcement will be available at the March 7th meeting. Council President McGinty commented that Council was interested in not only receiving the monthly reports but also the information detailing the summonses issued to enforce code violations; she added that court revenues are down and this is something over which we may be able to have some control and feels that Council needs information on how enforcement is being prioritized.

The Mayor opened Public Comment Period II and the following individuals spoke during the period: Phyllis Deal, 305 Stockton Street; Scott Caster, 12 Clover Lane; and Rob Thibault, 504 S. Main Street.

There being no further comments, the Mayor closed the public comment period.

Council/Mayor/Administrative Comments

Councilmember Quattrone – commented that he would like the Mayor and Council President to resolve issues with the agenda before the meeting, there are too many changes being done at the meeting. He went on to say that he has met with the Fire Department and introduced himself as their Liaison and they were very receptive. Councilmember Quattrone expressed that he would like to see budget meetings with the Department Heads begin and that he is pleased Council moved forward with the \$25,000.00 for the special financing. He then said that Public Works is getting calls on the weekend regarding trash on the sidewalk, and he wondered whatever happened to the businesses cleaning their own sidewalks; he feels that merchants should clean in front of their store and not expect or wait for Public Works to do it for them. Councilmember Quattrone expressed that there is a need for a “Do not block intersection” sign at corner of Franklin and Main Street.

Councilmember Musing –advised that as the Construction/Zoning Liaison, he finds George Chin, Construction Official, very responsive and that Mr. Schmeling, Zoning Officer, is doing his job; Mr. Schmeling is part-time and usually works on the weekends. He thinks it would be worthwhile for Council to reach out to Downtown Hightstown for their opinion as to whether Hightstown is business friendly. Councilmember Musing commented that there have been complaints about the ingress and egress in the new Memorial Park parking lot. The Historic Preservation Commission is requesting a budget of \$3,750.00 in 2011 for historic district signage. Mr. Buriak has been asked to speak regarding historic preservation at the 2011 New Jersey Historic Preservation Conference to be held on June 3rd, addressing the grass roots approach taken by Hightstown, and the progress thereof. He will also serve on a panel sponsored by Historic New Jersey and Main Street New Jersey. This is a huge honor for Hightstown and he suggested that Council attend. He then suggested that the Stonybrook Watershed Report be posted on the website.

Council President McGinty – commented that lifting the three minute rule from the public comment period intent was not for members of the public speak for 10 to 15 minutes. She then explained that it would be inappropriate for the Zoning Officer to visit the business owners, but Councilmembers can if they need an explanation of the sign regulations and that business owner comments are welcome at both the Planning Board and Council meetings; the Zoning Officer is trying to enforce the code. Council President McGinty commented regarding the sign presentation at the last meeting and feels that the power point presentation was a waste of resources and that additional signs designating parking lots is not needed. She then reminded the public that matters discussed in executive session cannot be publicly addressed and stated that she welcomes transparency of the budget process. Regarding preparation of the agenda, she assured Council that it is a collaborative effort.

Councilmember Gilmartin – requested that the public show patience, there have been requests for more transparency and diligence and that is the role Council is taking.

Councilmember Bibens – stated that unfortunately she was unable to attend the Board of Health meeting, and welcomed Susan Bluth to the Board. She also informed the public that she did attend the Parks and Recreation meeting and the summer event schedule has been expanded and looks great. She also expressed concern regarding the traffic flow in the new Memorial Park parking lot and commented regarding the tattered banners throughout the Borough and speeding truck traffic.

Mayor Kirson – thanked everyone for attending the meeting and reminded the public that they can also bring their concerns to himself and Councilmembers outside of the meetings, they welcome ideas.

Councilmember Quattrone moved to adjourn back into executive session at 10:35pm and Council President McGinty seconded; the Motion was approved unanimously.

Council re-convened into public session at 12:20am.

Resolution 2011-52 Authorizing a Press Release be Issued Jointly by the Hightstown Mayor and Borough Council

Council President McGinty moved resolution 2011-52, Councilmember Woods seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Musing, Quattrone and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-52

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

**RESOLUTION AUTHORIZING THAT A PRESS RELEASE BE ISSUED JOINTLY
BY THE HIGHTSTOWN MAYOR AND BOROUGH COUNCIL**

WHEREAS the Borough Council and the Mayor of Hightstown Borough have determined that prompt, responsible action is warranted to repair the damage inflicted on Hightstown, our residents, our businesses, our neighboring communities, on East Windsor (in particular), the East Windsor Regional School District, The Peddie School, and all of the children and young adults who attend any of the schools in our district, following from the data, without apparent foundation in fact, which Hightstown Police had submitted to the New Jersey State Police for that entity's survey of municipalities for specific categories of information about gangs and the criminal activity of gangs in New Jersey; and

WHEREAS the Borough Council and the Mayor are on notice that Hightstown's Police Chief has already released a statement to the press and the Borough's elected officials on February 2, 2011, in which Chief James Eufemia acknowledged in print the following:

"There is *no criminal activity to handle* because the reported numbers are based on transient activity. . . .

"The *amount of gang activity in Hightstown is nearly non-existent*, with *only one documented incident*. The survey again is based upon perceptions and transient activity.

"There are no *specific, documented gangs operating in Hightstown*." [Emphasis added].

WHEREAS the Borough Council and the Mayor recognize that the Chief's statement to the press does not sufficiently address the enormity of the damage caused by the submission of data apparently without foundation to the New Jersey State Police about gang activity in Hightstown.

NOW THEREFORE BE IT RESOLVED that the Borough Council and the Mayor of Hightstown Borough direct the Borough Clerk and the Borough Administrator forthwith to take the steps necessary to see to the immediate public release and dissemination of a **PRESS RELEASE**, the text of which shall be as follows here:

February 22, 2011

*Issued by Mayor Steve Kirson and the Borough Council
of the Borough of Hightstown, NJ:*

The Hightstown Borough Council and Hightstown's Mayor Steve Kirson publicly express our regret that Hightstown Police, in February and March 2010, submitted data which appears to be without substance as Hightstown's official response to the New Jersey State Police survey measuring gang presence and gang activity in New Jersey. The responses submitted by Hightstown Police for the *Gangs Report* (which was released just recently by the New Jersey State Police) appear not founded on fact.

Police Chief James Eufemia has acknowledged the unreliability of the data submitted by Hightstown Police. The Chief has already released a written statement in which he acknowledged: "There is no criminal activity to handle . . . The amount of gang activity in Hightstown is nearly non-existent, with only one documented incident. . . . There are no specific, documented gangs operating in Hightstown."

As elected officials in Hightstown, committed to serving the public interest, we are deeply embarrassed by this episode. We apologize publicly that this apparent misinformation about gangs in Hightstown has been released by Hightstown's Police Department. We apologize publicly and sincerely to our residents, to our businesses, to our neighboring municipalities (and to East Windsor, in particular), to the East Windsor Regional School District, to all the children who attend the schools of our district and to their families, to The Peddie School, and to the New Jersey State Police. We express our deepest regret that this has happened, and commit ourselves to make sure nothing of this sort will be allowed to happen again under our watch. To that end, the Mayor and Council are taking further steps to correct the damage.

BE IT FURTHER RESOLVED that the Borough Council and the Mayor of Hightstown Borough direct the Borough Clerk and the Borough Administrator to see to the publication and posting of this press release prominently on the Borough Website, as soon as can be accomplished.

Councilmember Gilmartin moved to adjourn to 12:25am and Councilmember Bibens seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk