

**Meeting Minutes**  
**Hightstown Borough Council**  
**Regular Meeting**  
**April 16, 2012**  
**7:00 pm**

The meeting was called to order by Mayor Kirson at 7:03 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 sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

|                                | PRESENT | ABSENT |
|--------------------------------|---------|--------|
| <i>Councilmember Bibens</i>    | ✓       |        |
| <i>Councilmember Bluth</i>     | ✓       |        |
| <i>Councilmember Doran</i>     | ✓       |        |
| <i>Councilmember Quattrone</i> | ✓       |        |
| <i>Councilmember Thibault</i>  | ✓       |        |
| <i>Councilmember Woods</i>     | ✓       |        |
| <i>Mayor Kirson</i>            | ✓       |        |

Also in attendance: Debra Sopronyi, Borough Clerk; Michael Theokas, Borough Administrator; and Frederick Raffetto, Borough Attorney.

**Resolution 2012-112 Authorizing a Meeting Which Excludes the Public**

Council President Quattrone moved resolution 2012-112, Councilmember Doran seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault, and Woods voted yes.

Resolution adopted, 6-0

Resolution 2012-112

*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 April 16, 2012 at approximately 7:00 pm in the First Aid Building located on Bank Street, Hightstown 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:

Litigation – Lasky/Pavlak

Contract Negotiations - Lucas

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: July 16, 2012 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.

The public meeting was called to order by Mayor Kirson at 7:35 pm and he again read the Open Public Meetings Act statement.

The Flag Salute was followed by roll call which has remained the same. George Lang, CFO; James LeTellier, Police Director; and Carmela Roberts, Borough Engineer, joined the meeting at this time.

Councilmember Doran requested that public comment I be moved up to prior to the ordinances, Councilmember Woods requested that discussion be moved up to after the resolutions, Councilmember Bibens requested that ordinance 2012-05 be removed from the agenda and Mayor Kirson added resolution 2012-124 to the resolutions.

Councilmember Bibens moved the agenda for approval with the amendments as noted, Councilmember Thibault seconded.

Mayor Kirson called for a roll call vote on the amended agenda.

Roll Call Vote: Council members Bibens, Bluth, Doran, Thibault, and Woods voted yes; Council President Quattrone abstained..

Agenda approved as amended, 5-0; with one abstention.

Council President Quattrone moved the minutes of the February 13, 2012 Joint Session with the Planning Board and the March 19, 2012 Open and Executive Sessions for approval; Councilmember Doran seconded. The Mayor called for a roll call vote for the approval of the minutes.

Roll Call Vote: Council members Bluth, Doran, Quattrone, Thibault and Woods voted yes; Councilmember Bibens abstained.

Minutes approved 5-0 with one abstention.

The Mayor then turned the meeting over to Councilmember Thibault who recognized the volunteers of the Borough for their dedication. Councilmember Thibault then called upon each Committee and/or Board to send a representative forward to receive certificates of appreciation and pins for their members. The groups noted included, but were not limited to, Animal Welfare Committee, Board of Health, Environmental Commission, Greenway Bridge Committee, Harvest Fair Committee, Historical Society, Fire Department and Ladies Auxiliary, Historical Preservation Society, Parks and Recreation Commission, Planning Board and First Aid.

**Resolution 2012-113 Authorizing Payment #1 – Conley Electric (Variable Frequency Drivers)**

Council President Quattrone moved resolution 2012-113, Councilmember Woods seconded.

The Borough Engineer explained that the project was complete and approved by DEP. There was discussion regarding retainage.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolution approved 6-0.

Resolution 2012-113

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

**AUTHORIZING PAYMENT # 1 – CONLEY ELECTRIC (VARIABLE FREQUENCY DRIVERS)**

**WHEREAS**, on February 6, 2012 the Borough Council awarded a contract for Variable Frequency Drivers to Conley Electric of Cranbury, New Jersey in the amount of \$22,000.00; and

**WHEREAS**, the contractor has submitted payment request #1 for work done in the total amount of \$19,800.00;

and

**WHEREAS**, the Borough Engineer has recommended approval of payment #1 to Conley Electric in the amount of \$19,800.00; and

**WHEREAS**, the required certified payrolls have been submitted; and

**WHEREAS**, the Treasurer has certified that funds are available for this expenditure.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Payment Request No. 1 from Conley Electric of Cranbury, New Jersey in the amount of \$19,800.00 is hereby approved as detailed herein, and the Treasurer is authorized to issue same.

**Resolution 2012-114 Awarding a Contract for Water Treatment Plant Filter – Liberty Construction & Development, Inc.**

Council President Quattrone moved resolution 2012-114, Councilmember Woods seconded.

The Borough Engineer reviewed that this project had been bid twice and it was determined, in consultation with the Borough Attorney, that negotiations could take place to reduce the cost but maintain the integrity of the project. She reviewed the process and explained that while well #3 will go on line with the additional of the post chlorination tank, this project is needed to add any additional development to the plant. There was discussion.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolution approved 6-0.

Resolution 2012-114

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

**AWARDING A CONTRACT FOR WATER TREATMENT PLANT FILTER – LIBERTY  
CONSTRUCTION & DEVELOPMENT, INC.**

**WHEREAS**, resolutions 2012-75 and 2012-100 rejected all bids received for the Water Treatment Filter in accordance with N.J.S.A. 40A:11-13(2) as all bids received on both occasions exceeded the engineer's estimate and the appropriation for this project, and were found to be unreasonable; and

**WHEREAS**, resolution 2012-100 authorized the Borough Engineer to enter into negotiations with the final bidders pursuant to N.J.S.A. 40A:11-5(3); and

**WHEREAS**, during said negotiations modifications that could be made to find savings for the Borough and maintain the integrity of the project were determined as follows:

1. Delete the item for pavement removal and replacement with topsoil, in the park area.
2. Consider a modular building expansion. This could include a near flat roof over the new office area, but should include a truss roof over the filter area. The modular building is to include only two courses of block and have vinyl siding that would match the existing public works building located at the corner of Bank Street and Mechanic Street. Be advised that the construction of the modular building is subject to payment of prevailing wages, whether fabricated in New Jersey or out of state.
3. Consider supporting the new pipe from the bottom rather than hanging from the area above the existing filter.
4. Remove crickets and piping that was routed toward the aerator and then back. Install roof drainage in the area of the lime room. Be aware that the intersection of the new truss roof and the existing truss roof at the rear of the building will require attention to assure that there will not be an area that traps water.
5. Change the material for the stairs to either precast concrete or wood.

6. Connect the effluent pipe from the new filter to the effluent pipe on the adjacent filter. Make the connection at the existing tee and change to a cross. This will reduce the length of the effluent piping by approximately half.
7. Consider a different type of pile and /or spread footing, etc. Whatever you choose must be based on a design by a PE geotechnical engineer. However, piles must continue to be installed under the filter and a different support foundation will only be considered under building walls.
8. Do not relocate or remove the existing arch windows on the front of the existing building and in the lime room. Only remove the arch window in the location where the new doorway will be created between the new and existing filter rooms.
9. Install two double hung windows in the new office area.
10. Reduce lighting in the filter room by removing all lighting at the rear of the tank. Lighting is only needed on the side with the valving.
11. Change DIP pipe to Schedule 80 PVC pipe. All fittings and valves must remain DIP.
12. Remove all bollards.
13. Consider lowering your cost for the purchase of the filter to as low as possible with a minimum of overhead and profit.

and;

**WHEREAS**, two (2) reduced bids were received on April 10, 2012 as a result of the negotiations; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a contract for the Water Treatment Plant Filter be awarded to the low bidder, Liberty Construction & Developing, Inc. of Belle Mead, New Jersey in the amount of \$497,000.00; and

**WHEREAS**, this project is funded by the New Jersey Environmental Infrastructure Trust, the award of this contract is conditional upon approval by the New Jersey Department of Environmental Protection; and,

**WHEREAS**, the execution of this contract is subject to the review and approval of the Borough Attorney to assure that the bid submitted by Liberty Construction & Developing, Inc. of Belle Mead, New Jersey is in order with respect to legal compliance; and,

**WHEREAS**, the Treasurer has certified that funds are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that the contract for Water Treatment Plant Filter for the Hightstown Water Treatment Plant is hereby awarded to Liberty Construction & Developing, Inc. of Belle Mead, New Jersey in the amount of \$497,000.00, upon approval by the New Jersey Department of Environmental Protection and the Borough Attorney.

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

Mayor Kirson explained the taxi ordinance process since there was a large audience regarding the matter. He noted that there will be a public hearing for the ordinance at the next meeting.

Leslie Koppel, RISE Director – introduced herself to Council and advised that she had submitted two names of volunteers for recognition and they had not been recognized. Gail and Tony Zelenak volunteer for the food pantry and RISE and are a great example of volunteerism in Hightstown Borough.

The Mayor apologized for the oversight in recognition and thanked the volunteers for their time, talents and dedication.

Guilliano Saquela, TuAmigo Taxi – commented that the residents of Twin Rivers object to the taxi ordinance, there is a need for taxi stands and sixteen cabs are not enough in Hightstown.

Juan Chuischa, Ecu Taxi – stated that there is a need for more than four companies; he would also like to work in Hightstown.

David Schraeger, Unidad Latina en Accion NJ – read a letter from the organization that opposed the taxi ordinance.

Laura Stalgato, East Windsor – commented that the Hightstown Police Department treats taxi drivers unfairly.

Jorge Torres, Unidad Latina en Accion NJ – feels that the ordinance should be developed by the community, not Council. He then recognized the latino community volunteers.

Stella Leon, 112 Clinton Street – commented that Woman’s rights will be violated by the taxi ordinance; how will they get to work without a taxi?

Carlos Quiridumbay, Yellow Cab – noted that taxis help develop businesses in town by providing transportation; the ordinance is unfair.

Odela, Lamadrid, K13 Windsor Castle, East Windsor – inquired why Hightstown is not letting the taxis help people.

Eugene Sarafin, 628 S. Main Street – presented calculations for the use of taxis and noted that there are not enough cabs being permitted in the ordinance.

Sandra Arevalo, Abington Drive, East Windsor – noted that she uses cabs to get to the work and the doctors and must wait a long time to get a cab. There are not enough taxis in the ordinance.

Pastor Julio Sanchez, 47 N. Main Street, East Windsor – commented that the community uses taxis to get to church and twenty cabs are not enough.

Mayor Kirson clarified that this ordinance only affects taxi cabs picking up in Hightstown, it does not East Windsor residents. Jorge Torres translated this information to the public.

George Serrano, 4 Westerlea Avenue – inquired as to where his trash cans are that he previously requested. He then volunteered to have a taxi stand designated in Westerlea Apartments, but noted that they must follow the laws and rules.

Marco Toledo, Yellow Cab – noted that cab drivers are afraid to drop off in Hightstown due to ticketing by the police.

Carlos Quiridumbay, Yellow Cab – noted that there are at least 1,500 Spanish residents in Hightstown and all the Spanish businesses are located here as well; police are always ticketing cab drivers in Hightstown. The taxis serve the community.

Juan Chuischa, Ecu Taxi – commented that the ordinance does affect residents picked up in East Windsor because they are coming to Hightstown to do business and want the cabs to return to pick them up and take them home; he would like to work in Hightstown and be a part of the solution. He encouraged Council to consider the needs of the community.

John Crutcher, Oakland Terrace, East Windsor – stated that he works with RISE and see a need for the taxis. The market should determine the number of taxis, not the Council; he recommended that the cell phone and horn honking regulations be enforced.

Anna Pazmino, 5 Strathmore, East Windsor – feels that the language which requires that drivers speak, read and write in English is discriminatory and should be reconsidered.

Eugene Sarafin, 628 S. Main Street – recommended that Council consider a joint ordinance with East Windsor Township.

Patty Acree, 16 Powell Court – inquired as to what happens when someone is intoxicated and cannot get a cab; or if someone needs to get to the doctors and cannot get a cab, will EMS be called for non-emergencies?

Fran Palumbo, 101 Main Street – commented that all cabs operating in Hightstown should be licensed and follow the regulations.

Phyllis Deal, 305 Stockton Street – inquired as to how business can be regulated in town; the market will regulate the licensing of taxis.

Melanie Iolio, 159 Grant Street – opposed the ordinances because she thought that cabs could still pick up residents without a license.

Greg Williams, Lawrenceville – inquired as to why would Hightstown limit licenses that brings revenue to the town.

Councilmember Woods clarified that this ordinance is being changed in compliance with new State Statute that requires limiting the number of licenses.

Jorge Torres, Unidad Latina en Accion NJ – said that he would like to meet with Council, the Mayor and the police to resolve the ordinance as a group.

Scott Caster, 12 Clover Lane – would like Council to make it clear where they stand on the Borough Hall recovery from the hurricane. He noted a Trenton Times article in which it only gave reasons why Borough Hall should be moved.

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

**Ordinance 2012-02 First Reading and Re-Introduction – An Ordinance Amending and Supplementing Section 4-21, Entitled “Taxicab Licensing” of the Revised General Ordinances of the Borough of Hightstown, New Jersey**

There was Council discussion regarding this ordinance which was revised by the Borough Attorney pursuant to discussion by Council at their last meeting. Discussion included insurance limit requirements, the number of licenses to be issued, supply and demand, the responsibility of taxi owners and drivers, and the public comments.

The Police Director noted that he is meeting with the taxi companies tomorrow and that the police do not single out anyone due to ethnicity. He went on to state that if they are not licensed in Hightstown, they should not be picking up people in Hightstown as it violates the ordinance. He invited the Owners and Drivers to come see him with any issues they have.

Following the discussion, the Mayor called for a vote to re-introduce ordinance 2012-02.

Councilmember Woods moved ordinance 2012-02 for introduction, Councilmember Thibault seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Ordinance introduced 6-0; public hearing and final reading to be held on May 7, 2012.

Ordinance 2012-02  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

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

**WHEREAS**, the Mayor and Council wish to amend certain provisions contained within Section 4-21 of the Borough Code relating to Taxicab Licensing as set forth herein.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Section 4-21 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

**Section 4-21**

**TAXICAB LICENSING**

**4-21.1 Definitions.**

As used in this section, the following terms shall have the meanings indicated:

Borough shall mean the Borough of Hightstown.

Cruising shall mean the driving of an empty taxicab along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

Driver shall mean any person who operates a taxicab within the Borough, whether or not such person is also the owner thereof.

Operation of a taxicab shall mean transporting in a taxicab one (1) or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the Borough to a destination within or without the Borough shall be considered "operation of a taxicab" within the Borough. The "operation of a taxicab" by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxi. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign using the words "taxi," "taxicab," "cab" or "hack" shall be prima facie evidence of operation.

Owner shall mean any person, business entity, association or other legal entity in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles or who appears in the Division's records to be a conditional vendee or lessee or has any other proprietary interest in a taxicab.

Police Commissioner shall mean the member of the Borough Council designated as such on an annual basis by the Mayor, pursuant to Section 2-19.3 of the Borough Code.

Police Director shall mean the person appointed by the Governing Body to serve as the executive head of the Police Department, in accordance with Section 2-19.4 of the Borough Code.

Taxicab or taxi or cab shall mean a motor vehicle used to transport passengers for hire or compensation which does not operate over a fixed route and is not hired by the day or hour.

Taxicab Stand shall mean a section of a public street or of a public place set apart for the exclusive use of a taxicab or a limited number of taxicabs when such section is distinctly marked as such by an appropriate sign attached to a stanchion on the curb or other conspicuous place or by clearly visible marks upon the surface of a street or public place.

#### **4-21.2 Licenses Required.**

- a. No person shall operate a taxicab within the Borough unless both the owner and the driver of the taxicab are licensed under this section.
- b. The Borough will make available on an annual basis a maximum of five (5) taxicab owner's licenses, each of which shall permit the owner to operate a maximum of four (4) taxicab vehicles within the Borough at one time. Licenses shall be awarded on a first come, first served qualifying basis. Those licensees that have been previously licensed by the Borough during the prior year and who remain in good standing and who have submitted their renewal statement (per Subsection 4-21.4g below) to the Borough prior to January 1<sup>st</sup>, shall be afforded the first opportunity for re-licensing. All other applicants shall be afforded the opportunity to obtain a taxicab owner's license after January 1<sup>st</sup>.

#### **4-21.3 Types of Licenses.**

- a. Taxicab Driver's License. The holder of a taxicab driver's license shall be entitled to operate within the Borough any taxicab whose owner has been licensed under this Section.
- b. Taxicab Owner's License. The holder of a taxicab owner's license shall be entitled to operate a taxicab owned or leased by the licensee within the Borough, provided that the person driving the cab holds a valid taxicab driver's license.

#### **4-21.4 Licensing of Taxicab Owners.**

- a. Application Information.
  1. Application for a taxicab owner's license shall be made to the Borough Clerk on forms provided by her. –

2. Applications shall be signed and verified by oath or affirmation by the applicant. Applications by a partnership shall give the information required for each partner and shall be signed and verified by all partners. Applications by a corporation shall give the information required for and be signed and verified by all officers and directors and all persons holding more than ten (10%) percent of the corporation's common stock, as well as by a person duly authorized to act for the corporation itself.
3. Applications received after the effective date of this Ordinance for new licenses or for renewal of existing licenses must be accompanied by proof of automobile liability insurance issued by a company licensed and admitted to transact business in the State of New Jersey, and acceptable to the Borough, indicating limits of liability in amounts not less than the following: \$50,000 per person and \$100,000 per accident for bodily injury or death and \$50,000 per accident for property damage. Proof of insurance must also indicate that insurance coverage applies to all owned or leased vehicles of the applicant or must specify by description all of the vehicles to which the coverage applies. Said proof of insurance must also indicate that the Borough ~~will be notified with~~ shall receive advance written notice of thirty (30) days advance notice should the coverage be cancelled or non-renewed prior to any cancellation or non-renewal thereof, except that no less than ten (10) days advance written notice shall be provided for non-payment of premium. The Borough of Hightstown shall be named as an additional insured on any insurance policy submitted in accordance with the requirements of this section.
4. Information about each taxicab vehicle to be operated under the taxicab owner's license shall be provided, including the following:
  - (a) Vehicle year, make, model and color of vehicle.
  - (b) Vehicle identification number.
  - (c) New Jersey State license plate number.
  - (d) Passenger capacity.
  - (e) Insurance company, policy number and expiration date.
  - (f) Name and address of vehicle owner if different than applicant.
5. Any person who shall make a false statement in any license application or in any record or certificate that is required to be filed or maintained shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.
  - b. Investigation; Grant or Denial of License Hearing before Council. ~~The Chief of Police or a Police Officer designated by him~~ Police Director or his designee 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~~ Police Director or his designee that the license be granted or denied, and the reasons for his such recommendation shall be forwarded to the ~~Council~~ Police Director (i.e., in cases where the investigation is performed by the Police Director's designee) and the Police Commissioner. A report regarding the Zoning Officer's findings shall also be provided to the ~~Council~~ Police Director and the Police Commissioner. The Borough Clerk shall ensure that copies of these reports are also made available to the applicant. Based upon the findings set forth in the reports, the Police Director shall determine whether to grant or deny the license. Said determination shall be rendered in writing and shall be provided 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 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.~~

- c. Factors Considered. In determining whether to grant or deny the license, the ~~Council~~ Police Director shall take into consideration the following factors:
  - 1. The character, business and financial responsibility and experience of the applicant and the probability that, if granted a license, the applicant will operate his taxicab in accordance with the provisions of this section.
  - 2. Any other factors directly related to the granting or denial of the license which would substantially affect the public safety or convenience.
- d. Issuance of License. ~~The Council shall, by resolution, grant or deny the license.~~ If the application is approved by the Police Director, the ~~Clerk~~ Police Department shall issue the license.
- e. License Term; Fees.
  - 1. A taxicab owner's license shall be valid for the remainder of the calendar year for which it is issued.
  - 2. The license fee shall be ~~fifty (\$50.00)~~ one hundred (\$100.00) dollars per year or portion thereof per vehicle and shall be nonrefundable in the event that the application is denied.
- f. In those cases where the license has been denied, the applicant shall be afforded the opportunity for a hearing before the Police Commissioner. Any request for a hearing must be made within ten (10) days of the applicant's receipt of written notice of denial from the Police Director. 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. Following the hearing, the Police Commissioner's determination shall be final.
- g. Renewals. A taxicab owner's license ~~may~~ shall be renewed by the ~~Council~~ Police Director ~~without a hearing~~ upon the licensee's filing with the ~~Chief of Police~~ Police Director or his designee a sworn notarized statement certifying that there have been no changes in the information contained in the initial application and upon the completion of the investigation set forth in paragraph (b) above indicating results that are satisfactory to the Police Director.
- h. Any change(s) in the information contained within the owner's license application shall be reported to the Borough Clerk within three (3) business days thereof. A charge in the amount of twenty-five (\$25.00) dollars shall be levied for each business day after three days that any such changes are not reported to the Borough.

#### 4-21.5 Licensing of Taxicab Drivers.

- a. Applications.
  - 1. Application for a taxicab driver's license shall be made annually to the Borough Clerk upon forms provided by ~~her~~ that office, and shall be forwarded to the ~~Chief of Police~~ Police Director for ~~investigation and approval~~ processing and determination. Applications ~~shall be completed by the applicant in the presence of the Borough Clerk or her designee, and shall be taken in the Clerk's office only, during days and hours established by the Clerk.~~ Except as hereinafter provided, applicants shall have the following minimum qualifications:
    - (a) Applicant must be over twenty-one (21) years of age.
    - (b) Applicant must be a United States citizen or a legal resident alien. A copy of the alien registration card or work permit must be submitted with the application.
    - (c) Applicant must possess a valid New Jersey driver's license.

- (d) Applicant must supply a certification from a licensed physician, on a form to be provided by the Borough Clerk, indicating that the applicant has been examined within the past sixty (60) days and is in sound physical condition, has eyesight corrected to 20/20 vision and is not subject to any infirmity of body or mind which might render the applicant unfit for safe operation of a vehicle for hire.
- (e) Applicant must certify that he/she is not addicted to the use of narcotics or intoxicating liquors.
- (f) Applicant must be able to read, write ~~and understand the English language and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.~~
- (g) Applicants must ~~not have been convicted of any crime involving moral turpitude~~ submit to the performance of a criminal history record background check (State and Federal) paid at their own expense. An applicant shall be disqualified from operating or driving a taxi within the Borough, and shall not be issued a taxicab driver's license, if a criminal history record background check reveals a record of conviction of any of the following crimes as having been committed by the applicant prior to the effective date of this Ordinance:

- Aggravated assault;
- Arson;
- Burglary;
- Escape;
- Extortion;
- Homicide;
- Kidnapping;
- Robbery;
- Aggravated Sexual assault;
- Sexual assault;
- Endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4, whether or not armed with or having in his possession any weapon enumerated in subsection "r." of N.J.S.A. 2C:39-1; or
- A crime pursuant to the provisions of N.J.S.A. 2C:39-3, N.J.S.A. 2C:39-4 or 2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2.

The above automatic disqualification shall not apply, however, to those applicants who had received consent to operate a taxicab within the Borough prior to the effective date of P.L. 2011, c.135, and who had a valid taxicab driver's license issued and in effect by the Borough as of the effective date of P.L. 2011, c.135.

Additionally, if a person who has been convicted of one of the crimes listed above can produce a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-8 or, if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, then the criminal offense shall not disqualify the applicant from operating or driving a taxicab within the Borough.

- (h) Applicant must have a thorough knowledge of the law, traffic regulations and geography of the Borough of Hightstown, the Motor Vehicle Act, the Traffic Act and other ordinances and regulations having to do with traffic. Each applicant may be examined as to his or her knowledge of these provisions, and if the result of the examination is unsatisfactory, the application shall be refused a license.—
- (†) (h) Applicant must be fingerprinted by the Police Department, with a report therein received from the State Police or and Federal Bureau of Investigation.

(j) (i) Applicant must not have been convicted, within the three years prior to the date of the application, of reckless driving, ~~driving while intoxicated~~, leaving the scene of an accident or driving more than 30 miles an hour above the speed limit, and applicant must not have been convicted, within the five years prior to the date of the application, of driving while intoxicated.

(k) (j) At the time of application, applicant must have no more than ~~eight (8)~~ six (6) New Jersey State Division of Motor Vehicle points on his or her driving record, or the equivalent if licensed in any other state.

(h) (k) Requirements (d) and (j) (h) above, regarding physician's certification and fingerprinting, shall not apply to any taxicab driver who holds a valid taxicab driver's license in any other Mercer County municipality which is compliant with P.L. 2011, c.135 and whose firm is licensed in and operating out of said municipality. Such person(s) shall be qualified to obtain a taxicab driver's license in Hightstown upon completion of the application form, payment of the required fee and submission of the following documentation:

- Certification by applicant that he or she meets requirements ~~(a), (b), (c), (f), (g), (h), (i), (j) and (k)~~ of Section 4-21.5(a)(1).
- If not a United States citizen, a copy of alien registration card or work permit.
- Current valid taxicab driver's license from any other Mercer County municipality.
- Valid New Jersey's driver's license.

2. The application shall be accompanied by a fee of fifty (\$50.00) dollars for the ~~initial~~ license period.

3. The application shall be accompanied by two ~~(2)~~ un-mounted, un-retouched glossy photographs of the face of the applicant taken within ~~thirty (30)~~ days preceding filing of the application. Photographs shall be two and one-half inches (2 1/2") by two and one-half inches (2 1/2") in size and shall be passport picture quality. New photographs shall be submitted whenever the licensee's appearance changes significantly.

4. Any person who shall make a false statement in any license application or in any record or certificate that (s)he is required to be filed or maintained shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.

b. ~~Investigation; Grant or Denial of License Hearing before Council. The Chief of Police or a police officer designated by him Police Director or his designee shall investigate the application and shall report the results to the Council Police Director (i.e., in cases where the investigation is performed by the Police Director's designee) and the Police Commissioner within a reasonable time. The report shall include a recommendation that the license be granted or denied and the reasons therefor. The Borough Clerk shall ensure that a copy of the report is made available to the applicant. Based upon the findings set forth in the report, the Police Director shall determine whether to grant or deny the license. In those cases where the Chief of Police or his designee 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 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.

- c. Issuance of License; Contents. Upon approval of the application by the ~~Council~~ Police Director, the ~~Clerk~~ Police Department shall immediately issue the applicant a taxicab driver's license. The license shall contain the licensee's name and address, physical description, signature and photograph.
- d. Term of License; Fees; Renewal. An initial license to drive a taxicab shall be valid for the remainder of the calendar year in which it is issued, and shall be subject to a non-prorated fee of fifty (\$50.00) dollars. A taxicab driver's license may be renewed annually thereafter, unless it has been revoked or suspended, upon the payment of a renewal fee of fifty (\$50.00) dollars and processing of the application in accordance with the procedures set forth above.
- e. Use of License. Taxicab driver's licenses are valid for use with any licensed taxi within the Borough of Hightstown.
- f. In those cases where the Police Director has denied the license, the applicant shall be afforded the opportunity for a hearing before the Police Commissioner. Any request for a hearing must be made within ten (10) days of the applicant's receipt of written notice of denial from the Police Director. 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. Following the hearing, the Police Commissioner's determination shall be final.
- g. Any change(s) in the information contained within the driver's license application shall be reported to the Borough Clerk within three (3) business days thereof. A charge in the amount of twenty-five (\$25.00) dollars shall be levied for each business day after three days that any such changes are not reported to the Borough.

#### 4-21.6 ~~Display of Licenses and Fares Required.~~

- ~~a. The taxicab owner's license and driver's license (with photo) shall be displayed prominently in the interior of each cab. Rates of fares shall be posted in each taxicab.~~
- b. The taxicab driver's license must also be conspicuously displayed on the driver's outer garment when the driver is on duty and presented for confirmation when requested by the passenger.

#### 4-21.7 ~~Inspection of Vehicles.~~

- a. ~~Initial Inspection. Before any vehicle is used as a taxicab within the Borough, it shall be inspected by the Chief of Police or a police officer designated by him.~~
  - 1. ~~All vehicles will be photographed at the time of inspection.~~
  - 2. ~~Inspections will be conducted by appointment only.~~
  - 3. ~~Vehicles must be maintained in a safe, clean and sanitary condition.~~
  - 4. ~~Vehicles must contain all safety devices required by law.~~
  - 5. ~~Each vehicle must have at least one Federally-approved child restraint seat available at all times.~~
  - 6. ~~No vehicle may be more than ten (10) years old at the time of inspection.~~
- b. ~~Reinspections. All taxicabs shall be reinspected annually, or more often if the Council so requires by resolution. In addition, any police officer may inspect any taxicab at any reasonable time to determine if it is clean, sanitary and in a safe and proper operating condition.~~

- e. ~~Failure to Pass Inspection. Any taxicab which fails to pass inspection shall be immediately taken out of service and shall not be operated again within the Borough until the defects which led to its rejection are corrected. In the case of minor defects which do not constitute an immediate danger to the health or safety of the public, the taxicab may continue to be operated for a period of one (1) week, at the end of which time it shall be re-inspected. If the defect has not by then been corrected, the vehicle shall immediately be taken out of service and remain out of service until the defect is corrected. (Ord. No. 2005-29)~~

~~4-21.8~~ 4-21.7 **Exterior Taxicab Identification Required.**

- a. ~~Identification Required. Each taxicab operated in the Borough shall have a sign permitted on each rear door. The sign shall contain the owner's name, the words "taxicab" or "taxi," telephone number and vehicle number in letters not less than four (4) inches nor more than eight (8) inches in height. All taxicabs shall display on the body of the vehicle their taxi license number along with a listing of each municipality that has issued a taxi license to that taxicab. The taxi license number shall be three (3) inches in height and must be located in the center of the rear quarter panels on the driver and passenger sides as well as the rear center line of the trunk of the vehicle. The list of each municipality shall be displayed on each rear door in letters three (3) inches in height.~~
- b. ~~Imitation of Color Scheme or Insignia. No taxicab operated in the Borough shall imitate the color scheme or any identifying design or insignia of another taxicab lawfully operating in the Borough, nor shall one taxicab have a color scheme or identifying design or insignia which is so similar to that of another taxicab as to be likely to have a tendency to mislead the public. The person first using a particular color scheme or identifying design or insignia for his taxicab shall have the prior right to it.~~

~~4-21.9~~ 4-21.8 **Fares.**

- a. ~~Rates of Fare. Fares shall be conspicuously displayed in each taxicab.~~
- b. ~~Receipts. The driver of a taxicab, upon request, shall give the passenger a receipt for the amount charged. The receipt shall show the name of the owner, the license number of the taxicab, the amount of the fare and the date of the transaction.~~
- c. ~~Refusal to Pay Fare. No person, after hiring a taxicab, shall refuse to pay the legal fare, nor shall any person hire a taxicab with the intent not to pay the legal fare.~~

4-21.9 **Taxicab Stands.**

- a. Designation of stands. Upon the advice of the Police Director, the Council may designate, by resolution, a taxicab stand or stands within the Borough.
- b. Regulations regarding taxicab stands.
  - 1. No taxicab shall remain idle for more than 3 minutes at any taxicab stand.
  - 2. Every taxicab, while occupying space at a public taxicab stand, shall be immediately available for hire.
  - 3. Only a taxicab licensed by Hightstown Borough may occupy or deliver a passenger to a taxicab stand in the Borough.
  - 4. Each taxicab stand shall be marked with suitable markings, which shall bear a statement that the stand is reserved for taxicabs licensed by Hightstown Borough only.
  - 5. No person operating a taxicab shall perform maintenance of any kind while occupying space at a public taxicab stand.

#### **4-21.10 Operating Regulations.**

- a. Licenses issued pursuant to this chapter are not transferable.
- b. A driver shall immediately surrender his or her taxicab driver's license to the Borough upon the suspension or revocation of his or her New Jersey driver's license.
- c. No taxicab shall remain idle for more than 3 minutes at any place in or upon any of the streets or highways or any other public place within the Borough.
- d. Cruising is prohibited within the Borough.
- e. No person, while operating or attending a taxicab for hire, shall:
  1. Obstruct any sidewalk; or
  2. Knowingly misinform or mislead any person as to the location of a destination.
- f. Any motor vehicle accident involving a taxicab and causing injury to a person or damage to property in excess of \$500.00 shall be reported immediately to the Hightstown Borough Police Department and a copy of the police report for such accident must be given to the Hightstown Police Department within 14 days of the accident. Such information shall be placed in the Borough's records regarding the taxicab owner and taxicab driver.
- g. All taxicab owners shall keep trip records and receipt books for six (6) months, which shall be kept current and shall be displayed when so requested by authorized Borough officials appointed by the Police Director. Trip records shall show, at a minimum, the date, time, pick-up location, destination, number of passengers and fare charged.
- h. All taxicab vehicles shall be kept clean and free of debris.
- i. Each licensed taxicab driver shall be clean in person and fully dressed while on duty, including shirt, pants and shoes.
- j. Taxicab drivers and passengers shall refrain from smoking within the taxicab vehicle while a hired trip is in progress. This prohibition shall be conspicuously posted in each Borough licensed taxicab vehicle.
- k. No driver shall operate a taxicab after 14 consecutive working hours without an eight (8) hour rest period.
- l. Taxicab drivers shall, immediately after the conclusion of their on-duty time, carefully search the taxicab for any property lost or left therein, and shall, within twenty-four (24) hours after finding any such property, advise the Hightstown Borough Police Department of the nature of the property and where it may be collected.

#### **~~4-21.10~~ 4-21.11 Promulgation of Additional Rules and Regulations; Copies to Be Distributed.**

The Council may establish, by resolution, such additional rules and regulations relating to the operation of taxicabs and the conduct of licensees as it deems appropriate. A copy of the rules and regulations shall be furnished to each licensee.

#### **~~4-21.11~~ 4-21.12 Unlawful Activities.**

All drivers shall be licensed personnel, and taxicabs shall be used exclusively for purposes of transportation of passengers and their baggage. No owner or driver shall be obliged to transport any person who is not orderly.

#### **~~4-21.12~~ 4-21.13 Suspension or Revocation of Licenses.**

a. In the case of an emergency, licenses may be temporarily suspended for not more than seven (7) days by the Police Director.

~~a.~~ b. Licenses may be otherwise suspended or revoked, for cause, by the Borough Council after reasonable notice and a hearing. At said hearing, the licensee 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 suspend the license or to permanently revoke the license. Any license so suspended or revoked shall not be re-issued except for good reasons shown.

In addition to the causes for revocation of a license set forth in subsection 4-1.10, any license issued under this ~~section~~ chapter may be revoked or suspended; by the Borough Council, or any application for the issuance or renewal of a license denied, for any of the following reasons:

1. Failure to render reasonable, prompt, safe and adequate taxicab service.
2. The existence of a judgment unsatisfied of record against the licensee or applicant in any suit arising over the operation of a motor vehicle.
3. Permitting any taxicab owned or driven by the licensee to become unsafe, unsanitary or dirty.
4. Failure to comply with all applicable laws of the State of New Jersey, the ordinances of the Borough or the rules and regulations adopted in accordance with this ~~section~~ chapter.
5. Where taxicab vehicles are found to be used for any improper, immoral or illegal business or purpose or for the violation of any federal or state statute or for the violation of any of the provisions of this chapter.
6. Failure to maintain the proper amount of insurance on licensed taxicab vehicles pursuant to valid and effective insurance policies, as required by this chapter.

~~b.~~ c. Drivers. If the licensee is a driver, his license may also be revoked or suspended by the Borough Council for the following reasons:

1. Revocation or suspension of his New Jersey motor vehicle operator's license.
2. Contraction by the licensee of a communicable or contagious disease.
3. Operating a taxicab in a reckless or grossly negligent manner or habitually operating a taxicab in a negligent manner.

#### ~~4-21.13~~ 4-21.14 **Complaints; Enforcement.**

- a. All complaints shall be submitted to the Hightstown Police Department.
- b. Enforcement of Section 4-21 shall be the responsibility of the Hightstown Police Department or authorized persons designated by the Police Director.

#### 4-21.15 **Violations and Penalties.**

- a. Licenses issued pursuant to this chapter may be suspended or revoked in accordance with Section 4-21.13, for the reasons set forth therein.
- b. For other violations of this chapter, any person convicted thereof shall be subject to the penalties set

forth in Section 1-5 of the Borough Code.

**BE IT FURTHER ORDAINED**, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies; and

**BE IT FURTHER ORDAINED**, that 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 the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect on upon final passage and publication in accordance with the law.

The Mayor called a five minute recess.

**Ordinance 2012-03 Final Reading and Public Hearing – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40SA:4-45.14)**

George Lang, CFO, gave an explanation of the ordinance.

The Mayor opened the Public Hearing on Ordinance 2012-03 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – asked Mr. Lang to explain the ordinance again.

There being no further comments, the Mayor closed the public hearing.

Council President Quattrone moved ordinance 2012-03 for adoption, Councilmember Thibault seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Ordinance adopted 6-0.

Ordinance 2012-03

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

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, *N.J.S.A. 40A: 4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$48,990.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$171,467.45, and that the CY 2012 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, be filed with said Director within 5 days after such adoption.

**Ordinance 2012-04 Final Reading and Introduction – Bond Ordinance to Fund Emergency Authorizations for Damage Occurred as a Result of Hurricane Irene in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$1,322,636 Therefor and Authorizing the Issuance of \$1,259,653 Bond or Notes of the Borough to Finance Part of the Cost Thereof**

George Lang, CFO, gave an explanation of the ordinance.

The Mayor opened the Public Hearing on Ordinance 2012-04 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – noted that he is present.

There being no further comments, the Mayor closed the public hearing.

Councilmember Bluth moved ordinance 2012-04 for adoption, Council President Quattrone seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Ordinance adopted 6-0.

Ordinance 2012-04

*BOROUGH OF HIGHTSTOWN*

*COUNTY OF MERCER*

*STATE OF NEW JERSEY*

**BOND ORDINANCE TO FUND EMERGENCY AUTHORIZATIONS FOR DAMAGE INCURRED AS A RESULT OF HURRICANE IRENE IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,322,636 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,259,653 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,322,636, including the sum of \$62,983 as the down payment required by the Local Bond Law, including grants expected to be received from the Federal Emergency Management Agency ("FEMA") and payments or reimbursements from the Borough's joint insurance fund which are expected to cover most or all of the appropriation. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the improvement or purpose and in anticipation of the receipt of the FEMA Grants and the Borough's joint insurance referred to in Section 1, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,259,653 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is to fund Emergency Authorizations for damage incurred as a result of Hurricane Irene, including improvements to Borough facilities and replacement of equipment, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$1,259,653.

(c) The estimated cost of the improvement or purpose is \$1,600,000, which includes the appropriation of \$1,322,636 and \$277,364 already received by the Borough from FEMA and the Borough's joint insurance fund equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,259,653 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Resolution 2012-115 Authorizing the Payment of Bills**

Councilmember Thibault moved Resolution 2012-115, Councilmember Woods seconded.

Councilmember Thibault questioned a bill being paid to the Borough Engineer for the Americana Diner. It was explained that these funds are being paid out of the escrow posted by the Americana Diner for their project. There was an explanation of escrow accounts posted by and for projects and that Borough Professionals who work on these projects are paid from that account, not by the taxpayer.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault, and Woods voted yes.

Resolution adopted 6-0.

Resolution 2012-115

*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 Borough Administrator, appropriate Department Head and the Treasurer in the amount of \$ 331,150.44 from the following accounts

|                       |    |            |
|-----------------------|----|------------|
| Current               | \$ | 168,868.37 |
| W/S Operating         |    | 115,189.73 |
| General Capital       |    | 10,671.25  |
| Water/Sewer Capital   |    | 25,313.44  |
| Grant                 |    | 3,488.15   |
| Trust                 |    |            |
| Housing Trust         |    | -          |
| Animal Control        |    |            |
| Law Enforcement Trust |    |            |
| Housing Rehab Loans   |    | -          |
| Unemployment Trust    |    | -          |
| Escrow                |    | 7,619.50   |
| Federal Forfeiture    |    | -          |

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**Resolution 2012-116 Authorizing a Shared Services Agreement for Computer Software – Robbinsville Township**

Councilmember Thibault moved Resolution 2012-116; Councilmember Bibens seconded.

James LeTellier, Police Director, explained that the police would be sharing software and books with Robbinsville Police Department, eliminating the need for the Borough to purchase its own.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault, and Woods voted yes.

Resolution adopted, 6-0.

Resolution 2012-116

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH ROBBINSVILLE TOWNSHIP FOR COMPUTER SOFTWARE REFERENCE GUIDE FOR THE POLICE DEPARTMENT**

**WHEREAS**, it is the desire of Hightstown Borough to enter into a Shared Services Agreement for the computer software reference guide for the Police Department to the Township of Robbinsville for the one-year period, January 1, 2012 through December 31, 2012; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

**WHEREAS**, the Township of Robbinsville agrees to provide use of the Cross Reference Phone and Address Directory Software to the Hightstown Borough Police Department Communications Center at a rate of \$350.00 per year; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that Hightstown Borough is hereby authorized to enter into a Shared Services Agreement for use of the Cross Reference Phone and Address Directory Software to the Hightstown Borough Police Department Communications Center, and the Mayor and Borough Clerk are authorized to execute said agreement.

### **Fluoridation Cessation**

Councilmember Bluth opened by noting that she, along with Councilmember Thibault, served as the sub committee to investigate how the fluoridation cessation and the notification to residents was handled. She went on to state that they spoke with the Operators of the Water Plant and it is believed that they did everything they were supposed to do and that they reported it to NJDEP, the Water/Sewer Committee, the Borough Engineer, and the Mayor and Council Liaison at the time. Funds that were budgeted in 2011 and 2012 for fluoride have not been spent and a formal written procedure for notification of changes to the plant has been developed. The employees involved are dedicated and would not jeopardize the health or safety of the Borough's residents.

Councilmember Thibault added that the NJDEP only had an informal request, not a mandate to notify the residents that fluoride was no longer being placed in the water. The issue is a lack of communication from the NJDEP. There has been a process developed for the future.

### **Hurricane Irene Update**

Mr. Theokas advised that the Borough has received \$366,000.00 from insurance for the Water and Waste Water Plants; however a full breakdown has not yet been received. There is on-going dialogue with FEMA and the insurance; FEMA pays after insurance. He also spoke to the County regarding the flood map procedure and how it affects Hightstown Borough. FEMA performed its own estimate for Borough Hall but it is not yet complete.

Mr. Theokas then advised Council that it may be advantageous to invite the various organizations such as the Planning Board, GHEWIP, Downtown Hightstown, and the Borough Planner to a future meeting to get their opinion regarding Borough Hall.

There was discussion regarding flood maps and Councilmember Woods gave an overview of the flood map process and a history /timeline of the revised flood maps. Carmela Roberts, Borough Engineer, advised that she saw the maps presented in 2008, but never saw the maps from 2010. She noted that the flood maps did not change the flood area and explained that an amendment to the maps is not appropriate; she has been in contact with the County Engineer on the matter.

Councilmember Woods stated that the Council needs to start looking at the Municipal Complex (Borough Hall) in pieces and make a decision tonight as to whether to close off the back portion of the building and get the Administrative offices and Court up and running; Council needs to take action. Mr. Theokas recommended that Council look at Borough Hall long-term.

There was discussion regarding issuing an RFP for a professionals to evaluate Borough Hall, Borough Hall insurability, the difference between a bid and RFP, and the cost to develop specifications.

Mr. Theokas noted that the Water Plant is considered a pump station and the AWWTP is not in a flood zone. It was decided that Council members Woods and Bluth would provide a scope of work for Borough Hall recovery and mitigation to Council for consideration to issue an RFP for professional services.

Councilmember Doran requested that resolutions 2012-84 and 2012-122 be pulled from the consent agenda as she would like to discuss these two resolutions.

### **Resolution 2012-84 Supporting in Concept the Sustainable Raritan River Initiative**

Councilmember Doran moved Resolution 2012-84; Councilmember Thibault seconded.

Councilmember Doran stated that the Environmental Commission strongly supports this resolution. Councilmember Thibault noted that he does not endorse this resolution because he feels that Hightstown is giving up authority and landowners rights.

Roll Call Vote: Council members Bibens, Bluth, Doran, and Woods voted yes; Council members Quattrone and Thibault voted no.

Resolution adopted, 4-2.

Resolution 2012-84

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

**SUPPORTING IN CONCEPT THE SUSTAINABLE RARITAN RIVER INITIATIVE**

**WHEREAS**, The Raritan River is an asset to the region and to Hightstown Borough and it would benefit the community to increase awareness and use of the river via local access points and trails, and

**WHEREAS**, upgrades to current river access points are desirable and the need for ongoing plans for development of future recreational uses are of value to Hightstown Borough, and

**WHEREAS**, protection and preservation of habitat and biodiversity in our river ecosystem will provide recreational and natural assets to Hightstown Borough, and

**WHEREAS**, the goals of restoration, rehabilitation and regeneration of compromised areas of lands in public ownership will benefit present and future residents, and

**WHEREAS**, best management practices for habitat enhancement in the maintenance and management of open space are available and when applied would benefit various departments of Hightstown Borough government, and the quality of life to all Hightstown Borough residents, and

**WHEREAS**, properties that are deemed brownfields because they are contaminated, abandoned or underutilized, detract from the economic vitality of active businesses, and need attention to be remediated and returned to valued uses, and,

**WHEREAS**, practices to prevent future pollution are known and could be applied for the benefit of Hightstown Borough management operations, and the residents of the county, and

**WHEREAS**, stormwater runoff is a significant contribution to flooding, solid waste and streets in Hightstown Borough, and further damages the Raritan River, and the Raritan River Action Plan (*Reclaiming the Raritan: a Restoration and Sustainable Reuse Plan*) encourages improvements in this area, and

**WHEREAS**, the overall restoration and protection of the watershed area that provides water to Hightstown Borough residents and the Raritan River should be promoted, and

**WHEREAS**, redevelopment needs to provide economic benefits without further damaging, and ideally restoring, the ecology of the Raritan River and Hightstown Borough,

**NOW THEREFORE BE IT RESOLVED that Hightstown Borough Mayor and Council support the concept the Sustainable Raritan River Initiative, and work as an active member of the Raritan River Collaborative to promote efforts to restore and protect the River in accordance with the goals as outlined in the Sustainable Raritan River Action Plan.**

**Resolution 2012-122 Designating Saturday, April 21, 2012 as Arbor Day in the Borough of Hightstown**

Councilmember Thibault moved Resolution 2012-122; Councilmember Bibens seconded.

Councilmember Doran noted that the Environmental Commission is working on acquiring the Tree City designation and needs this resolution to fulfill the obligation. She went on to let everyone know that there will

be a tree planting on April 21<sup>st</sup> at 12 noon in Dawes Park.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolution adopted, 6-0.

Resolution 2012-122

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

**RESOLUTION DESIGNATING SATURDAY, APRIL 21, 2012, AS  
ARBOR DAY IN THE BOROUGH OF HIGHTSTOWN**

**WHEREAS**, it is widely reported as historical fact that, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, raw material for sculpture and painting and limitless works of art, and source materials for countless other wood products; and

**WHEREAS**, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community and spiritual renewal; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Council of the Borough of Hightstown hereby does proclaim and designate Saturday, April 21, 2012, as **ARBOR DAY** in the Borough of Hightstown;

**IT IS FURTHER RESOLVED**, by the Council of the Borough of Hightstown, that all residents and members of our community are urged and encouraged to support efforts to protect our trees, walkways, riparian banks and woodlands throughout our Borough and our surrounding environment;

***IT IS FURTHER RESOLVED** that all residents and members of our community are urged and encouraged to plant trees where appropriate, to gladden hearts and promote the well-being of present and future generations*

**Consent Agenda – Resolutions 2012-117, 2012-118, 2012-119, 2012-120, 2012-121 and 2012-123**

Councilmember Thibault moved the consent agenda which contained Resolutions 2012-117, 2012-118, 2012-119, 2012-120, 2012-121 and 2012-123; Councilmember Bibens seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolutions adopted, 6-0.

Resolution 2011-117

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

**AUTHORIZING AGREEMENT FOR ACCEPTANCE AND PROCESSING OF  
SEPTIC WASTE WATER, GRAY WATER AND/OR FATS AND GREASE – BROGAN  
SEPTIC**

**WHEREAS**, Brogan Septic of Flagtown, New Jersey has requested the use of the Borough of Hightstown Advanced Wastewater Treatment Plant for delivery of septic waste water, gray water and/or fats and grease; and,

**WHEREAS**, their request has been reviewed and approved by the Superintendent of the Advanced Wastewater Treatment Plant, and they have submitted a signed agreement along with the required Certificate of Insurance.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the agreement with Brogan Septic for acceptance and processing of septic waste water, gray water and/or fats and grease is hereby approved, and the Mayor and Borough Clerk are authorized to execute same.

Resolution 2012-118

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

**AUTHORIZING A REFUND FOR A FIRE PERMIT**

**WHEREAS**, the Knights of Columbus of Hightstown, New Jersey paid for a fire permit with check #8600 in the amount of \$42.00; and

**WHEREAS**, \$42.00 was deposited into account #2-01-16-606-601; and

**WHEREAS**, the permit was to hold a St. Patrick's Dinner-Dance at St. Anthony of Padua Church but this facility is inspected as part of its new use, thus not requiring a separate fire permit to be issued; and

**WHEREAS**, the Construction Official has requested that a refund of the \$42.00 paid for said permit be issued.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized and directed to issue a refund in the amount of \$42.00 to Knights of Columbus of P. O. Box 66, Hightstown, New Jersey 08520, for a fire permit as stated within.

Resolution 2012-119

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

**AUTHORIZING RELEASE OF FUNDS REMAINING IN ESCROW – CLEAR  
WIRELESS, LLC (BLOCK 46, LOT 13)**

**WHEREAS** Clear Wireless, LLC has requested that the funds remaining in their escrow account with the Borough for Block 46, Lot 13 be released; and

**WHEREAS** the Borough Professionals have certified that there are no outstanding fees related to the project; and

**WHEREAS** the Borough Engineer has recommended the release of the remaining escrow funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is authorized and directed to release to Clear Wireless, LLC all amounts remaining in the escrow account for Block 46, Lot 13.

A certified copy of this Resolution shall be provided to the following:

- a. Clear Wireless, LLC
- b. Janice Mohr-Kminek, Treasurer
- c. Susan Jackson, Planning Board Secretary
- d. Carmela Roberts, Borough Engineer
- f. Gary Rosensweig, Planning Board Attorney

Resolution 2012-120

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

**AUTHORIZING THE ISSUANCE OF AUCTION LICENSE – EMPIRE ANTIQUES**

**WHEREAS**, an application for a license to hold an auction on Saturday, May 12, 2012 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 Police Director; and

**WHEREAS**, it is the desire of the Mayor and Council that a license be issued to Empire Antiques 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 Antiques for their auction to be held on Saturday, May 12, 2012 at 278 Monmouth Street.

Resolution 2012-121

**A RESOLUTION AUTHORIZING A TEMPORARY EXTENSION OF EXISTING 2011 TAXICAB DRIVER'S AND TAXICAB OWNER'S LICENSES, AND THE MORATORIUM ON THE ISSUANCE OF 2012 TAXICAB DRIVER'S AND TAXICAB OWNER'S LICENSES**

**WHEREAS**, the Borough has previously issued a number of taxicab driver's and taxicab owner's licenses for the year 2011, pursuant to Section 4-21 of the Revised General Ordinances of the Borough of Hightstown (also referenced as the "Borough Code"); and

**WHEREAS**, the Borough Council is presently in the process of amending the Borough's taxicab ordinance and the regulations included therein; and

**WHEREAS**, resolution 2011-271 and 2012-85 adopted by the Hightstown Borough Council authorized a temporary extension of existing 2011 taxicab driver's and taxicab owner's licenses until May, 2012 or such time that the Council adopts a revised ordinance, whichever occurs first; at which time the required fee, application and associated paperwork will be required to be submitted in accordance with the newly adopted ordinance; and

**WHEREAS**, Council is still in discussion regarding amending the ordinance and has found that the moratorium should be extended until the adoption and facilitation of said ordinance.

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

1. That the Borough hereby authorizes a temporary extension of existing valid 2011 taxicab driver's and taxicab owner's licenses until the facilitation of the ordinance at which time the required fee,

application and associated paperwork will be required to be submitted in accordance with the newly adopted ordinance and approval of licenses shall be administered in accordance with the newly adopted ordinance;

2. That, during this period, there shall be a moratorium on the issuance of any new taxicab driver's or taxicab owner's licenses for 2012.
3. That a certified copy of this Resolution shall be provided to:
  - a. Each 2011 taxicab licensee
  - b. William Schmeling, Zoning Officer
  - c. James K. LeTellier, Police Director

Resolution 2012-123

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

**SUPPORTING A-2717 EXTENDING THE TIME PERIOD FOR MUNICIPALITIES TO  
COMMIT TO EXPEND COLLECTED DEVELOPMENT FEES AND PAYMENTS-IN-  
LIEU OF CONSTRUCTING AFFORDABLE UNITS**

**WHEREAS**, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be “committed for expenditure, or risk forfeiture to the State;” and

**WHEREAS**, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for “committed” as well as a timetable for expenditures; and

**WHEREAS**, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

**WHEREAS**, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

**WHEREAS**, at the time of 2008 Act, COAH was prepared to adopt its “3rd round regulations” establishing municipal obligations under the “Fair Housing Act”; and

**WHEREAS**, COAH's 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

**WHEREAS**, eight years of litigation over COAH's methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

**WHEREAS**, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

**WHEREAS**, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

**WHEREAS**, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of Hightstown Borough urges our State Legislators to support and approve A-2717, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, Senator Linda Greenstein, Assemblyman Daniel R. Benson, Assemblyman Wayne P. DeAngelo, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

**Code Enforcement Update**

Mr. Theokas gave a review of the log from the Code Enforcement office and advised that there has been an influx of complaints regarding signs on Stockton Street and excessive yard sales. He noted that there may be a need to consider additional support in the Code Enforcement office.

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

Scott Caster, 12 Clover Lane – encouraged Council to consider Mr. Theokas’ recommendation regarding additional assistance in the Code Enforcement office.

Eugene Sarafin, 628 S. Main Street – commented that Council handled the taxi ordinance well and that Borough Hall is a tough decision; the rug mill should be taken into consideration.

Skye Gilmartin, 41 Powell Court – noted that it was a great meeting and inquired as to what was going to be done about putting fluoride back into the water. She went on to thank Councilmember Woods for moving forward with the taxi ordinance and Council for a good meeting.

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

**Mayor/Council/Administrative Comments and Committee Report**

Councilmember Thibault – advised that there is another Open House meeting at the Library this Saturday and noted that volunteers should be appreciated.

Councilmember Bibens – commented that this was a productive meeting.

Councilmember Thibault moved to adjourn at 11:12 pm, Councilmember Woods seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk