

**Meeting Minutes**  
**Hightstown Borough Council**  
**Regular Meeting**  
**June 20, 2011**  
**6:30 pm**

The meeting was called to order by Mayor Kirson at 6:30 pm 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 Mayor called for a Roll Call.

ROLL CALL

	PRESENT	ABSENT
<i>Councilmember Bibens</i>	✓	
<i>Councilmember Gilmartin</i>	✓	
<i>Councilmember McGinty</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Woods</i>	✓	
<i>Councilmember Vanderbeck</i>	✓	
<i>Mayor Kirson</i>	✓	

Also in attendance: Susan D. Jackson, Acting Deputy Borough Clerk, Frederick Raffetto, Borough Attorney

**Resolution 2011-176 – Naming an Acting Deputy Clerk for Executive Session**

Councilmember Quattrone moved resolution 2011-176. Councilmember Gilmartin seconded.

Roll Call Vote: Councilmembers McGinty, Quattrone, Vanderbeck, Woods, Bibens, and Gilmartin voted yes.

Resolution adopted, 6-0

Resolution 2011-176

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

**NAMING AN ACTING DEPUTY CLERK FOR EXECUTIVE SESSION**

**WHEREAS**, The Borough Clerk is not available for the June 20, 2011 meeting of the Borough Council; and

**WHEREAS**, it is the desire of Borough Council to deputize Frederick Raffetto, Borough Attorney, to perform the duties of the Borough Clerk for the executive session portion of this meeting; and

**WHEREAS**, Frederick Raffetto, Borough Attorney shall perform all the duties of the Borough Clerk for said meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Frederick Raffetto, Borough Attorney, is hereby named as Acting Deputy Clerk for the executive session meeting of the Borough Council on June 20, 2011 and shall perform the duties of the Borough Clerk for said executive session meeting.

**Resolution 2011-177 – Naming an Acting Deputy Clerk for Public Session**

Councilmember Quattrone moved resolution 2011-177. Councilmember Gilmartin seconded.

Roll Call Vote: Councilmembers Quattrone, Vanderbeck, Woods, Bibens, Gilmartin, and McGinty voted yes.

Resolution adopted, 6-0

Resolution 2011-177

*BOROUGH OF HIGHTSTOWN*

June 6, 2011

*COUNTY OF MERCER  
STATE OF NEW JERSEY*

**NAMING AN ACTING DEPUTY CLERK FOR PUBLIC SESSION**

**WHEREAS**, The Borough Clerk is not available for the June 20, 2011 meeting of the Borough Council; and

**WHEREAS**, it is the desire of Borough Council to deputize Susan Jackson to perform the duties of the Borough Clerk for the public portion of this meeting; and

**WHEREAS**, Susan Jackson shall perform all the duties of the Borough Clerk for said meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Susan Jackson is hereby named as Acting Deputy Clerk for the public meeting of the Borough Council on June 20, 2011 and shall perform the duties of the Borough Clerk for said meeting.

**Resolution 2011-161 – Authorizing a Meeting Which Excludes the Public**

Councilmember Woods moved resolution 2011-161. Councilmember Quattrone seconded.

Roll Call Vote: Councilmembers Vanderbeck, Woods, Bibens, Gilmartin, McGinty, and Quattrone voted yes.

Resolution adopted, 6-0

Resolution 2011-161

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

**AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on June 20, 2011 at approximately 6:30 pm in Council Chambers that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Personnel – Labor Counsel

Litigation Updates – Minute Maid, Greystone & Castoro vs. Hightstown Borough et als

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: September 20, 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 7:40 pm.

The meeting was called to order by Mayor Kirson at 7:40 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed the Roll call which has remained the same.

Councilmember Quattrone moved the agenda as presented. Councilmember Gilmartin seconded. All ayes.

Agenda approved 6-0.

Councilmember McGinty moved the May 10, 2011 open session minutes for approval, Councilmember Gilmartin seconded. Mayor Kirson called for a roll call vote.

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

Minutes approved 6-0.

Councilmember McGinty moved the May 16, 2011 open session minutes for approval as amended. Councilmember Quattrone seconded. Mayor Kirson called for a roll call vote.

Roll Call Vote: Councilmembers Gilmartin, McGinty, Quattrone, Woods, and Bibens voted yes; and Councilmember Vanderbeck abstained.

Minutes approved 5-0 with one abstention.

Mayor Kirson opened the Public Comment Period and the following individuals spoke during the period:

Phyllis Deal, 305 Stockton Street; Gail Doran, 201 Hutchinson Street; Rob Thibault, 504 S. Main Street; Eugene Sarafin, 628 S. Main Street; and Dan Buriak, 194 Stockton Street.

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

**Resolution 2011-174 – Electing a Council President for the Remainder of 2011**

Council member Bibens made a motion to nominate Council member Quattrone as Council President. Ms. Gilmartin seconded.

Roll Call Vote: Councilmembers Vanderbeck; Woods; Bibens, Gilmartin, McGinty, and Quattrone voted yes.

Resolution adopted, 6-0.

Council President Quattrone thanked everyone.

Resolution 2011-174

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

**ELECTING COUNCIL PRESIDENT FOR THE REMAINDER OF THE YEAR 2011**

**WHEREAS**, due to the resignation of Councilmember Isabel McGinty from the position of Council President, there exists a need to fill the position of Council President for the remainder of the year 2011; and

**WHEREAS**, it is the desire of the Borough Council to elect Lawrence Quattrone to fill that position;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Lawrence Quattrone is hereby elected as Council President for the remainder of the year 2011.

**Resolution 2011-175 - Accepting Membership of Tyler C. Devlin in Hightstown Engine Co. #1**

Council member McGinty moved Resolution 2011-175 with the correction of using the correct name on the Resolution. Council member Bibens seconded.

Roll Call Vote: Councilmembers Woods; Bibens, Gilmartin, McGinty, Quattrone, and Vanderbeck voted yes.

Resolution adopted, 6-0

Resolution 2011-175

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

**ACCEPTING MEMBERSHIP OF TYLER C. DEVLIN  
IN HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Tyler C. Devlin of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Devlin has undergone and passed the required physical examination, and his membership application has been reviewed and approved by Fire Chief Lawrence Van Kirk;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership of Tyler C. Devlin in Hightstown Engine Company No. 1 is hereby accepted.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

Mayor Kirson opened the public comment session at 7:50 PM.

Phyllis Deal, 305 Stockton St.; Walter Sikorski, 326 N. Main St.; Francoise ?, East Windsor; Lenore Isleib, 30 Rocky Brook Rd., East Windsor; David Abalos, 30 Shadow Stone, East Windsor; Tim Fallon, 458 S. Main St., Hightstown; Debra Macmillan, 153 E. Ward St., Hightstown; Gene Sarafin, 628 S. Main St., Hightstown; Dan Buriak, 194 Stockton St., Hightstown, Bob Thibolt, 405 S. Main St., Hightstown all came forward to speak.

As no one else came forward, Mayor Kirson closed the public comment period.

**Ordinance 2011-09 First Reading & Introduction: An Ordinance Amending and Supplementing Section 7-20, Entitled “Stop Intersections” of Chapter 7, “Traffic” of the Revised General Ordinances of the Borough of Hightstown**

Council Vanderbeck made a motion for the first reading & introduction of Ordinance 2011-09. Council member Bibens seconded.

There was a discussion on whether all residents living in that area want the stop signs. Council President and Council member Bibens are going to poll the people who live along the intersections and report back the findings at the next Council meeting.

Roll Call Vote: Councilmembers Bibens, Gilmartin, McGinty, Quattrone, Vanderbeck, and Woods voted yes. Ordinance 2011-09 was introduced, 6-0.

Ordinance 2011-09

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 7-20, ENTITLED “STOP INTERSECTIONS,” OF CHAPTER 7, “TRAFFIC,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY”**

**WHEREAS**, the Hightstown Borough Police Chief and Borough Engineer have evaluated the intersection of Morrison Avenue and Center Street and recommend that the intersection of be changed to a four-way stop intersection; and

**WHEREAS**, the Hightstown Borough Council has determined that it is appropriate to amend Section 7-20, “Stop Intersections,” of the Borough Code in accordance with the recommendations made by the Police Chief and Borough Engineer.

**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. Subsection 7-20-1, entitled “Stop Intersections,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented as follows (additions are shown with underline and deletions are shown with ~~strikeout~~):

**Subsection 7-20-1 Stop Intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<b>Intersection(s)</b>	<b>STOP Sign(s) on:</b>
Academy Street and Morrison Avenue	Morrison Avenue-- Railroad Avenue
-Railroad Avenue	
Dutch Neck Road and Gilman Place	Gilman Place
Grape Run Road and Westerlea Avenue	Westerlea Avenue
Greeley Street and Glen Brook Place	Glen Brook Place
Hagemount Avenue and Rocky Brook Court	Rocky Brook Court
Harron Avenue and Dutch Neck Road	Dutch Neck Road
Lincoln Avenue and Hagemount Avenue	Hagemount Avenue
Maxwell Avenue and Clinton Street	Clinton Street
Meadow Drive and Clover Lane	Clover Lane
<del>Meadow Drive and Clover Lane</del>	<del>Clover Lane</del>
<u>Morrison Avenue and Center Street</u>	<u>Morrison Avenue and Center Street</u>
Oak Lane and Lincoln Avenue	Lincoln Avenue
Orchard Avenue and Meadow Drive	Meadow Drive
Orchard Avenue and Schuyler Avenue	Schuyler Avenue
Prospect Drive and Bennett Place	Bennett Place
Reed Street and Purdy Street	Purdy Street
Springcrest Avenue and Glen Drive	Glen Drive
Sunset Avenue and Maple Avenue	Maple Avenue
Westerlea Avenue and Springcrest Avenue	Springcrest Avenue
Wilson Avenue and Mechanic Street	Mechanic Street

2. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

3. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

#### **Resolution 2011-162 Authorizing the Payment of Bills**

Council member Gilmartin moved Resolution 2011-162. Council President Quattrone seconded.

Roll Call Vote: Councilmembers Gilmartin, McGinty, Quattrone, Vanderbeck, Woods and Bibens, voted yes.

Budget adopted, 6-0.

June 6, 2011

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

Department Heads shall be set by the Mayor and Council and that the salaries of other non-union employees shall be set by the Borough Administrator within the range provided by Ordinance; and

**WHEREAS** it is the desire of the Mayor and Council to set 2011 salaries for non-union employees to provide a two percent increase, consistent with that received by members of the P.B.A. and Local 32 unions for 2011.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the salary for the titles below shall be effective January 1, 2011:

<b>Position/Title</b>	<b>2011 Salary</b>
<b>ANNUAL PAY:</b>	
Mayor	4,800.00
Councilmember	3,600.00
Chief Financial Officer	45,900.00
Borough Clerk	66,200.00
Tax Collector	25,500.00
Municipal Court Administrator	56,100.00
Municipal Court Administrator - on call stipend	1,000.00
Municipal Magistrate	35,715.00
Tax Assessor	12,750.00
Superintendent of Public Works	74,640.00
Water Plant Operator	65,838.00
Superintendent of AWWTP	76,258.00
Registrar of Vital Statistics	3,601.00
Construction Code Official	19,003.00
Technical Assistant	38,428.00
Building Subcode Official	3,695.00
Building Inspector	3,695.00
Public Health Nurse	65,939.00
Maintenance Foreman	43,603.00
Laboratory Manager	56,706.00
<b>HOURLY PAY:</b>	
Fire Official	25.00
Fire Inspector	17.00
Fire Protection Inspector	30.00
Zoning Officer	27.03
<b>PER SESSION PAY:</b>	
Acting Judge	250.00
Public Defender	150.00

**Resolution 2011-164 Authorizing an Agreement for Engineering Services for the Sludge Rotary Fan Press at the Advanced Wastewater Treatment Plant – Roberts Engineering Group, LLC**

Council President Quattrone moved resolution 2011-164, Councilmember Gilmartin seconded.

Councilmember McGinty commented about the possibility of going out to bid for engineering services.

Roll Call Vote: Council members Vanderbeck, Woods, Bibens, Gilmartin and Quattrone, voted yes; Council President McGinty voted no.

Resolution 2011-164

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

**AUTHORIZING AN AGREEMENT FOR ENGINEERING SERVICES FOR THE SLUDGE  
ROTARY FAN PRESS AT THE ADVANCED WASTEWATER TREATMENT PLANT-  
ROBERTS ENGINEERING GROUP, LLC**

**WHEREAS**, There is a need for Engineering Services for the Sludge Rotary Fan Press Project; and

**WHEREAS**, the Borough Engineer, Carmela Roberts of Roberts Engineering Group, LLC has submitted a proposal for these services in the amount of \$32,500.00; and,

**WHEREAS**, the services include planning engineering document phase, bidding phase, and construction administration and inspection services for compliance with the requirements of the New Jersey Environmental Infrastructure Trust and New Jersey Department of Environmental Protection requirements; and,

**WHEREAS**, the Treasurer has certified that funds for this purpose are available in Bond Ordinance 2011-03.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement with Carmela Roberts of Roberts Engineering Group, LLC in the amount of \$32,500.00 for services associated with the Sludge rotary Fan Press Project.

**Resolution 2011-165 Authorizing an Agreement for Engineering Services for Various Improvements at the  
Advanced Wastewater Treatment Plant – Roberts Engineering Group, LLC**

Council President Quattrone motioned Resolution 2011-165. Councilmember McGinty seconded.

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

Resolution adopted 6-0 vote.

Resolution 2011-165

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

**AUTHORIZING AN AGREEMENT FOR ENGINEERING SERVICES FOR VARIOUS  
IMPROVEMENTS AT THE WATER TREATMENT PLANT- ROBERTS ENGINEERING  
GROUP, LLC**

**WHEREAS**, there is a need for Engineering Services for various improvements at the Water Treatment Plant; and

**WHEREAS**, these improvements consist of a post chlorination tank, media for water filtration, variable frequency drivers (VFD's) for high service pumps, and water treatment filter.

**WHEREAS**, the Borough Engineer, Carmela Roberts of Roberts Engineering Group, LLC has submitted a proposal for these services in the amount of \$81,000.00; and,

**WHEREAS**, the services include planning engineering document phase, bidding phase, and construction administration and inspection services for compliance with the requirements of the New Jersey Environmental Infrastructure Trust and New Jersey Department of Environmental Protection; and,

**WHEREAS**, the Treasurer has certified that funds for this purpose are available in Bond Ordinance 2011-03.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement with Carmela Roberts of Roberts Engineering Group, LLC in the amount of \$81,000.00 for services associated with various improvements at the Water Treatment Plant.



**Resolution 2011-166 Authorizing Shared Services Agreement for Vehicle Maintenance Services – Robbinsville Township**

Council President Quattrone moved resolution 2011-166, Councilmember Gilmartin seconded.

There was discussion.

Roll Call Vote: Councilmembers Bibens, Gilmartin, Quattrone, Vanderbeck and Woods voted yes. Councilmember McGinty voted no.

Resolution adopted, 5-1.

Resolution 2011-166

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

**AUTHORIZING AN AGREEMENT FOR ENGINEERING SERVICES FOR VARIOUS  
IMPROVEMENTS AT THE ADVANCED WASTEWATER TREATMENT PLANT- ROBERTS  
ENGINEERING GROUP, LLC**

**WHEREAS**, There is a need for Engineering Services for various improvements at the Advanced Wastewater Treatment Plant; and

**WHEREAS**, these improvements consist of a bar screen upgrade, secondary digester, trickling filter plastic media, and upgrade primary clarifier.

**WHEREAS**, the Borough Engineer, Carmela Roberts of Roberts Engineering Group, LLC has submitted a proposal for these services in the amount of \$81,500.00; and,

**WHEREAS**, the services include planning engineering document phase, bidding phase, and construction administration and inspection services for compliance with the requirements of the New Jersey Environmental Infrastructure Trust and New Jersey Department of Environmental Protection requirements; and,

**WHEREAS**, the Treasurer has certified that funds for this purpose are available in Bond Ordinance 2011-03.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement with Carmela Roberts of Roberts Engineering Group, LLC in the amount of \$81,500.00 for services associated with various improvements at the Advanced Wastewater Treatment Plant.

**Consent Agenda**

**Resolution 2011-167, 2011-168, 2011-169 Authorizing Renewal of Alcohol Beverage Licenses**

Council President Quattrone moved that resolutions 2011-167, 2011-168, and 2011-169 be moved as a consent agenda. Councilmember Gilmartin seconded.

Roll Call Vote: Councilmembers Gilmartin, McGinty, Quattrone, Vanderbeck, Woods and Bibens voted yes.

Resolutions adopted, 6-0.

Resolution 2011-167

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-32-001-006 –  
WINE DEPOT CORPORATION, T/A HEDY'S LIQUORS**

**WHEREAS**, Wine Depot Corporation has made application to the Borough for renewal of their Plenary Retail Consumption License with Broad Package Privilege License #1104-32-001-006, together with the required fees; and  
June 6, 2011

**WHEREAS**, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Wine Depot Corporation is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

**WHEREAS**, the Chief of Police has been consulted and has no objections to renewal of this license;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Wine Depot Corporation, doing business as Hedy's Liquors at 500 Mercer Street:

**2011-12 Plenary Retail Consumption License with Broad Package Privilege**  
**License #1104-32-001-006**  
**Fee: \$2,500.00**

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

Resolution 2011-168

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-33-003-008 –**  
**TAVERN 103 LLC, T/A TAVERN ON THE LAKE**

**WHEREAS**, Tavern 103 LLC has made application to the Borough for renewal of their Plenary Retail Consumption License #1104-33-003-008, together with the required fees; and

**WHEREAS**, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Tavern 103 LLC is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

**WHEREAS**, the Chief of Police has been consulted and has no objections to renewal of this license;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Tavern 103 LLC, doing business as Tavern on the Lake at 101-103 Main Street:

**2011-12 Plenary Retail Consumption License**  
**License #1104-33-003-008**  
**Fee: \$2,500.00**

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

Resolution 2011-169

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-44-002-010 –**  
**FAMILY WINES AND LIQUORS, INC. (T/A HIGHTSTOWN LIQUOR)**

**WHEREAS**, Family Wines and Liquors, Inc. has made application to the Borough for renewal of their Plenary Retail Distribution License #1104-44-002-010, together with the required fees; and

**WHEREAS**, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Family Wines and Liquors, LLC, is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to renewal of said license; and

**WHEREAS**, the Chief of Police has been consulted and has no objections to renewal of this license;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Family Wines and Liquors, Inc. doing business as Hightstown Liquor at 107 Stockton Street:

**2011-12 Plenary Retail Distribution License**  
**License #1104-44-002-010**  
**Fee: \$2,500.00**

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

**Resolution 2011-170 Authorizing Shared Services Agreement for Matching Local Share for Bus Services – East Windsor Township**

Councilmember Vanderbeck moved resolution 2011-170, Councilmember Woods seconded.

Roll Call Vote: Councilmembers Quattrone, Vanderbeck, Woods, Bibens, Gilmartin and McGinty voted yes.

Resolution adopted, 6-0.

Resolution 2011-170

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

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN HIGHTSTOWN  
BOROUGH AND EAST WINDSOR TOWNSHIP FOR CONTRIBUTION OF THE MATCHING  
LOCAL SHARE FOR BUS SERVICES**

**WHEREAS**, the Borough of Hightstown is desirous of entering into a renewed shared services agreement with the Township of East Windsor for the purpose of providing public transportation services for its citizens; and

**WHEREAS**, the term of said agreement shall be from July 1, 2011 through June 30, 2012; and

**WHEREAS**, the Borough's share of the cost of this service, by the terms of the agreement, is \$2,180.00, representing no increase from prior years; and

**WHEREAS**, the Treasurer has certified the availability of funds for this expenditure.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement for Contribution of the Matching Local Share for Bus Services with East Windsor Township in the amount of \$2,180.00.

**Resolution 2011-171 Authorizing the Borough of Hightstown to Enter into a Developer's Construction Agreement with Seymour Investments, LLC**

Council President Quattrone moved resolution 2011-171, Councilmember Woods seconded.

Mr. Raffetto, Borough Attorney, Mr. Rosensweig, Planning Board Attorney, and Ms. Roberts had all worked together on producing the Agreement with the Developer.

Roll Call Vote: Councilmembers Quattrone, Vanderbeck, Woods, Bibens, Gilmartin and McGinty, voted yes.

Resolution adopted, 6-0.

Resolution 2011-171

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

**AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ENTER INTO A DEVELOPER'S  
CONSTRUCTION AGREEMENT WITH SEYMOUR INVESTMENTS, L.L.C.**

**WHEREAS**, Seymour Investments, L.L.C. (Developer) intends to develop land known as Lots 24.01 and 15.01, in Block 13 located in the Borough of Hightstown, the property site formerly known as Old Hights Overlook is located on Cranbury Station Road, between William and Monmouth Streets in the R-PMF Zoning District, and which lands have been previously approved for nine (9) townhouses and is developed with six (6) townhouses. The Home Owners Association will own and maintain the internal roadway system, all common open spaces, the area utilized for parking and all the associated storm water drainage system; and

**WHEREAS**, Old Hights Overlook, LLC previously obtained preliminary & final major subdivision and preliminary & final major site plan approval for the construction of the townhouses, which approval was memorialized on June 14, 2004 by resolution 2003-12. However, the property went into foreclosure prior to completion of the construction and therefore the Developer has acquired the subject property; and

**WHEREAS**, the Developer has applied for a Preliminary and Final Subdivision and Site Plan approval in order to subdivide Lot 24.01 into nine (9) townhouse lots plus two (2) common area lots as well as approval for Lot 24.02 to be used for six (6) apartments. The Developer submitted plans entitled Block 13, Lots 24.01 and 24.02, William Street and Cranbury Station Road, Borough of Hightstown, New Jersey, prepared by William D. Doran, P.E. and L.S., dated February 27, 2010, last revised April 22, 2010 and consisting of 5 sheets.

**WHEREAS**, the Developer received Preliminary Subdivision and Site Plan approval for Lots 24.01 and 24.02, which approval was memorialized on June 14, 2010 by Resolution 2010-08; and

**WHEREAS**, as a condition of the Preliminary Subdivision and Site Plan approval, Developer is required to enter into an Agreement with the Borough, satisfactory to the Mayor and Council, Borough Engineer, Borough Attorney and Planning Board Attorney in order to complete the construction of the remainder of the townhouses; and

**WHEREAS**, the parties have negotiated a proposed Developer's Construction Agreement and the proposed Developer's Construction Agreement is in a form satisfactory to the Developer, as well as to all of the Borough representatives referenced above

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Hightstown, that the Mayor and Borough Clerk are hereby authorized to execute the Developer's Construction Agreement on behalf of the Borough.

**Resolution 2011-172 Waiving Fees for Certain Parking Permits - RISE**

Council President Quattrone moved resolution 2011-172, Councilmember Woods seconded.

There was a brief discussion on the number of tags that are being requested this year. It was confirmed that it is the same number that was permitted last year by resolution.

Roll Call Vote: Councilmembers Vanderbeck, Woods, Bibens, Gilmartin, McGinty and Quattrone voted yes.

Resolution adopted, 6-0 vote.

Resolution 2011-172

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

**WAIVING FEE FOR CERTAIN PARKING PERMITS**

**WHEREAS** Rise (formerly known as the Community Action Service Center), a nonprofit agency serving Borough residents, has requested eight 2011-2012 parking permits for use by their staff, including four special permits for use in the Main Street parking lot and four permits for use in the Borough's permit parking area near Wells Fargo Bank; and

**WHEREAS**, Rise has requested that the fee for these permits be waived; and

**WHEREAS**, because Rise is an agency that receives financial support from the Borough, the Mayor and Council wish to authorize issuance of said permits at no fee;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk shall issue Rise eight (8) 2011-2012 parking permits as detailed herein and that the fee for these permits shall be waived.

**Resolution 2011-173 Appointing Council Liaison to the Fire Department for the Remainder of 2011**

Councilmember Woods moved resolution 2011-173, Councilmember Gilmartin seconded.

Council President spoke with the Fire Department and they are very excited to be working with Council member Bibens.

Roll Call Vote: Councilmembers Woods, Bibens, Gilmartin, McGinty, Quattrone, and Vanderbeck voted yes.

Resolution adopted, 6-0.

Resolution 2011-173

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

**APPOINTING COUNCIL LIAISON TO THE FIRE DEPARTMENT FOR THE REMAINDER  
OF THE YEAR 2011**

**WHEREAS**, due to the appointment of Councilmember Lawrence Quattrone to the position of Police Commissioner, there exists a need to fill the position of Council Liaison to the Hightstown Engine Co. #1 for the remainder of the year 2011; and

**WHEREAS**, it is the desire of the Borough Council to appoint Councilmember Selena Bibens to fill the position of Liaison to the Hightstown Engine Co. #1 for the remainder of the year 2011.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Councilmember Selena Bibens is hereby appointed as Council Liaison to the Hightstown Fire Department for the remainder of the year 2011

The Mayor gave the updated monthly report on code and police enforcement.

Mayor Kirson opened Public Comment Period II at 10:00 AM and the following individuals spoke: Eugene Sarafin, 628 S. Main Street; Rob Thibolt, 504 S. Main St; and Melanie Alio, 158 Grant Ave.

There being no further comments, the Mayor closed the public comment period at 10:15 PM.

**Discussion:**

**Chief of Police vs. Public Safety Director –**

Mayor Kirson opened the discussion stating that he would be in favor of hiring a Public Safety Director.

Council President Quattrone gave a brief history that the Borough did have a sub-committee at one time to go over all the options of hiring a Police Chief vs. Public Safety Director. In 2001 he was in favor of a Public Safety Director and now that the Chief of Police officially announced that he will be retiring in a few months, this would be a perfect opportunity to take a look at the possibility of hiring a Public Safety Director. An ordinance would have to be written if the position is to be considered.

Mr. Raffetto distributed ordinances from different municipalities for the Safety Director position so Council can make an informed decision. If the Council chooses to see more information; He can write the ordinance for the Public Safety Director position and have it ready for discussion at the next Council meeting.

Councilmember McGinty is still looking for the information regarding the cost of overtime and the use of benefit time in the Police Department. She sees the lack of information as dire and it needs to be addressed.

Mayor Kirson said that he doesn't feel the situation is dire with the Police Department. The force is finally back to a full staff of 10 officers. He had the CFO do an analysis of overtime hours from the beginning of the year to present and based on what is budgeted for the year; the Police Department is operating under budget at this time for overtime hours, but no

one can predict whether the budget will hold up in any type of business. He commended the CFO for doing a good job in putting the budget together.

Council President Quattrone stated that no one on Council knows how to run the Police Department. Council member Gilmartin agreed but believes that looking at the option of hiring a Public Safety Director is the first step to an end product and that it needs more discussion. Whether the Council decides on a Public Safety Director or a Police Chief, it will be the decision of whomever assumes that position to make the determination on whether more officers are needed.

Council member Vanderbeck believes that having an ordinance written to create the position of Public Safety Director is a good start and then Council can continue to look at all the information. Council President Quattrone asked Mr. Raffetto to write the Ordinance for the Council's review. All Council members agreed that Mr. Raffetto should write the ordinance and it will be discussed at the next meeting. A discussion on whether to form a subcommittee will be a topic at the next meeting.

Councilmember McGinty continued her comments regarding looking at the books for the breakdown of the overtime of the Police Department but the Mayor said that the CFO has all the appropriate information already; he knows the numbers and has developed the budget based on that information.

#### **Code/Police Enforcement:**

Councilmember McGinty did an analysis of the Court from 2006 to May of 2011 covering the number of summons issued, the schedule of fees and fees collected. Mayor Kirson read the report and stated that there are a number of ways that the report can be interpreted, but throughout the county we are not the exception but more the rule as most Municipalities are not collecting as many fines due to staff reductions, therefore there is a reduction in revenue collections. Further discussion took place and it was commented that this is not unique to Hightstown but the general trend.

#### **Budget Clarification**

Mayor Kirson responded to Councilmember McGinty's request for answers on the budget. He addressed the questions with information from the CFO. He believes that most things have been covered in the budget and to keep going over this at each meeting is not productive. At the end of the year, the numbers will be looked at again and then a determination can be made as to the best way to proceed with next year's budget.

Mayor Kirson opened the Public Comment Period II and the following individuals spoke during the period:

Eugene Sarafin, 628 S. Main Street; Rob Thibolt, 504 S. Main Street; Melanie Alio, 158 Grant Ave. As no others came forward Public Comment Period II was closed.

#### **Council/Mayor/Administrative Comments**

Council President Quattrone – thanked the Council for voting and making him the Council President and he thanked Council member Bibens for accepting the position as liaison to the Fire Department. He addressed the comment about working with blinders and said that as Council President, he will ask questions at the appropriate Department levels and have the information before the Council meetings as the meetings should not be the place that the questions are raised.

Councilmember McGinty – still has questions and wants answers on Police overtime. She is concerned because the Police Committee report went on a shelf and she feels that questions need to be addressed; court issues haven't been addressed either. She feels that the Public Safety Director works in theory but feels that all the numbers and information need to be presented before Council can make a determination as to which direction would be best for the Borough. She addressed the issue of public electioneering vs. public interest issues and the difference between the two. She commented that it came very close at tonight's meeting to crossing the fine line between the two and hopes that it doesn't happen in the future.

Councilmember Vanderbeck – would like to still address satellite dishes and sump pump discharges within the borough. Presently there isn't any way to enforce these issues. He received some ordinances from other municipalities and sat down with our code official and came up with wording for an ordinance that addresses these issues. He would like to send these drafts to Mr. Raffetto, with the Council's permission, so that he can look it over and bring it back before Council for discussion and a vote.

Councilmember Gilmartin – asked if Mr. Sarafin would be willing to sit down with Council members regarding LOSAP. The Council will continue to look at all the information pertaining to a Safety Public Director. She would love to see more civility on the dais and better treatment/respect of each other. She apologized if others feel that she over stepped boundaries with the phone

questionnaire but had no intentions of bringing it up tonight, or at any time.

Councilmember Woods – congratulated Council President Quattrone. She talked about the actions that will be taking place on any outstanding balances of water/sewer bills. Delinquent notices went out to all accounts that haven't been paid. She also gave a report for the Sewer Plant.

Councilmember Bibens – is excited to be working with Council President Quattrone and thanked him for asking her to be the liaison to the Fire Department; she is looking forward to the challenge. She then went on to talk about the Farmers Market, Movie Night in the Park, the National Night Out for the Police Department and that she is officially co-chairing the Harvest Fair in October. She thanked Dan Buriak for all the hard work he has done on Stockton Street, it looks beautiful. She wants everyone to realize what a phenomenal community this is, that we all need to look at the positives instead of negatives. She also commented that everyone deserves respect and that the Hightstown Police Officers take oaths to protect every citizen in the community.

Mayor Kirson – announced that Jeff will be leaving East Windsor Patch to go to law school. He commended him on a job well done.

Councilmember Gilmartin moved to adjourn the meeting at 10:25 PM and Councilmember Bibens seconded; the motion was approved unanimously.

Respectfully Submitted,

Susan D. Jackson,  
Acting Deputy Borough Clerk